

TOWN OF VINALHAVEN BOARD OF SELECTMEN

AGENDA

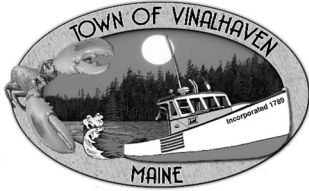
Tuesday, March 2nd, 2021

5:30 PM

Virtual Meeting*

- 1. Roll Call**
- 2. Approve Agenda**
- 3. Minutes** – Approve the minutes from the February 16th, 2021 Meeting
- 4. Approve and Sign Treasurer’s Warrants #35**
- 5. Communications**
- 6. Speakers from the Floor**
- 7. Committee and Department Reports/ Appointments**
 - a. Road Commissioners Report
 - b. Sewer Department
 1. Low BOD and TSS Follow-up
 - c. Capital Projects/Engineers Report
- 8. Old Business**
 - a. NFIP LOMR – Follow up from Ransom Memo/Public Presentation
 - b. Transfer Station Layout – W&C Concept Layout
- 9. New Business**
 - a. Charter Communications Cable Franchise Agreement – Review Agreement
 - b. FY 22 Draft Budget – Schedule Review
 - c. Restricting Vehicle Weights – Approve road posting
 - d. FOA Records Retention – Review quote and possible action
- 10. Report from Town Manager**
- 11. Report of Members**
- 12. Adjourn**

**If you wish to participate in the discussion, please email or call Andrew Dorr, Town Manager for log-in info. He can be reached at townmanager@townofvinalhaven.org or 863-2042.*



TOWN OF VINALHAVEN BOARD OF SELECTMEN

MINUTES

Tuesday, February 16, 2021

5:00 pm

Virtual Meeting

1. **Roll Call** - Selectmen Eric Gasperini, Phil Crossman, Pam Alley, Donald Poole and Jacob Thompson; and Town Manager Andrew Dorr.

Also attending virtually – Pat Lundholm, Janann Sherman, Gabe McPhail, Matt Jablonski and KC Deputy Chad Abbott.
2. **Approve Agenda** - *Motion by Eric Gasperini to approve the agenda as presented. Second by Pam Alley. Vote 5-0-0. Motion carried.*
3. **Minutes** - **Approve the minutes from the February 2, 2021 meeting.** *Motion by Phil Crossman to approve the minutes. Second by Eric Gasperini. Vote 4-0-1. Donald Poole abstained. Motion carried.*
4. **Approve and Sign Treasurer's Warrant #33** - *Motion by Eric Gasperini to approve and sign Treasurer's Warrant #33. Second by Donald Poole. Vote 5-0-0. Motion carried.*
5. **Communications**
 - a. **Beacon of Sovereignty** – There was a consensus of the Board to not sign the Resolution.
6. **Speakers from the Floor** – None
7. **Committee and Department Reports/Appointments**
 - a. **Appointment to the Sea Level Rise Committee** – *Motion by Eric Gasperini to appoint Jonathan Smith to the SLR Committee. Second by Pam Alley. Vote 5-0-0. Motion carried.*
 - b. **Broadband Committee** – The committee met last Thursday and have come to the Board with a recommendation. They are asking the Board to endorse the exploration of the community's will to support a municipally owned fiber-to-the-premise network through taxation. They are proposing a community survey, outreach and engagement. *Motion by Phil Crossman to endorse the committee's exploration of the community's will and support the proposed work plan as presented. Second by Donald Poole. Vote 5-0-0. Motion carried.* Donald Poole suggested not putting parameters on what an adequate/reasonable amount of responses would be. Gabe clarified that it only impacts the questions asked: year-round or seasonal resident? Do or do not own property? Pay taxes? There was a consensus to get as large of a sample size as possible, but also collect data from the previously mentioned demographics. Janann asked if there were any other criteria they would like the committee to seek as they ask these questions. Jake asked about a cost breakdown question (ex. Would you be interested in a project if it cost between \$1M-\$3M or \$3M-\$5M, etc.). There was discussion on putting it in terms of what it would cost an

individual in taxation and subscriber fees. There is a Zoom conversation tomorrow night (Wednesday, Feb 17th) at 6pm discussing benefits and challenges of building and operating an investor-owned broadband network with Walt Smith who helped lead the creation of an LLC for Cliff Island and Lyme, NH.

- c. **Waste Watchers** – Swap Shop Committee – The Committee is proposing that Amy Lear and Pat Lundholm will manage the Swap Shop initially and then volunteers may come forward. Two questions for the Board: Is the general direction that the committee is pursuing agreeable, and if the Public Works building is deemed an acceptable location, would the town be willing to fix a leak in the roof of the small addition attached to the building. Andy will have someone look at the roof and see how big of a repair it will be. *Motion by Phil Crossman to endorse this work plan and fix the leak at the Public Works building subject to cost. Second by Pam Alley. Vote 5-0-0. Motion carried.*
- d. **Road Commissioners Report** – The Board reviewed the Commissioners report. Andy reported that one of the sand spreaders went for repairs and the 550 went to the mainland for repairs.

8. Old Business

- a. **EcoMaine Recycling Contract – Renewal Discussion** – Andy shared a reply from EcoMaine clarifying some of the question that came up at the last meeting. *Motion by Eric Gasperini to sign the Revenue/Cost Share Program contract with EcoMaine. Second by Phil Crossman. Vote 5-0-0. Motion carried.* Andy also noted that, to date, no loads have been contaminated over 2%.

9. New Business

- a. **Fireworks Contract** – *Motion by Eric Gasperini to sign the Fireworks agreement with Central Maine Pyrotechnics. Second by Pam Alley. Vote 5-0-0. Motion carried.*
- b. **Committee Guidelines Policy** – *Motion by Eric Gasperini to approve the Committee Guidelines Policy and Committee Formation Document. Second by Donald Poole. Vote 5-0-0. Motion carried.* Gabe and Matt were thanked for their work on this project.

10. Report of Town Manager –

Andy said Deputy Abbott had attended one of the “business coffee hours” that Andy has hosted and as discussed last meeting he was willing to come meet with the Board. He mentioned that he was seeing a lot of inspection sticker violations, but that some leniency was given due to no garage issuing stickers at this time.

Andy shared the draft Personnel Policy and Substance and Alcohol Testing Policy. Donald asked about testing for Marijuana where it is legal in the State now. There was discussion on it being a federal standard for those holding a CDL license. There was discussion on “floating holidays” and other holidays.

Andy followed up with Ransom Engineering and the flood insurance map revisions. There will be a discussion and presentation on Tuesday, Feb. 23, 2021 at 5:30pm.

Jake mentioned a couple new bills being proposed that would impact the lobstermen and Andy received more details on those. He provided an overview of the two actions being considered. There was discussion on the impact of both of these documents and composing a Town statement.

There was discussion on ICMS’s distribution of COVID vaccines, and who is considered essential personnel.

11. Report of Members –

- a. Phil Crossman asked if anything further had been done to reforming the Housing Committee. Andy answered that he, Matt, and Gabe had met with Elin Elisofon (and Matt again after that) and working with the new policy to formulate a proposal of what the Housing Committee will focus on and their work goals. Elin is working on a committee roster and they will be meeting next Monday (2/22).

Phil asked if reducing the 30-minutes-prior line-up time requirement for the ferry line had been brought to management. Andy said he thought it was something that should be brought to the Advisory Committee. Phil will speak to the local Advisory Committee on behalf of the Board.

- b. Pam Alley asked about getting a quote on painting the flag pole across from the Library.

12. Adjourn – Motion by Eric Gasperini to adjourn. Second by Donald Poole. Vote 5-0-0. Motion carried.

Respectfully Submitted,

Elizabeth Bunker, Deputy Town Clerk

From: [Daniel Bickford](#)
To: [Andrew Dorr](#)
Cc: [VH_DPW](#)
Subject: Weekly report for the Public Works Dept. 2/16/21-2/20/21.
Date: Sunday, February 21, 2021 5:28:41 PM

Hi Andy:

Enclosed please find the weekly report for the Public Works Dept. 2/16/21-2/20/21:

<u>DATE</u>	<u>JOB DESCRIPTION</u>	<u>WORKERS INVOLVED</u>	<u>TIME IN</u>	<u>TIME OUT</u>	<u>MATERIAL</u>
2/16/21	SAND ROADS SAND 350	JEREMY/DUSTY	4:00AM	12:00PM	3 YDS
		ROLLY	5:00AM	2:00PM	4
	YDS SAND 550				
		BRIAN	5:00AM		
	7:00AM	8700			
		NICK	4:00AM	2:30AM	10
	YDS SAND 4700				
	SIDEWALKS	JEREMY/DUSTY	12:45PM	2:30PM	
2/17/21	SAND ROADS YDS SAND 4700	NICK	7:00AM	11:00AM	15
	SAND 350	JEREMY/DUSTY	7:00AM	12:00PM	4 YDS
	OFFICE WORK	NICK	11:00AM	2:00PM	
	HYD FLUID/MAINT.	DUSTY/JEREMY	11:30AM	12:30PM	
2/18/21	SAND	JEREMY/DUSTY	7:00AM		
	10:00AM	350			
	MAINT 4700	JEREMY/DUSTY/NICK	10:00AM	11:00AM	
	OFFICE WORK	NICK	7:00AM	10:00AM	
			11:00AM	2:00PM	
	SHOP WORK	DUSTY	11:00AM	2:00PM	
	MAINT 550	JEREMY	11:00AM	4:30PM	
2/19/21	CHECK RDS FOR ICE	DUSTY/JEREMY	7:00AM		
	10:30AM	350			
		ROLLY	7:00AM	10:30AM	2
	YDS SAND 550				
	RIG 550	JEREMY/DUSTY/ROLLY	10:30AM	12:00PM	
	OFF WORK	NICK	7:00AM	2:00PM	
	DUMP RUN	ROLLY	12:00PM	1:00PM	
	SHOP WORK	JEREMY/DUSTY	12:00PM	2:00PM	
		ROLLY	1:00PM	2:00PM	
2/20/21	SAND ROADS SAND 550	ROLLY	1:00AM	8:00AM	5 YDS
	SAND 350	JEREMY/DUSTY	1:00AM	8:30AM	3 YDS

NICK

1:00AM 11:15AM 20

YDS SAND 4700

The 550 is repaired and back from Rockland Ford. I will be in on Monday morning for the weekly briefing. We received delivery of 100 yards of winter sand from the mainland this week. With all the sanding events this month, the sand pile is getting down.

Sincerely,
Daniel Bickford

February 24, 2021

Mr. David Bowie
Compliance Inspector
Environmental Specialist III
Division of Water Quality Management
Bureau of Water Quality, MEDEP

RE: Letter of Warning (LOW) for QA/QC and sampling issues related to the BOD5 & TSS license requirement and compliance issues related to collection system I/I contributions.

Attn: Andrew Dorr

Dear David,

In response to November exceedances and as requested by the Letter of Warning from the MEDEP, Vinalhaven Wastewater Department has taken the following actions:

- We added early sampling protocols to all our compliance sampling SOP's to allow a window for resampling as necessary (See attached SOP). We listed instructions and necessary contact information on our SOP's to ensure operators contact the MDEP within 24 hours by both phone and email in the event of exceedance or violation (see attached SOP);
- We have initiated an inflow and infiltration identification plan as requested. Ted Berry Company has provided a quote for the cost of jetting and inspecting the entirety of Vinalhaven's gravity mains. This work includes i/i identification as they go. The Ted Berry quote has been provided to the town via Maine Water operators;
- We recommended that the entire collection system be jetted and inspected on a 5 year cycle. The town manager and sewer board are working on budgeting for the additional cost of this work. It is likely that jetting and inspecting work will be done in pieces over the course of five years, with tentative plans to begin in fall of 2021. We will monitor pump stations closely during spring rain events and subsequent dry periods in order to identify and prioritize areas of greatest inflow and infiltration. While the jetting and inspection plan develops we will work with Dwyer's Plumbing, who is contracted to maintain and monitor the sewer pump stations, to utilize their knowledge for further fine tuning the program.

Here is a synopsis and strategy of our preliminary inflow and infiltration plan:

I/I Identification

1. Identify contractor with jetting and inspecting capabilities adequate for Vinalhaven's collection system.
(Completed: Ted Berry Company)
2. Secure quote for jetting and inspecting services for Vinalhaven Collection system.
(Completed, Attached)
3. Provide quote to town manager and board of selectman so costs can be budgeted for and secured.
(Completed)
4. Secure budget approval for jetting and inspecting service.
(In progress. Maine Water has recommended completing inspection and jetting of collection system on a minimum of 5 year cycle beginning in 2021)
5. Use pump station run times during rain events to identify priority areas for inspection.
(In progress, to be completed this spring)
6. Based on available funding, create a schedule for a portion of the system to be inspected every year, achieving complete system inspection within a 5 year cycle.
(Awaiting funding).

Please do not hesitate to contact me with any questions.

Thank you,

William Calkins
Vinalhaven Superintendent
(207) 975-2189
William.Calkins@MaineWater.com



JANET T. MILLS
GOVERNOR

DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
ACTING COMMISSIONER

January 29, 2021

Town of Vinalhaven
POTW
PO Box 815
Vinalhaven, ME 04863

RE: Letter of Warning (LOW) for QA/QC and sampling issues related to the BOD5 & TSS license requirement and compliance issues related to collection system I/I contributions.

LETTER OF WARNING

Attn: Andrew Dorr
Mark Courtenay

The Town of Vinalhaven, Wastewater Treatment Facility, Vinalhaven, Maine
MEPDES License No. ME0102491 contains Special Condition A (1):

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge secondary treated sanitary wastewater from **Outfall #001A** to the Atlantic Ocean in Vinalhaven. Such discharges are limited and must be monitored by the permittee as specified below⁽¹⁾.

Effluent Characteristic	Discharge Limitations						Minimum Monitoring Requirements	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow [50050]	0.129 MGD [03]	---	Report (MGD) [03]	---	---	---	Continuous [99/99]	Recorder [RC]
BOD ₅ [00310]	32 lbs./day [26]	48 lbs./day [26]	54 lbs./day [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	2/Month [02/30]	Composite [24]
BOD ₅ % Removal ⁽²⁾ [81010]	---	---	---	85% [23]	---	---	1/Month [01/30]	Calculate [CA]
TSS [00530]	32 lbs./day [26]	48 lbs./day [26]	54 lbs./day [26]	30 mg/L [19]	45 mg/L [19]	50 mg/L [19]	2/Month [02/30]	Composite [24]
TSS % Removal ⁽²⁾ [81011]	---	---	---	85% [23]	---	---	1/Month [01/30]	Calculate [CA]

- Due to logistical issues the site was not able to collect the normal second sample of the month for November until after the thanksgiving holiday and that sample failed the Seed QA/QC and invalidated the sample. The second BOD5 sample could not be replaced as the month of November had ended. This is a violation of the conditions listed in the facility license.

The site did not meet the minimum removal efficiency for TSS in the month of November 2020 due to I/I contributions causing the influent TSS to be lower than normal. This is a violation of the conditions listed in the facility license.

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

Letter to Andrew Dorr January 29, 2021

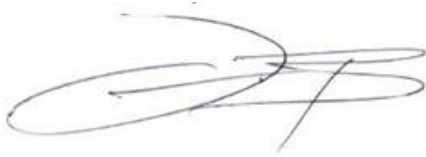
These items listed below are required as part of the LOW:

1. Please provide a plan or updated SOP that details the procedure for sampling compliance parameters earlier in compliance period to avoid having samples disqualified late in the month and not be able to make them up.
2. Please provide a plan of the steps the Towns plans to take to inventory the collection system material, determine the condition of the piping and manholes which will lead into determining the I/I sources in the system. I/I contributes unwanted clean water into the system that becomes expensive to treat and will cause treatment efficiency issues at the plant.
3. Please provide a policy or protocol that requires the plant staff to report any plant violations via phone or email within 24 hours and to follow-up with a DIR for the event.

Please respond to the items listed above in writing within 30 days of receiving this LOW.

Please contact me if you require technical assistance concerning this LOW or have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Bowie', with a large, stylized flourish at the end.

David Bowie, E.I.T
Compliance Inspector
Environmental Specialist III
Division of Water Quality Management
Bureau of Water Quality, MEDEP
Cell: (207) 287-8806, e-mail: David.g.Bowie@gmail.com

Email copy: Pamela Parker, DEP Enforcement

Vinalhaven Wastewater SOP

Drafted 2021
January Procedures

Flow (Daily)

1. Record in Benchsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021
January Procedures

TSS (2/Month)	
1.	24 hour composite samples (Influent and Effluent).
2.	Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3.	Enter results in DMR at end of month.
Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances). Ships to Rockland Wednesday mornings. Hard copy of results to cabinet. Digital copy saved to G drive.	
This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.	

TSS% Removal (Monthly)	
1.	Calculated from TSS results.
2.	Enter in DMR at end of month.
Notes: Minimum = 85%	

DMR (Monthly)	
1.	Enter all sample/test results into DMR at end of month.
2.	Send to Mark Courtenay for review prior to submission.
3.	Submit DMR with accompanying copies of data/results no later than the 15th.
Notes: Submit early if possible to allow time for any potential corrections. Copy of submission and all data/results gets saved to G drive.	

*All compliance samples should be completed with enough time remaining in compliance period to adjust treatment and resample at least once.

I.e: When possible, monthly compliance samples should be completed in first two weeks of every month.
Quarterly compliance should be completed in first or second month of each quarter.

This provides added protection from laboratory invalidations as well as the ability to improve monthly average scores if needed.

In event of violation or exceedance: Notify DEP inspector via phone AND email within 24-hours.

Complete Discharge Incident Report (DIR) and send to DEP inspector within 5 days of violation or exceedance event.

Current DEP Inspector contact info: David.Bowie@maine.gov (207) 287-8806

Vinalhaven Wastewater SOP

Drafted 2021
February Procedures

Flow (Daily)

1. Record in Benchsheet daily.
2. Enter into DMR weekly.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of the week.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of the week.

Notes: Calibrate pH probe daily prior to sample.
pH must be analyzed with 15 minutes to be valid.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR when results are received from the lab.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Automatically calculated from BOD results.
2. Enter results in DMR after the second sample result returns to determine if more testing is needed.

Notes: Minimum = 85%

TSS (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (7 day hold time).
3. Enter results in DMR when results are received from the lab.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Hard copy of results to cabinet. Digital copy saved to G drive.

This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

Vinalhaven Wastewater SOP

Drafted 2021
February Procedures

TSS% Removal (Monthly)	
1.	Calculated from TSS results.
2.	Enter results in DMR after the second sample result returns to determine if more testing is needed.
Notes: Minimum = 85%	

WET/ACHEM (Quarterly)	
1.	24 hour composite sample (effluent), grab sample (effluent), grab sample (receiving waters).
2.	Ship immediately on ice to John Tipping at Lotic Inc.
3.	Send John Tipping flow data for day and month sample was taken.
4.	Enter results in DMR at end of week.
Notes: MEL sends WET/ACHEM cooler and kits to John Tipping. John will send these on to Vinalhaven. Composite sample should be programmed to finish on Monday morning. John will split sample into WET and ACHEM and send ACHEM portion on to MEL for testing.	

DMR (Monthly)	
1.	Enter all sample/test results into DMR weekly, double check at end of month.
2.	Submit DMR with accompanying copies of data/results no later than the 15th.
Notes: Submit early if possible to allow time for any potential corrections. Copy of submission and all data/results gets saved to G drive.	

*All compliance samples should be completed with enough time remaining in compliance period to adjust treatment and resample a minimum of once.

I.e: When possible, monthly compliance samples should be completed in first two weeks of every month.

Quarterly compliance should be completed in first or second month of each quarter.

This provides added protection from laboratory invalidations as well as the ability to improve monthly average scores if needed.

In event of violation or exceedance: Notify DEP inspector via phone AND email within 24-hours.

Complete Discharge Incident Report (DIR) and send to DEP inspector within 5 days of violation or exceedance event.

Current DEP Inspector contact info: David.Bowie@maine.gov (207) 287-8806

Vinalhaven Wastewater SOP

Drafted 2021
March Procedures

Flow (Daily)

1. Record in Bencsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021
March Procedures

TSS (2/Month)	
1.	24 hour composite samples (Influent and Effluent).
2.	Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3.	Enter results in DMR at end of month.
Notes:	Complete in first two weeks of month if possible (Allows time for correction of any exceedances). Ships to Rockland Wednesday mornings. Hard copy of results to cabinet. Digital copy saved to G drive. This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

TSS% Removal (Monthly)	
1.	Calculated from TSS results.
2.	Enter in DMR at end of month.
Notes:	Minimum = 85%

DMR (Monthly)	
1.	Enter all sample/test results into DMR at end of month.
2.	Send to Mark Courtenay for review prior to submission.
3.	Submit DMR with accompanying copies of data/results no later than the 15th.
Notes:	Submit early if possible to allow time for any potential corrections. Copy of submission and all data/results gets saved to G drive.

*All compliance samples should be completed with enough time remaining in compliance period to adjust treatment and resample at least once.

I.e: When possible, monthly compliance samples should be completed in first two weeks of every month.

Quarterly compliance should be completed in first or second month of each quarter.

This provides added protection from laboratory invalidations as well as the ability to improve monthly average scores if needed.

In event of violation or exceedance: Notify DEP inspector via phone AND email within 24-hours.

Complete Discharge Incident Report (DIR) and send to DEP inspector within 5 days of violation or exceedance event.

Current DEP Inspector contact info: David.Bowie@maine.gov (207) 287-8806

Vinalhaven Wastewater SOP

Drafted 2021
April Procedures

Flow (Daily)

1. Record in Bencsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021
April Procedures

TSS (2/Month)	
1.	24 hour composite samples (Influent and Effluent).
2.	Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3.	Enter results in DMR at end of month.
Notes:	Complete in first two weeks of month if possible (Allows time for correction of any exceedances). Ships to Rockland Wednesday mornings. Hard copy of results to cabinet. Digital copy saved to G drive. This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

TSS% Removal (Monthly)	
1.	Calculated from TSS results.
2.	Enter in DMR at end of month.
Notes:	Minimum = 85%

DMR (Monthly)	
1.	Enter all sample/test results into DMR at end of month.
2.	Send to Mark Courtenay for review prior to submission.
3.	Submit DMR with accompanying copies of data/results no later than the 15th.
Notes:	Submit early if possible to allow time for any potential corrections. Copy of submission and all data/results gets saved to G drive.

*All compliance samples should be completed with enough time remaining in compliance period to adjust treatment and resample at least once.

I.e: When possible, monthly compliance samples should be completed in first two weeks of every month.

Quarterly compliance should be completed in first or second month of each quarter.

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Complete Discharge Incident Report (DIR) and send to DEP inspector within 5 days of violation or exceedance event.

Current DEP Inspector contact info: David.Bowie@maine.gov (207) 287-8806

Vinalhaven Wastewater SOP

Drafted 2021
May Procedures

Flow (Daily)

1. Record in Bencsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).

Ships to Rockland Wednesday mornings.

Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

TSS (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Hard copy of results to cabinet. Digital copy saved to G drive.

This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

TSS% Removal (Monthly)

1. Calculated from TSS results.
2. Enter in DMR at end of month.

Notes: Minimum = 85%

Fecal Coliform Bacteria (2/month)

1. Grab sample (Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Sample ships on Wednesday mornings (with BOD/TSS when taking both).
Fecal only sampled May15th-Sept.30th
Daily max: 400 col/100mL
Max monthly average: 200 col/100mL

WET/ACHEM (Quarterly)

1. 24 hour composite sample (effluent), grab sample (effluent), grab sample (receiving waters).
2. Ship immediately on ice to John Tipping at Lotic Inc.
3. Send John Tipping flow data for day and month sample was taken.
4. Enter results in DMR at end of month.

Notes: MEL sends WET/ACHEM cooler and kits to John Tipping. John will send these on to Vinalhaven.
Composite sample should be programmed to finish on Monday morning.

John will split sample into WET and ACHEM and send ACHEM portion on to MEL for testing.

DMR (Monthly)

1. Enter all sample/test results into DMR at end of month.
2. Send to Mark Courtenay for review prior to submission.
3. Submit DMR with accompanying copies of data/results no later than the 15th.

Notes: Submit early if possible to allow time for any potential corrections.
Copy of submission and all data/results gets saved to G drive.

*All compliance samples should be completed with enough time remaining in compliance period to adjust treatment and resample at least once.

I.e: When possible, monthly compliance samples should be completed in first two weeks of every month.

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Vinalhaven Wastewater SOP

Drafted 2021
June Procedures

Flow (Daily)

1. Record in Bencsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).

Ships to Rockland Wednesday mornings.

Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021
June Procedures

TSS (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Hard copy of results to cabinet. Digital copy saved to G drive.

This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

TSS% Removal (Monthly)

1. Calculated from TSS results.
2. Enter in DMR at end of month.

Notes: Minimum = 85%

Fecal Coliform Bacteria (2/month)

1. Grab sample (Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Sample ships on Wednesday mornings (with BOD/TSS when taking both).
Fecal only sampled May15th-Sept.30th
Daily max: 400 col/100mL
Max monthly average: 200 col/100mL

Mercury (Annual)

1. Grab sample (Effluent)
2. Ship on ice to Katahdin Labs (90 day hold time)
3. Enter results in DMR at end of month

Notes: Two samplers required. Follow "clean hands/dirty hands" procedure.
Sampling kit not to be opened until you are ready to sample.

DMR (Monthly)

1. Enter all sample/test results into DMR at end of month.
2. Send to Mark Courtenay for review prior to submission.
3. Submit DMR with accompanying copies of data/results no later than the 15th.

Notes: Submit early if possible to allow time for any potential corrections.
Copy of submission and all data/results gets saved to G drive.

Vinalhaven Wastewater SOP

Drafted 2021
June Procedures

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Vinalhaven Wastewater SOP

Drafted 2021
July Procedures

Flow (Daily)

1. Record in Bencsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).

Ships to Rockland Wednesday mornings.

Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

TSS (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Hard copy of results to cabinet. Digital copy saved to G drive.

This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

TSS% Removal (Monthly)

1. Calculated from TSS results.
2. Enter in DMR at end of month.

Notes: Minimum = 85%

Fecal Coliform Bacteria (2/month)

1. Grab sample (Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Sample ships on Wednesday mornings (with BOD/TSS when taking both).
Fecal only sampled May15th-Sept.30th
Daily max: 400 col/100mL
Max monthly average: 200 col/100mL

DMR (Monthly)

1. Enter all sample/test results into DMR at end of month.
2. Send to Mark Courtenay for review prior to submission.
3. Submit DMR with accompanying copies of data/results no later than the 15th.

Notes: Submit early if possible to allow time for any potential corrections.
Copy of submission and all data/results gets saved to G drive.

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Vinalhaven Wastewater SOP

Drafted 2021
August Procedures

Flow (Daily)

1. Record in Bencsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).

Ships to Rockland Wednesday mornings.

Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021
August Procedures

TSS (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Hard copy of results to cabinet. Digital copy saved to G drive.

This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

TSS% Removal (Monthly)

1. Calculated from TSS results.
2. Enter in DMR at end of month.

Notes: Minimum = 85%

Fecal Coliform Bacteria (2/month)

1. Grab sample (Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Sample ships on Wednesday mornings (with BOD/TSS when taking both).
Fecal only sampled May15th-Sept.30th
Daily max: 400 col/100mL
Max monthly average: 200 col/100mL

WET/ACHEM (Quarterly)

1. 24 hour composite sample (effluent), grab sample (effluent), grab sample (receiving waters).
2. Ship immediately on ice to John Tipping at Lotic Inc.
3. Send John Tipping flow data for day and month sample was taken.
4. Enter results in DMR at end of month.

Notes: MEL sends WET/ACHEM cooler and kits to John Tipping. John will send these on to Vinalhaven.
Composite sample should be programmed to finish on Monday morning.

John will split sample into WET and ACHM and send ACHM portion on to MEL for testing.

DMR (Monthly)

1. Enter all sample/test results into DMR at end of month.
2. Send to Mark Courtenay for review prior to submission.

Vinalhaven Wastewater SOP

Drafted 2021

August Procedures

3. Submit DMR with accompanying copies of data/results no later than the 15th.

Notes: Submit early if possible to allow time for any potential corrections.

Copy of submission and all data/results gets saved to G drive.

Vinalhaven Wastewater SOP

Drafted 2021
August Procedures

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Vinalhaven Wastewater SOP

Drafted 2021
September Procedures

Flow (Daily)

1. Record in Bencsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).

Ships to Rockland Wednesday mornings.

Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021

September Procedures

TSS (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Hard copy of results to cabinet. Digital copy saved to G drive.

This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

TSS% Removal (Monthly)

1. Calculated from TSS results.
2. Enter in DMR at end of month.

Notes: Minimum = 85%

Fecal Coliform Bacteria (2/month)

1. Grab sample (Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Sample ships on Wednesday mornings (with BOD/TSS when taking both).
Fecal only sampled May15th-Sept.30th
Daily max: 400 col/100mL
Max monthly average: 200 col/100mL

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Vinalhaven Wastewater SOP

Drafted 2021

September Procedures

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Vinalhaven Wastewater SOP

Drafted 2021
October Procedures

Flow (Daily)

1. Record in Benchsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021
October Procedures

TSS (2/Month)	
1.	24 hour composite samples (Influent and Effluent).
2.	Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3.	Enter results in DMR at end of month.
Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances). Ships to Rockland Wednesday mornings. Hard copy of results to cabinet. Digital copy saved to G drive. This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.	

TSS% Removal (Monthly)	
1.	Calculated from TSS results.
2.	Enter in DMR at end of month.
Notes: Minimum = 85%	

DMR (Monthly)	
1.	Enter all sample/test results into DMR at end of month.
2.	Send to Mark Courtenay for review prior to submission.
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Vinalhaven Wastewater SOP

Drafted 2021

November Procedures

Flow (Daily)

1. Record in Benchsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).

Ships to Rockland Wednesday mornings.

Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021

November Procedures

TSS (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes: Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Hard copy of results to cabinet. Digital copy saved to G drive.

This is the same sample as BOD. Rockland Wastewater will split sample into BOD and TSS.

TSS% Removal (Monthly)

1. Calculated from TSS results.
2. Enter in DMR at end of month.

Notes: Minimum = 85%

WET/ACHEM (Quarterly)

1. 24 hour composite sample (effluent), grab sample (effluent), grab sample (receiving waters).
2. Ship immediately on ice to John Tipping at Lotic Inc.
3. Send John Tipping flow data for day and month sample was taken.
4. Enter results in DMR at end of month.

Notes: MEL sends WET/ACHEM cooler and kits to John Tipping. John will send these on to Vinalhaven.
Composite sample should be programmed to finish on Monday morning.

John will split sample into WET and ACHEM and send ACHEM portion on to MEL for testing.

DMR (Monthly)

1. Enter all sample/test results into DMR at end of month.
2. Send to Mark Courtenay for review prior to submission.
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November Procedures

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Vinalhaven Wastewater SOP

Drafted 2021
December Procedures

Flow (Daily)

1. Record in Benchsheet daily.
2. Enter into DMR at end of month.

Notes: Max daily flow= .129MGD

Settleable Solids (3/week)

1. Grab samples (Influent and effluent).
2. Record Results in benchsheet.
3. Enter in DMR at end of month.

Notes: Effluent max = .3 mL/L

pH (3/week)

1. Grab samples (Influent and effluent).
2. Record results in benchsheet.
3. Enter in DMR at end of month.

Notes: Calibrate pH probe daily prior to sample.
Limits: 6.0-9.0

BOD (2/Month)

1. 24 hour composite samples (Influent and Effluent).
2. Ship immediately on ice to Rockland Wastewater (24 hour hold time).
3. Enter results in DMR at end of month.

Notes:

Complete in first two weeks of month if possible (Allows time for correction of any exceedances).
Ships to Rockland Wednesday mornings.
Results: Hard copy goes in cabinet. Digital copy saved to G drive.

BOD% Removal (Monthly)

1. Calculated from BOD results.
2. Enter results in DMR at end of month.

Notes: Minimum = 85%

Vinalhaven Wastewater SOP

Drafted 2021
December Procedures

TSS (2/Month)	
1.	24 hour composite samples (Influent and Effluent).
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TSS% Removal (Monthly)	
1.	Calculated from TSS results.
2.	Enter in DMR at end of month.
Notes: Minimum = 85%	

DMR (Monthly)	
1.	Enter all sample/test results into DMR at end of month.
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Status Report

FEBRUARY 22, 2021

Woodard & Curran (W&C) has prepared this memo as a status report of current construction projects. Specifically, this report describes the following:

- Highlights of the work completed over the previous week;
- Identification of the work anticipated over the next week;
- Discussion of any outstanding issues that need to be addressed; and
- Schedule update, including upcoming material deliveries.

Completed Work over the Previous Week

- Carrying Place Bridge Project:
 - JBI submitted revised drawings of the Carrying Place culvert from American Concrete Industries to W&C, which included a minor modification to the overall width of culvert. W&C reviewed and approved the revised culvert submittal. Fabrication of culvert footings to begin immediately.
- Public Works Facility Project
 - Sheridan continued to install insulation in exterior walls.
 - Sheridan began re-roof work on the opposite side of the building.
 - Sheridan's drywall contractor mobilized and began work on framing of offices and mezzanine system and drywall installation.
 - Sheridan submitted an updated floor plan with a revised bathroom layout to W&C for review. W&C reviewed and approved the revised layout.
 - Sheridan sent product submittals to W&C. W&C reviewing submittals and providing comments to Sheridan.
- Salt Shed Project
 - All building materials (steel framing and fabric) have been delivered and are being stored on-site.
 - Delivery of foundation blocks to the site continues.

Anticipated Work over the Next Week

- Carrying Place Bridge Project
 - JBI to submit a temporary traffic signage plan to W&C for review.
- Public Works Facility Project
 - Sheridan plans to complete the following:
 - Complete re-roof work
 - Complete installation of exterior wall insulation
 - Continue drywall installation
- Salt Shed Project
 - Rubb anticipates foundation block deliveries to continue through the end of the month.

Outstanding Items

- None at this time.

Status Report

Schedule Update

- Carrying Place Bridge Project
 - JBI plans to remobilize once the footings are delivered early March.
 - JBI anticipates the following deliveries:
 - Footings: 1st week of March; delivery date TBD
 - Box Culvert: 4th or 5th week of March; delivery date TBD
 - JBI anticipates the bridge will be demolished and removed the 1st or 2nd week of March.
 - JBI anticipates the footing subgrade prepared for inspection by Summit Geoengineering the 3rd week of March (week of March 15th).
- Public Works Facility Project
 - Sheridan to send product samples for flooring, ceiling and paint for Town review and selection the 1st week of March.
 - In-wall electric and plumbing work to begin the 1st week of March.
 - No other items requiring special accommodations are anticipated in the next week.
- Salt Shed Project
 - Rubb tentatively plans to mobilize March 9th (pending delivery of all foundation blocks and securing housing).

Closing

If you have any questions or concerns, please contact Megan McDevitt (mmcdevitt@woodardcurran.com, 207.558.3785) or Amy LeBel (alebel@woodardcurran.com, 207.558.3841).

Status Report

FEBRUARY 16, 2021

Woodard & Curran (W&C) has prepared this memo as a status report of current construction projects. Specifically, this report describes the following:

- Highlights of the work completed over the previous week;
- Identification of the work anticipated over the next week;
- Discussion of any outstanding issues that need to be addressed; and
- Schedule update, including upcoming material deliveries.

Completed Work over the Previous Week

- Carrying Place Bridge Project:
 - JBI completed installation of the temporary access road. W&C reviewed and approved the temporary access road on-site on February 5, 2021. It should be noted that a temporary traffic signage plan needs to be submitted to and approved by W&C before the temporary access road should be opened to the public.
- Public Works Facility Project
 - W&C reviewed Sheridan's Payment Requisition #1 on-site and provided comments via email on February 8, 2021. Sheridan provided a revised Payment Requisition on February 15, 2021; Woodard & Curran reviewed and approved.
 - Sheridan installed underslab plumbing, installed backfill and placed the concrete slab over the plumbing pipes.
 - Sheridan continued to install insulation in exterior walls.
- Salt Shed Project
 - All building materials (steel framing and fabric) have been delivered and are being stored on-site.
 - Delivery of foundation blocks to the site continues.

Anticipated Work over the Next Week

- Carrying Place Bridge Project
 - JBI plans to submit a temporary traffic signage plan to W&C for review and approval.
- Public Works Facility Project
 - Sheridan plans to complete the following:
 - Install temporary heat
 - Begin demolition of existing electrical from underside of roof and interior walls
 - Complete installation of exterior wall insulation
 - Begin re-roof on opposite side of building
 - Begin framing of offices and mezzanine system
 - Begin installation of drywall
 - Sheridan to send product submittals to W&C for review and approval.
- Salt Shed Project
 - Rubb anticipates foundation block deliveries to continue through the end of the month.

Outstanding Items

- None at this time.

Status Report

Schedule Update

- Carrying Place Bridge Project
 - JBI plans to remobilize once the footings are delivered early March.
 - JBI anticipates the following deliveries:
 - Footings: 1st week of March; delivery date TBD
 - Box Culvert: 4th or 5th week of March; delivery date TBD
 - JBI anticipates the bridge will be demolished and removed the 1st or 2nd week of March.
 - JBI anticipates the footing subgrade prepared for inspection by Summit Geoengineering the 3rd week of March (week of March 15th).
- Public Works Facility Project
 - Upcoming drywall delivery next week has been coordinated with the Town.
 - No other items requiring special accommodations are anticipated in the next couple of weeks.
- Salt Shed Project
 - Rubb tentatively plans to mobilize March 9th (pending delivery of all foundation blocks and securing housing).

Closing

If you have any questions or concerns, please contact Megan McDevitt (mmcdevitt@woodardcurran.com, 207.558.3785) or Amy LeBel (alebel@woodardcurran.com, 207.558.3841).

Status Report

FEBRUARY 16, 2021

This memo is a status report of the Project Team's efforts on Town of Vinalhaven projects and describes:

- Highlights of the work completed over the previous two months;
- Identification of the work anticipated over the next two weeks;
- Discussion of any outstanding issues that need to be addressed; and
- Schedule update.

Completed Work over the Previous Two Months

- Construction was initiated on the Carrying Place Bridge, Public Works Building and Salt Shed; refer to Construction Status Report for more details on these projects.
- Conducted site visit on February 5th to observe construction progress and discuss additional design support requested by the Town.
- Worked on updating concept plan and cost estimate for capital improvements to the Transfer Station.

Anticipated Work over the Next Two Weeks

- Continue support of ongoing construction projects.
- Finalize and submit concept plan and cost estimates for capital improvements to the Transfer Station the week of February 16th.
- Develop a Work Order for supporting the Town in applying for a SHIP Grant for repairs to two launches/ramps/landings along with the Fish Plant lot piling replacement and a third landing/launch at the Thorofare (north end of the island).
- Develop a Work Order to support a BIG grant for Vinal Cove Flood Control and North Haven Road improvements to eliminate road/land flooding and raise the depressed roadway.
- Develop Work Order to support construction of High Street sidewalk improvements including drainage improvements (from the intersection of High/Main St to High/North Haven Rd)
- Continue to advance draft of the Harbor Management Plan.

Outstanding Items

- None

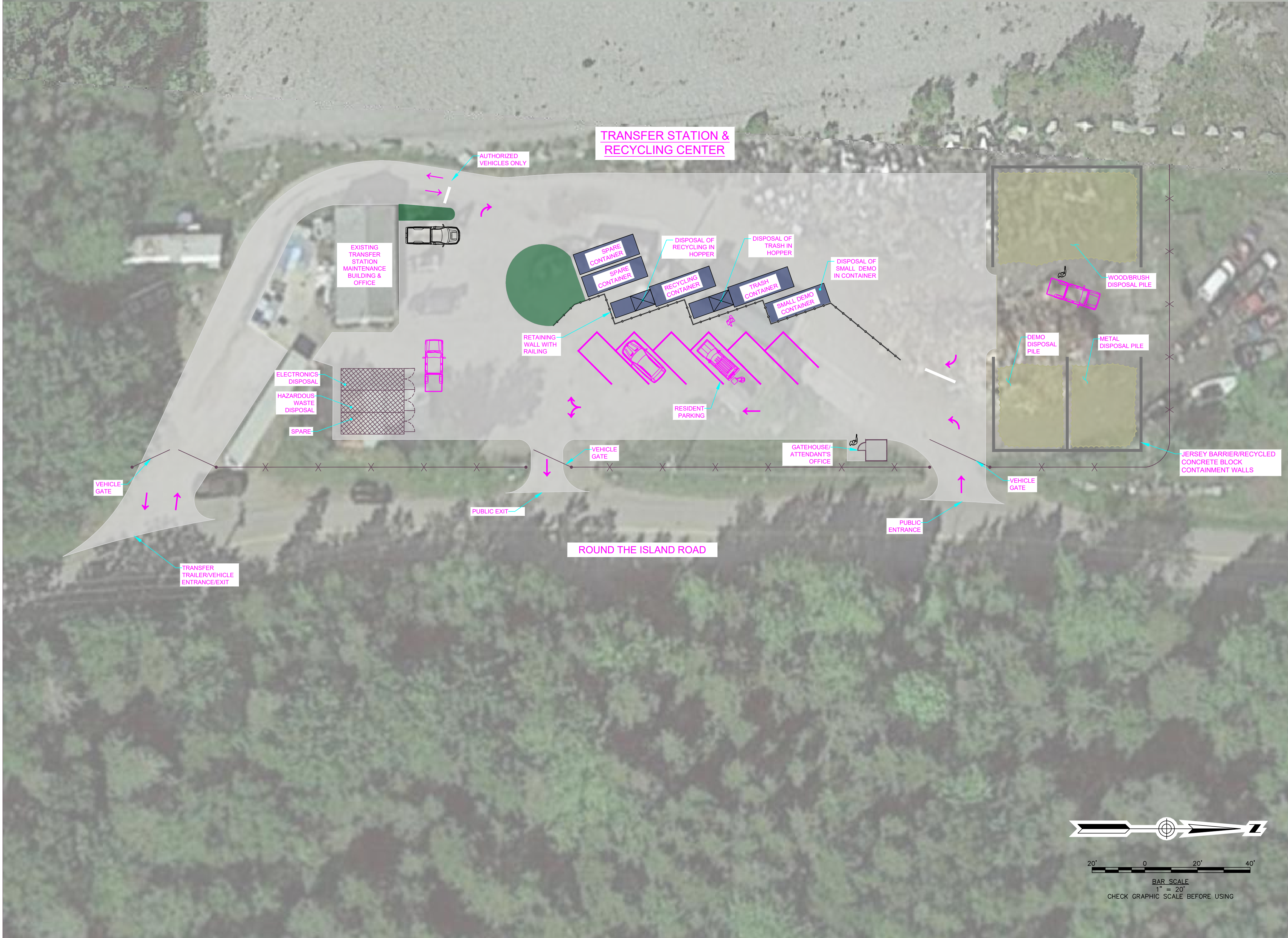
Schedule Update

- None

Closing

If you have any questions or concerns, please contact Brent Bridges (bbridges@woodardcurran.com, 207.558.3807) or Megan McDevitt (mmcdevitt@woodardcurran.com, 207.558.3785).

TOWN OF VINALHAVEN
 TRANSFER STATION
 PROPOSED UPGRADES
 CONCEPT PLAN
 FEBRUARY 18, 2021



PROPOSED TRANSFER STATION UPGRADE
 SITE PLAN
 SCALE: 1" = 20'





**COMMITMENT & INTEGRITY
DRIVE RESULTS**

41 Hutchins Drive T 800.426.4262
 Portland, Maine 04102 T 207.774.2112
 www.woodardcurran.com F 207.774.6635

**TOWN OF VINALHAVEN
 OPINION OF PROBABLY PROJECT COST - SCHEMATIC DESIGN
 FEBRUARY 18, 2021**

TRANSFER STATION UPGRADES EXISTING LOCATION (ROUND THE ISLAND ROAD)					
Item	Description	Unit	Quantity	Unit Price	Value
OPINION OF PROBABLE CONSTRUCTION COST					
1	Mobilization	LS	1	\$ 40,000	\$ 40,000
2	Administration & General Conditions	LS	1	\$ 33,000	\$ 33,000
3	Transfer Station Upgrades (see attached breakdown)	LS	1	\$ 537,000	\$ 537,000
4	Temporary Trash Disposal Facilities (during construction)	LS	1	\$ 30,000	\$ 30,000
TOTAL BASE BID CONSTRUCTION COST					\$ 640,000
ENGINEERING FEES					
A	Engineering Concept Fee	LS	1	\$ 12,500	\$ 12,500
B	Permitting	LS	1	\$ 12,500	\$ 12,500
C	Engineering Design Fee	LS	1	\$ 47,500	\$ 47,500
D	Additional Survey & Geotechnical Investigation	LS	1	\$ 12,500	\$ 12,500
E	Bidding, Construction Administration & Periodic Inspections	LS	1	\$ 27,500	\$ 27,500
TOTAL ENGINEERING FEES					\$ 112,500
CONSTRUCTION CONTINGENCY (15%)					\$ 96,000
TOTAL BASE PROJECT COST (CONSTRUCTION + ENGINEERING + CONTINGENCY)					\$ 848,500

TOWN OF VINALHAVEN
FEBRUARY 18, 2021
BREAKDOWN OF PROBABLE CONSTRUCTION COST

	Item	Unit	Quantity	Unit Price	Total Price
1	Mobilization	LS	1	\$ 40,000	\$ 40,000
1	Administration & General Conditions	LS	1	\$ 32,163	\$ 33,000
2	Transfer Station Upgrades				
	Demo Existing Wall	LS	1	\$ 15,000	\$ 15,000
	Excavation	CY	500	\$ 24	\$ 12,000
	Fine Grading	SY	4,000	\$ 10	\$ 40,000
	Precast Concrete Wall (At Compactor and Containers)	SF	600	\$ 125	\$ 75,000
	Safety Railing (on top of precast wall)	LF	170	\$ 150	\$ 25,500
	Concrete Pads (For Compactor and Containers)	SF	1,050	\$ 120	\$ 126,000
	Prefabricated Gate Office	LS	1	\$ 40,000	\$ 40,000
	Relocate Compactors	LS	1	\$ 10,000	\$ 10,000
	Recycled Concrete Blocks (for containment area)	SF	1,758	\$ 12	\$ 21,096
	Perimeter Fencing	LF	450	\$ 50	\$ 22,500
	New Vehicle Gates	EA	2	\$ 10,000	\$ 20,000
	Gravels	CY	149	\$ 50	\$ 7,450
	Pavement	TON	540	\$ 225	\$ 121,500
				SUBTOTAL	\$ 536,046

	Temporary Trash Disposal Facilities (during construction)	LS	1	\$ 30,000	\$ 30,000
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FRANCHISE AGREEMENT

This Franchise Agreement (“**Franchise**”) is between the Town of VINALHAVEN, MAINE, hereinafter referred to as the “Grantor” and Spectrum Northeast LLC, locally known as CHARTER COMMUNICATIONS, hereinafter referred to as the “Grantee.”

WHEREAS, the Grantor finds that the Grantee has substantially complied with the material terms of the current Franchise under applicable laws, and that the financial, legal and technical ability of the Grantee is sufficient to provide services, facilities and equipment necessary to meet the future cable-related needs of the community; and

WHEREAS, having afforded the public adequate notice and opportunity for comment, Grantor desires to enter into this Franchise with the Grantee for the construction and operation of a cable system on the terms set forth herein; and

WHEREAS, the Grantor and Grantee have complied with all federal and State-mandated procedural and substantive requirements pertinent to this franchise renewal;

NOW, THEREFORE, the Grantor and Grantee agree as follows:

SECTION 1 Definition of Terms

1.1 Terms. For the purpose of this franchise the following terms, phrases, words and their derivations shall have the meaning ascribed to them in the Cable Communications Policy Act of 1984, as amended from time to time (the “Cable Act”), unless otherwise defined herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is mandatory and “may” is permissive. Words not defined shall be given their common and ordinary meaning.

- A. “Cable System,” “Cable Service,” and “Basic Cable Service” shall be defined as set forth in the Cable Act.
- B. “Board” shall mean the governing body of the Grantor.
- C. “Cable Act” shall mean the Cable Communication Policy Act of 1984, as amended, 47 U.S.C. §§ 521, et. seq.
- D. “Channel” shall mean a portion of the electromagnetic frequency spectrum which is used in a cable system and which is capable of delivering a television channel.
- E. “Equipment” shall mean any poles, wires, cable, antennae, underground conduits, manholes, and other conductors, fixtures, equipment and other facilities used for the maintenance and operation of physical facilities located in the Streets, including the Cable System.

- F. “FCC” shall mean the Federal Communications Commission and any successor governmental entity thereto.
- G. “Franchise” shall mean the non-exclusive rights granted pursuant to this Franchise to construct operate and maintain a Cable System along the public ways within all or a specified area in the Franchise Area.
- H. “Franchise Area” shall mean the geographic boundaries of the Grantor, and shall include any additions thereto by annexation or other legal means.
- I. “Gross Revenue” means any revenue, as determined in accordance with generally accepted accounting principles, received by the Grantee from the operation of the Cable System to provide Cable Services in the Franchise Area, provided, however, that such phrase shall not include: (1) any taxes, fees or assessments collected by the Grantee from Subscribers for pass-through to a government agency, including, without limitation, any state or federal regulatory fees, the franchise fee, or any sales or utility taxes; (2) unrecovered bad debt; (3) credits, refunds and deposits paid to Subscribers; (4) any exclusions available under applicable State law.
- J. “Person” shall mean an individual, partnership, association, organization, corporation, trust or governmental entity.
- K. “Service Area” shall mean the area described in subsection 6.1 hereto.
- L. “Standard Installation” shall mean installations to residences and buildings that are located up to 125 feet from the point of connection to Grantee’s existing distribution system.
- M. “State” shall mean the State of Maine.
- N. “Street” shall include each of the following located within the Franchise Area: public streets, roadways, highways, bridges, land paths, boulevards, avenues, lanes, alleys, sidewalks, circles, drives, easements, rights of way and similar public ways and extensions and additions thereto, including but not limited to public utility easements, dedicated utility strips, or rights-of-way dedicated for compatible uses now or hereafter held by the Grantor in the Franchise Area, which shall entitle the Grantee to the use thereof for the purpose of installing, operating, extending, repairing and maintaining the Cable System.
- O. “Subscriber” shall mean any Person lawfully receiving Cable Service from the Grantee.

SECTION 2
Grant of Franchise

2.1 Grant. The Grantor hereby grants to the Grantee a nonexclusive Franchise which authorizes the Grantee to erect, construct, extend, operate and maintain in, upon, along, across, above, over and under the Streets, now in existence and as may be created or established during

its terms, all Equipment, including the Cable System. Nothing in this Franchise shall be construed to prohibit the Grantee from offering any service over its Cable System that is not prohibited by federal or State law.

2.2 Term. The Franchise and the rights, privileges and authority hereby granted shall be for an initial term of fifteen (15) years, commencing on the Effective Date of this Franchise as set forth in Section 14.12.

2.3 Police Powers. The Grantee agrees to comply with the terms of any lawfully adopted generally applicable local ordinance necessary to the safety, health, and welfare of the public, to the extent that the provisions of the ordinance do not have the effect of limiting the benefits or expanding the obligations of the Grantee that are granted by this Franchise. This Franchise is a contract and except as to those changes which are the result of the Grantor's lawful exercise of its general police power, the Grantor may not take any unilateral action which materially changes the mutual promises in this contract.

2.4 Cable System Franchise Required. No Cable System shall be allowed to occupy or use the streets or public rights-of-way of the Franchise Area or be allowed to operate without a Cable System Franchise.

SECTION 3 **Franchise Renewal**

3.1 Procedures for Renewal. The Grantor and the Grantee agree that any proceedings undertaken by the Grantor that relate to the renewal of the Grantee's Franchise shall be governed by and comply with the provisions of Section 626 of the Cable Act, or any such successor statute.

SECTION 4 **Indemnification and Insurance**

4.1 Indemnification. The Grantee shall, by acceptance of the Franchise granted herein, defend the Grantor, its officers, boards, commissions, agents, and employees for all claims for injury to any Person or property caused by the negligence of Grantee in the construction or operation of the Cable System and in the event of a determination of liability shall indemnify and hold Grantor, its officers, boards, commissions, agents, and employees harmless from any and all liabilities, claims, demands, or judgments growing out of any injury to any Person or property as a result of the negligence of Grantee arising out of the construction, repair, extension, maintenance, operation or removal of its wires, poles or other equipment of any kind or character used in connection with the operation of the Cable System, provided that the Grantor shall give the Grantee written notice of its obligation to indemnify the Grantor within ten (10) days of receipt of a claim or action pursuant to this section. In the event any such claim arises, the Grantor shall tender the defense thereof to the Grantee and the Grantee shall have the right to defend, settle or compromise any claims arising hereunder and the Grantor shall cooperate fully herein. If the Grantor determines in good faith that its interests cannot be represented by the Grantee, the Grantee shall be excused from any obligation to represent the Grantor. Notwithstanding the foregoing, the Grantee shall not be obligated to indemnify the Grantor for any damages, liability or claims resulting from the willful misconduct or negligence of the Grantor or for the Grantor's use of the Cable System.

4.2 Insurance.

A. The Grantee shall maintain throughout the term of the Franchise insurance in amounts at least as follows:

Workers' Compensation	Statutory Limits
Commercial General Liability	\$1,000,000 per occurrence, \$2,000,000 General Aggregate
Auto Liability including coverage on all owned, non-owned hired autos	\$1,000,000 per occurrence Combined Single Limit
Umbrella Liability	\$1,000,000 per occurrence

B. The Grantor shall be added as an additional insured, arising out of work performed by Charter, to the above Commercial General Liability, Auto Liability and Umbrella Liability insurance coverage.

C. The Grantee shall furnish the Grantor with current certificates of insurance evidencing such coverage upon request.

SECTION 5
Service Obligations

5.1 No Discrimination. Grantee shall not deny service, deny access, or otherwise discriminate against Subscribers, Channel users, or general citizens on the basis of race, color, religion, national origin, age or sex.

5.2 Privacy. The Grantee shall fully comply with the privacy rights of Subscribers as contained in Cable Act Section 631 (47 U.S.C. § 551).

SECTION 6
Service Availability

6.1 Service Area. The Grantee shall make Cable Service distributed over the Cable System available to every residence capable of a Standard Installation within the Franchise Area where there is a minimum density of at least fifteen (15) residences per linear strand mile of aerial cable and forty (40) per linear strand mile of underground cable not already passed by the Cable System and as measured from Grantee's closest technologically feasible tie-in point that is actively delivering Cable Service as of the date of such request for service and the resident commits in advance to taking Cable Service for a period of at least two (2) years. To the extent this provision requires Grantee to extend service to residences not capable of receiving Cable Service as of the Effective Date, extension of Cable Service provided pursuant to this Section is conditioned on Grantee's ability: (i) to legally access the residence; (ii) to obtain access to any necessary poles, conduits, or other facilities on reasonable terms and conditions; and (iii) to receive all necessary permits on a timely and non-discriminatory basis. Notwithstanding the foregoing, the Grantee shall have the right, but not the obligation, to extend the Cable System into any portion outside of

the Franchise Area. Grantee at its discretion may make Cable Service available to businesses within the Franchise Area.

6.1.1 The buildout obligation outlined in Section 6.1 is provided by 30-A M.R.S. §3008(5)(B). In the event 30-A M.R.S. § 3008(5)(B) is invalidated by a court of competent jurisdiction, the Grantee shall make Cable Service distributed over the Cable System available to every residence capable of a Standard Installation within the Franchise Area where there is a minimum density of at least twenty (20) residences per linear strand mile of aerial cable not already passed by the Cable System and as measured from Grantee's closest technologically feasible tie-in point that is actively delivering Cable Service as of the date of such request for service. The remainder of Section 6.1 shall remain in full force and effect.

6.2 Subscriber Charges for Extensions of the Cable System. No Subscriber shall be refused service arbitrarily. However, if an area does not meet the density requirements of Section 6.1 above, the Grantee shall only be required to extend the Cable System to Subscribers in that area if the Subscribers are willing to share the capital costs of extending the Cable System. The Grantee may require that payment of the capital contribution in aid of construction borne by such potential Subscribers be paid in advance. Subscribers shall also be responsible for any Standard/non-standard Installation charges to extend the Cable System from the tap to the residence.

6.3 New Development Underground. In cases of new construction or property development where utilities are to be placed underground, the Grantor agrees to require as a condition of issuing a permit for open trenching to any developer or property owner that such developer or property owner give Grantee at least thirty (30) days prior written notice of such construction or development, and of the particular dates on which open trenching will be available for Grantee's installation of conduit, pedestals and/or vaults, and laterals to be provided at Grantee's expense. Grantee shall also provide specifications as needed for trenching. Costs of trenching and easements required to bring service to the development shall be borne by the developer or property owner; except that if Grantee fails to install its conduit, pedestals and/or vaults, and laterals within fifteen (15) working days of the date the trenches are available, as designated in the written notice given by the developer or property owner, then should the trenches be closed after the fifteen day period, the cost of new trenching is to be borne by Grantee.

6.4 Annexation. The Grantor shall promptly provide written notice to the Grantee of its annexation of any territory which is being provided Cable Service by the Grantee or its affiliates. Such annexed area will be subject to the provisions of this Franchise upon sixty (60) days' written notice from the Grantor, subject to the conditions set forth below and Section 6.1 above. The Grantor shall also notify Grantee in writing of all new street address assignments or changes within the Franchise Area. Grantee shall within ninety (90) days after receipt of the annexation notice, pay the Grantor franchise fees on revenue received from the operation of the Cable System to provide Cable Services in any area annexed by the Grantor if the Grantor has provided a written annexation notice that includes the addresses that will be moved into the Franchise Area in an Excel format or in a format that will allow Grantee to change its billing system. If the annexation notice does not include the addresses that will be moved into the Franchise Area, Grantee shall pay franchise fees within ninety (90) days after it receives the annexed addresses as set forth above. All notices due under this section shall be sent by certified mail, return receipt requested to the

addresses set forth in Section 14.7 with a copy to the Director of Government Affairs. In any audit of franchise fees due under this Franchise, Grantee shall not be liable for franchise fees on annexed areas unless and until Grantee has received notification and information that meets the standards set forth in this section.

SECTION 7

Construction and Technical Standards

7.1 Compliance with Codes. All construction practices and installation of equipment shall be done in accordance with all applicable sections of the National Electric Safety Code.

7.2 Construction Standards and Requirements. All of the Grantee's Equipment shall be installed, located, erected, constructed, reconstructed, replaced, removed, repaired, maintained and operated in accordance with good engineering practices and performed by experienced maintenance and construction personnel.

7.3 Safety. The Grantee shall at all times employ ordinary care and shall use commonly accepted methods and devices preventing failures and accidents which are likely to cause damage.

7.4 Network Technical Requirements. The Cable System shall be designed, constructed and operated so as to meet those technical standards adopted by the FCC relating to Cable Systems contained in part 76 of the FCC's rules and regulations as may be amended from time to time.

SECTION 8

Conditions on Street Occupancy

8.1 General Conditions. Grantee shall have the right to utilize existing poles, conduits and other facilities whenever possible, and shall not construct or install any new, different, or additional poles, conduits, or other facilities on public property provided Grantee is able to access existing poles, conduits, or other facilities on reasonable terms and conditions.

8.2 Underground Construction. The facilities of the Grantee shall be installed underground in those Service Areas where existing telephone and electric services are both underground at the time of system construction. In areas where either telephone or electric utility facilities are installed aerially at the time of system construction, the Grantee may install its facilities aerially with the understanding that at such time as the existing aerial facilities are required to be placed underground by the Grantor, the Grantee shall likewise place its facilities underground. In the event Grantor or any agency thereof directly or indirectly reimburses any utility for the placement of cable underground or the movement of cable, Grantee shall be similarly reimbursed.

8.3 Construction Codes and Permits. Grantee shall obtain all legally required permits before commencing any construction work, including the opening or disturbance of any Street within the Franchise Area, provided that such permit requirements are of general applicability and such permitting requirements are uniformly and consistently applied by the Grantor as to other public utility companies and other entities operating in the Franchise Area. The Grantor shall cooperate with the Grantee in granting any permits required, providing such grant and subsequent construction by the Grantee shall not unduly interfere with the use of such Streets. Notwithstanding the above, the Grantee may set off any administrative permit fees or other fees

required by the Grantor related to the Grantee's use of Grantor rights-of-way against the franchise fee payments required under Section 10.1 of this Franchise.

8.4 System Construction. All transmission lines, equipment and structures shall be so installed and located as to cause minimum interference with the rights and reasonable convenience of property owners and at all times shall be kept and maintained in a safe, adequate and substantial condition, and in good order and repair. The Grantee shall, at all times, employ ordinary care and use commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries, or nuisances to the public. Suitable barricades, flags, lights, flares or other devices shall be used at such times and places as are reasonably required for the safety of all members of the public. Any poles or other fixtures placed in any public way by the Grantee shall be placed in such a manner as not to interfere with the usual travel on such public way.

8.5 Restoration of Public Ways. Grantee shall, at its own expense, restore any damage or disturbance caused to the public way as a result of its operation, construction, or maintenance of the Cable System to a condition reasonably comparable to the condition of the Streets immediately prior to such damage or disturbance.

8.6 Tree Trimming. Grantee or its designee shall have the authority to trim trees on public property at its own expense as may be necessary to protect its wires and facilities.

8.7 Relocation for the Grantor. The Grantee shall, upon receipt of reasonable advance written notice, to be not less than ten (10) business days, protect, support, temporarily disconnect, relocate, or remove any property of Grantee when lawfully required by the Grantor pursuant to its police powers. Grantee shall be responsible for any costs associated with these obligations to the same extent all other users of the Grantor rights-of-way are responsible for the costs related to the relocation of their facilities.

8.8 Relocation for a Third Party. The Grantee shall, on the request of any Person holding a lawful permit issued by the Grantor, protect, support, raise, lower, temporarily disconnect, relocate in or remove from the Street as necessary any property of the Grantee, provided that the expense of such is paid by any such Person benefiting from the relocation and the Grantee is given reasonable advance written notice to prepare for such changes. The Grantee may require such payment in advance. For purposes of this subsection, "reasonable advance written notice" shall be no less than ten (10) business days in the event of a temporary relocation and no less than one hundred twenty (120) days for a permanent relocation.

8.9 Reimbursement of Costs. If funds are available to any Person using the Streets for the purpose of defraying the cost of any of the foregoing, the Grantor shall reimburse the Grantee in the same manner in which other Persons affected by the requirement are reimbursed. If the funds are controlled by another governmental entity, the Grantor shall make application for such funds on behalf of the Grantee.

8.10 Emergency Use. Grantee shall comply with 47 U.S.C. 544(g) and all regulations issued pursuant thereto with respect to an Emergency Alert System ("EAS").

SECTION 9
Service and Rates

9.1 Phone Service. The Grantee shall maintain a toll-free telephone number and a phone service operated to receive complaints and requests for repairs or adjustments at any time.

9.2 Notification of Service Procedures. The Grantee shall furnish each Subscriber at the time service is installed, written instructions that clearly set forth information concerning the procedures for making inquiries or complaints, including the Grantee's name, address and local telephone number. Grantee shall give the Grantor notice of any changes in rates, programming services or Channel positions in accordance with applicable law.

9.3 Rate Regulation. Grantor shall have the right to exercise rate regulation to the extent authorized by law, or to refrain from exercising such regulation for any period of time, at the sole discretion of the Grantor. If and when exercising rate regulation, the Grantor shall abide by the terms and conditions set forth by the FCC. Nothing herein shall be construed to limit the Grantee's ability to offer or provide bulk rate discounts or promotions.

9.4 Continuity of Service. It shall be the right of all Subscribers to continue receiving Cable Service insofar as their financial and other obligations to the Grantee are honored, and subject to Grantee's rights under Section 14.2 of this Franchise.

9.5 Service to Public Buildings. Subject to applicable law, Grantee shall provide, without charge, Standard Installation and one outlet and equipment of basic Cable Service to the locations listed in Exhibit A hereto. The Cable Service provided pursuant to this Section 9.5 shall not be used for commercial purposes. The Grantor shall take reasonable precautions to prevent any inappropriate use or loss or damage to the Grantee's Cable System.

SECTION 10
Franchise Fee

10.1 Amount of Fee. Grantee shall pay to the Grantor an annual franchise fee in an amount equal to one percent (1%) of the annual Gross Revenue. Franchise fees may be passed through to Subscribers as a line item on Subscriber bills or otherwise as Grantee chooses, consistent with federal law. The amount of franchise fee and the method of calculation shall be equal when compared to the amount or method of calculation of the franchise fee in any other cable franchise or authorization to provide video service granted by Grantor. In the event any other cable franchise or authorization to provide video service provides for a lesser franchise fee than this Franchise, Grantee's obligation to pay a franchise fee under this Section 10.1 shall be reduced by an equivalent amount.

10.2 Payment of Fee. Payment of the fee due the Grantor shall be made on an annual basis, within forty-five (45) days of the close of each calendar year. The payment period and the collection of the franchise fees that are to be paid to the Grantor pursuant to the Franchise shall commence sixty (60) days after the Effective Date of the Franchise as set forth in Section 14.12. In the event of a dispute, the Grantor, if it so requests, shall be furnished a statement of said payment, reflecting the Gross Revenues and the applicable charges.

10.3 Accord and Satisfaction. No acceptance of any payment by the Grantor shall be construed as a release or as an accord and satisfaction of any claim the Grantor may have for additional sums payable as a franchise fee under this Franchise.

10.4 Limitation on Recovery. The period of limitation for recovery of any franchise fee payable hereunder shall be three (3) years from the date on which payment by the Grantee was due.

SECTION 11 **Transfer of Franchise**

11.1 Franchise Transfer. The Franchise granted hereunder shall not be assigned, other than by operation of law or to an entity controlling, controlled by, or under common control with the Grantee, without the prior consent of the Grantor, such consent not to be unreasonably withheld or delayed. No such consent shall be required, however, for a transfer in trust, by mortgage, by other hypothecation, or by assignment of any rights, title, or interest of the Grantee in the Franchise or Cable System to secure indebtedness. Within thirty (30) days of receiving a request for transfer, the Grantor shall notify the Grantee in writing of any additional information it reasonably requires to determine the legal, financial and technical qualifications of the transferee. If the Grantor has not taken action on the Grantee's request for transfer within one hundred twenty (120) days after receiving such request, consent by the Grantor shall be deemed given.

SECTION 12 **Records**

12.1 Inspection of Records. Grantee shall permit any duly authorized representative of the Grantor, upon receipt of advance written notice, to examine during normal business hours and on a non-disruptive basis any and all of Grantee's records maintained by Grantee as is reasonably necessary to ensure Grantee's compliance with the material terms of this Franchise. Such notice shall specifically reference the subsection of the Franchise that is under review so that the Grantee may organize the necessary books and records for easy access by the Grantor. The Grantee shall not be required to maintain any books and records for Franchise compliance purposes longer than two (2) years, provided that Grantee shall retain books and records relevant to the payment of the Franchise Fee for a period of three (3) years. The Grantee shall not be required to provide Subscriber information in violation of Section 631 of the Cable Act. The Grantor agrees to treat as confidential any books, records or maps that constitute proprietary or confidential information to the extent Grantee makes the Grantor aware of such confidentiality. If the Grantor believes it must release any such confidential books, records, or maps in the course of enforcing this Franchise, or for any other reason, it shall advise Grantee in advance so that Grantee may take appropriate steps to protect its interests. Until otherwise ordered by a court or agency of competent jurisdiction, the Grantor agrees that, to the extent permitted by State and federal law, it shall deny access to any of Grantee's books, records, or maps marked confidential, as set forth above, to any Person.

SECTION 13
Enforcement or Revocation

13.1 Notice of Violation. If the Grantor believes that the Grantee has not complied with the terms of the Franchise, the Grantor shall first informally discuss the matter with Grantee. If these discussions do not lead to resolution of the problem, the Grantor shall notify the Grantee in writing of the exact nature of the alleged noncompliance (the “Violation Notice”).

13.2 Grantee’s Right to Cure or Respond. The Grantee shall have thirty (30) days from receipt of the Violation Notice to (i) respond to the Grantor, contesting the assertion of noncompliance, or (ii) to cure such default, or (iii) if, by the nature of default, such default cannot be cured within the thirty (30) day period, initiate reasonable steps to remedy such default and notify the Grantor of the steps being taken and the projected date that they will be completed.

13.3 Public Hearing. If the Grantee fails to respond to the Violation Notice received from the Grantor, or if the default is not remedied within the cure period set forth above, the Board shall schedule a public hearing if it intends to continue its investigation into the default. The Grantor shall provide the Grantee at least twenty (20) days prior written notice of such hearing, which specifies the time, place and purpose of such hearing, notice of which shall be published by the Clerk of the Grantor in a newspaper of general circulation within the Grantor in accordance with subsection 14.8 hereof. At the hearing, the Board shall give the Grantee an opportunity to state its position on the matter, present evidence and question witnesses, after which it shall determine whether or not the Franchise shall be revoked. The public hearing shall be on the record and a written transcript shall be made available to the Grantee within ten (10) business days. The decision of the Board shall be made in writing and shall be delivered to the Grantee. The Grantee may appeal such determination to an appropriate court, which shall have the power to review the decision of the Board *de novo*. The Grantee may continue to operate the Cable System until all legal appeals procedures have been exhausted.

13.4 Enforcement. Subject to applicable federal and State law, in the event the Grantor, after the hearing set forth in subsection 13.3 above, determines that the Grantee is in default of any provision of the Franchise, the Grantor may:

- A. Seek specific performance of any provision, which reasonably lends itself to such remedy, as an alternative to damages; or
- B. Commence an action at law for monetary damages or seek other equitable relief; or
- C. In the case of a substantial default of a material provision of the Franchise, seek to revoke the Franchise itself in accordance with subsection 13.5 below.

13.5 Revocation.

- A. Prior to revocation or termination of the Franchise, the Grantor shall give written notice to the Grantee of its intent to revoke the Franchise on the basis of a pattern of noncompliance by the Grantee, including one or more instances of substantial noncompliance with a material provision of the Franchise. The notice shall set forth the exact nature of the noncompliance. The Grantee shall have sixty (60) days from

such notice to either object in writing and to state its reasons for such objection and provide any explanation or to cure the alleged noncompliance. If the Grantor has not received a satisfactory response from Grantee, it may then seek to revoke the Franchise at a public hearing. The Grantee shall be given at least thirty (30) days prior written notice of such public hearing, specifying the time and place of such hearing and stating its intent to revoke the Franchise. The public hearing shall be conducted in accordance with the requirements of Section 13.3 above.

- B. Notwithstanding the above provisions, the Grantee reserves all of its rights under federal law or regulation.
- C. Upon revocation of the Franchise, Grantee may remove the Cable System from the Streets of the Grantor, or abandon the Cable System in place.

SECTION 14 **Miscellaneous Provisions**

14.1 Compliance with Laws. Grantor and Grantee shall conform to all applicable state and federal laws and rules regarding cable television as they become effective. Grantee shall also conform with all generally applicable Grantor ordinances, resolutions, rules and regulations heretofore or hereafter adopted or established during the entire term of the Franchise. In the event of a conflict between Grantor ordinances, resolutions, rules or regulations and the provisions of this Franchise, the provisions of this Franchise shall govern.

14.2 Force Majeure. The Grantee shall not be held in default under, or in noncompliance with the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default, where such noncompliance or alleged defaults occurred or were caused by circumstances reasonably beyond the ability of the Grantee to anticipate and control. This provision includes, but is not limited to, severe or unusual weather conditions, fire, flood, or other acts of God, strikes, work delays caused by failure of utility providers to service, maintain or monitor their utility poles to which Grantee's Cable System is attached, as well as unavailability of materials and/or qualified labor to perform the work necessary.

14.3 Minor Violations. Furthermore, the parties hereby agree that it is not the Grantor's intention to subject the Grantee to forfeitures or revocation of the Franchise for violations of the Franchise where the violation was a good faith error that resulted in no or minimal negative impact on the Subscribers within the Franchise Area, or where strict performance would result in practical difficulties or hardship to the Grantee which outweighs the benefit to be derived by the Grantor and/or Subscribers.

14.4 Action of Parties. In any action by the Grantor or the Grantee that is mandated or permitted under the terms hereof, such party shall act in a reasonable, expeditious and timely manner. Furthermore, in any instance where approval or consent is required under the terms hereof, such approval or consent shall not be unreasonably withheld.

14.5 Equal Protection. If any other provider of cable services or video services (without regard to the technology used to deliver such services) is lawfully authorized by the Grantor or by any other State or federal governmental entity to provide such services using facilities located wholly

or partly in the public rights-of-way of the Grantor, the Grantor shall within thirty (30) days of a written request from Grantee, modify this Franchise to insure that the obligations applicable to Grantee are no more burdensome than those imposed on the new competing provider. If the Grantor fails to make modifications consistent with this requirement, Grantee's Franchise shall be deemed so modified thirty (30) days after the Grantee's initial written notice. As an alternative to the Franchise modification request, the Grantee shall have the right and may choose to have this Franchise with the Grantor be deemed expired thirty (30) days after written notice to the Grantor. Nothing in this Franchise shall impair the right of the Grantee to terminate this Franchise and, at Grantee's option, negotiate a renewal or replacement franchise, license, consent, certificate or other authorization with any appropriate government entity. Nothing in this Section 14.5 shall be deemed a waiver of any remedies available to Grantee under federal, state or municipal law, including but not limited to Section 625 of the Cable Act, 47 U.S.C. § 545.

14.6 Change in Law. Notwithstanding any other provision in this Franchise, in the event any change to state or federal law occurring during the term of this Franchise eliminates the requirement for any person desiring to provide video service or Cable Service in the Franchise Area to obtain a franchise from the Grantor, then Grantee shall have the right to terminate this Franchise and operate the system under the terms and conditions established in applicable law. If Grantee chooses to terminate this Franchise pursuant to this provision, this Franchise shall be deemed to have expired by its terms on the effective date of any such change in law, whether or not such law allows existing franchise agreements to continue until the date of expiration provided in any existing franchise.

14.7 Notices. Unless otherwise provided by federal, State or local law, all notices pursuant to this Franchise shall be in writing and shall be deemed to be sufficiently given upon delivery to a Person at the address set forth below, or by U.S. certified mail, return receipt requested, nationally or internationally recognized courier service such as Federal Express or electronic mail communication to the designated electronic mail address provided below. As set forth above, notice served upon the Grantor shall be delivered or sent to:

Grantor: Town of Vinalhaven
Town Manager
19 Washington School Rd PO Box 815
Vinalhaven, ME 04863

Email: townmanager@townofvinalhaven.org

Grantee: Charter Communications
Director, Government Relations
400 Old County Road
Rockland, ME 04841

Copy to: Charter Communications
Attn: Vice President, Government Affairs
12405 Powerscourt Drive
St. Louis, MO 63131

14.8 Public Notice. Minimum public notice of any public meeting relating to this Franchise or any such grant of additional franchises, licenses, consents, certificates, authorizations, or exemptions by the Grantor to any other Person(s) to provide Cable Services, video services, or other television services utilizing any system or technology requiring use of the public rights of way shall be by publication at least once in a newspaper of general circulation in the area at least ten (10) days prior to the meeting and a posting at the administrative buildings of the Grantor.

14.8.1 Grantor shall provide written notice to Grantee within ten (10) days of Grantor's receipt from any other Person(s) of an application or request for a franchise(s), license(s), consent(s), certificate(s), authorization(s), or exemption(s) to provide Cable Services, video services, or other television services utilizing any system or technology requiring use of the public rights of way. Any public hearings to consider such application or request shall have the same notice requirement as outlined in Paragraph 14.7 above.

14.9 Severability. If any section, subsection, sentence, clause, phrase, or portion of this Franchise is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Franchise.

14.10 Entire Agreement. This Franchise and any Exhibits hereto constitute the entire agreement between Grantee and the Grantor and they supersede all prior or contemporaneous agreements, representations or understandings (whether written or oral) of the parties regarding the subject matter hereof.

14.11 Administration of Franchise. This Franchise is a contract and neither party may take any unilateral action that materially changes the mutual promises and covenants contained herein. Any changes, modifications or amendments to this Franchise must be made in writing, signed by the Grantor and the Grantee. Any determination by the Grantor regarding the interpretation or enforcement of this Franchise shall be subject to de novo judicial review.

14.12 Effective Date. The Franchise granted herein will take effect and be in full force from such date of acceptance by Grantee recorded on the signature page of this Franchise. If any fee or grant that is passed through to Subscribers is required by this Franchise, such fee or grant shall go into effect sixty (60) days after the Effective Date of this Franchise.

14.13 No Third Party Beneficiaries. Nothing in this Franchise is intended to confer third-party beneficiary status on any person other than the parties to this Franchise to enforce the terms of this Franchise.

Considered and approved this ____ day of _____, 20____.

Town of Vinalhaven, ME

Signature: _____

Name/Title: Andrew Dorr, Town Manager

Accepted this ____ day of _____, 20____, subject to applicable federal and State law.

Spectrum Northeast LLC

By its Manager, Charter Communications, Inc.

Signature: _____

Name/Title: Paul Abbott, VP Government Affairs
& Franchising

EXHIBIT A

SERVICE TO PUBLIC BUILDINGS

Vinalhaven Police Department	19 Schoolhouse Rd, Vinalhaven
Vinalhaven Fire Department	56 Main Street, Vinalhaven
Vinalhaven School	22 Arcola Lane, Vinalhaven

§3008. Ordinances relating to cable television systems

1. State policy. It is the policy of this State, with respect to cable television systems:

A. To affirm the importance of municipal control of franchising and regulation in order to ensure that the needs and interests of local citizens are adequately met; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. That each municipality, when acting to displace competition with regulation of cable television systems, shall proceed according to the judgment of the municipal officers as to the type and degree of regulatory activity considered to be in the best interests of its citizens; [PL 2007, c. 548, §1 (AMD).]

C. To provide adequate statutory authority to municipalities to make franchising and regulatory decisions to implement this policy and to avoid the costs and uncertainty of lawsuits challenging that authority; and [PL 2007, c. 548, §1 (AMD).]

D. To ensure that all cable television operators receive the same treatment with respect to franchising and regulatory processes and to encourage new providers to provide competitive pressure on the pricing of such services. [PL 2007, c. 548, §1 (NEW).]

[PL 2007, c. 548, §1 (AMD).]

1-A. Definitions. For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings:

A. "Cable system operator" has the same meaning as "cable operator," as that term is defined in 47 United States Code, Section 522(5), as in effect on January 1, 2008; [PL 2007, c. 548, §1 (NEW).]

B. "Cable television service" has the same meaning as "cable service," as that term is defined in 47 United States Code, Section 522(6), as in effect on January 1, 2008; and [PL 2007, c. 548, §1 (NEW).]

C. "Cable television system" has the same meaning as "cable system," as that term is defined in 47 United States Code, Section 522(7), as in effect on January 1, 2008. [PL 2007, c. 548, §1 (NEW).]
[PL 2007, c. 548, §1 (NEW).]

2. Ordinances. A municipality may enact any ordinances, not contrary to this chapter, governing franchising and regulation of cable television systems using public ways. Systems located in accordance with those ordinances, franchises and regulations are not defects in public ways.

The municipal officers of municipalities have the exclusive power to enact all ordinances authorized by this section. They shall give 7 days' notice of the meeting at which those ordinances are to be proposed in the manner provided for town meetings. Those ordinances take effect immediately. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

3. General requirements. The following requirements apply generally to cable television systems governed by this section.

A. Any cable television system must be constructed and operated in accordance with Federal Communications Commission regulations. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Notwithstanding any provision in a franchise, a cable system operator may not abandon service or a portion of that service without having given 6 months' prior written notice to the franchising municipality, if any, and to the municipalities affected by that abandonment. When abandonment

of any service is prohibited by a municipal franchise, a cable system operator may not abandon that service without written consent of the municipal officers. Any cable system operator that violates this paragraph commits a civil violation for which a fine of \$50 a day for each day that the violation continues may be adjudged. [PL 2007, c. 548, §1 (AMD).]

C. Neither the cable system operator whose facilities are used to transmit a program produced by a person other than that operator, under Federal Communications Commission regulations or municipal ordinance, nor the officers, directors or employees of any such cable system operator are liable for damages arising from any obscene or defamatory statements or actions or invasion of privacy occurring during any program when that cable system operator does not originate or produce the program. [PL 2007, c. 548, §1 (AMD).]

D. [PL 2007, c. 548, §1 (RP).]

E. A municipality is entitled to injunctive relief in addition to any other remedies available by law to protect any rights conferred upon the municipality by this section or any ordinances enacted under this section or section 3010. [PL 2007, c. 548, §1 (AMD).]

F. Notwithstanding any provision in a franchise, a cable system operator shall offer subscribers the option of purchasing access to cable channels, or programs on cable channels, individually. [PL 2019, c. 308, §1 (NEW).]

[PL 2019, c. 308, §1 (AMD).]

4. Franchise procedures. Pursuant to subsection 2, a municipality may enact ordinances governing the procedures for granting franchises to cable system operators. These ordinances must be enacted before granting any such franchise or franchises and must be designed to ensure that the terms and conditions of a franchise will adequately protect the needs and interests of the municipality. The ordinances must include, but are not limited to, provisions for the following:

A. A mechanism for determining special local needs or interests before issuing a request for proposals, whether by actively seeking to determine those needs or interests or by allowing a period for public comment on a proposed request for proposals; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The filing of franchise applications and related documents as public records, with reasonable notice to the public that the records are open to inspection during reasonable hours; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. A reasonable opportunity for public input before granting franchises; and [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. The assessment of reasonable fees to defray the costs of public notice, advertising and other expenses incurred by the municipality in acting upon applications. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 2007, c. 548, §1 (AMD).]

5. Franchise agreements or contracts. The State specifically authorizes municipal officers pursuant to ordinances to contract on such terms and conditions and impose such fees as are in the best interests of the municipality, including the grant of exclusive or nonexclusive franchises for a period not to exceed 15 years, for the placing and maintenance of cable television systems and appurtenances, or parts thereof, along public ways and including contracts with cable system operators that receive the services of television signal transmission offered by any public utilities using public ways for such

transmission. A public utility may not be required to contract with the municipal officers under this subsection. Each franchise must contain the following provisions:

A. The area or areas to be served; [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. A line extension policy, which must specify a minimum density requirement of no more than 15 residences per linear strand mile of aerial cable for areas in which the cable system operator will make cable television service available to every residence; [PL 2019, c. 245, §1 (AMD).]

C. A provision for renewal, the term of which may not exceed 15 years. A provision for automatic renewal or other provision for extending the initial term is prohibited. Franchise renewal is governed by section 3010, subsection 5-C; [PL 2019, c. 245, §1 (AMD).]

D. Procedures for the investigation and resolution of complaints by the cable system operator; [PL 2019, c. 245, §2 (AMD).]

D-1. A provision for the use and support of public, educational and governmental access channels, which must be carried in the same manner and numerical location sequence as are the local broadcast channels originating from the State and carried on the cable television system pursuant to section 3010, subsection 5-A; and [PL 2019, c. 245, §3 (NEW).]

E. Any other terms and conditions that are in the best interests of the municipality. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 2019, c. 245, §§1-3 (AMD).]

6. Current ordinances and agreements.

[PL 2007, c. 548, §1 (RP).]

7. Model franchise agreement. The Department of Administrative and Financial Services, Office of Information Technology, or a successor state agency, referred to in this subsection as "the office," shall develop and may update and amend a model franchise agreement for use by any municipality and any cable system operator that mutually choose to adopt the model franchise agreement or any of its provisions. A cable system operator may not modify or amend the model franchise agreement without the consent of the municipality. The office shall make the model franchise agreement available on its publicly accessible website. In the development of the model franchise agreement, the office shall, at a minimum, consider the following issues:

A. Franchise fees; [PL 2007, c. 548, §1 (NEW).]

B. Build-out requirements; [PL 2007, c. 548, §1 (NEW).]

C. Public, educational and governmental access channels and reasonable facility support for such channels; [PL 2007, c. 548, §1 (NEW).]

D. Customer service standards; [PL 2007, c. 548, §1 (NEW).]

E. The disparate needs of the diverse municipalities in this State; and [PL 2007, c. 548, §1 (NEW).]

F. The policy goal of promoting competition in the delivery of cable television service. [PL 2007, c. 548, §1 (NEW).]

This subsection does not allow the office to establish prices for any cable television service or to regulate the content of cable television service.

[PL 2019, c. 245, §4 (AMD).]

SECTION HISTORY

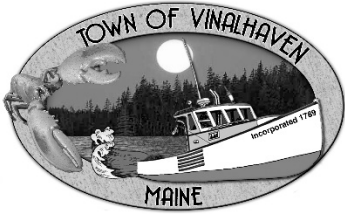
PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 2007, c. 548, §1 (AMD). PL 2019, c. 245, §§1-4 (AMD). PL 2019, c. 308, §1 (AMD).

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Town of Vinalhaven

19 Washington School Rd
Vinalhaven, Maine 04863

Phone - 207-863-2042

Cell - 207-266-7806

Fax - 207-863-4393

(MODEL ORDINANCE)

TOWN/CITY OF _____ CABLE TELEVISION RATE REGULATION ORDINANCE

ARTICLE 1: GENERAL

1.1 Short Title

This Ordinance shall be known as the "_____ Cable Television Rate Regulation Ordinance" and will be referred to herein as "this Ordinance."

1.2 Purpose

The purpose of this Ordinance is to implement the authority conferred on cable television franchising authorities to regulate Basic Service Rates and Charges.

1.3 Authority

This Ordinance is enacted pursuant to the Cable Television and Consumer Protection and Competition Act of 1992, as amended; pursuant to regulations adopted by the Federal Communications Commission ("FCC"), including but not limited to the "FCC Rate Regulations" as defined herein; and pursuant to 30-A M.R.S.A. §§ 3001, as amended.

1.4 Validity and Severability

The invalidity of any section or provision of this Ordinance shall not affect the validity of any other section or provisions of this Ordinance.

1.5 Effective Date

This ordinance shall become effective immediately upon its approval by the municipal officers.

ARTICLE 2: DEFINITIONS

2.1 Basic Service Rates and Charges:

Basic Service Tier rates and the charges for related equipment, installation and services which, pursuant to federal laws and regulations, may be regulated by franchising authorities.

2.2 Basic Service Tier:

That tier of cable television service which contains, at a minimum, all local broadcast signals and the public, educational and governmental channels required by the franchise agreement.

Provided that the contents of this tier meet this definition, the Cable Operator may, in its sole discretion, determine what (if any) additional service will be provided as part of this tier.

2.3 Benchmark Approach:

That theory of rate regulation which sets rates based upon "benchmarks" established by the FCC.

2.4 Cable Operator:

Any cable television system operating with the [Town] [City] of _____.

2.5 Cost-of-service Approach:

That theory of rate regulation, to be initiated only by the Cable Operator, which allows the Cable Operator to charge rates in excess of the FCC benchmark rates upon a showing that the cost of providing cable service exceeds the benchmark rate.

2.6 FCC: The Federal Communications Commission.

2.7 FCC Rate Regulations:

Report and Order, In the Matter of Implementation of Sections of Cable Television Consumer Protection and Competition Act of 1992: Rate Regulation, MM Docket 92-266, FCC 93-177 (released May 3, 1993), as amended.

2.8 Franchising Authority:

The [Town] [City] of _____, acting pursuant to its authority under federal, state and local laws and regulations to authorize and oversee the provision of cable television service in _____.

ARTICLE 3: RATE SETTING PROCEDURES

3.1 Cable Operator Submission

Within 30 days of the date of the notice from the Franchising Authority to the Cable Operator, the Cable Operator shall file its rate justification with the Franchising Authority.

3.2 Franchising Authority Response

The Franchising Authority shall make a decision on the rate request within 30 days after the Cable Operator submits its rate justification. The rates proposed by the Cable Operator shall automatically take effect after that 30-day period unless the Franchising Authority issues a statement that it needs additional time to make its decision.

If the Franchising Authority decides that it needs longer than the initial 30-day period to consider the rate request, it may issue a statement to that effect. Such statement may provide for up to 90 additional days to review a rate request based upon a benchmark approach and up to 150 additional days to review a rate request based upon a cost of service approach.

If the Franchising Authority cannot reach a decision by the end of the extended period set forth in the preceding paragraph, the rates proposed by the Cable Operator shall go into effect, subject to refund. If the Franchising Authority intends to seek refunds, it shall issue an Order to the

Cable Operator prior to expiration of the time period for response, notifying the Cable Operator to keep accurate records with respect to rates.

3.3 Public Hearing Required

A public hearing shall be held in connection with every rate setting proceeding. At least 10 days prior to the hearing date, the [Town/City] Clerk shall publish a notice of the hearing in a newspaper of general circulation in the [Town/City] of _____. The notice shall identify the name of the Cable Operator, indicate that a rate change has been requested, and identify the time and place of the public hearing.

3.4 Proprietary Information

The Franchising Authority may require the Cable Operator to furnish proprietary information in connection with any rate setting proceeding.

3.5 Calculation of Rates and Refunds

In setting Basic Tier Rates and Charges, and in setting any refunds, the Franchising Authority shall be governed by the FCC Rate Regulations as amended. The FCC Rate Regulations shall govern notwithstanding any different or inconsistent provisions in the Franchise Agreement.

3.6 Decision of Franchising Authority

The Franchising Authority shall issue a written rate decision with appropriate findings and conclusions if the Franchising Authority:

- a. disapproves, in whole or in part, the initial rate schedule or a proposed rate increase; or
- b. approves the initial rate or proposed rate increase over the objection of an interested party.

Public notice must be given of any such written decision, which shall include release of the text of the written decision to the public.

No written decision shall be required to approve an unopposed existing or proposed rate.

3.7 Appeals

The FCC shall have exclusive jurisdiction to hear appeals challenging whether the Franchising Authority's decision is consistent with the 1992 Cable Act or any applicable FCC rules. Any participant in a Franchising Authority's rate regulation proceeding may appeal the Franchising Authority's decision on such grounds to the FCC within 30 days of release of the public notice required under Article 4.6 of this Ordinance.

Appeals on grounds other than those stated in the preceding paragraph shall be made to Superior Court with Rule 80B of the Maine Rules of Civil Procedure.

ARTICLE 4: EXECUTION OF DOCUMENTS

4.1 Authority conferred

The [Town Manager] [City Manager] [First Selectman], or his or her designee, is authorized to execute on behalf of the [Town] [City] and file with the FCC such certifications, forms or other

instruments as are now or may hereafter be required by the FCC Rate Regulations in order to enable the [Town] [City] to regulate Basic Service Rates and Charges.

ARTICLE 5: AMENDMENT

This Ordinance may be amended by the Municipal Officers following public hearing.

ARTICLE 6: FEDERAL LAW PREEMPTION

To the extent that any provision of this Ordinance is inconsistent with federal law or regulations now in effect or which may be later adopted, federal law shall govern.

Approved by the Municipal Officers this _____ day of _____, 20____.

Town of Vinalhaven Ordinance
Restricting Vehicle Weight on Posted Ways

Section 1. Purpose and Authority

The purpose of this "Ordinance Restricting Vehicle Weight on Posted Ways" (hereinafter, the "Ordinance") is to prevent damage to town ways and bridges in the Town of Vinalhaven which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of town ways and bridges, and to reduce the public expense of their maintenance and repair. This Ordinance is adopted pursuant to 30-A M.R.S.A. § 3009 and 29-A M.R.S.A. §§ 2395 and 2388.

Section 2. Definitions

The definitions contained in Title 29-A M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Section 3. Restrictions and Notices

The municipal officers may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town ways and bridges to which the restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable time period on any way or bridge so posted unless otherwise exempt as provided herein.

The notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted, and the signatures of the municipal officers. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way

Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

Section 4. Exemptions

Vehicles that are exempt from the Maine Department of Transportation's (MDOT) "Rules and Regulations Restricting Heavy Loads on Closed Ways" dated December 31, 1996 and amended on March 4, 1998, a copy of which is attached hereto and is hereby incorporated as part of this Ordinance, are exempt from this Ordinance. In addition, any vehicle delivering home heating fuel and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4) and, when necessary during a period of drought emergency declared by the governor, any vehicle transporting well-drilling equipment for the purpose of drilling a replacement well or for improving an existing well on property where that well is no longer supplying sufficient water for residential or agricultural purpose and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4-A).

Section 5. Permits

The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the municipal officers for a permit to operate on a posted way or bridge notwithstanding the restriction. The municipal officers may issue a permit only upon all of the following findings:

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

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

In determining whether to issue a permit, the municipal officers shall consider the following factors:

- (a) the gross registered weight of the vehicle;
- (b) the current and anticipated condition of the way or bridge;
- (c) the number and frequency of vehicle trips proposed;
- (d) the cost and availability of materials and equipment for repairs;
- (e) the extent of use by other exempt vehicles; and
- (f) such other circumstances as may, in their judgment, be relevant.

The municipal officers 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 6. Administration and Enforcement

This Ordinance shall be administered and may be enforced by the municipal officers or their duly authorized designee [such as road commissioner, code enforcement officer or law enforcement officer].

Section 7. Penalties

Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250.00 nor more than \$1000.00. Each violation shall be deemed a separate offense. In addition to any fine, the municipality 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 municipality and shall be brought in the Maine District Court.

Section 8. Amendments

This Ordinance may be amended by the municipal officers at any properly noticed meeting.

Section 9. Severability; Effective Date

In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect. This Ordinance shall take effect immediately upon enactment by the municipal officers at any properly noticed meeting.

Town of Vinalhaven, ME
EXECUTIVE SUMMARY FOR SELECTMEN BOARD MEETING

March 2, 2021

SUBJECT: Approve agreement with ArchiveSocial social media archiving service for 3/1/2021 - 6/30/2021 and to renew again from 7/1/2021 on an annual basis.

PURPOSE: To inform and recommend to the Selectmen that the Town of Vinalhaven implements ArchiveSocial to satisfy our need for archiving of social media as public records due to the Maine Freedom of Access Act.

BACKGROUND INFORMATION:

At the March 2, 2021 meeting, the Town of Vinalhaven will seek approval for the agreement with ArchiveSocial for their automated social media archiving services not to exceed \$996 for service dates of 3/1/2021 - 6/30/2021 and \$2,988 for the annual renewal on 7/1/2021.

ArchiveSocial is an automated social media archiving service. ArchiveSocial helps meet the needs for public records archiving and servicing public records act requests. Communications on social media and messaging applications are subject to the same disclosure guidelines as communications on more conventional mediums such as email or text.

The [Maine Freedom of Access Act](#) defines public records as “ any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business.”

Social media increasingly serves as a primary communications channel with the public. The ability to retain and produce accurate records of our social media becomes increasingly important. Records of social media content may prove critical in protecting the Town of Vinalhaven during legal proceedings and other risk-oriented circumstances.

ArchiveSocial currently archives social media such as Facebook, Twitter, Youtube, Instagram, LinkedIn, Vimeo, Pinterest, and Flickr.

ArchiveSocial is used by thousands of public agencies across the United States. Several Maine public agencies already use ArchiveSocial, including Rockport, Bath, Augusta, Skowhegan, Windham, etc...

ArchiveSocial is the #1 provider of social media archiving and risk management technology for public agencies, servicing over 5,000 state, local, and federal government agencies in more than 47 US states.

Submittee(s)

Andrew Dorr, Town Manager

Gabe McPhail, Community Development and Engagement Coordinator



The most reliable social media archiving solution for public entities to remain compliant with public records laws and actively manage risk online.

OVERVIEW

Social media networks facilitate one-to-one and many-to-many engagements at a historically unprecedented scale. These networks are built for billions of private citizens and are increasingly useful to public and regulated institutions who want to communicate with their constituents. ArchiveSocial was purpose-built to allow these regulated organizations to utilize social networks to engage with their constituents in a rich and compliant manner.

Tailored to your public entity, ArchiveSocial captures your social media presence in-context and in near-real-time, so you can manage and access your online data in one secure location, and quickly find and produce the content you need whenever you need it with advanced search and custom tagging.

BENEFITS

ArchiveSocial helps you:

- 1. SAVE TIME.** Reduce human error and avoid time-consuming administrative work by automating your archiving process, and find answers quickly with smart filters and automated tags for deleted, edited, and hidden content.
- 2. SAVE MONEY.** Respond to record requests of any size and create reports quickly by finding the data you need, whenever you need it, with a solution proven to provide enormous cost savings.
- 3. GET TOTAL VISIBILITY.** See the full history of your accounts, manage your entire online presence, and collaborate with different access levels in one secure, centralized location.
- 4. GAIN COMPLETE CONTROL.** Improve overall efficiency with control over your online data, and define the retention period of records through custom disposition rules for flexibility while maintaining compliance.
- 5. STAY COMPLIANT.** Ensure compliance with social media retention requirements and your state's public records law, and easily respond to FOIA, eDiscovery, and litigation requests.
- 6. HAVE PEACE OF MIND.** Streamline your social content documentation and eliminate surprises with active monitoring that alerts you on account connection, so you always know what data is being captured.

FEATURES

ArchiveSocial's robust feature set includes:

- 1. COMPREHENSIVE ARCHIVING.** Connect directly with your social media platforms to capture and preserve all content your public entity posts and engages with, in one secure location.
- 2. NEAR REAL-TIME CAPTURE.** Capture various content formats in full resolution and near-real-time, even if it's been edited, deleted, or hidden.
- 3. ADVANCED SEARCH.** Find and export the records you need quickly with filters, keywords, and custom and automated tags that let you organize and easily manage your content.
- 4. ON-DEMAND DATA.** Get access to your data at any time to support requests and easily produce reports for your monthly record volumes, connected accounts, and plan usage.
- 5. BLOCKED LISTS MANAGEMENT.** Create and maintain a single list of all blocked users and pages, for all of your managed accounts, with clear timelines and supporting evidence to defend your actions.
- 6. ACCURATE CONTEXT PRESERVATION.** Replay any record in its original context, and ensure its authenticity with digital signatures, timestamps, and unmodified meta-data.

As the leading provider of social media archiving technology in the public sector, ArchiveSocial enables more than 5,000 forward-thinking government entities, law enforcement agencies, and K-12 school districts to openly and transparently communicate across social networking platforms while ensuring legal protection and compliance with public records.



A person's hands are shown typing on a silver laptop. The background is a blurred office environment with a desk lamp and a teal mug. The overall scene is brightly lit, suggesting a professional workspace.

OVERVIEW

Protecting Vinalhaven with Social Media Archiving

Why do we need to archive?

“With the public records law in Massachusetts, it is critical to capture all of the records produced by social media. You are protecting your community, your employees and complying with the law.”



NICHOL FIGUEIREDO
*Public Information Records
Access Officer & Webmaster
Framingham, MA*

- ▶ Our social media is creating public records.



Open records laws maintain that we need to be able to produce social media records—**both from our own content, and from content our constituents create**—in response to records requests.



Social media is a mission-critical part of our communication strategy, and our constituents are creating, editing, and deleting records on a daily basis.

- ▶ If we do not preserve our social media records, **we are potentially out of compliance with state records regulations.**
- ▶ Beyond public records responsibilities, we will increasingly need to produce records for a variety of other types of requests.



Requests from internal stakeholders



E-discovery requests

Maine Social Media Records Guidance



MAINE FREEDOM OF ACCESS ACT

- ▶ The term “public records” means any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained...that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association...and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business

GUIDANCE FROM THE MAINE RIGHT-TO-KNOW ADVISORY COMMITTEE

A public record is

- ▶ Written, printed, or graphic matter, or **electronic data with information**;
- ▶ Either directly or after a translation into a visual or auditory format;
- ▶ In possession of a state entity or public official; and
- ▶ **Used in connected or relating to a public or governmental business**

Excerpt from **Citizens Guide to the Maine Freedom of Access Act**

Why do we need an archiving solution – is there another way to do this?

“Facebook has no records management capability.”



**JERRY
LUCENTE-KIRKPATRICK**
Formerly State Records
Analyst
State of Arizona

Other methods don't capture the content we need.

- ▶ We cannot rely on the social networks to archive for us.



The social networks do not provide user comments or revisions to content (edited, deleted, and hidden content) in their download features



The social networks are not bound to public records laws, and have no legal obligation to retain records

- ▶ We cannot rely on “manual” archiving, or screenshots



Screenshots are only a snapshot in time, do not capture deleted or revised content, and are not searchable



Screenshots have no metadata attached to them, and are not effective in court

- ▶ We cannot just make our social media “one-way”



There's no way to consistently block users from generating content on our social media pages



For example, on Facebook, we cannot disable users' ability to comment on our posts

Can't we just request the content from Facebook?

<https://www.facebook.com/help/121995105053180>

<https://www.facebook.com/safety/groups/law/guidelines/>

What happens to content (posts, pictures) that I delete from Facebook?

➔ Share Article

When you delete something you shared on Facebook, it is permanently deleted from your Facebook account. It's deleted from our servers and backup systems, so we're unable to retrieve this deleted content.

However, Facebook may keep service-related information about your account, like IP address logins or email changes on your account, to protect your security, prevent abuse, and improve our services. This information may only be fully removed when you permanently delete your account.

Data Retention and Availability

We will search for and disclose data that is specified with particularity in an appropriate form of legal process and which we are reasonably able to locate and retrieve. We do not retain data for law enforcement purposes unless we receive a valid preservation request before a user has deleted that content from our service.

Details about data and account deletion can be found in our [Data Policy](#), [Statement of Rights and Responsibilities](#), and [Help Center](#).

How much does it cost, and what is involved with implementation?

"I can't even begin to explain how much simpler and easier ArchiveSocial has made things. It's not something I even have to think about now."



SGT. CHRISTOPHER
FULCHER
Chief Technology Officer
Vineland, NJ Police
Department

- ▶ Pricing is fully transparent and designed to fit into discretionary budgets.



\$2,988/year
(\$249/month billed annually)
-Option to prorate March - June \$996
-July invoice for full \$2,988
-CARES Act Eligible



The pricing is based on average monthly record counts

- ▶ Most agencies fully connect in 20 minutes.



The system is cloud-based, and all it requires is connecting our social media accounts



No IT resources are required

- ▶ ArchiveSocial never has access to our social network passwords, and can only "read" our content.

Why should we do this now?

“If you don’t have something like ArchiveSocial for your social media, you’re playing Russian roulette with your daily public records responsibilities — and that’s not a good idea. ”



REBECCA MEDINA
STEWART
Director of Public Affairs and
Marketing
City of Deerfield Beach, FL

- ▶ It gives us confidence that we are in compliance with state records laws, and can easily respond to records requests.
- ▶ Without it, we are losing records daily, through deleted and edited content.
- ▶ As engagement on our social media increases, it gives us insurance in case of unexpected events.



It gives us confidence to moderate content in accordance with our social media policy, confident that we have the records to defend ourselves



It gives us the ability to conduct reviews, if needed for internal stakeholders or external parties

First Amendment Lawsuit = \$120K in Irvine, CA



Agencies will continue to face these challenges, and without a record of what *has* or *has not been deleted* and who *may* or *may not have been blocked*, find themselves at a large disadvantage when defending themselves against such accusations

Irvine settles lawsuit over former mayor Shea's social media blocking

The city agreed to settle the lawsuit for nearly \$40,000, but it did not admit any wrongdoing, according to a statement on Irvine's website; the city also spent \$80,000 in legal fees.

"I had a city page that was always accessible to the public," she said. "I did not in any way violate his First Amendment rights."

Los Angeles Attorney Pedram Esfandiary, who represented West in the suit, disagreed, saying that while Shea may have considered her Facebook "private," it was being used as a public forum and West had a right to interact with his city's mayor.

"While arguments can be made that the city could have successfully defended the lawsuit at trial, there can be no question that this whole situation could have been avoided had former Mayor Shea not blocked the users and deleted the posts," the city statement read.



Examples of Social Media Lawsuits

Beech Grove settles free-speech lawsuit over Facebook use

August 5, 2016 | Associated Press

Chambersburg council pursues Facebook for posts deleted by former mayor

Jim Hook, jhook@publicopinionnews.com Published 12:58 p.m. ET March 14, 2018 | Updated 1:52 p.m. ET March 14, 2018

Clerk of Court reaches \$10K settlement in civil rights suit

By Carol Kent Wyatt / The News | 850-703-9487 | @WCN_CarolWyatt | Cwyatt@chipleypaper.com

Posted Feb 10, 2017 at 6:58 AM

Updated Feb 10, 2017 at 7:00 AM



CHIPLEY - A \$10,000 settlement agreement has been reached in a federal lawsuit that alleged the Washington County Clerk of Court's office violated civil rights following a controversial social media post.

The suit, filed last November by attorney Tiffany R. Cruz of Tallahassee on behalf of plaintiff Brandy Gramling, named Washington County Clerk Lora C. Bell and Clerk Executive Assistant Shawna Faison as defendants in both their individual and official capacities.

The suit alleged Gramling's rights were violated when she was banned from the Washington County Clerk of Court's Facebook page after she posted a comment objecting to a photo on the site, a comment the complaint states was deleted, which "compounded the violation of free speech."

Former Alamogordo Mayor, City found in violation of public records act

Tara Melton, Alamogordo Daily News Published 7:26 p.m. MT April 29, 2016



Buy Photo

(Photo: Daily News File Photo)



Former Mayor Susie Galea and the City of Alamogordo were found in violation of the Inspection of Public Records Act after 12th Judicial District Judge Jerry H. Ritter Jr. ruled on Thursday that Galea's Facebook page was subject to inspection requests under the state's records act.



Representing Irby attorney Blair Dunn said he estimates the at cost about \$35,000.

Glen Rock will pay \$30,000 in legal fees after social media ruling

Meghan Grant, North Jersey Record Published 3:21 p.m. ET Aug. 31, 2018 | Updated 8:24 p.m. ET Sept. 2, 2018

Why ArchiveSocial?

"ArchiveSocial's functionality, ease-of-use, compliance, and reporting features are better than their competitors. I was impressed by how simple it was to add accounts and to pull up records. Brilliant!"



DAVID BRAUHN
Communications Manager
City of Walla Walla, WA

- ▶ The industry leader - working with over 5,000 agencies nationwide.



From small towns to the largest cities, including NYC, Chicago, and San Francisco



Currently working with agencies throughout Maine, including Rockport, Augusta, Bath, Skowhegan, Windham, etc...

- ▶ It gives us the highest level of compliance.

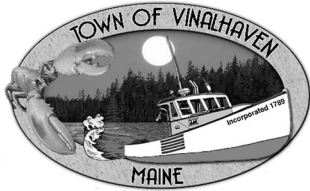


ArchiveSocial preserves more content than any other solution



Search and replay features that enable us to easily respond to records requests

- ▶ They are in the top 1% of customer satisfaction scores for software companies, with a US-based customer support team ready to assist us.



TOWN OF VINALHAVEN BOARD OF SELECTMEN

TOWN MANAGER'S REPORT 02/26/2021

Capital Projects

Carrying Place Bridge – JBI is expected to resume work next week and begin to deconstruct the old bridge. This week's warrant includes the permitting fee for the in-water work and will allow us to also seek the extension needed to complete the work by the end of May as previously discussed.

DPW Facility – The roof is nearing completion and interior walls were beginning to go up this week. We have been in communication with the manufacturer of the Salt/Sand shed and we have moved their build schedule to May as some of their construction materials and island lodging are limited. See the Engineer reports for more info on these. Please let me know if you'd like to stop up there some time to see the progress.

Legislative Update

In a recent Maine Island's Coalition meeting, it was mentioned that the legislature was considering two bills to modify the statute regarding service to Frenchboro and Matinicus. It was also noted that at the public hearing for those bills, things went "sideways". After requesting and reviewing the video recording of the Transportation Committee meeting, it was voted that the two bills ought not to pass and be accompanied with a letter (generally) stating that a deeper review of the operations and funding be completed via a working group to be formed. Based on a couple of conversations with other island's residents, there is interest in asking that each island have at least one person appointed to the working group to ensure that the islands feel their voices and concerns are being considered and information from the meetings can flow back to the communities.

Archiving Social Media Content

By law we are required to maintain a record of the information we produce. Emails are already archived, our digital files are on the server and should have a back-up system, which could be done utilizing OneDrive. For archiving social media, we rely on the sites to maintain a record, but there are limitations to their systems. Archive Social has provided us with a reasonable quote for their services. The program would automatically connect to our social media accounts and collect the data, posts, communications, etc as frequent as 12 seconds. Deleted posts will be saved and all archived information is searchable. The alternative is to have a staff member screen shot and attempt to create file folders of the data, which would not be searchable during a FOA request. I would recommend we purchase this service so we can be in compliance with FOA requirements.

Recycling Rate

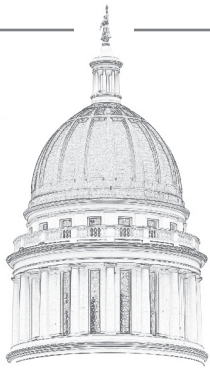
EcoMaine's annual report is included in the board packet. Vinalhaven's recycling rate per capita is one of the highest among EcoMaine's customers.

DMR Shellfish Management Areas

Included in your packets is an image of the proposed shellfish management closures. The biggest changes included prohibiting the near full length of the Thoroughfare. Areas in Seal Bay are also impacted by this change. Discussions with DMR staff include the need to access to more test sites, which are in the works, and increased testing. The state schedules 6 sample collections per year over nearly 20 sites. 30 consecutive samples with improved numbers is required to reclassify a less restrictive site. We should look for grants, FY 22 budget funds, and/or volunteers to collect more samples in a year. Consideration should also be made for DNA testing the eColi samples to see if there is a particular animal responsible for the bacteria.

Coming Up - This week I will be following up and continuing the following:

- Our Emergency Operations team continues to meet weekly to check-in on COVID updates, changes, and concerns. ICMS is expecting an increase in doses over the month of March and is planning on operating at least 2 clinics for their patients.
- The Climate Council's Marine and Working Waterfront subgroup is meeting to follow up on the plan put forward by the Governor. They are looking at getting more feedback from communities and I will be able to bring that to you at the next meeting.
- MMA's Federal Issues Paper featured Vinalhaven as one of a handful of communities to share their COVID response. After thinking our experience was not as dire as some other community's, the writer was impressed with the communication efforts Vinalhaven undertook. This is a big acknowledgement and something you should feel great about in supporting and leading that effort. The paper is included in your board packet for you to read. As part of the process, I'll have an opportunity to join a panel of other managers in sharing our experience with our federal delegation in a couple of weeks.



LEGISLATIVE BULLETIN



Vol. XLIII No. 7 February 26, 2021

Municipal Leaders Call for Revenue Sharing Increases

One week ago, the Appropriations and Taxation Committees met jointly to accept public testimony on sections of Governor Janet Mills' proposed FY 22-FY 23 General Fund budget appropriating, in part, funds for property tax-related programs. The more municipality relevant sections of the budget include reimbursement for 70% of lost property tax revenues associated with the \$25,000 homestead exemption and the requirement that 3.75% of state sales and income tax revenue is shared with municipalities via the revenue sharing program in each year of the biennium.

Municipal officials from Bangor, Brunswick, Gray and Hallowell, as well as MMA, Mayors' Coalition, and Greater Portland Council of Governments participated in the hearing by offering testimony in support of the revenue sharing program.

While proponents expressed appreciation for the governor's investment in the municipal-state partnership, the testimony provided either asked, urged, reminded or encouraged the Legislature to continue to make progress on the path to restoring funding for the program at the 5% level.

John Eldridge, Brunswick Town Manager, reminded the members of the committee that state revenues are shared with municipalities "in recognition of the vital role and need for property tax relief." Gray Council Chair, Sandy Carder, called on the Legislature to increase revenue sharing to 4% in FY 23, warning that although municipalities "were able to hold the line with property tax increases last year, for the most part, that will be extremely difficult

this year." City of Bangor Finance Director, Debbie Laurie, asked the members to "keep in mind during this session that municipalities simply cannot absorb any more unfunded mandates or cuts to local revenue streams" and encouraged the full 5% restoration of revenue sharing.

James Gardner, Jr., Easton Town Manager and MMA President, urged the members of the committees to find the avenues necessary to increase the amount of state sales and income tax revenue shared with communities this year and next.

Rep. Thom Harnett of Gardiner also joined the ranks of the proponents by reminding his peers that "In the face of this pandemic, where so many property taxpayers are struggling with

(continued on page 3)

Stopping Cops from Stopping Cars

On Wednesday, the Criminal Justice and Public Safety Committee held a public hearing on LD 417, *An Act To Protect Maine's Drivers from Pretextual Traffic Stops*, sponsored by Rep. Victoria Morales of South Portland.

As drafted, the bill would prevent an officer from stopping a motor vehicle for a violation of any vehicle related infraction under Title 29-A Chapter 5, 15, 17 or 19, if the officer had reason to suspect the operator of unrelated criminal activity. These chapters cover offenses which include unregistered vehicles, violations of inspection standards, speed, illegal U-turns, failing to yield or signal at intersections, or passing a stopped school bus.

Additionally, any evidence found in a vehicle associated with such a traffic stop for

other criminal activity would be automatically deemed "fruit of the poisonous tree" and inadmissible for prosecution purposes.

Rep. Morales advised the committee during testimony that she felt the legislation was necessary to address racial profiling by police because according to national statistics police disproportionately target minority drivers for minor offenses under a pretext of suspecting them of drug possession or trafficking according to national statistics Maine does not yet collect data on traffic stops. However, limited studies by the American Civil Liberties Union (ACLU) in York County showed that black people were twelve times more likely to be arrested for cannabis possession than white people.

Proponents of the bill, the ACLU, Maine

(continued on page 3)

LEGISLATIVE BULLETIN

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Editorial Staff: Kate Dufour, Rebecca Graham, Neal Goldberg and Laura Ellis of the State & Federal Relations staff.

Layout: Sue Bourdon, Communication & Educational Services.



HEARING SCHEDULE

For the week of March 1, 2021

MONDAY, MARCH 1

Appropriations & Financial Affairs Room 228, State House, 10:00 a.m. Tel: 287-1635

LD 221 – Governor’s Biennial Budget, in conjunction with the Joint Standing Committee on Judiciary.

1:00 p.m. in conjunction with the Joint Standing Committee on Criminal Justice & Public Safety

Environment & Natural Resources Room 216, Cross Building, 10:00 a.m. Tel: 287-4149

LD 67 – An Act To Assist in the Restoration of Atlantic Salmon.

LD 69 – An Act To Reduce Duplicative Permitting Review for Projects under the Site Location of Development Laws.

LD 436 – An Act Regarding the Authority of the Department of Environmental Protection Regarding Applications, Permits and Fines.

Inland Fisheries & Wildlife Room 206, Cross Building, 10:00 a.m. Tel: 287-1338

LD 404 – An Act to Preserve Deer Habitat.

Labor & Housing Room 202, Cross Building, 10:00 a.m. Tel: 287-1331

LD 447 – An Act To Require Equivalent Paid Parental Leave for All Parents Employed by Companies Offering Paid Parental Leave.

LD 449 – An Act To Strengthen the Ability of Public Employers and Unions to Negotiate.

LD 467 – An Act To Support E-9-1-1 Dispatchers and Corrections Officers Diagnosed with Post-traumatic Stress Disorder.

LD 469 – An Act To Ensure Safety across Maine’s Construction Industry.

State & Local Government Room 214, Cross Building, 10:00 a.m. Tel: 287-1330

LD 379 – An Act To Establish the Maine State Cemetery Commission.

Veterans & Legal Affairs Room 437, State House, 10:00 a.m. Tel: 287-1310

LD 301 – An Act Regarding Adult Use Marijuana.

LD 353 – An Act To Establish Medical Marijuana Cooperatives.

LD 421 – An Act To Increase the Number of Plants a Medical Marijuana Caregiver May Cultivate.

TUESDAY, MARCH 2

Agriculture, Conservation & Forestry Room 214, Cross Building, 9:00 a.m. Tel: 287-1312

LD 125 – An Act To Prohibit the Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture.

Appropriations & Financial Affairs Room 228, State House, 1:00 p.m. Tel: 287-1635

LD 221 – Governor’s Biennial Budget, in conjunction with the Joint Standing Committee on Health Coverage, Insurance & Financial Services.

3:00 p.m. in conjunction with the Joint Standing Committee on Veterans & Legal Affairs.

Judiciary Room 438, State House, 10:00 a.m. Tel: 287-1327

LD 448 – An Act Regarding Recording of Witness Interviews.

Marine Resources Room 206, Cross Building, 9:00 a.m. Tel: 287-1337

LD 454 – An Act To Ensure Equity in the Shellfish Depuration Compensation Process for Municipalities by Increasing the Rate of Reimbursement Paid to Municipalities.

Taxation Room 127, State House, 9:30 a.m. Tel: 287-1552

LD 141 – An Act To Make Technical Changes to the Tax Laws.

LD 412 – An Act To Authorize the Use of Tax Increment Financing Funds for Constructing or Renovating Municipal Offices and Other Buildings.

LD 418 – An Act To Create a Graduated Real Estate Transfer Tax.

Transportation Room 126, State House, 1:00 p.m. Tel: 287-4148

LD 571 – Resolve, To Name a Bridge in the Town of Veazie the Hayward Carl Spencer Memorial Bridge.

WEDNESDAY, MARCH 3

Appropriations & Financial Affairs Room 228, State House, 10:00 a.m. Tel: 287-1635

LD 221 – Governor’s Biennial Budget (Appropriations & Financial Affairs)

1:00 p.m. in conjunction with the Joint Standing Committee on State & Local Government

Environment & Natural Resources Room 216, Cross Building, 10:00 a.m. Tel: 287-4149

LD 390 – An Act Regarding the Mapping of Shoreland Zones.

Labor & Housing Room 202, Cross Building, 10:00 a.m. Tel: 287-1331

LD 473 – An Act To Create the Maine Rental Assistance and Voucher Guarantee Program.

Note: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. Weekly schedules for hearings and work sessions can be found on the Legislature’s website at: <http://legislature.maine.gov/calendar/#Weekly/>.

Due to COVID-19 related restrictions (and until further notice), all public hearings and work sessions will be conducted remotely. Municipal officials interested in providing live remote testimony will need to email lio@legislature.maine.gov or call (207) 287-1692 no later than 5 p.m. the day before the hearing for information on how to participate. Comments on bills can be submitted in advance of a public hearing using the Legislature’s testimony submission form ([Online Testimony Submission](https://legislature.maine.gov/online-testimony-submission) ([mainelegislature.org](https://legislature.maine.gov/online-testimony-submission))) and interested parties can view committee proceedings, both live and recorded, on the Legislature’s YouTube channel ([News | Maine State Legislature](https://www.youtube.com/newsmainestatellegislature).)

Hearing Schedule (cont'd)

State & Local Government Room 214, Cross Building, 10:00 a.m. Tel: 287-1330

LD 434 – An Act To Clarify the Bonding Authority of Counties for Capital Maintenance Projects.

LD 446 – An Act To Reestablish the State Planning Office.

Veterans & Legal Affairs Room 437, State House, 10:00 a.m. Tel: 287-1310

LD 451 – An Act To Remove the Party Designation from Return Envelopes for Absentee Ballots for the General Election.

LD 456 – An Act To Protect Voter Identification by Prohibiting a Voter's Party Designation from Appearing on Absentee Ballot Envelopes.

THURSDAY, MARCH 4

Agriculture, Conservation & Forestry Room 214, Cross Building, 10:00 a.m. Tel: 287-1312

LD 324 – An Act To Limit Public Land Ownership in Maine.

Appropriations & Financial Affairs Room 228, State House, 1:00 p.m. Tel: 287-1635

LD 221 – Governor's Biennial Budget, in conjunction with the Joint Standing Committee on Marine Resources

3:00 p.m. in conjunction with the Joint Standing Committee on Inland Fisheries & Wildlife.

Health & Human Services Room 209, Cross Building, 1:00 p.m. Tel: 287-1317

LD 269 – An Act To Prohibit Smoking in Bus Shelters.

FRIDAY, MARCH 5

Appropriations & Financial Affairs Room 228, State House, 10:00 a.m. Tel: 287-1635

LD 221 – Governor's Biennial Budget, in conjunction with the Joint Standing Committee on Environment & Natural Resources.

1:00 p.m. in conjunction with the Joint Standing Committee on Agriculture, Conservation & Forestry.

Municipal Leaders Call for Revenue Sharing Increases (cont'd)

job loss, reduced income and other challenges, now is not the time to continue to fail to live up to our promise of full revenue sharing at 5%. Our friends, neighbors, small businesses and their communities are struggling like never before. Now more than ever is the time to do what we all know is right - fully fund revenue sharing.”

On Thursday this week, the Taxation Committee began its deliberations on these issues. No recommendations have been advanced as of yet.

Revenue Sharing Day in Tax. Municipal officials will have a second opportunity to support increased funding for the revenue sharing program, as three related bills will receive a public hearing on March 9.

LD 328, *An Act to Fully Fund and Restore*

State-Municipal Revenue Sharing, sponsored by Rep. Harnett, increases state-municipal revenue sharing to 5% as of Jan. 1, 2021. Rep. Walter Riseman of Harrington is also advocating for the immediate return to 5% via LD 409, *An Act To Provide Funding To Restore Fully State-Municipal Revenue Sharing*.

LD 403, *An Act To Assist Service Center Communities by Adjusting State Municipal Revenue Sharing*, sponsored by Rep. Colleen Madigan of Waterville, increases revenue sharing to 4.25% for FY22 and FY23. Despite the title of the bill, the increase would benefit all communities.

The hearing on all three bills will take place before the Taxation Committee on **Tuesday, March 9 at 9:30 a.m.**

Stopping Cops from Stopping Cars (cont'd)

Association of Criminal Defense Lawyers, Maine Prisoner Advocacy Project, and the Immigrant Legal Advocacy Project mirrored the sponsor's sentiments and maintained the communities they represent, including poor white drivers who struggle to pay for repairs or fines, would benefit from the proposed legislation.

MMA, Maine Chiefs of Police, the Department of Public Safety, and Maine Sheriff's Association all testified in opposition to the drafted bill. Opponents are concerned the proposal would effectively prevent police from stopping suspected impaired drivers, conducting roadblocks in the area of a serious criminal incident to search for fleeing suspects, or stopping suspect vehicles in human trafficking investigations.

Focusing on two Supreme Court rulings, *Whren v. United States*, 517 U.S. 806 (1996) and *Rodriguez v. United States*, 575 U.S. (2015), opponents pointed out that “pretext” stops are constitutional based on settled case law and an officer may not extend the length of the traffic stop to seek for additional criminal evidence not related to the stop, without reasonable articulable suspicion. Additionally, the existing evidence suppression process regularly evaluates the validity of a traffic stop effectively achieving what opponents sought to protect.

MMA staff highlighted the bill sought to address a symptom and not the problem in broad and sweeping way that would ultimately

harm victims of other crimes. At the core of the issue are perceived abuses of authority by police that feed distrust and erode legitimacy, which in turn influence public attitudes toward law enforcement. Public trust, once lost, is an uphill battle to regain.

Recognizing the vital role policing has in society, agencies across the U.S. are using President Obama's recommendations from the Task Force on 21st Century Policing to engage communities of color in reform measures at each step of their design and implementation. Significant research shows that agency leadership and institutional commitment to community oriented procedural justice principles are the keys to harm reduction at all levels. Such efforts improve not only community respect for the important role of law enforcement, but also police officer morale.

Procedural justice principles include consistent respectful interactions, bias-free decision-making supported by robust and enforced internal written policy, cultural competency education, and colleague accountability to reshape internal culture and reduce police involved shootings. Additionally a customer service like approach which focuses on explaining processes during interactions with the public, and allowing community voices to be heard helps rebuild public confidence in their agencies.

A work session on the bill is scheduled for Monday, March 1 at 10:00 a.m.

Plastic Bag Ban Gets Recycled Treatment

This week the Environment and Natural Resources Committee fielded testimony on single-use plastic bags, an issue previously disposed of through a statewide ban beginning July 31, 2021. The committee is considering three bills:

- LD 39, *An Act to Remove the Plastic Bag Ban*, sponsored by Sen. Stacey Guerin of Penobscot County;
- LD 108, *An Act to Improve Public Safety by Repealing the Single-use Plastic Carry-out Bag Ban*, sponsored by Rep. Billy Bob Faulkingham of Winter Harbor; and
- LD 244, *An Act To Repeal Maine's Single-use Plastic Bag Law*, sponsored by Sen. Paul Davis of Piscataquis County.

Testimony in opposition to the bills was easily recycled, because what was true when the ban was sanctioned is still true today. There is insufficient waste and recycling infrastructure to support the mass production of single-use plastic bags; recycling plastic packaging materials is energy inefficient; eight million

metric tons of plastic ends up in the oceans every year; seabirds and marine organisms are suffering the effects of nanoplastics in the ecosystem; Maine's ocean resources are at risk of degradation from plastic pollution; and municipalities bear the burden of plastic bag disposal costs.

The only testimony in support came from the bill's three sponsors.

One argument for eliminating the approved plastic bag ban included the claim that reusable bags pose greater public health risks than single-use bags. While this sounded logical, scientific evidence does not line up. It was noted by one committee member that data does not indicate reusable bags have a higher risk of fomite (e.g., materials that are likely to carry infections) transmission than single-use bags. Just like there is no market for recycling single-use plastic bags, neither was there an audience for the health concerns of reusable bags.

Equity concerns for small business owners

who may have to source more expensive bags or individuals who cannot afford reusable bags did catch the attention of committee members. Supporters of the bill claimed plastic bag bans are inherently racist and originate from a place of privilege. The committee intends to investigate these claims during the work session.

Municipal support for the ban reached at least 25 towns and cities in Maine prior to the enactment of a statewide ban that preempted their ordinances. If the Legislature votes to repeal state law, the municipalities that took their plastic-bag bans off the books when the state law was enacted will have to reinstate the ordinances. Additionally, all municipalities can expect to see single-use plastic bags wind up in the waste stream, adding more costs for disposal to the taxpayers.

A recording of the public hearing can be found on the committee's Youtube channel. A work session on these bills is scheduled for Wednesday, March 3 at 11:00 a.m.

Exemption Season Begins

As sure as the residents of Punxsutawney, PA can be counted on to awaken their famous groundhog from a winter's slumber, the members of the Taxation Committee can be expected to debate the merits of bills seeking property tax exemptions. Those requests come in all sizes and impact the properties owned by a variety of parties, including veterans, seniors, farmers, fraternal organizations and environmentalists. Although each group presents compelling arguments as to why their property should also be added to the tax free rolls, no matter how you describe it, the granting of exemptions simply shifts the burden of funding mandated and desired local government services from the many to the few.

This year is no different. On Tuesday, the committee held public hearings on two bills seeking property tax exemptions.

LD 179, *An Act To Exclude Energy Efficiency Improvements from Property Tax*, sponsored by Rep. Chris Kessler of South Portland, seeks to exempt all property as-

sociated with residential energy efficiency improvements, expanding on the solar energy exemption enacted in 2020.

LD 198, *An Act To Improve Maine's Tax Laws by Providing a Property Tax Exemption for Central Labor Councils*, sponsored by Sen. Ben Chipman of Cumberland County, would exempt the property owned by Maine unions, in similar fashion to that owned by boards of trade and chambers of commerce.

MMA opposed both bills.

Municipal officials understand that energy improvements are important and agree that similar property owners should be treated equally. However, they do not believe it is prudent to incentivize certain behaviors or address inequities to the detriment of the remaining – and ever dwindling – property taxpayers.

At a minimum, state priorities should be funded with state revenues that are not otherwise dedicated to local government partners. In an effort to ensure the equitable treatment of similar property owners, municipal leaders

would prefer that the members of the Legislature review and modernize the state's property tax policies to ensure that all property owners fund a portion of the local government services they consume.

The culmination of state-level decisions that demand municipalities and their property taxpayers do more with less, while simultaneously calling into question the spending priorities adopted by town meetings and duly elected town and city councils, is unsustainable and unwarranted. The Legislature needs to take a serious look at the burdens placed on the property tax to fund municipal, school and county services.

A work session on these bills is scheduled for Thursday, March 4 at 9:30 a.m.

IN THE HOPPER

(The bill summaries are written by MMA staff and are not necessarily the bill's official summary statement or an excerpt from that summary statement. During the course of the legislative session, many more bills of municipal interest will be printed than there is space in the *Legislative Bulletin* to describe. Our attempt is to provide a description of what would appear to be the bills of most significance to local government, but we would advise municipal officials to also review the comprehensive list of LDs of municipal interest that can be found on MMA's website, www.mmun.org.)

Criminal Justice & Public Safety

LD 539 – An Act To Require Law Enforcement Agencies To Do a Thorough Background Check of Applicant Officers and Require the Release of Records, Including Sealed Records, to the Requesting Agency. (Sponsored by Sen. Miramant of Knox Cty.)

This bill requires a candidate for employment as a law enforcement officer who has previous law enforcement experience to provide the hiring law enforcement agency a written waiver authorizing prior law enforcement employers to release all performance related employment records on the candidate, including sealed records but not including medical, pay and other nonperformance data, and releasing the hiring and disclosing law enforcement agencies of liability related to the disclosure or use of the employment records. A previous employer is immune from any confidentiality or nondisclosure law, policy or contractual requirement for providing information to a hiring law enforcement agency. This bill requires a hiring law enforcement agency to conduct a background check on the employment records prior to hiring the candidate and forbids a law enforcement agency from hiring a candidate who refuses to provide the written waiver.

LD 573 – An Act Concerning Records of the Employment of Law Enforcement Officers and Corrections Officers. (Sponsored by Rep. Corey of Windham)

This bill requires a law enforcement officer or corrections officer who applies for employment with a law enforcement agency, correctional facility or county or regional jail, when the applicant is employed by or within 90 days prior to the application employed by another law enforcement agency, correctional facility or county or regional jail, to request that the officer's personnel records, employment records, internal investigation records and any other records pertaining to the applicant's employment and job performance be released to the other agency, facility or jail. The request form, which must be signed and witnessed, must include a waiver of any rights that the applicant has to the privacy of the personnel and employment records, internal investigation records and any other records pertaining to the employment and job performance of the applicant. The bill directs the Board of Trustees of the Maine Criminal Justice Academy to adopt routine technical rules to establish the request and waiver form. The bill requires the agency, facility or jail to which the request was made to promptly release the requested information and provides civil and criminal immunity to both the sending and the receiving agency, facility or jail. Furthermore, the bill requires an agency, facility or jail that performs a polygraph examination on a law enforcement officer or corrections officer to notify the head of the agency, facility or jail that employs the officer if the results indicate probable cause to believe that the officer is or has been involved in criminal activity.

Environment & Natural Resources

LD 489 – Resolution, Proposing an Amendment to the Constitution of Maine To Establish a Right to a Healthy Environment. (Sponsored by Sen. Maxmin of Lincoln Cty.)

This resolution proposes to amend the Constitution of Maine to grant the people of the state a right to a clean and healthy environment and to the preservation of the natural, cultural, recreational, scenic and healthful qualities of the environment.

LD 502 – An Act To Broaden the Definition of “Working Waterfront” with Respect to Land Use Planning. (Sponsored by Rep. McDonald of Stonington)

This concept draft bill proposes to enact measures facilitating a review of how working waterfront or working waterfront property is defined and treated throughout statutes to assess whether statutory or regulatory changes are needed to better recognize and account for water-dependent commercial activities associated with working waterfront or working waterfront property in the state's land use planning, resiliency planning and climate change adaptation strategies.

Health & Human Services

LD 475 – Resolve, To Create the Frequent Users System Engagement Collaborative (Emergency) (Sponsored by Rep. Morales of South Portland)

This resolve establishes the Frequent Users System Engagement Collaborative in order to develop a plan to provide stable housing and community services to 200 persons who are homeless or at risk of homelessness who are the most frequent consumers of high-cost services, such as psychiatric hospitals, emergency shelters, emergency rooms, police, jails and prisons. The collaborative must submit a report to the Committee on Health and Human Services no later than Jan. 1, 2022 on its plan and recommendations. The committee is authorized to report out a bill in 2022 implementing the collaborative's recommendations.

LD 512 – An Act To Provide Intensive Case Managers to Counties That Do Not Have County Jails or Regional Jails. (Sponsored by Rep. Dodge of Belfast)

This bill directs the Department of Health and Human Services to create additional intensive case manager positions so that counties that do not have a county jail or regional jail will have an intensive case manager. An intensive case manager oversees persons who are detained by a law enforcement officer and who have intellectual disabilities or mental health conditions or have misused substances and connects them to the services for which they qualify, works with the court system to ensure that they receive due process and speedy trials and assists persons who qualify for the MaineCare program to apply for and receive MaineCare benefits and services while being detained or incarcerated, including during the implementation of diversion and reentry plans.

Judiciary

LD 589 – An Act To Provide Access to Justice for Victims of Child Sexual Abuse. (Sponsored by Rep. Gramlich of Old Orchard Beach)

Under existing Tort Claim Act provisions, a claim against a governmental entity or its employees permitted under the Act is barred from the courts, unless an action begins within two years after the cause of action accrues, except that, if the claimant is a minor when the cause of action accrues, the action may be brought within two years of the minor's attaining 18 years of age. This bill further provides that the limitation in the Act does not apply to a claim based upon a sexual act toward a minor. The bill also revives for a period of two years, beginning six months after the effective date of this legislation, any civil claim or cause of action based upon a sexual act toward a minor that was barred because of the period of limitation or because of failure to timely file notice of claim. Furthermore, the bill provides that, in an action based upon a sexual act toward a minor that was barred by operation of the statute of limitations prior to the effective date of this legislation and that is revived pursuant to this legislation, damages may be awarded against an entity that employed, supervised or had responsibility for the person who committed or allegedly committed the sexual act only if there is a finding of negligence on the part of the entity.



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486

IN THE HOPPER

Taxation

LD 409 – An Act To Provide Funding To Restore Fully State-Municipal Revenue Sharing. (Emergency) (Sponsored by Rep. Riseman of Harrison)

This bill increases state-municipal revenue sharing to 5% as of Jan. 1, 2021.

LD 470 – An Act To Allow a Veteran Who Was a Member of the Military Reserves or Served in the National Guard To Qualify for the Veterans' Property Tax Exemption. (Sponsored by Sen. Davis of Piscataquis Cty.)

This bill provides that persons who served on active duty in the National Guard or the Reserves of the United States Armed Forces are considered veterans eligible for veterans' property tax exemptions.

LD 534 – An Act To Allow Tax Abatements for Catastrophic Loss. (Sponsored by Sen. Chipman of Cumberland Cty.)

This bill allows municipal assessors, or the State Tax Assessor for property in the unorganized territory, to abate the property taxes of real property that, due to destruction by flood, fire, explosion or natural disaster, suffers at least a 50% decrease in just value to improvements on that real property.

LD 576 – An Act To Increase Property Tax Relief for Veterans. (Sponsored by Sen. Jackson of Aroostook Cty.)

Beginning on or after April 1, 2022, this bill: (1) increases to \$10,000 the property tax exemption for all categories of eligible veterans other than paraplegic veterans receiving a \$50,000 exemption for specially

adapted housing units; (2) expands the dates of federally recognized war periods to include February 1, 1955 to February 27, 1961; and (3) requires the state to reimburse municipalities for 100% of the property tax revenue loss as a result of the increase and expansion of the exemption.

Veterans & Legal Affairs

LD 525 – An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space. (Sponsored by Sen. Miramant of Knox Cty.)

This bill allows the use of a shared facility for retail sale of adult use and medical marijuana and products, as long as the adult use marijuana and products are sold using a different cash register than that used for sales of medical marijuana and products.

LD 557 – An Act To Require Photographic Identification for the Purpose of Voting. (Sponsored by Rep. Johansen of Monticello)

This bill requires proof of identity via photograph identification when voting in person. Acceptable photograph identification is a current and valid driver's license or non-driver identification card issued in this state, U. S. Passport, military identification or a permit to carry a concealed handgun issued in this state, if that permit includes a photograph. An identification issued by a college or university in this state may not be accepted for voter identification

LD 580 – Resolution, Proposing an Amendment to the Constitution of Maine Regarding Early Voting. (Sponsored by Rep. Moriarty of Cumberland)

This resolution proposes to amend the Constitution of Maine to allow the Legislature to authorize a process by which municipalities may conduct early voting by allowing voters to vote in the same manner as on election day during a period immediately preceding an election and to allow absentee voting for any sufficient reason.

Executive Orders 27 & 27-A: Emergency Municipal Spending and Budgeting Authority for 2021

In March 2020, the Maine Legislature enacted emergency legislation ([PL 2019, c. 617](#)) to address municipal spending and budgetary authority during the COVID-19 pandemic. Certain provisions in the emergency legislation expired in January, 2021. Later this spring, the Legislature may consider proposals to extend the authorities provided by the emergency legislation. However, in order to address immediate municipal needs, Governor Mills has issued two Executive Orders (“EOs”) reinstating some authorities originally provided by the emergency legislation.

On January 13, 2021 Governor Mills issued [EO 27 \(FY 20/21\)](#) extending the effective date of two provisions in COVID-19 emergency legislation. On February 18, 2021, the Governor issued [EO 27-A \(FY 20/21\)](#), which extended the effective date of additional sections of the emergency legislation. The EOs are summarized below.

Disbursement Approval Authority

The emergency legislation referenced above temporarily provided an exception to the general rule in [30-A M.R.S. § 5603\(2\)](#) that disbursements must be approved by the municipal officers at a public meeting. The emergency legislation allowed disbursement warrants to be approved if seen and signed individually by board members outside of a public board meeting. However, this provision of the emergency legislation expired January 1, 2021.

EO 27 reinstates this temporary disbursement approval authority for the duration of the COVID-related state of emergency declared by the Governor, and for 30 days following the termination of that emergency.

Continuing Spending Authority

The emergency legislation authorized municipal officers to deem the previous year’s budget as the operating budget for 2020 during the time that the municipality’s budget meeting was delayed due to the COVID-19 pandemic. If the municipality was unable to hold a budget meeting during 2020, the legislation also authorized the municipal assessor(s) to commit property taxes based on the previous year’s municipal budget. However, this provision of the emergency legislation expired on January 15, 2021.

EO 27-A reinstates the municipal officers’ continuing spending authority for the duration of the COVID-related state of emergency declared by the Governor, and for 30 days thereafter.

This means that municipal officers have temporary authority to continue spending based on the previous year’s budget during 2021 if the municipal budget meeting is delayed due to the COVID-19 pandemic, **but only during the state of emergency and 30 days thereafter**. For

example, if a municipality that normally holds its budget meeting in March must delay its meeting until June, EO 27-A provides the municipal officers with spending authority during that time period.

If, due to the pandemic, the municipality is unable to hold a budget meeting at all during 2021, **and if the state of emergency remains in force during that time**, the municipal assessors may commit taxes based on the previous year's budget. However, **committing taxes pursuant to EO 27-A should be viewed as a last resort**. All municipalities should endeavor to adopt a budget during 2021 using one of several available options for holding town meetings. For more information see [MMA Legal Guidance on Options for Town Meetings & Elections](#). Municipalities should also be cognizant of the fact that the COVID-related state of emergency is generally only extended for 30-day periods at a time and may terminate during 2021.

Setting 2021 Property Tax Due Dates, Interest Rates and Accrual Dates

Property tax due dates, interest rates, and interest accrual dates are normally required by law to be approved annually by the legislative body of the municipality (either town meeting or city or town council). See 36 M.R.S. § 505.

EO 27-A provides conditional and temporary authority for the municipal officers to set property tax due dates, interest rates, and interest accrual dates for taxes committed in 2021, **but only if the following conditions are met**: (1) the municipality is unable to hold a town meeting to approve its budget during 2021; (2) the municipal assessor(s) were required to use the authority (discussed above) to commit taxes based on the previous year's budget; and (3) the state of emergency remains in force or ended less than 30 days previously. **In these circumstance only**, the municipal officers may set the due date, interest rate, and interest accrual date for property taxes committed in 2021.

As noted above, all municipalities should endeavor to adopt a 2021 budget and address tax due dates and interest rates using one of several options for holding town meetings. For more information, see [MMA Legal Guidance on Options for Town Meetings & Elections](#).

Temporary procedure to cancel/postpone a secret ballot election and referendum election already in progress

The emergency legislation provided a process to postpone the date of a scheduled municipal secret ballot election *when nomination papers had already been issued or filed*. That authority originally applied only to calendar year 2020. See [section D-2 of the emergency legislation \(PL 2019, c. 617\)](#) for details on the postponement procedures.

EO 27-A reinstates authority to use this postponement procedure into calendar year 2021, **but only during the COVID-related state of emergency and for 30 days thereafter**. Municipalities

should endeavor to avoid the need to use these procedures though planning in advance for elections and budget meetings. For more information, see [MMA Legal Guidance on Options for Town Meetings & Elections](#).

Additional Information?

Additional guidance is located on MMA's "Coronavirus Updates and Resources" page and in the "Legal Updates" page at www.memun.org.

Municipal members are also invited to contact MMA Legal Services for specific advice on these topics at 800-452-8786 or legal@memun.org.

2021

FEDERAL ISSUES PAPER

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March 2, 2021

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413 Dirksen State Office Building
Washington, DC 20510

Senator Angus King
133 Hart Senate Office Building
Washington, DC 20510

Congresswoman Chellie Pingree
2162 Rayburn House Office Building
Washington, DC 20515

Congressman Jared Golden
1223 Longworth House Office Building
Washington, DC 20515

Dear Senator Collins, Senator King, Congresswoman Pingree, and Congressman Golden,

On behalf of the Maine Municipal Association's (MMA) Executive Committee, I am pleased to present our 2021 Federal Issues Paper.

Although traditionally this publication is used to show how your federal level investments and advocacy efforts benefit Maine town and cities, this year we have decided to deviate from that approach.

Because COVID-19 defined the lives of Maine residents for much of 2020, we thought it was fitting to spotlight the municipal response to the ongoing public health crisis. In the pages that follow you will read how municipal leaders from seven towns and cities stepped-up to the challenge to protect their communities.

It merits asserting that this change in approach has no impact on our appreciation for your support of important federal programs. The ongoing funding for housing, heating, community development and infrastructure improvement programs has not gone unnoticed. Nor has your support for CARES Act funding and subsequent federal stimulus packages.

We strongly agree with Bangor City Manager Cathy Conlow's observation that, "We have been very fortunate because of our federal delegation."

Due to your advocacy efforts, in 2020 Maine received \$1.75 in federal assistance for every dollar a resident or business contributed to the federal government for a total of \$17.4 billion.

Of Maine's \$1.25 billion share of Coronavirus Relief Funds under the federal CARES Act, 85% (\$1.06 billion) was used to help residents, businesses, schools, counties and municipalities.

In addition, \$420 million in federal revenue supported housing, heating and weatherization efforts. As a result of this investment, over 55,400 households and 36 shelters received much needed financial assistance.

Annual investments of roughly \$190 million continue to fund one-third of the state's transportation infrastructure improvement projects.

The \$18 million investment in Community Development Block Grants provided direct financial assistance to businesses; supported improvements to municipal parking facilities, sidewalks and water and sewer systems; and funded employment training, transportation services and child care programs.

Finally, of the \$16.5 million in federal broadband expansion assistance, \$10 million from the U.S. Department of Agriculture's ReConnect Pilot Program will create or improve broadband connectivity for 4,527 households and 215 business.

The words of Augusta City Manager Bill Bridgeo aptly summarize the extent of our gratitude for the good work that you do for Maine. "We have four wonderful congressional representatives, Senator Collins, Senator King, Congresswoman Pingree, and Congressman Golden. We don't have to tell them much about our needs, beyond giving them the ammunition they might need to carry it through the appropriations process in Congress. We are not fighting against federal, irrational, elected appointees. We've got champions in all four offices. We appreciate that."

We look forward to meeting with you remotely on March 10 (Senators King and Collins) and March 11 (Congressman Golden and Congresswoman Pingree) to express our gratitude for your efforts, to discuss the trials and tribulations we have faced over the last year and to plan our recovery, together.

Sincerely,

James Gardner, Jr.
Easton Town Manager
President, MMA Executive Committee

WINDOWS INTO THE PANDEMIC

The pandemic impacts every municipality in Maine. Many of these impacts are common across the state. Towns and cities are suffering revenue losses, encountering unexpected expenditures, making adjustments to municipal services, and engaging in some form of emergency planning. Other impacts, like staffing or housing shortages and budget deficits, are more prominent in certain municipalities. The 2021 Federal Issues Paper explores the different ways municipalities are navigating the pandemic, what impacts are still being felt, the lessons learned from this crisis, and what remains to be done at the municipal, state, and federal levels.

“We are trying to be everything to everyone. We are stretched thin.”
– Bangor City Manager Cathy Conlow

Seven municipalities are highlighted in this paper: Augusta, Bangor, Brunswick, Gardiner, Monmouth, Standish, and Vinalhaven. Summaries of the full interviews with participating municipal leaders can be found on the MMA website. What follows are highlights from each interview.

AUGUSTA

The human impact of the pandemic on Augusta’s municipal employees has been severe. To date, 32 employees have been laid off, and the police department, code enforcement, library, and day care program are all short staffed. Meanwhile, overtime costs are soaring as employees miss work due to exposure incidents.

The city’s code enforcement office demonstrates the pandemic’s strain on municipal employees. City Manager Bill Bridgeo explains, “In ordinary times we have three full-time code enforcement officers. Last spring, one of the things that we had to do was eliminate one of those positions. Layoff a very capable code enforcement officer, which are damn hard to find. Now two individuals are expected to do the work of three. I am always concerned about burnout because the workload doesn’t seem to abate.” This scenario has played

out similarly in every one of Augusta’s municipal departments.

Bridgeo is excited about the hope for vaccines to stabilize government functions, “If my firefighters and police officers, and public safety people, aren’t coming down sick with COVID, then the services that they perform won’t be interrupted, or delivered at huge extra overtime costs. [Vaccinations will] increase our efficiency as a local government, and our capabilities to do the essential services that we have to do.”

However, vaccines bring a new cost for the city.

Augusta is a designated inoculation site, and has been asked to vaccinate municipal officials for multiple communities. As of now, that cost has not been reimbursed by state or federal governments. Augusta is going ahead with inoculations regardless of the expense, “Our primary concern is to get it done. To the extent we qualify for reimbursement, we are keeping track of the hours and personnel.”

Of more pressing concern is the financial loss expected from the Augusta Civic Center. Bridgeo fears the loss will be a direct impact to the city’s General Fund reserves that could amount to \$2 million. “My hope has been that federal relief packages would include municipally owned conference and convention centers. That would help Bangor, Augusta, and Portland. To date, we haven’t been successful with that.”

BANGOR

As a service center community, Bangor is responsible for providing many services to the region. During the pandemic it has accepted a disproportional lift to support public health and the general assistance applicants. Additionally, the city carries the weight of a regional airport and large event forum, both of which threaten to drain city coffers. “Cross Insurance is hemorrhaging money just sitting there,” and “the airport is backfilled with CARES Act money,” said City Manager Cathy Conlow, “We are concerned, long-term.”

Even with the heavy lift, Bangor endures. Part of the reason Bangor has not fared worse during

the pandemic is the numerous partnerships that Conlow and municipal leaders have nurtured for years. For example, she addressed the pandemic's divisive eviction crisis through statesmanship and partnership with health-care providers, non-profits, and business leaders. "Relationships were in place and we were able to patchwork things together. I think without the experience of working together for eight years on some seriously sticky issues, it probably could have been worse."

Bangor has established partnerships across all sectors and government levels. The city's relationships extend to surrounding municipalities, local hospitals, the U.S. military, welfare providers, and private businesses. Each partnership brings unique benefits and stressors. Some partnerships have recently felt a bit lopsided.



Certain qualities related to Bangor, like its size, geographic location, and transit network, make it a natural outlet for federal and state government to funnel aid through welfare services to a large region surrounding the city. During periods of economic turmoil, this regional responsibility is exacerbated, and Bangor is leaned on more heavily by surrounding municipalities and the state government.

The White House also depends on Bangor to facilitate presidential visits, and did so twice during the pandemic. As a frequent recipient of federal funds, Conlow feels it is Bangor's duty to facilitate such visits, "It takes days of planning, and there is

no warning. It taxes us. We don't get reimbursed for this."

Bangor continues to honor its commitments to established regional, state, and federal partnerships, and is working to strengthen and forge new ones.

BRUNSWICK

To survive the financial strain of the pandemic, local governments had to adapt to ensure the community was protected. No effort demonstrates this adaptation better than the cooperation between local government and private business. The Town of Brunswick has many businesses at risk of losing revenue or closing. To prevent the worst-case scenario, Brunswick is working with local businesses to everyone's benefit.

Town Manager John Eldridge is sympathetic to the struggles of local businesses, "I admire what they have been able to do to continue to stay in business given what has happened." Eldridge worries that restaurants and hospitality businesses have been "hit tremendously. I can't imagine how difficult it has been... There is no doubt they really struggled." With limited capacity to help, Brunswick supports businesses as much as possible.

The city adjusted its ordinances to allow more businesses to operate on sidewalks and in parking lots, expanded the outdoor season by many months, offered loans through its development corporation, waived certain business permit fees, and held property taxes rates almost constant. "We were open to anything that people suggested that would help them survive this. We tried to do what we could. We are just a municipality. We don't have a printing press [for money]" said Eldridge. Brunswick is doing anything it can to protect its businesses, and federal support would be instrumental in helping both the private and public sectors sustain the pandemic.

It was a tough year for businesses. "Unfortunately, some aren't going to come back. It's their life and their life savings. It's heartbreaking to see them struggle," lamented Eldridge. While he is proud of the businesses that were able to adapt, Eldridge

worries for what is still to come, “I can’t imagine what they lived through, months of uncertainty and whether they will ever recover.”

GARDINER

The pandemic reinforced the City of Gardiner’s collaborations with community members and surrounding municipalities. Beyond the incredible effort from municipal employees, Gardiner’s businesses, private service providers, and residents stepped up and helped each other. City Manager Christine Landes proudly remarked on her community’s residents, “You can count on people when you need them. They truly step up. They have good hearts. Gardiner is a close-knit community. We have various opinions, but that doesn’t hurt us here.”

Mayor Patricia Hart had similar sentiments about surrounding communities, “I realized how intertwined we are with other regional municipalities and how important it is to work together. The other municipalities have been a great source of brainstorming.”

“Think about what everyone is going through. The pandemic, the racial tension, the economic crisis and the political crisis. There are so many points of stress and yet we came together.” – *Gardiner City Mayor Patricia Hart*

Mayor Hart was not shy about asking for more support from government partners, “We need the federal government to step up and make good on the things they let slip in the last four years. The State of Maine has not done a good job about investing in infrastructure. We need money for roads.” In particular, Mayor Hart was adamant that more non-property tax based investments in broadband is necessary, “We need money for broadband. We need the state to step up and invest in broadband for everyone. It can’t keep falling on the shoulder of municipalities to solve a public utility deficit.”



Mayor Hart’s request is reasonable, especially because “municipalities carry out all the work of taking care of people. It’s not the state, it’s not the federal government. They have stripped the money away from us over the years. They need to step up and invest in our communities. You can’t keep putting it on the back of homeowners.”

MONMOUTH

Although effects of the pandemic struck hard, communities like Monmouth demonstrated resilience and a willingness to adapt. Reflecting on the events of the past year, Town Manager Linda Cohen contributes part of the municipality’s success during the pandemic to “being able to roll with the punches. Which we’ve had to do.” While many of the punches to the community came from the uncontrollable pandemic, other obstacles were created locally.

There were disagreements and moments of antagonism along the way. “Don’t make assumptions that everybody is on the same page; that goes for any catastrophe or emergency situation. Not everyone agrees,” noted Cohen. During the year, town hall operations transitioned from being fully closed, open by appointment only, and open with limited public capacity. Each transition created a period of temporary confusion and frustration for some residents.

Monmouth also encouraged more people to take advantage of online services, rather than in-per-

son visits. Although these operational changes were for the safety of municipal employees, many community members were reluctant to embrace them all. Cohen remarked, “We tried to get people to do more online services when we were shut down....It would help us from a staff standpoint. People just don’t use the online services like we wished they would.” Despite public reluctance, Monmouth is going ahead with a new website launch and adding property tax payments to its list of online services.

Incongruity forced Monmouth to roll with the punches in other ways too. The experiment with remote public proceedings appeared to be a welcome option for residents, whose engagement in such meetings increased, but the select board opted to discontinue the use of remote meetings as soon as it was safe. The town manager was quick to note the peculiar role reversal, “For years, elected officials wanted to do some sort of remote meeting, and the public didn’t like that idea. Now, the selectmen and the elected officials really don’t like the Zoom meetings so much. The public loves them because they can participate... without even leaving their living room.” The community also deliberated closing their beaches to non-residents and cancelling the annual town fair. Both were approved to the dismay of some Monmouth residents and officials.

After proving Monmouth’s resilience to the pandemic, Cohen is ready to “get back to normal and lighten the mood.”

STANDISH

During the pandemic, heaps of private and public money was available to municipalities through complicated grant applications. For Standish, limited staffing and technical capacity made that money almost impossible to access. According to Town Manager Bill Giroux, “Communities like Standish, and for communities smaller, departments heads write their own grants, which is always a struggle because they have full-time jobs to do. For Portland or Lewiston, to apply for grants is nothing. There are many people on staff that are doing grant applications a good part of their workday.” The discrepancy in grant access during

the pandemic has motivated Giroux to reach into TIF revenue for a new grant writing position, but he will not be able to be to hire until state revenue sharing stabilizes.

Even with a devoted grant writer on staff, Giroux worries Standish’s voice will still be drowned out. While he believes larger municipalities have bigger needs, he does not want the little guy to be forgotten. For instance, Giroux sees a need for regional broadband investment, but worries it will be overlooked now that Portland has reliable access, “When Portland wants to do something, generally we all say, ‘Yeah, you’re Portland, you’re big enough, we’ll help with that.’ But I hope those bigger towns and cities also realize the needs of the tiny towns of the world.”

VINALHAVEN

Few municipalities formed an emergency operations center as successfully as Vinalhaven. Led by a dedicated team, the Vinalhaven Emergency Operations Center (VHEOC) steered the community through a period of uncertainty and urgency. The VHEOC consisted of the Emergency Management Director Marc Candage, Town Manager Andrew Dorr, EMS Director Kerry McKee, Public Health Officer Jen Desmond, Community Outreach and Volunteer Coordinator Gabe McPhail and, support staff Tanya Robinson.

“Very early on we recognized that this would be a lot easier to handle as a team effort instead of just a public health officer, or Andy as town manager, trying to make these decisions on their own. We quickly realized we could be a lot more efficient,” said Emergency Management Director Marc Candage. Candage is a state recognized Level 1 emergency manager and took the lead in organizing the VHEOC.

Throughout the pandemic the VHEOC has been striving to complete the five core tasks of crisis management: sense-making; planning and implementation; meaning-making; accounting; and learning. While no task has been completed, all have been initiated. Of the five tasks, the VHEOC demonstrated complete mastery in sense-making and meaning-making.



“If you have worked in ordinary times to ensure that those relationships and those lines of communication are there, then in a time of emergency, like COVID, you’re going to be in a far better position. The same goes for paying attention to the often neglected world of emergency preparedness. The community that has addressed that prior to [emergencies] will do far better than the community that hasn’t. Money [should be] appropriated for emergency preparedness function in the community... that’s vitally important. We had that in place to a very large degree in Augusta.”

– *Augusta City Manager Bill Bridgeo*

Sense-making entails recognizing signals that a crisis is forming, understanding the implications, identifying stakeholders, and organizing a response network. Meaning-making is the task of explaining a narrative that inspires, educates, and motivates the public to support proposed solu-

tions. While the VHEOC deserves accolades for all of its effort, its success at determining how the pandemic would impact Vinalhaven and then relaying that information to the public was expertly accomplished.

The fifth task – learning – is central to any comprehensive crisis response. Some of the lessons learned were genuinely new knowledge, while others reinforced previously identified goals. In the interview with members of the VHEOC, three lessons were reported:

1. Reliable broadband in the community would improve communication to residents, facilitate new remote work opportunities, and create more equitable learning for students.
2. The affordable housing stock is inadequate for travelling law enforcement, health care providers, and construction workers. The community would benefit from state support to improve distressed housing or create new units.
3. There is interest in creating a community development fund to facilitate direct assistance from the municipality to private businesses. State or federal aid is being sought to initiate such a fund.

THE MOOD TODAY

The municipal officials interviewed have over 200 years of combined experience. They understand the important role local government plays in the community, especially during crisis situations. In addition to the administration of government services, these municipal officials are constantly gauging the pulse and mood of the community. Beyond administrators, they are community members too. When the combined seven hours of interviews are boiled down, two sentiments stand out. Exhaustion, and concern over continued levels of funding from state and federal governments.

Exhausted describes how municipal employees, businesses, and residents feel 10 months into the pandemic. This exact term was used inde-

“We’re hopeful the next six months will go as well as the first six months. When I say ‘well,’ I mean less dire than we thought.” – *Brunswick City Manager John Eldridge*

pendently in all seven interviews. While there was almost unanimous consensus that communities will persevere, the exhaustion caused by the pandemic has come with a price. Municipalities are stretched thin.

Augusta City Manager Bill Bridgeo assessed the strain, “It has been a tough time. This is certainly not unique in our community. Everybody in our state, in one fashion or another, has experienced the challenges and disappointments and problems associated with this pandemic.” Municipal employees are feeling the strain, yet carry on. Gardiner City Manager Christine Landes feels, “We are not down and out, but team members are exhausted, mostly from making sure everyone is kept safe.” Businesses have adapted their models over and over again, but with no guarantee they survive until summer. “As this goes on people are exhausted from pivoting, [businesses] may not make it if this goes on,” worried Bangor City Manager Cathy Conlow.

Worse than the exhaustion communities are feeling, is the lowered expectations they have for the future revenue streams to lift the financial strain. In general, town and city managers are approaching the coming months and years with hesitation. For the most part, Maine’s municipalities weathered the first 10 months of the pandemic with management moves like budget cuts and freezes, grant applications, and conservative fiscal planning. These techniques allowed municipalities to limp out of the fiscal year and into FY 2021, but not without consequences to future planning. Unless the state or federal government backfill revenue losses, municipalities will have to do more in 2021, with less funding than they had in 2020.

Going forward, municipalities will be forced to operate on reduced budgets. This means continued hiring freezes for needed staff, delayed capital improvements that will only pile-up, property tax increases for homeowners, or a complete halt of shovel-ready projects.

City Manager John Eldridge is leading Brunswick into 2021 with stable fiscal health, but only after lowering the budget expectations for state revenue sharing, excise taxes, and federal funding, “This has been less than the end of the world. We adjusted and we are meeting our lower expectations. We don’t get a lot of federal money directly. Would it help us to backfill some of the reductions we had to make? The answer is yes.”

“Like most towns, we’ve evolved.”
– *Standish Town Manager Bill Giroux*

WHAT’S NEXT FOR MUNICIPALITIES

While each municipality highlighted has qualities that make it distinct from the others, they all share many of the same pandemic-era goals. Four issues stand out from the collective interviews: (1) investment in broadband infrastructure; (2) a statewide housing plan; (3) coronavirus relief for government and businesses; and (4) assistance for struggling enterprise funds. These are goals that municipalities have already made progress towards, but would benefit significantly from further state and federal funding support.

“Staff always wanted protective barriers, so COVID really gave us our opportunity. Some good does come of this thing, even if it means coming up with a reason for doing things and being able to make them happen.”
– *Monmouth Town Manager Linda Cohen*

BROADBAND

The pandemic elevated broadband investment to a top priority. Prior to the widespread use of remote learning and teleworking, many areas of Maine were content with mediocre broadband access. Now broadband has become an essential public utility. “The town has been active in wanting to pursue a broadband solution since 2015. Now COVID highlights the discrepancies of broadband. If we are going to do something about it, here is the time. It has been on our radar, now is the time to make it happen,” said Vinalhaven’s Community Outreach Director Gabe McPhail. For public school students, broadband access is a matter of equity. Remote workers will require homes in areas with fiber optic broadband. Residents without reliable internet cannot access online government services.

Maine is among the ten worst states for broadband infrastructure, based off internet coverage, speed, and price. (Source: BroadbandNow)

In Maine, 12% of homes, or 85,000 residences, are without broadband access. In rural areas, 16.2% of homes are without access. (Source: FCC)

Some communities have already invested in broadband infrastructure or are exploring options for further expansion. Mayor Hart of Gardiner is hoping for state and federal investment in her community. Meanwhile, Vinalhaven, which according to ConnectMaine has 428 underserved residences, does not want to wait for state investment and currently is discussing public-private partnerships to enhance broadband on the island. Even communities like Standish, which have relatively reliable access, are supportive of regional, state and federal investment for broadband infrastructure.

HOUSING

The housing stock in many municipalities is unsuitable to meet their communities’ needs. The problem is unique in each community, but the issue is omnipresent in every municipality. In Augusta and Bangor, homelessness and evictions

The average home in Maine is increasingly out of reach for Mainers.

The median home sales price from September 2020 to November 2020 was \$275K, a 22.22% increase from the same period in 2019. The number of units sold also grew by 26.63% during this time. (Source: Maine Association of Realtors)

In contrast, average weekly wages in Maine only grew 10.9% from 2019 Q2 to 2020 Q2. (Source: BLS QCEW)

are exasperated by rising home prices and the limited availability of low-income housing. The problem has reached the point that municipalities are paying thousands of dollars a month to house general assistance recipients in hotels. Officials in Gardiner are concerned about its housing stock too, especially the large portion of aging and distressed homes. In Vinalhaven, the problem is different. However, the need for new or improved housing still exists. For the island community, there is insufficient short-term housing for the numerous traveling law enforcement agents, medical workers, and project engineers and construction workers who have business to conduct on Vinalhaven.

CORONAVIRUS RELIEF FOR LOCAL GOVERNMENTS AND PRIVATE BUSINESSES

The costs of safety and public health during the pandemic have only partially been recouped. While the CARES Act provided aid to municipalities for PPE, protective barriers, and additional cleaning costs, the majority of funding went to EMS departments and did not fully cover the municipal expense. In Standish, only about half of its \$55,000 expense for pandemic related safety measures has been reimbursed.

“Small town managers sit back and either don’t realize they are not accessing the grants, or just shake their head because they do not have enough staff to pull it off.”

– Standish Town Manager Bill Giroux



OUR MISSION

The mission of the Maine Municipal Association is to provide professional services to local governments throughout Maine and to advocate for their common interests at the state and national levels.

OUR CORE BELIEFS

We believe in:

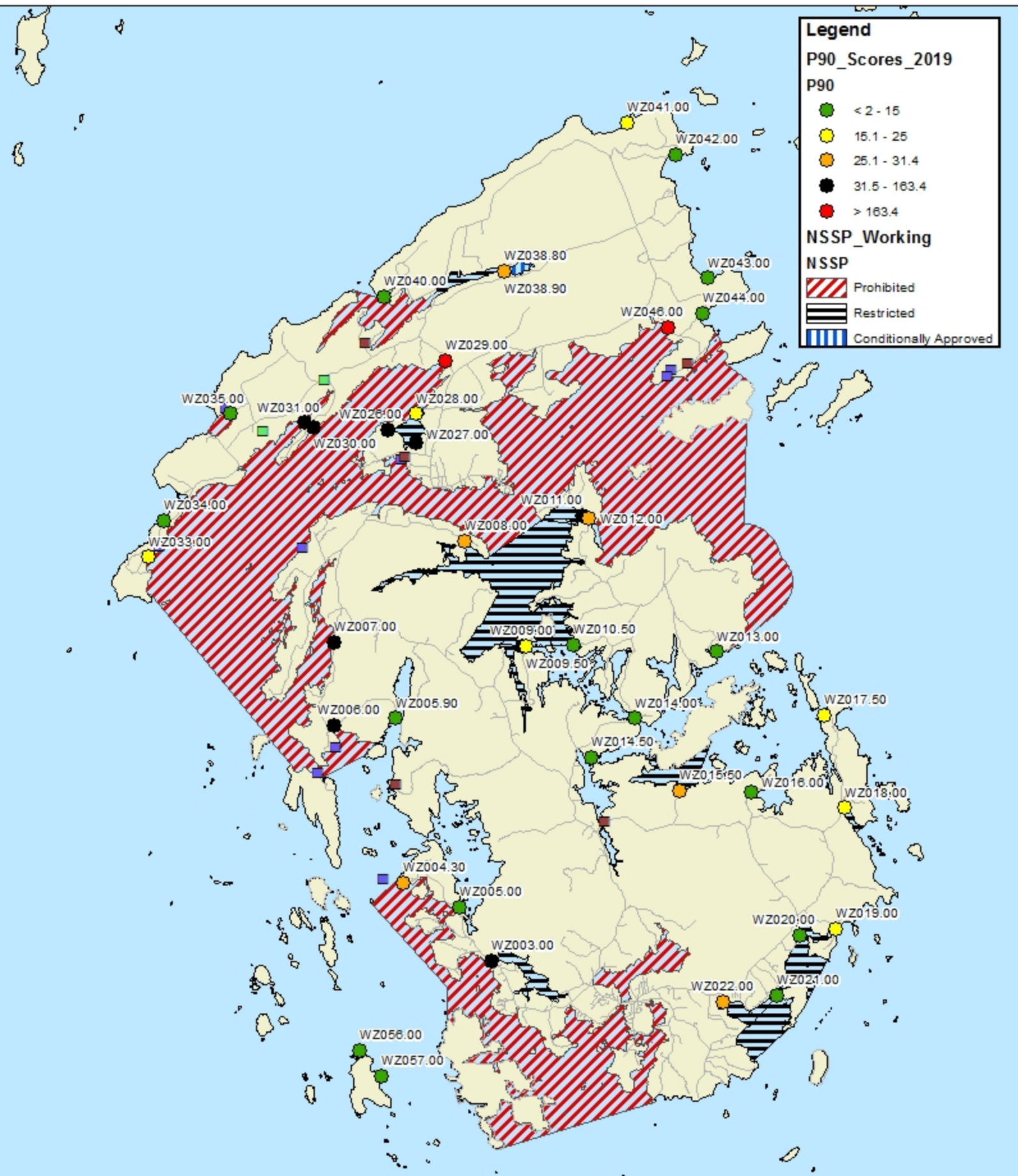
- Local government is the keystone of democracy.
- Representative, participatory, local government.
- The accessibility and accountability of municipal government officials.
- A commitment to honesty, civility, integrity and the highest ethical standards among public officials.
- The vital intergovernmental role of municipal governments in providing basic services essential to public safety and the functioning of our economy.
- Respect for the individuality of each local government and the diversity of its citizens.
- The value of collaboration as a means of strengthening cities and towns and providing needed services.

LOCAL GOVERNMENT
begins with **YOU**[®]



Maine Department Marine Resources

Proposed Vinalhaven and North Haven Management Areas





64 Blueberry Road
Portland, Maine 04102

Friday, February 12, 2021

RE: Recycling and Waste Summary - CY - 2020

Dear Customer:

Provided on the following pages are waste tonnages for those towns who deliver their waste and recycling tonnage to ecomaine. Please note that not all ecomaine towns provide both materials. In the following pages, there is a breakdown of recycling by month and another breakdown by commodity. Since there is no effective way to calculate the exact amount of material from each specific town, ecomaine has worked with the State of Maine to generate a calculation using factors. These tonnages reflect the proportional share of each product broken down by town and the percentage of the total of material they contributed to the sum. This report is then provided to each town and to the State as a courtesy. The difference (-503.89 Tons or -1.47%) between the total recycling tonnage received (34,287.71 Tons) and the total tonnage sold (34,791.60 Tons) is a combination of a couple factors:

- moisture in the material (reduces)
- unsold product at the close of business on 12/31/2020 (reduces)
- scale differences from ecomaine to the purchaser (reduces or adds)

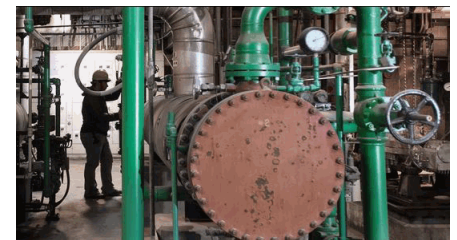
If you have any questions or need assistance with this report, please contact me.

Regards,

Wei Po Huang

Wei Po Huang
Financial Manager
207-773-1738 ext. 3110

Huang@ecomaine.org





Incoming Recycling Total Tons by Month - CY - 2020 (Except per capita figures)

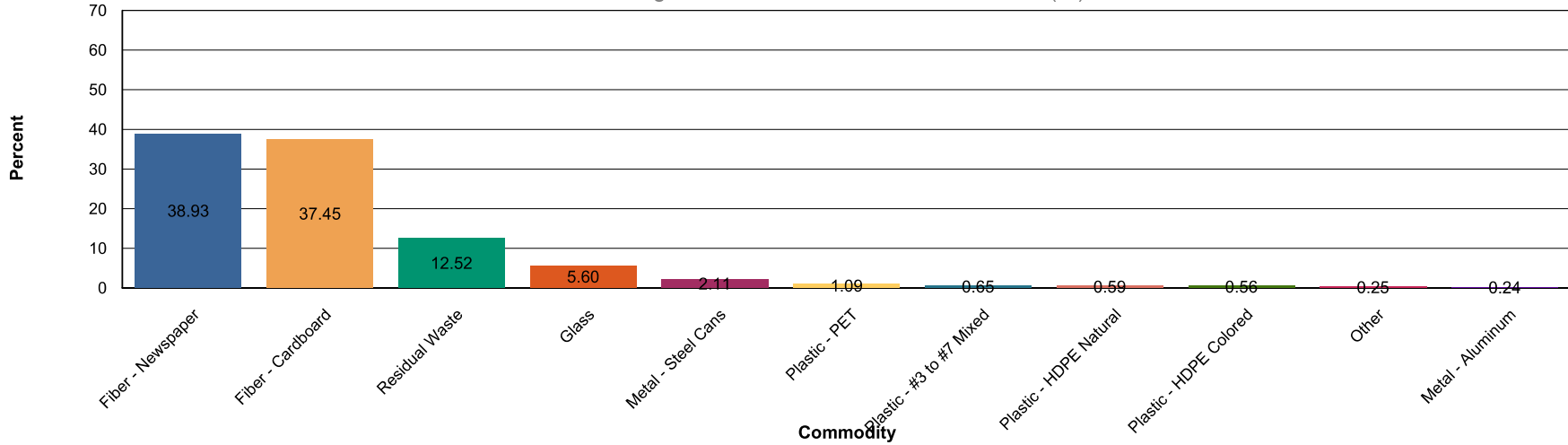
	January	February	March	April	May	June	July	August	September	October	November	December	Total	Populatio	#s/Capita
Augusta	28.62	29.98	13.58	3.28	23.91	30.76	25.70	27.65	24.36	23.25	21.20	26.55	278.84	18,697	29.83
Bridgton	36.83	26.58	36.67	35.24	46.15	41.97	52.52	52.92	52.33	47.21	40.57	44.08	513.07	5,434	188.84
Brownfield	-	-	-	4.95	10.45	9.06	6.49	10.91	5.93	13.45	8.43	6.00	75.67	1,607	94.18
Cape Elizabeth	69.70	61.96	68.89	78.07	74.13	92.49	80.92	78.16	72.01	81.81	85.61	92.24	935.99	9,304	201.20
Casco (45% of Casco & Naples)	8.16	2.42	11.09	6.32	6.30	6.56	9.80	7.56	7.44	7.80	8.08	6.54	88.06	3,742	47.07
Chebeague Island	6.35	-	4.41	3.02	2.90	-	5.28	6.73	3.00	4.58	-	4.28	40.55	346	234.39
Chelsea	3.49	1.84	3.80	4.75	3.58	3.44	0.98	1.66	2.40	2.46	4.12	3.18	35.70	2,721	26.24
Cornish	4.15	3.08	4.24	4.14	3.60	4.60	4.43	4.48	4.14	4.92	6.30	3.74	51.82	1,403	73.87
Cumberland	66.35	51.68	59.02	72.20	64.43	66.38	69.87	58.57	18.40	70.64	75.56	95.17	768.27	8,208	187.20
Denmark	-	-	-	-	-	-	-	-	-	8.33	-	-	8.33	1,257	13.25
Falmouth	122.43	95.12	102.49	116.12	107.13	115.26	131.38	107.60	130.93	122.19	111.97	148.91	1,411.52	12,312	229.29
Freeport	58.53	51.87	63.50	64.93	68.61	70.44	76.14	67.05	64.65	70.58	70.09	79.85	806.24	8,558	188.42
Glenburn	5.99	5.50	8.43	4.77	10.08	10.99	-	-	-	-	-	-	45.76	4,594	19.92
Gorham	90.68	70.65	80.35	94.73	104.30	96.22	113.78	108.71	120.37	114.75	118.70	139.71	1,252.95	17,978	139.39
Greenland, NH	26.44	22.53	24.39	36.47	29.90	37.08	24.04	33.55	27.49	33.76	36.57	39.03	371.25	3,399	218.45
Harrison	15.86	9.93	10.79	16.42	14.17	16.35	25.51	18.48	17.12	20.21	14.75	18.12	197.71	2,730	144.84
Hollis	24.45	17.74	20.96	24.33	23.03	22.42	22.29	18.29	22.63	24.07	19.35	28.84	268.40	4,281	125.39
Limerick	13.34	4.07	5.37	4.93	9.67	9.28	10.56	4.91	8.20	11.08	4.71	8.01	94.13	2,892	65.10
Limington	10.71	4.00	4.80	11.39	5.45	11.85	9.92	4.75	10.28	11.96	6.09	12.01	103.21	3,713	55.59
Livermore Falls	11.58	2.60	10.70	-	11.01	7.26	10.23	5.06	5.06	9.46	6.22	5.06	84.24	3,187	52.86
Lyman	12.60	18.11	16.42	20.91	17.08	23.17	15.90	21.59	17.43	11.31	17.76	21.34	213.62	4,492	95.11
Monmouth	27.22	15.20	22.34	18.95	25.37	34.06	24.10	27.19	21.78	20.44	26.10	16.68	279.43	4,129	135.35
Newburgh	2.91	1.65	3.87	-	-	-	-	-	-	-	-	-	8.43	1,492	11.30
Newington, NH	6.96	4.69	8.06	6.97	7.37	8.92	8.07	6.61	8.52	7.89	6.99	7.77	88.82	804	220.95
None	38.56	21.06	36.43	50.59	59.99	86.45	83.70	86.57	69.07	76.76	81.48	74.77	765.41	-	-
North Haven	5.04	3.21	-	7.10	-	9.33	9.56	5.31	11.07	-	4.57	5.65	60.84	355	342.76
North Yarmouth	37.68	24.65	31.27	35.84	33.19	30.78	42.53	27.81	34.98	37.41	37.73	45.58	419.45	3,565	235.31
Old Orchard Beach	42.15	34.99	42.42	48.28	49.40	52.60	64.23	57.59	56.23	46.65	41.85	45.75	582.14	9,015	129.15
Otisfield	-	4.43	4.23	3.79	4.28	11.04	5.11	11.04	4.78	9.30	4.34	9.46	71.80	1,770	81.13
Owls Head	14.40	5.20	13.94	8.74	20.51	13.53	7.78	14.69	11.38	11.19	10.64	16.01	148.01	5,987	49.44
Parsonfield	5.32	4.16	5.63	5.31	5.97	7.92	6.31	8.09	6.18	5.77	7.86	6.05	74.57	1,898	78.58
Portland	438.75	329.36	410.93	439.26	435.33	467.93	474.78	426.03	465.49	468.75	400.91	546.98	5,304.50	66,215	160.22
Pownal	11.63	8.38	9.62	10.46	11.01	10.98	8.85	14.68	10.20	11.26	13.39	10.95	131.41	1,548	169.78
Readfield	20.34	17.74	17.50	24.52	20.08	30.11	26.56	24.31	29.15	15.56	26.59	19.97	272.43	3,787	143.88
Rockland	22.75	28.59	29.96	26.32	27.42	38.17	29.41	28.39	36.54	31.72	28.08	28.12	355.47	7,165	99.22
Saco	145.07	101.72	141.61	143.72	140.47	153.90	147.90	138.03	146.04	155.63	141.82	169.00	1,724.91	19,964	172.80
Sanford	120.98	85.69	102.05	116.27	124.39	113.86	119.10	91.15	102.68	123.89	91.37	127.46	1,318.89	21,223	124.29
Scarborough	177.09	127.26	161.66	187.79	169.60	198.67	201.09	180.13	187.45	180.34	191.57	198.99	2,161.64	20,991	205.96
Shapleigh	11.55	6.61	10.02	3.80	7.06	12.68	14.04	8.96	12.60	11.96	9.79	8.53	117.60	2,741	85.81
South Portland	202.25	151.69	174.29	194.03	189.94	181.72	212.36	169.66	190.02	204.27	177.34	223.00	2,270.57	25,532	177.86
Standish	42.67	26.70	36.60	40.11	34.25	41.31	37.93	44.37	30.70	42.77	44.14	39.66	461.21	10,099	91.34
Stetson	3.24	3.19	0.74	-	-	-	-	-	-	-	-	-	7.17	1,202	11.93
Tri-Town	14.48	10.68	16.10	10.91	16.76	17.17	18.38	17.93	16.65	11.43	17.14	15.41	183.04	4,643	78.85
Baldwin (1/3 of Tri-Town)	4.83	3.56	5.37	3.64	5.59	5.72	6.13	5.98	5.55	3.81	5.71	5.14	61.01	1,548	78.85
Hiram (1/3 of Tri-Town)	4.83	3.56	5.37	3.64	5.59	5.72	6.13	5.98	5.55	3.81	5.71	5.14	61.01	1,548	78.85
Porter (1/3 of Tri-Town)	4.83	3.56	5.37	3.64	5.59	5.72	6.13	5.98	5.55	3.81	5.71	5.14	61.01	1,548	78.85
Vinalhaven	10.96	5.28	10.33	5.42	11.15	11.22	12.76	18.19	13.21	11.86	11.65	16.70	138.73	1,165	238.16
Waterboro	33.21	23.63	31.71	30.94	29.21	33.31	28.48	26.68	39.19	30.82	34.57	29.01	370.76	7,969	93.05
Waterville	52.42	34.15	46.71	48.10	33.10	49.09	38.25	40.60	-	38.96	43.04	31.33	455.75	16,558	55.05
Westbrook	-	-	-	-	-	-	135.00	112.90	115.27	127.97	117.83	154.07	763.04	19,074	80.01
Windham	131.17	86.44	101.92	130.93	109.35	136.61	120.96	99.35	117.06	120.90	116.28	155.22	1,426.19	18,540	153.85
Yarmouth	70.46	38.60	57.41	72.43	63.56	78.58	72.88	73.44	55.11	73.90	52.83	59.39	768.59	8,589	178.97
Commercial	527.44	389.69	513.61	346.29	403.20	449.46	465.43	463.43	561.55	567.15	475.40	573.40	5,736.05	-	-
Cumberland County Corrections	4.92	1.26	2.36	1.14	1.47	1.83	1.75	1.12	1.17	1.08	0.69	2.00	20.79	-	-
USM	6.86	8.18	3.80	3.70	1.21	0.94	-	7.95	2.94	3.69	5.89	1.94	47.10	-	-
Totals	2,854.71	2,086.70	2,610.58	2,636.39	2,678.22	2,965.76	3,125.02	2,880.06	2,980.27	3,152.68	2,887.83	3,429.50	34,287.71		

	Total
Fiber - Cardboard	13,003.51
Fiber - Newspaper	13,517.45
Glass	1,944.57
Metal - Aluminum	84.06
Metal - Steel Cans	733.20
Other	88.28
Plastic - #3 to #7 Mixed	223.98
Plastic - HDPE Colored	193.95
Plastic - HDPE Natural	206.18
Plastic - PET	379.45
Residual Waste	4,348.17
Total Tons	34,722.80

	Total
Fiber - Cardboard	37.4494910332%
Fiber - Newspaper	38.9296138171%
Glass	5.6002692180%
Metal - Aluminum	0.2420888065%
Metal - Steel Cans	2.1115811674%
Other	0.2542422060%
Plastic - #3 to #7 Mixed	0.6450517592%
Plastic - HDPE Colored	0.5585667859%
Plastic - HDPE Natural	0.5937886049%
Plastic - PET	1.0927979732%
Residual Waste	12.5225086287%
Total Percent	100.0000000000%

Recycled Tons by Commodity

Excluding Food Waste - Bar Labels in Percent (%)



Proportional Outgoing Recycling (Excl Food Waste) Tonnage by Commodity - CY - 2020

	Fiber Mixed Paper	Fiber Newspaper	Fiber Cardboard	Metal Aluminum	Metal Steel Cans	Plastic #3 - #7 Mixed	Plastic Colored	Plastic Natural	Plastic PET	Glass	Residual Trash	Total
	0.00%	38.93%	37.45%	0.24%	2.11%	0.65%	0.56%	0.59%	1.09%	5.60%	12.52%	
Augusta	-	109.93	105.75	0.68	5.96	1.82	1.58	1.68	3.09	15.81	35.36	282.38
Bridgton	-	202.27	194.58	1.26	10.97	3.35	2.90	3.09	5.68	29.10	65.06	519.58
Brownfield	-	29.83	28.70	0.19	1.62	0.49	0.43	0.46	0.84	4.29	9.60	76.63
Cape Elizabeth	-	369.00	354.97	2.29	20.01	6.11	5.29	5.63	10.36	53.08	118.70	947.86
Casco (45% of Casco & Naples)	-	34.72	33.40	0.22	1.88	0.58	0.50	0.53	0.97	4.99	11.17	89.18
Chebeague Island	-	15.99	15.38	0.10	0.87	0.26	0.23	0.24	0.45	2.30	5.14	41.06
Chelsea	-	14.07	13.54	0.09	0.76	0.23	0.20	0.21	0.40	2.02	4.53	36.15
Cornish	-	20.43	19.65	0.13	1.11	0.34	0.29	0.31	0.57	2.94	6.57	52.48
Cumberland	-	302.88	291.36	1.88	16.43	5.02	4.35	4.62	8.50	43.57	97.43	778.02
Denmark	-	3.28	3.16	0.02	0.18	0.05	0.05	0.05	0.09	0.47	1.06	8.44
Falmouth	-	556.47	535.32	3.46	30.18	9.22	7.98	8.49	15.62	80.05	179.00	1,429.43
Freeport	-	317.85	305.76	1.98	17.24	5.27	4.56	4.85	8.92	45.72	102.24	816.47
Glenburn	-	18.04	17.35	0.11	0.98	0.30	0.26	0.28	0.51	2.60	5.80	46.34
Gorham	-	493.96	475.18	3.07	26.79	8.18	7.09	7.53	13.87	71.06	158.89	1,268.85
Greenland, NH	-	146.36	140.80	0.91	7.94	2.43	2.10	2.23	4.11	21.05	47.08	375.96
Harrison	-	77.94	74.98	0.48	4.23	1.29	1.12	1.19	2.19	11.21	25.07	200.22
Hollis	-	105.81	101.79	0.66	5.74	1.75	1.52	1.61	2.97	15.22	34.04	271.81
Limerick	-	37.11	35.70	0.23	2.01	0.61	0.53	0.57	1.04	5.34	11.94	95.32
Limington	-	40.69	39.14	0.25	2.21	0.67	0.58	0.62	1.14	5.85	13.09	104.52
Livermore Falls	-	33.21	31.95	0.21	1.80	0.55	0.48	0.51	0.93	4.78	10.68	85.31
Lyman	-	84.22	81.01	0.52	4.57	1.40	1.21	1.28	2.36	12.12	27.09	216.33
Monmouth	-	110.16	105.97	0.69	5.98	1.83	1.58	1.68	3.09	15.85	35.44	282.98
Newburgh	-	3.32	3.20	0.02	0.18	0.06	0.05	0.05	0.09	0.48	1.07	8.54
Newington, NH	-	35.02	33.68	0.22	1.90	0.58	0.50	0.53	0.98	5.04	11.26	89.95
None	-	301.75	290.28	1.88	16.37	5.00	4.33	4.60	8.47	43.41	97.06	775.12
North Haven	-	23.99	23.07	0.15	1.30	0.40	0.34	0.37	0.67	3.45	7.72	61.61
North Yarmouth	-	165.36	159.07	1.03	8.97	2.74	2.37	2.52	4.64	23.79	53.19	424.77
Old Orchard Beach	-	229.50	220.77	1.43	12.45	3.80	3.29	3.50	6.44	33.02	73.82	589.53
Otisfield	-	28.31	27.23	0.18	1.54	0.47	0.41	0.43	0.79	4.07	9.11	72.71
Owls Head	-	58.35	56.13	0.36	3.17	0.97	0.84	0.89	1.64	8.39	18.77	149.89
Parsonsfield	-	29.40	28.28	0.18	1.59	0.49	0.42	0.45	0.83	4.23	9.46	75.52
Portland	-	2,091.23	2,011.72	13.00	113.43	34.65	30.01	31.90	58.70	300.84	672.69	5,371.81
Pownal	-	51.81	49.84	0.32	2.81	0.86	0.74	0.79	1.45	7.45	16.66	133.08
Readfield	-	107.40	103.32	0.67	5.83	1.78	1.54	1.64	3.01	15.45	34.55	275.89
Rockland	-	140.14	134.81	0.87	7.60	2.32	2.01	2.14	3.93	20.16	45.08	359.98
Saco	-	680.02	654.17	4.23	36.89	11.27	9.76	10.37	19.09	97.83	218.74	1,746.80
Sanford	-	519.95	500.19	3.23	28.20	8.62	7.46	7.93	14.60	74.80	167.25	1,335.63
Scarborough	-	852.20	819.80	5.30	46.22	14.12	12.23	13.00	23.92	122.59	274.13	2,189.07
Shapleigh	-	46.36	44.60	0.29	2.51	0.77	0.67	0.71	1.30	6.67	14.91	119.09
South Portland	-	895.14	861.11	5.57	48.55	14.83	12.84	13.65	25.13	128.77	287.94	2,299.38
Standish	-	181.83	174.91	1.13	9.86	3.01	2.61	2.77	5.10	26.16	58.49	467.06
Stetson	-	2.83	2.72	0.02	0.15	0.05	0.04	0.04	0.08	0.41	0.91	7.26
Tri-Town	-	72.16	69.42	0.45	3.91	1.20	1.04	1.10	2.03	10.38	23.21	185.36
Baldwin (1/3 of Tri-Town)	-	24.05	23.14	0.15	1.30	0.40	0.35	0.37	0.68	3.46	7.74	61.79
Hiram (1/3 of Tri-Town)	-	24.05	23.14	0.15	1.30	0.40	0.35	0.37	0.68	3.46	7.74	61.79
Porter (1/3 of Tri-Town)	-	24.05	23.14	0.15	1.30	0.40	0.35	0.37	0.68	3.46	7.74	61.79
Vinalhaven	-	54.69	52.61	0.34	2.97	0.91	0.78	0.83	1.54	7.87	17.59	140.49
Waterboro	-	146.17	140.61	0.91	7.93	2.42	2.10	2.23	4.10	21.03	47.02	375.46
Waterville	-	179.67	172.84	1.12	9.75	2.98	2.58	2.74	5.04	25.85	57.80	461.53
Westbrook	-	300.82	289.38	1.87	16.32	4.98	4.32	4.59	8.44	43.27	96.76	772.72
Windham	-	562.26	540.88	3.50	30.50	9.32	8.07	8.58	15.78	80.88	180.86	1,444.29
Yarmouth	-	303.01	291.49	1.88	16.44	5.02	4.35	4.62	8.51	43.59	97.47	778.34
Commercial	-	2,261.36	2,175.38	14.06	122.66	37.47	32.45	34.49	63.48	325.31	727.41	5,808.84
Cumberland County Corrections	-	8.20	7.88	0.05	0.44	0.14	0.12	0.13	0.23	1.18	2.64	21.05
USM	-	18.57	17.86	0.12	1.01	0.31	0.27	0.28	0.52	2.67	5.97	47.70
Totals	-	13,475.02	12,962.69	83.80	730.90	223.28	193.34	205.53	378.26	1,938.47	4,334.52	34,722.80

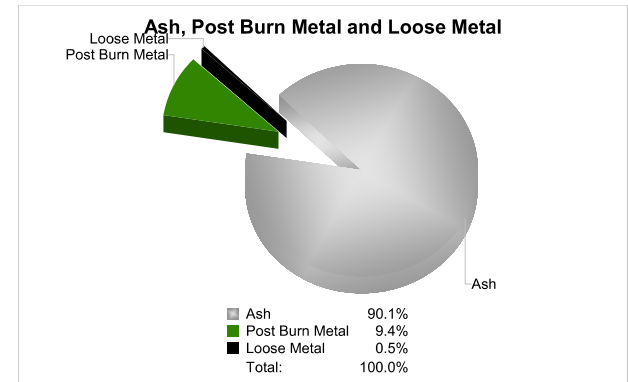
Incoming Municipal Solid Waste (MSW) Total Tons by Month - CY - 2020

	<u>Tons</u>
Ash	45,844.16
Post Burn Metal	4,776.70
Loose Metal	249.07

(Note: Loose Metal, except small items such as cans, pie plates etc., should not be sent to the recycling facility)

Definitions:

- Ash:* Ash from the processing of Municipal Solid Waste through the waste to energy facility
- Post Burn Metal:* Metals taken out after processing of Municipal Solid Waste through the waste to energy facility
- Loose Metal:* Metals taken out before processing of Municipal Solid Waste and large-or-bulky metals taken out at the recycling facility.



Actual MSW by Month

Other (Proportional)

	January	February	March	April	May	June	July	August	September	October	November	December	Total MSW	Ash	PB Metal	Loose Metal
Bridgton	179.55	147.89	172.73	181.61	195.57	233.12	262.32	142.07	69.25	166.96	183.21	205.12	2,139.40	605.22	63.06	3.29
Brownfield	-	-	-	36.98	38.66	41.70	64.44	57.08	67.32	48.47	37.68	37.58	429.91	121.62	12.67	0.66
Cape Elizabeth	177.50	129.29	174.82	220.58	190.62	217.81	231.36	210.52	192.54	227.41	215.98	206.40	2,394.83	677.48	70.59	3.68
Casco	70.03	59.64	60.77	67.17	82.72	76.98	101.54	98.96	91.53	83.23	67.44	79.84	939.84	265.87	27.70	1.44
Chebeague Islanc	-	10.38	18.17	10.29	19.85	8.23	33.35	12.69	26.49	23.06	-	20.81	183.32	51.86	5.40	0.28
Cumberland	128.73	99.22	129.31	139.90	145.44	155.77	156.20	144.11	155.66	139.37	129.40	159.36	1,682.47	475.96	49.59	2.59
Denmark	-	-	-	-	-	-	-	-	-	45.97	50.18	45.48	141.63	40.07	4.17	0.22
Eliot	44.09	25.67	42.88	49.65	44.82	35.92	21.19	38.73	41.87	31.92	31.08	38.89	446.71	126.37	13.17	0.69
Falmouth	191.04	137.16	168.14	193.34	186.95	186.14	239.44	190.74	215.76	195.56	184.64	215.76	2,304.67	651.98	67.93	3.54
Freeport	121.61	108.64	130.91	144.35	131.70	154.89	162.82	156.64	154.67	143.21	142.17	165.93	1,717.54	485.88	50.63	2.64
Frye Island	-	-	-	-	-	22.60	27.45	40.52	19.51	14.60	4.99	-	129.67	36.68	3.82	0.20
Gorham	259.47	202.05	274.27	275.24	262.07	281.78	254.64	241.50	260.54	236.26	253.03	269.63	3,070.46	868.61	90.50	4.72
Gray	197.02	191.96	232.72	233.25	265.99	277.17	249.35	273.83	263.83	259.31	248.09	238.93	2,931.45	829.29	86.41	4.51
Harrison	67.06	56.45	70.64	75.26	93.10	95.04	116.21	107.11	87.15	91.46	86.91	80.07	1,026.46	290.38	30.26	1.58
Hollis	106.47	88.97	97.87	114.51	112.03	105.21	122.88	104.86	116.01	114.43	98.76	121.57	1,303.57	368.77	38.42	2.00
Kittery	150.18	118.96	154.43	128.87	160.33	171.10	171.98	151.56	176.14	178.99	157.19	182.91	1,902.64	538.24	56.08	2.92
Limerick	129.86	96.22	115.46	129.97	125.16	128.37	158.06	127.39	148.63	121.05	120.24	141.35	1,541.76	436.15	45.44	2.37
Limington	120.44	85.25	98.63	133.50	130.00	111.50	137.83	128.26	114.66	131.62	111.79	133.44	1,436.92	406.49	42.35	2.21
Livermore Falls	47.64	32.57	47.14	32.83	56.32	48.70	55.13	40.37	42.10	53.43	43.34	47.06	546.63	154.64	16.11	0.84
Lyman	109.96	97.51	131.39	126.13	140.48	146.22	154.03	156.85	137.63	138.40	99.84	138.35	1,576.79	446.06	46.48	2.42
Midcoast	427.86	309.85	337.96	460.77	479.79	516.01	589.12	540.09	573.64	537.36	443.24	499.95	5,715.64	1,616.91	168.47	8.78
Naples	90.35	79.04	80.56	89.04	114.95	102.07	132.93	131.18	121.32	106.15	87.71	105.81	1,241.10	351.10	36.58	1.91
North Haven	21.19	6.72	8.17	7.36	8.55	18.63	30.61	23.85	22.76	20.29	9.32	15.47	192.92	54.58	5.69	0.30
North Yarmouth	65.25	46.63	56.76	76.48	59.71	56.39	80.39	56.37	60.92	61.85	63.80	75.97	760.52	215.15	22.42	1.17
Owls Head	255.94	200.68	233.86	239.48	245.51	262.83	296.60	293.69	316.92	287.87	253.39	271.24	3,158.01	893.38	93.08	4.85
Parsonsfield	45.91	51.63	46.12	55.10	70.63	57.18	70.25	71.05	59.39	76.61	59.38	58.34	721.59	204.13	21.27	1.11
Portland	804.95	597.49	712.94	855.40	971.95	794.18	914.45	786.81	856.31	813.44	757.86	840.78	9,706.55	2,745.92	286.11	14.92
Pownal	24.59	17.17	19.24	20.10	28.63	21.76	19.07	30.59	21.42	21.61	26.54	15.24	265.96	75.24	7.84	0.41
Rockland	151.84	117.74	169.58	138.85	223.22	185.74	181.54	210.51	165.92	166.86	181.26	195.67	2,088.73	590.89	61.57	3.21
Saco	470.04	362.71	429.97	479.24	498.63	506.86	537.34	483.37	516.73	516.49	496.26	509.98	5,807.62	1,642.94	171.18	8.93
Scarborough	454.60	353.23	453.90	508.72	522.92	547.71	620.58	577.85	581.76	540.73	535.40	549.97	6,247.35	1,767.33	184.15	9.60
South Portland	493.66	387.69	434.01	536.92	553.54	540.82	621.09	494.36	532.72	547.42	492.73	571.49	6,206.45	1,755.76	182.94	9.54
Standish	220.47	190.80	242.62	220.39	301.50	299.74	270.20	253.83	300.39	267.74	333.76	268.80	3,170.24	896.84	93.45	4.87
Tri-County	86.08	62.49	72.92	74.73	101.57	75.76	104.60	107.90	82.18	98.38	71.15	94.68	1,032.44	292.07	30.43	1.59
Tri-Town	148.71	100.29	158.41	186.45	176.97	156.10	204.76	163.59	207.50	163.40	181.55	163.45	2,011.18	568.95	59.28	3.09
Waterboro	205.90	152.85	206.65	192.99	190.84	202.98	212.61	202.78	189.99	214.83	175.21	217.91	2,365.54	669.19	69.73	3.64
Westbrook	-	-	-	-	-	-	430.80	382.79	393.22	430.06	393.56	452.48	2,482.91	702.40	73.19	3.82
Windham	240.32	182.06	207.90	252.57	225.49	252.88	278.05	231.96	256.45	250.20	218.58	270.61	2,867.07	811.07	84.51	4.41
Woolwich	78.76	65.64	81.84	94.48	85.90	94.67	96.39	83.40	107.20	87.36	83.31	108.85	1,067.80	302.07	31.47	1.64
Yarmouth	164.13	135.21	181.06	168.77	189.04	208.41	192.28	216.83	195.87	195.04	205.28	180.29	2,232.20	631.47	65.80	3.43
Commercial ecomaine	6,888.77 0.06	5,781.37 -	6,148.35 -	5,170.61 -	5,134.15 -	5,955.23 -	6,739.86 -	6,728.47 -	6,644.31 -	6,990.67 1.45	6,062.65 -	6,620.38 -	74,864.80 1.51	21,178.73 0.43	2,206.70 0.04	115.06 0.00
Total	13,440.02	10,889.12	12,403.10	12,121.87	12,565.29	13,354.19	15,343.72	14,495.05	14,588.19	14,840.52	13,397.89	14,615.82	162,054.78	45,844.16	4,776.70	249.07



Incoming Bulky Waste Total Tons by Month- CY - 2020

	January	February	March	April	May	June	July	August	September	October	November	December	Total
ME	-	3.04	-	-	-	-	-	-	-	2.98	-	-	6.02
Bridaton	-	-	-	6.41	-	-	-	-	-	-	-	-	6.41
Cape Elizabeth	35.06	32.24	44.61	37.97	49.03	51.35	47.36	60.58	45.85	47.50	25.82	33.94	511.31
Cumberland	-	-	-	-	125.70	-	-	-	12.33	133.33	-	-	271.36
Eliot	13.69	19.39	11.40	-	9.16	32.79	21.15	18.13	24.72	24.49	23.37	9.51	207.80
Falmouth	11.02	7.62	6.93	1.68	-	13.92	13.74	11.32	21.20	16.37	16.33	15.88	136.01
Gorham	-	-	-	-	-	1.27	-	-	-	-	-	-	1.27
Hiram	11.64	-	4.38	4.87	7.91	8.94	3.98	-	-	3.63	-	-	45.35
Limerick	-	-	-	9.02	3.44	15.28	15.70	19.22	13.10	19.99	16.58	-	112.33
Lyman	12.16	7.97	17.53	31.71	31.05	34.27	28.84	43.16	28.73	36.56	28.68	24.51	325.17
Parsonsfield	-	-	-	-	-	11.67	-	-	-	7.80	-	-	19.47
Sanford	-	-	-	-	17.84	16.23	-	-	6.82	8.21	8.66	4.32	62.08
South Portland	46.99	45.80	38.60	20.68	106.67	94.36	95.74	90.64	100.04	98.11	61.13	44.30	843.06
Standish	-	-	2.28	-	-	19.30	23.37	15.86	25.41	14.02	12.04	5.09	117.37
Waterboro	11.92	18.56	14.97	16.64	36.08	35.32	66.67	47.73	48.44	47.77	41.45	27.10	412.65
Yarmouth	32.89	29.74	32.22	39.07	47.02	36.38	45.85	38.50	100.09	42.50	56.31	54.30	554.87
Commercial	503.79	423.70	467.48	649.84	803.93	918.46	867.30	768.32	873.68	724.19	635.02	509.90	8,145.61
Total	679.16	588.06	640.40	817.89	1,237.83	1,289.54	1,229.70	1,113.46	1,300.41	1,227.45	925.39	728.85	11,778.14



Incoming Food Waste Total Tons by Month- CY - 2020

	January	February	March	April	May	June	July	August	September	October	November	December	Total	Food Waste Contaminates (Proportional)
Commercial	429.91	456.39	473.42	398.31	194.32	257.96	433.57	418.72	358.05	327.93	358.41	432.54	4,539.53	1,784.99
Total	429.91	456.39	473.42	398.31	194.32	257.96	433.57	418.72	358.05	327.93	358.41	432.54	4,539.53	1,784.99

Incoming Special Waste Total Items by Month- CY - 2020

		January	February	March	April	May	June	July	August	September	October	November
Cape Elizabeth	Freon Containing Item	1	-	-	-	-	-	-	-	-	-	-
	Mattress/Box Spring	6	12	10	24	3	12	20	25	-	29	18
Cumberland	Mattress/Box Spring	-	-	-	-	44	-	-	-	-	63	-
Falmouth	Mattress/Box Spring	-	4	4	-	-	10	4	-	7	7	-
Gorham	Mattress/Box Spring	-	-	-	-	-	8	-	-	-	-	-
Hiram	Mattress/Box Spring	2	-	-	-	8	8	3	7	8	-	-
Lyman	Mattress/Box Spring	6	18	11	9	8	14	10	13	12	12	-
Parsonsfield	Mattress/Box Spring	-	-	-	-	-	35	-	-	-	18	-
Portland	Freon Containing Item	-	-	-	-	-	-	1	-	-	-	-
	Mattress/Box Spring	-	-	-	-	-	-	2	-	-	-	-
Saco	Appliance	-	-	1	-	-	-	-	-	-	-	-
Scarborough	Appliance	-	-	-	-	-	1	-	-	-	-	-
	Electronic Item	-	-	-	-	2	-	-	-	-	2	-
	Freon Containing Item	-	-	-	-	-	1	-	-	1	1	-
South Portland	Mattress/Box Spring	45	36	27	11	50	38	22	57	50	27	33
Standish	Mattress/Box Spring	-	-	7	-	-	39	13	22	9	28	28
Tri-Town	Mattress/Box Spring	3	5	-	14	-	6	2	-	-	-	7
Waterboro	Mattress/Box Spring	6	38	14	-	25	29	72	17	18	30	21
Yarmouth	Mattress/Box Spring	9	11	9	12	7	61	9	15	10	22	15
Brownfield	Mattress/Box Spring	-	-	-	2	4	-	-	-	-	-	-
Commercial	Appliance	9	11	20	25	22	10	21	27	11	15	11
	Electronic Item	24	20	4	12	48	13	17	14	22	17	19
	Freon Containing Item	22	13	25	30	36	38	36	29	42	43	59
	Mattress/Box Spring	308	319	367	252	302	375	372	237	320	294	208
	Mercury Lighting	26	40	-	81	499	-	10	17	-	-	21
Denmark	Mattress/Box Spring	-	-	-	-	-	-	-	-	-	-	-
Eliot	Mattress/Box Spring	13	24	6	-	-	20	14	10	17	27	31
Kittery	Mattress/Box Spring	-	-	162	-	-	-	184	-	169	-	193
Limerick	Mattress/Box Spring	-	-	-	2	11	-	-	-	10	5	13
Rockland	Mattress/Box Spring	-	22	10	9	20	37	25	32	12	-	9
Sanford	Mattress/Box Spring	-	-	-	-	5	2	-	-	2	-	10
Total		480	573	677	483	1,094	757	837	522	720	640	696