



SELECTMEN'S MEETING e-Packet
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December 2, 2008

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**BOARD OF SELECTMEN
AGENDA**

Tuesday, December 2, 2008
7:00 p.m.

SPECIAL TOWN MEETING – JSMS Cafeteria

To consider proposed changes to the Raymond Land Use Ordinance. Copies of the Special Town Meeting warrant (on the town website see the Raymond Communicator link), including the complete text with the changes (see the Planning Board page), are available at www.raymondmaine.org, at the town's legal posting locations, or upon request at the Raymond Town Office.

SELECTMEN'S MEETING – JSMS Broadcast Studio

- 1) Call to order.
- 2) Minutes of previous meeting dated November 18, 2008
- 3) New business.
 - a) County service discussion – Cumberland County Commissioner Malory Shaughnessy
 - b) Discussion of draft Open Space Plan – John Rand
 - c) Review and approval of Cumberland County Regional Communications Center (CCRCC) dispatch agreement – Director Bill Holmes
 - d) Consideration of abatements – Contract Assessor Mike O'Donnell
 - e) Discussion of road maintenance policy for limited use dead end town roads – Selectman Joe Bruno
 - f) Budget goal setting for fiscal year 2009/2010 – Town Manager Don Willard
 - g) Set election date and approve warrant for Regional School Union 14 (RSU 14) Board of Directors election – Town Clerk Louise Lester
 - h) Re-appointment of Voter Registrar Louise Murray – Town Clerk Louise Lester
- 4) Old (unfinished) business.
 - a) none
- 5) Town Manager Report and Communications.
 - a) Confirm dates of January 2009 meetings (6th, and 20th)

The Selectmen may take items out of order at their discretion.

6) Fiscal Warrants – Payroll and Appropriation Warrants – December 2, 2008.

7) Adjournment.

The Selectmen may take items out of order at their discretion.



**BOARD OF SELECTMEN
AGENDA SUMMARY**
Tuesday, December 2, 2008
7:00 p.m.

SPECIAL TOWN MEETING – JSMS Cafeteria

To consider proposed changes to the Raymond Land Use Ordinance. Copies of the Special Town Meeting warrant (on the town website see the Raymond Communicator link), including the complete text with the changes (see the Planning Board page), are available at www.raymondmaine.org, at the town's legal posting locations, or upon request at the Raymond Town Office.

SELECTMEN'S MEETING – JSMS Broadcast Studio

- 1) Call to order.
- 2) Minutes of previous meeting dated November 18, 2008
- 3) New business.
 - a) County service discussion – Cumberland County Commissioner Malory Shaughnessy

Cumberland County Commissioner Malory Shaughnessy has been invited to the meeting in order to have a dialogue with the Selectmen and interested citizens over current county services, and the county's proposed 2009 budget. Ms. Shaughnessy was first sworn into office on January 2, 2007 and represents the Towns of Windham, North Yarmouth, Freeport, Brunswick, Pownal, Harpswell, New Gloucester, Gray, Raymond, Casco, Naples, Sebago, Baldwin, Harrison, and Bridgton.

b) Discussion of draft Open Space Plan – John Rand

Mr. Rand will spend a few minutes outlining the progress and issues with respect to the development of a Raymond Open Space Plan.

c) Review and approval of Cumberland County Regional Communications Center (CCRCC) dispatch agreement – Director Bill Holmes

Communications Center Director Bill Holmes has been invited to the meeting. The purpose of this agenda item is to review and approve a contract between the Town of Raymond and the CCRCC for the provision of dispatch services for the period commencing January 1st, 2009 and ending at a term to be chosen by the Board of Selectmen. A five year contract cost schedule has been provided which outlines an annual cost alignment of approximately 3%. This action is being taken as a consequence of the Town of Casco withdrawing from the Naples Dispatch Center and both the Towns of Naples and Raymond electing not to pay additional funds for the provision of dispatch services at the existing Naples Center. The CCRCC states that

The Selectmen may take items out of order at their discretion.

they have adequate resources from a technical and human resources standpoint to absorb the Towns of Raymond, Casco and Naples. Raymond will join a number of communities already dispatched out of Cumberland County including Baldwin, Chebeague Island, Cumberland, Frye Island, Gorham, Gray, Harpswell, Long Island and New Gloucester.

Town Attorney Chris Vaniotis has reviewed the proposed dispatch contract provided by the CCRCC and finds it to be equitable and balanced, providing for reasonable expectations with respect to service provision and assignment of liability.

LATE BREAKING DEVELOPMENT: CCRCC Director Bill Holmes contacted the Town Manager on Tuesday, November 25th to communicate a vote taken by the CCRCC Board of Directors on Monday, November 24th. Although the Town of Raymond was not invited to attend this meeting, apparently a discussion was held and potential adverse action taken against the town's interest with respect to Raymond's future membership in the county dispatch center. Attached you will find an email from Director Holmes, indicating the Board of Directors desire to impose restrictions/conditions on Raymond which may limit our ability to utilize the dispatch center. The Town Manager will attempt to get a legal opinion of the Board of Directors ability to impose such restrictions and also an opinion of the county's statutory responsibility to provide services having accepted Raymond's tax money that was utilized to construct the dispatch center and pay debt retirement. A request has been made of the County Manager to clarify the existing situation and/or provide an amended contract for signature. Signing the attached contract is with some risk as the County may not accept it. For information, no restrictions are known to have been imposed on any other communities that have or plan to join the center.

d) Consideration of abatements – Contract Assessor Mike O'Donnell

Contract Assessor Mike O'Donnell will have a group of abatements for your consideration.

e) Discussion of road maintenance policy for limited use dead end town roads – Selectman Joe Bruno

Selectman Bruno would like to entertain a discussion over the possible discontinuance of Public Works services on limited use dead end town roads. These roads are essentially driveways to serve individual or multiple residences. Public Works Director Nathan White will prepare a list of such roadways for discussion purposes, with associated maintenance costs.

f) Budget goal setting for fiscal year 2009/2010 – Town Manager Don Willard

The Board of Selectmen have in recent years set budget performance standards for the Town Manager, preliminary to the budget development process. This agenda item will be to discuss the upcoming fiscal year 2009/2010 budget and set budgetary benchmarks.

g) Set election date and approve warrant for Regional School Union 14 (RSU 14) Board of Directors election – Town Clerk Louise Lester

Town Clerk Louise Lester will bring election materials to the meeting for discussion and signature by the Board of Selectmen.

The Selectmen may take items out of order at their discretion.

**h) Re-appointment of Voter Registrar Louise Murray – Town Clerk
Louise Lester**

According to M.R.S.A. 21-A each town is required to appoint a Voter Registrar for a two-year term by January 1 for the uneven year. My recommendation is to have the Voter Registrar position attached to the Town Clerk position so that there is continuity of office. If you choose to make this change, I would like Louise Murray, current Voter Registrar, to continue in her work with Raymond's voters and the Central Voter Registration program with the state. I have spoken with her about this, and she is willing to remain the Voter Registrar for another term or make the change as the Selectmen wish.

4) Old (unfinished) business.

a) none

5) Town Manager Report and Communications.

a) Confirm dates of January 2009 meetings (6th, and 20th)

6) Fiscal Warrants – Payroll and Appropriation Warrants – December 2, 2008.

7) Adjournment.

The Selectmen may take items out of order at their discretion.

TOWN OF RAYMOND
Tuesday, December 2, 2008

SPECIAL TOWN MEETING WARRANT

TO: Nathan White, a resident of the Town of Raymond, in the County of Cumberland and State of Maine.

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Raymond, qualified by law to vote in Town affairs, to meet at the Jordan Small Middle School cafeteria, 423 Webbs Mills Road, in said Town of Raymond on Tuesday, December 2, 2008, at 7:00 PM, then and there to act on the following articles:

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

ARTICLE 2: Shall portions of the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through May 17, 2003, be further amended by adding the underscored language and deleting the language in strikeover type, as described in Appendix A dated 11/2/08.

ARTICLE 3: Shall Article 9, Section U of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through August 7, 2007, be further amended by adding the underscored language and deleting the language in strikeover type, as described in Appendix A dated 11/2/08.

ARTICLE 4: Shall Article 9 of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through August 7, 2007, be further amended by adding the underscored language as described in Appendix A dated 11/2/08.

ARTICLE 5: Shall Article 10, Sections D and E of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through August 7, 2007, be further amended by adding the underscored language and deleting the language in strikeover type, as described in Appendix A dated 11/2/08.

ARTICLE 6: Shall Article 5, Section 2.2.10, Article 8, Section 10 and Article 9, Section 7 of the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through May 17, 2003, be further amended by adding the underscored language and deleting the language in strikeover type, as described in Appendix A dated 11/2/08.

ARTICLE 7: Shall Article 5, Section 2.2.17 of the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through May 17, 2003, be further amended by adding the underscored language and deleting the language in strikeover type, as described in Appendix A dated 11/2/08.

ARTICLE 8: Shall Article 5, Section 2 and Article 8, Section 15 of the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through May 17, 2003, be further amended by adding the underscored language and deleting the language in strikeover type, as described in Appendix A dated 11/2/08.

ARTICLE 9: Shall Section 15.J and Section 15.R of the Town of Raymond Shoreland Zoning Provisions, as adopted May 21, 1994 and amended through May 21, 2005, be further amended by adding the underscored language and deleting the language in strikeover type, as described in Appendix A dated 11/2/08.

ARTICLE 10: Shall the Land Use Map adopted May 16, 1992 as part of the Land Use Ordinance of the Town of Raymond, Maine be superseded and replaced by a new Land Use Regulation Map being that map entitled *Town of Raymond, Maine Official Land Use Map* prepared by New England Planning

Concepts and filed in the office of the Town Clerk on November 18, 2008 and being that map that does not include Stream Protection (SP) districts.

ARTICLE 11: Shall Article 10, Sections A and B of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through August 7, 2007, and Article 4, Section 1.B, Article 5, Sections 1.A and 2.B, and Article 6, Sections 1.A and 2.A of the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through May 17, 2003, be further amended by adding the underscored language and deleting the language in strikeover type, as described in Appendix A dated 11/2/08.

Given under our hands this eighteenth day of November AD 2008.

Mark Gendron

Joseph Bruno

Dana Desjardins

Michael Reynolds

Lawrence Taylor

Selectmen of Raymond

Subject: [Fwd: Board Meeting]
From: Don Willard <don.willard@raymondmaine.org>
Date: Wed, 26 Nov 2008 09:20:47 -0500
To: Laurie Cook <laurie.cook@raymondmaine.org>

For inclusion in the 12-2-08 BOS e-packet.

----- Original Message -----

Subject: Board Meeting
Date: Tue, 25 Nov 2008 15:55:07 -0500
From: William Holmes <holmes@cumberlandcounty.org>
To: don willard <don.willard@raymondmaine.org>
CC: Charlie Hammond <CHHCAR1@aol.com>, <dlibby@commfac.com>, Jim Budway <Budway@cumberlandcounty.org>, Peter Crichton <Crichton.CCSDMAIL.CCSD@cumberlandcounty.org>, Donald Goulet <Goulet@cumberlandcounty.org>, John Joy <Joy@cumberlandcounty.org>, Bill Whitten <Whitten.CCSDMAIL.CCSD@cumberlandcounty.org>, Angelo Mazzone <amazzone@cumberlandmaine.com>, Rob Beaulieu <fipd@fairpoint.net>, alan dolloff <dolloff@baldwin2003@gmail.com>, bob lefebvre <rlefebvre@gorham.me.us>, <rshepard@gorham.me.us>, rick plummer <rplummer@graymaine.org>, gary sacco <ngfrcl@maine.rr.com>, <lidamegan@msn.com>, dave mercier <dandemercier@suscom-maine.net>, dick clarke <chief2moons@yahoo.com>

Don,

Thank you for speaking with me earlier this afternoon.

As requested, I am sending a synopsis of our conversation that provides some detail of the CCRCC Board of Directors meeting that took place last evening.

Last evening, on the CCRCC Board of Directors agenda, was the discussion / vote to enter into a communications contract with the Town of Raymond. I opened the discussion by advising the board members that I realize that we have a "history" with Raymond, however despite that history, it is my recommendation that we put the past behind us and welcome Raymond aboard the CCRCC.

Many members of the board then expressed apprehension about entering into a partnership with Raymond based on that history and other issues. Included in the conversations pertaining to members apprehension were recollections of:

- * E-mails and letters expressing displeasure with the county due to a decision to build the CCRCC in Windham.
- * E-mails and letters sent to all managers in the area regarding alleged mishandling of a 9-1-1 outage. (Members specifically said that they understand and welcome any criticism of the CCRCC, but were not pleased to see that these types of e-mails were sent to all managers and others within the community.)
- * The towns decision to pursue secession from the County.
- * Members suggested that they have a responsibility to protect the staff of the CCRCC from

Subsequently, a motion was made and approved to table this issue pending the outcome of the Towns attempt to secede from the County. Recognizing that this vote could cause the Town to be without an emergency communications provider, the board immediately voted to allow me to enter into a 6 month "emergency" contract with the Town of Raymond to provide the town with emergency communications service.

Members of the board emphasized that they know their vote is only a recommendation and that the County Commissioners have the final vote on the issue. They also said that they know the Commissioners are bound by statutes to provide the service and will support and respect any vote the Commissioners make.

[Fwd: Board Meeting]

The board also instructed me to contact you and invite you and the other members of the Town Administration to the CCRCC for a meeting to discuss this issue further. It is my hope that through a meeting we can indeed put any negative history behind us and initiate a lasting and successful partnership. I am confident that my staff will do an outstanding job for the Town of Raymond and look forward to beginning that process.

Respectfully,

Bill Holmes

William Holmes
Emergency Communications Director
Cumberland County
22B High Street
Windham, Me 04062

893-2810

--
Don Willard
Town Manager
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071

(207) 655-6994 v
(207) 655-3024 f
(207) 650-9001 m

Don Willard <don.willard@raymondmaine.org>

**Town Manager
Town of Raymond**

**AGREEMENT BETWEEN CUMBERLAND COUNTY AND THE TOWN OF
RAYMOND**

"COMMUNICATION SERVICES"

THIS AGREEMENT, effective January 1, 2009, is entered into by and between the COUNTY OF CUMBERLAND (hereinafter referred to as "the County") with a principal place of business at 142 Federal Street, Portland, Maine and the TOWN OF RAYMOND (hereinafter referred as "the Town") with a principal place of business at RT 85, Raymond, MAINE.

WITNESSETH

WHEREAS, pursuant to Title 30-A MRSA §107 and §453 the County Commissioners are authorized to establish a regional communications center and to contract with municipalities within the County that either the County or Municipality may perform; and
WHEREAS, the Town is desirous of contracting with the County for Communication Services which are more particularly described herein; and

WHEREAS, the County is willing to provide said Communication Services;

NOW, THEREFORE, in consideration of the mutual promises by each party to the other and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties covenant and agree as follows:

1. SERVICES

The County agrees, through its Communications Department, to provide the Town with Communication services for appropriate service providers. These include, but are not limited to, Fire, Rescue, Police Services, Animal Control, Marine Safety, Public Works and access for use of the CITYWATCH system. The County shall:

- (A) Provide adequate facilities, equipment and personnel to carry out the purposes stated in the PSAP standards of the State of Maine.
- (B) Provide call answering which shall include all emergency and non-emergency calls for service.
- (C) Provide dispatching service which shall include dispatching personnel and equipment for emergency and non-emergency calls for service, dispatching for all ongoing incidents, as well as coordination of all support services as deemed appropriate by the incident commanders and / or authorized agency personnel.
- (D) Provide a warrant repository for participating agencies.
- (E) Provide all services in the most cost effective and efficient manner possible.
- (F) Ensure that all calls for service in the Town are dispatched to the appropriate service providers for the Town.

2. TERM

A. The initial term of this Agreement shall be Five years from its effective date. This Agreement shall be automatically renewed without affirmative action by the parties for successive one-year periods on its anniversary date, until notice of termination is given. Notice of termination shall be given in writing by either party no less than ninety (90) days prior to the actual termination. If the Town fails to appropriate funds at town meeting, the agreement may be terminated. The term shall continue from year to year thereafter until terminated as provided herein.

B. Notwithstanding the above provisions, this Agreement may be terminated as follows:

1. By the Town if:
 - a. the County fails to provide sufficient personnel or equipment to perform the services detailed herein.
 - b. the County discontinues the service; or
 - c. the County fails to comply with the material terms of this Agreement.
2. By the County if:
 - a. the Town fails to make all payments required under the terms of the Agreement
3. A ninety (90) day written notice of termination must be provided, stating the grounds for termination and providing the other party an opportunity to cure the defect during said ninety (90) day period.

3. ADMINISTRATION

Pursuant to the provisions of Title 30-A M.R.S.A. Section 453, The County Commissioners, after consulting with municipal officers, will set policies for the Communications Center. The Cumberland County Communications Director shall be responsible for the administration and operation of the Communications Center.

A. Board of Directors.

A Board of Directors will be established to serve as a liaison between the Town/Agency and the Communications Department; review and recommend policies for the Communications Center; and review and recommend a budget for the Communications Center.

1. Composition The Board of Directors shall consist of one representative / designee from each of the participating agencies, (contracting with Cumberland County for Communications Service) and an "at-large" member of the community from each of the County Commissioners Districts. Communities for which the County is exclusively providing PSAP services may participate by appointing a non-voting member.

2. Term of Members The term of Board of Directors Members shall be three (3) years, except that one-third (1/3) of the initial committee shall be elected for a one-year term, one-third (1/3) for a two-year term and one-third (1/3) for three-year term. One-third of the

members shall be appointed or re-appointed each year. Any representative may be appointed to successive terms without limit. The term of the initial committee members shall be determined by random selection. The same procedure will apply to all non-voting members.

3. Vacancies. Any vacancy on the Board shall be filled within 30 days after the vacancy occurs. The officials from the Town / Agency which the member represents make the appointments. An appointee to a vacancy shall serve until the expiration of the term of his / her predecessor and may be re-appointed.

B. Law Enforcement Committee. A law enforcement committee, comprised of representatives of each law enforcement agency served by the CCRCC will be established and shall have the responsibility and authority to promulgate policy and procedures for complete oversight of the teletype system and its usage. The Communications Director shall be responsible for maintaining training and certification of all communications officers to ensure compliance with all state regulations pertaining to the teletype system.

C. Technical Committee. A technical committee will be established to provide assistance to the Communications Department in the area of current technology and advice on future enhancements. The technical committee, comprised of individuals with expertise in communications such as radio, computers and diversified communications skills, operates on an as needed basis as scheduled by the Communications Director.

D. Acquisition, holding and disposal of Real and personal property. Any real and personal property acquired or used in the performance of this contract shall be the Property of Cumberland County. As such, acquisition, use and disposal of such property shall be in accordance with policies and procedures of Cumberland County.

E. Authority of the County Commissioners. This agreement shall not limit the County Commissioners' power to contract with other political subdivisions, quasi-municipal corporations, agencies or other enterprises to perform the services specified in this agreement, nor shall it restrict or curtail any authority otherwise bestowed by law upon the County Commissioners.

F. Indemnity. The County agrees to indemnify and hold harmless the Town from any and all liability, loss or damage arising out of the County's performance or failure to perform any of its obligations set forth in this agreement. The County further agrees to defend any claims brought or actions filed against the Town with respect to the County's performance or nonperformance of this agreement, whether such claims or actions are rightfully or wrongfully brought or filed.

The Town agrees to indemnify and hold harmless the County from any and all loss, liability or damage arising out of the Town's performance or failure to perform any of its obligations set forth in this agreement. The Town further agrees to defend the any claims brought or actions filed against the County with respect to the Town's performance or nonperformance of this agreement, whether such claims or actions are rightfully or wrongfully brought or filed.

G. Costs.

The Town agrees to pay the County the sum of \$ 12,559.00 for emergency communications service coverage from January 1, 2009 to June 30, 2009. (Payment is due January 1, 2009.)

The Town agrees to pay the County \$12,559.00 for emergency communications service from June 30, 2009 to December 31, 2009. (Payment is due June 30, 2009.)

The Town agrees to pay the county the sum of \$25,898.00 for the period of January 1, 2010 to December 31, 2010, payment is due January 1, 2010.

This contract is based on a per capita fee of \$ 5.47 for 2009 and \$5.64 for 2010 using a population of 4,592.

The per capita costs for years 3-5 is as follows: (Payments due January 1st of each year.)

2011 @ \$ 5.81 per capita = \$26,679.00

2012 @ \$ 5.98 per capita = \$27,460.00

2013 @ \$ 6.16 per capita = \$28,287.00

H. ENTIRE AGREEMENT

This instrument embodies the entire agreement of the parties and may not be amended or changed unless in writing executed by all parties. There are no promised terms, conditions, or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations or agreements, either verbal or written, between the parties hereto.

IN WITNESS WHEREOF, the TOWN OF RAYMOND By order duly adopted by its Selectmen, Town Manager or Council, has caused this Agreement to be signed by the Selectmen, Town Manager or Council and the COUNTY OF CUMBERLAND, by order of the County Commissioners, has caused this Agreement to be subscribed by the Chairman of said Board and the seal of said board to be affixed thereto and attested by the Clerk of said Board, all as of the day and year first above written.

County of Cumberland:

Town of RAYMOND

By: _____
Chairman, Board of Commissioners

By: _____
It's Authorized Representative

Date: _____

Date: _____



401 Webbs Mills Road
Raymond, Maine 04071

MEMORANDUM

TO: Board of Selectmen
Don Willard

FROM: Nathan White

DATE: November 26, 2008

RE: Limited Use Dead End Roadway Maintenance Costs

Historically limited use dead end roadways in Raymond have received minimal maintenance. From time to time repairs have to be made in order to facilitate plowing and access. Ditching and brush cutting is done only as needed. It is very difficult to estimate a definitive annual maintenance cost due to the ad hoc nature of our work.

As far as snow removal, P&K Sand and Gravel currently has a contract that calls for \$3,750 per mile, not including sand. The Raymond Public Works department per mile cost estimate is \$1,800 per mile, not including sand.

I hope information is helpful. I do plan on attending the meeting to answer any questions you may have.

Re: [Fwd: roads]

Subject: Re: [Fwd: roads]

From: Don Willard <don.willard@raymondmaine.org>

Date: Wed, 19 Nov 2008 09:39:43 -0500

To: Joe Bruno <jbruno@communityrx.com>

CC: Nathan White <nathan.white@raymondmaine.org>, "mike_reynolds@maine.rr.com" <mike_reynolds@maine.rr.com>, Laurie Cook <laurie.cook@raymondmaine.org>

Joe,

Nathan is off today but I will see that he works up the costs ASAP. It will likely also take some legal research to explore the procedure for discontinuing maintenance on these roads, which I will do. I have forwarded this material to Laurie to put in the agenda queue for discussion with Mike about putting it on an upcoming agenda.

Don Willard
Town Manager
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071

(207) 655-6994 v
(207) 655-3024 f
(207) 650-9001 m

Joe Bruno wrote:

I think we need to know how much this costs the town and I really think it should be an agenda item to discuss if this is good use of town funds at a time when we are struggling with road maintenance. I don't see how the town benefits from maintaining these kind of roads and also what should prevent other people from requesting we plow their "driveways".

Joe

-----Original Message-----

From: Don Willard [mailto:don.willard@raymondmaine.org]
Sent: Wednesday, November 19, 2008 8:58 AM
To: Nathan White; Joe Bruno; mike_reynolds@maine.rr.com
Subject: [Fwd: roads]

Thanks Nathan,

Joe FYI as requested.

--

Don Willard
Town Manager
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071

(207) 655-6994 v
(207) 655-3024 f
(207) 650-9001 m

----- Original Message -----

Subject: roads
Date: Wed, 19 Nov 2008 08:26:08 -0500
From: Nathan White <nathan.white@raymondmaine.org>
To: 'Don Willard' <don.willard@raymondmaine.org>

Good morning Don,

Here is the list of roads that public works maintains with less then 3 houses

- 1- Mailman Road off North Raymond road 454.41'feet long with one house
- 2- McDermott Road off Raymond Hill Road 424.87'feet long with one house
- 3- Frye Road off North Raymond road 773.88'feet long with two houses
- 4- Chapel Street off Main Street 736.18' feet long with three houses
- 5- Adams Post Road off Meadow Road 258.12' feet long with two houses

All the roads listed are year round roads and receive maintenance from this dept. One two and three are gravel roads and four and five are paved and Adams Post Road was repaved with base pavement in 2007, all the gravel roads are graded both spring and fall with material added as needed.

Thanks

Nate

Don Willard <don.willard@raymondmaine.org>

Town Manager

Town of Raymond

Subject: [Fwd: Discontinuance of Roads]
From: Don Willard <don.willard@raymondmaine.org>
Date: Mon, 24 Nov 2008 15:24:19 -0500
To: Chris Vaniotis <cvaniotis@bernsteinshur.com>, Laurie Cook
<laurie.cook@raymondmaine.org>

Thanks Chris,

Laurie please include this memo and statute in the 12-2-08 BOS e-packet. Thank you.

Don Willard
Town Manager
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071

(207) 655-6994 v
(207) 655-3024 f
(207) 650-9001 m

----- Original Message -----

Subject: Discontinuance of Roads
Date: Mon, 24 Nov 2008 15:15:03 -0500
From: Chris Vaniotis <cvaniotis@bernsteinshur.com>
To: <donald.willard@raymondmaine.org>

Don,

As we discussed, attached are the road discontinuance statute and a memo which Geoff Hole and I prepared to provide a brief summary of the law concerning roads and easements.

Chris Vaniotis

Bernstein Shur

100 Middle Street

PO Box 9729

Portland, ME 04104-5029

207 774-1200 main

207 774-1127 facsimile

cvaniotis@bernsteinshur.com

www.bernsteinshur.com

Portland, ME | Augusta, ME | Manchester, NH

*Confidentiality notice: *This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential

23 §3026. DISCONTINUANCE OF TOWN WAYS

23 §3026. DISCONTINUANCE OF TOWN WAYS

1. General procedures. A municipality may terminate in whole or in part any interests held by it for highway purposes. A municipality may discontinue a town way or public easement after the municipal officers have given best practicable notice to all abutting property owners and the municipal planning board or office and have filed an order of discontinuance with the municipal clerk that specifies the location of the way, the names of abutting property owners and the amount of damages, if any, determined by the municipal officers to be paid to each abutter.

Upon approval of the discontinuance order by the legislative body, and unless otherwise stated in the order, a public easement shall, in the case of town ways, be retained and all remaining interests of the municipality shall pass to the abutting property owners to the center of the way. For purposes of this section, the words "public easement" shall include, without limitation, an easement for public utility facilities necessary to provide service.

[1981, c. 683, §1 (NEW) .]

2. Definition of best practicable notice. "Best practicable notice" means, at minimum, the mailing by the United States Postal Service, postage prepaid, first class, of notice to abutting property owners whose addresses appear in the assessment records of the municipality.

[1981, c. 683, §1 (NEW) .]

SECTION HISTORY

1975, c. 711, §8 (NEW). 1977, c. 301, §1 (AMD). 1981, c. 683, §1 (RPR).

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ROADS & EASEMENTS

Originally prepared by Christopher L. Vaniotis
Edited by Geoffrey H. Hole
for **AVCOG Planning Day 2005**
November 18, 2005

A town road is a road the town must maintain and to which the public has access. A public easement (formerly "private way") is a road the town is not required to maintain but to which the public has access. A private road is a road the town is not required to maintain and to which public access may be prohibited.

1. The Nature of Easements

An easement is the right of one person to use another person's land for some specific limited purpose – such as, the right to come and go across the land on foot or by vehicle, or the right to install utilities on, over or under the land. The owner of the land "burdened" by the easement retains all the rights of the owner which are not inconsistent with the rights created by the easement for the "benefit" of the landowner who holds the easement.

An easement is an interest in real estate; it has value and is typically created by deed instruments. However, it is a "non-possessory" interest. The easement holder does not have any right to take from, improve or sell the land. The easement holder has only those rights specified in the easement.

With respect to roads, the term "right-of-way" is often used, but it is not anything different from an easement. A right of way is simply a particular kind of easement – the right to pass through or over the property owned by another.

2. The Nature of Public Roads

There are essentially three types of roads in Maine – state roads, county roads and municipal roads. State roads are the province of the Maine Department of Transportation, and are governed by detailed laws found in Chapters 1 through 24 of Title 23 of the Maine Revised Statutes. County roads are pretty much a thing of the past, all of them having been transferred to municipalities in 1976, except in the unorganized territories, where the county commissioners still have jurisdictions over roads. Municipal roads are undoubtedly the most ubiquitous, and seem to be the ones most frequently involved as complicating factors in real estate transactions. Consequently, these

materials will focus primarily on the law governing city and town roads, which is found in Chapters 301 through 315 of Title 23.

A great many public roads in Maine are actually only easements. At common law, when the government acquired land to create a road, the government got only what was strictly necessary to have a road – essentially, the right of passage, and the right to construct and maintain the roadway. For those activities, the government did not need to own the fee interest to the road, so an easement was all the government got. And that remained the general rule for town and county roads in Maine until December 31, 1976, when a new statutory codification of road law added a provision that a municipality taking land by eminent domain would acquire the fee, unless it was otherwise specified. With respect to state roads, 1954 was the year in which the state began acquiring the fee, rather than just an easement.

The fact that many public roads are only easements does not have a great deal of effect as long as the roads continue to be used as roads. The town has the right to expand the traveled way within the right of way as public needs change. However, ownership remains with the property owner, which for example means that if trees are cut for an expansion, the wood is owned by the property owner. When easements cease to be roads – whether through discontinuance or abandonment – the legal effect can be substantial, especially for title examiners. Who owns the land under the road once the easement is gone? That question will be discussed further below.

3. How Public Roads are Created

There are three ways that public roads are created under Maine law:

- layout and taking (or purchase)
- dedication and acceptance
- prescriptive use

Layout and Taking

For municipal roads, this process is governed by 23 M.R.S.A. §§ 3022 through 3024. The “laying out” is essentially what it sounds like – the municipality determines where a road will be located and “lays it out” on a plan and, eventually, stakes it out on the face of the earth. If the transaction is a friendly one, the municipality will buy the land which is being turned into a road. If the landowner is not a willing seller, then the municipality can take the property by eminent domain under 23 M.R.S.A. § 3023. Damages, of course, have to be paid to the property owner, and they are determined in the same fashion as the DOT determines damages when it takes land for a state highway. A dispute over the amount of damages, however, does not delay the effectiveness of the taking. Once the municipality serves the condemnation order and a check in the amount which the town has determined to be the appropriate price, the road becomes a public way. A dispute over whether the check was enough goes

to Superior Court (in the case of state highways, appeals over damages would go to the State Claims Commission).

Dedication and Acceptance

Unlike eminent domain, dedication and acceptance is a voluntary process. It is described in 23 M.R.S.A. § 3025. A property owner "voluntarily offers" to transfer property to the municipality "without claim for damages." That has to occur in some sort of a writing – a petition, an agreement, a deed or an affidavit. The other way dedication occurs is when an approved subdivision plan is filed in the registry of deeds showing roads to access the lots, unless the subdivider has specifically stated that the roads are to remain private and are not dedicated for public use. Otherwise the recording of the subdivision plan constitutes the "dedication," which the municipality can accept. For subdivisions recorded after September 29, 1987, the municipality must act to accept the roads within 20 years after the recording. For older subdivisions, there is no fixed time limit.

Prescriptive Use

A public road can be created if there is continuous, uninterrupted use by the general public for at least 20 consecutive years. This is a concept very similar to adverse possession in real estate law. The use must be "adverse," rather than permissive. That is, if a property owner invites the public to come and go over the land, that can go on indefinitely and will not create a public road by prescription. Repair and maintenance by the municipality are elements to be considered in deciding whether a public way has been created by prescription, but they are not the determinative factors. If the public utilizes a particular area as a road for the requisite period but the town performs no acts of maintenance, a public easement, not a town road, is created. Obviously, prescriptive use is a very imprecise way to create a road, and disputes about the status of roads not created by one of the formal methods very often end up in the courts. Nevertheless, there are undoubtedly many roads in the State of Maine which have never been laid out and taken or dedicated and accepted, but are still public roads because they have been used that way for many decades.

4. How Public Roads are Terminated

While there are three ways to create public roads, there are only two ways to terminate their existence – discontinuance and abandonment.

Discontinuance

Discontinuance is a statutory process which, for municipal roads, is described at 23 M.R.S.A. § 3026. Before a road is discontinued, notice must be given to all abutting property owners and a determination must be made as to the amount of damages, if any, to be paid to each abutter. Obviously, if the effect of the discontinuance is to cut

off all public access to abutting property, damages could be substantial. Since September 3, 1965 under the current statute and its predecessor, 23 M.R.S.A. § 3004, when a discontinuance order is approved, a public easement is retained, unless the discontinuance order states otherwise. The result, then, of the discontinuance is that the public still has the right to come and go across the road, by virtue of the public easement, but the municipality no longer has any responsibility to maintain the road for vehicular traffic. Before 1965, if a property owner's access to his or her property over a town road was discontinued without reserving a public easement (formerly private way), the person lost his or her access to the property. This occurred because, prior to 1965, private rights were not acquired by the use of a town road.

Other than the public easement, all remaining interests of the municipality pass to the abutting property owner to the center of the way. That does not always mean that the abutters end up owning the land to the center of the way. What the statute says is the "remaining interests of the municipality" pass to the abutters. The title to the fee is controlled by an intricate series of provisions in Title 33, Chapter 7, Subchapter 7, "Title to Roads and Ways."

It is important to keep in mind that discontinuance is a process which applies to roads which have actually become public roads, by one of the three methods discussed above. For roads which were proposed but never accepted (so-called "paper streets"), there is a totally different process called "vacation," which is discussed below.

Abandonment

Just as a public way can be created by a long period of public use (prescriptive use), a road can disappear by a long period of disuse. Abandonment is a common law concept (that is, it has developed through court cases). Generally, the Maine Law Court has tended to see it as kind of a mirror image of prescriptive use, and so has held on several occasions that 20 years of public nonuse is sufficient to establish abandonment. When a road is determined to be abandoned at common law, no public easement is retained; all public rights disappear.

The Legislature has also added a statutory section on abandonment, 23 M.R.S.A. § 3028, which creates a "presumption" that a town way has been abandoned if it has not been kept passable for motor vehicles at public expense for a period of 30 or more consecutive years. Whereas common law abandonment focuses on nonuse by the public, the statutory abandonment focuses on municipal non-maintenance.

Under the abandonment statute, the town's determination of whether or not a road has been abandoned remains controlling unless and until someone challenges it and a court rules otherwise. A road abandoned under the abandonment statute has the same status as a road discontinued under section 3025, meaning that a public easement remains. If a road was abandoned under common law before 1976, a person could lose his or her access, as discussed above with respect to discontinuance. As with common law abandonment, the abandonment statutes does not answer the question of

who owns the land where the road formerly existed. That question becomes a private civil matter.

5. "Paper Streets"

"Paper streets" is not a legal term, but it is commonly used to describe a particular category of roads which is recognized in law – proposed, but unaccepted, ways which are shown on a subdivision plan recorded in the registry of deeds. When lots have been sold with reference to such a plan, the public acquires an "incipient dedication" of the streets for public use. (By the way, the Law Court has interpreted the word "subdivision plan" broadly in the statutes to include plans showing the division of a parcel into lots long before the current subdivision laws were established – as long ago as the creation of "range roads" when the King of England was doling out land in the colonies.) In much the same way as an accepted or approved public street can be "discontinued," a proposed street shown on a plan can be "vacated" by following the statutory procedure set out in 23 M.R.S.A. § 3027.

Formal Vacation

The procedure to vacate a proposed way is similar to, but a little more complicated than, the discontinuance procedure. Notice must be given not just to the abutters of the proposed way to be vacated, but to every owner and mortgagee of record for every lot shown on the recorded subdivision plan. If the town orders a street vacated, a copy of the order gets recorded in the registry of deeds with an alphabetical listing of the names of all the subdivision lot owners and their mortgagees of record. At that point, the "incipient" rights of the public to have the proposed street accepted as a public way have been terminated. But any other persons claiming any kind of ownership interest in the proposed street may file a claim in the registry of deeds within one year after the recording of the vacation order, and then may bring suit within 180 days after filing that claim. Once those time periods go by, if no one has successfully asserted a claim to the contrary, then the statutory presumptions of Title 33 kick in and the owners of abutting properties end up owning the vacated street to the centerline.

Automatic "deemed" vacation

One of the problems with "paper streets" was that nobody knew for sure whether they would ever go away just by the passage of time. A couple of Maine court cases have suggested that at some point the "incipient dedication" to public use would be deemed to have lapsed, but those cases involved very long periods of time and there was no specific rule as to an exact number of years. Responding to the concerns of the title bar, the Legislature in 1987 enacted a series of statutes intended to clarify the status of papers streets. They were basically two sets of rules, depending on the age of the subdivision.

For subdivision plans recorded after the effective date of the new statutes, September 29, 1987, the public rights in the proposed ways terminate automatically if the streets are not accepted within 20 years after recording. That is the current rule, found in 23 M.R.S.A. § 3031.

For subdivision plans recorded before September 29, 1987, the Legislature established termination dates for the proposed unaccepted streets in 23 M.R.S.A. § 3032. Those dates were the later of 15 years after the recording of the subdivision plan or September 29, 1997. Both of those dates have now gone by.

Municipalities were given the opportunity to extend the life of the proposed unaccepted streets for a 20-year period by filing a notice in the registry of deeds before the cutoff date. The statute also makes at least one extension available (and perhaps more, depending on how you interpret the ambiguous wording of the statute).

The response of municipalities to section 3032 was quite varied. Some did nothing, in which case all their paper streets disappeared. Others filed a notice reserving all the paper streets within their borders. Still others picked and chose, filing notices as to only certain streets.

All pre-1987 paper streets whose lives were not extended by a municipal filing in the registry of deeds were "deemed to have been subject to an order of vacation." This foreclosed the public rights but not private rights. The paper streets then became subject to a procedure similar to that set out in section 3027-A for formally vacated paper streets. A person claiming to own a proposed unaccepted way which was deemed vacated can record a notice in the registry of deeds and give notice to the current record owners and their mortgagees of all lots within the subdivision by mail. Any person receiving that notice then has one year from the date of recording of the notice to file his or her own claim in the registry of deeds and then 180 days after recording of that claim to commence suit. The big difference between the process following a formal order of vacation under section 3027 and a "deemed" vacation under section 3032 is that there is no time limit on filing the initial notice in the registry of deeds under section 3032. Thus, for those paper streets automatically deemed vacated on September 29, 1997, the process of cutting off claims does not start until someone files the first notice in the registry, and the statute does not impose any outside limit on when that can be done.

One final point needs to be made with respect to the deemed vacation of pre-1987 paper streets. The cutoff dates and the "deemed vacation" do not apply to streets which have been constructed or used as a way or to streets which have been accepted as a town, county or state road or as a public easement, utility easement, or recreational easement. If a street has actually been constructed or used, then it is no longer a "paper" street, and, presumably, it is still subject to acceptance by a vote of the municipality even though the time periods of section 3032 have expired. If a street has been accepted, then it has become a public way and the formal discontinuance procedure must be followed.

**Suggested Vote for Selectmen of Town Meeting Town to Adopt to Approve Warrant
to Call Election of Initial Directors of Regional School Unit**

Voted: That the Warrant presented to this meeting for this Town to participate in the secret ballot election of the initial directors of a regional school unit pursuant to 20-A MRSA §1472-A be approved; and that a secret ballot election in this Town be held on January 27, 2009 as more particularly provided in the Warrant.

TOWN OF RAYMOND, MAINE
TOWN WARRANT
SECRET BALLOT ELECTION FOR INITIAL REGIONAL SCHOOL UNIT BOARD

Cumberland ss.

State of Maine

To: Nathan White, Constable, of the Town of Raymond.

You are hereby required in the name of the State of Maine to notify the voters of the Town of Raymond of the Secret Ballot Election described in this warrant.

TO THE VOTERS OF THE TOWN OF RAYMOND:

You are hereby notified that a Secret Ballot Election in this municipality will be held at Jordan Small Middle School gymnasium at 7:00 A.M. on January 27, 2009 to act on Article 1 and by secret ballot on Article 2, as follows:

Article 1: To elect a Moderator.

Article 2: To elect three Directors to the regional school unit board of Raymond Windham School District pursuant to 20-A MRSA § 1472-A.

The polls shall be opened immediately after the election of the moderator at 7:00 am and closed at 8:00 pm.

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

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

Signed and dated at the Town of Raymond December 2, 2008.

Municipal Officers

A true copy of the Warrant,
attest: _____
Louise H. Lester, Town Clerk
Town of Raymond, Maine

RAYMOND SCHOOL DEPARTMENT

434 Webb's Mills Road

Raymond, ME 04071

Phone: 655-8663

Fax: 655-8663

Sandra S. Caldwell
Superintendent of Schools

Pat Menzel
Coordinator of Special Education

Dorothy Mowatt
Business Manager

November 24, 2008

Don Willard, Town Manager
Raymond Selectboard
401 Webb's Mills Road
Raymond, ME. 04071

Dear Don and Selectboard Members:

The State Board of Education will issue the Certificate of Organization for the new Raymond Windham School District on December 1, 2008. Towns have 45 to 60 days from that date to hold elections for a new Board of Directors for the new district.

The current School Committees in Raymond and Windham will hold a joint meeting on December 3, 2008 and will elect an Interim Secretary to work with the Town Clerks to prepare for the election of the new Board, as well as set the election date, which will be January 27, 2009. (58 days from the date the Certificate is issued.)

Sincerely,

Sandra S. Caldwell

Sandra S. Caldwell
Superintendent

cc: Dr. Jeri Keane, Raymond School Board Chair
Linda Morrell, Windham Town Clerk
Sanford Prince, Superintendent – Windham School Department
Louise Lester, Raymond Town Clerk
Jeff Pierce, Windham School Board Chair
Toby Pennels, Windham School Board Vice-Chair

WINDHAM SCHOOL DEPARTMENT

228 Windham Center Road

Windham, Maine 04062

(207) 892-1800 Fax (207) 892-1805

<http://www.windham.k12.me.us>

Assistant Superintendent

Donn S. Davis

Director of Student Services

Linda M. Powell

SUPERINTENDENT

Sanford J. Prince IV

Director of Curriculum

Instruction & Assessment

Christopher Howell

Director of Facilities and

Property Services

Brian Kenney

November 24, 2008

Tony Plante, Windham Town Manager
8 School Road
Windham, ME. 04062

Donald Willard, Raymond Town Manager
401 Webbs Mills Road
Raymond ME 04071

Dear Tony and Don:

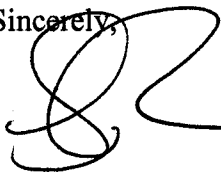
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The current School Committees in Raymond and Windham will hold a joint meeting on December 1, 2008 and will elect an Interim Secretary to work with the Town Clerks to prepare for the election of the new Board, as well as set the election date, which will be January 27, 2009. (58 days from the date the Certificate is issued.)

Attached is the Regional School Unit timeline for the January election. You will see with Step 12 that Municipal Officers need to meet to call Election and issue Warrants. After meeting with Superintendent Caldwell and both Town Clerks today, we would suggest that you consider having a Special Meeting on December 16 to take action on these items.

If I can be of any assistance, please do not hesitate to give me a call. Thank you for your efforts with this merger between Raymond and Windham School Departments.

Sincerely,



Sanford J. Prince IV
Superintendent

cc: Linda Morrell, Windham Town Clerk
Sandra Caldwell, Superintendent – Raymond School Department
Louise Lester, Raymond Town Clerk
Jeff Pierce, Windham School Board Chair
Toby Pennels, Windham School Board Vice-Chair
Jeri Keane, Raymond School Board

The Mission of the Windham School Board is to create an educational environment that promotes positive and successful learning experiences which enable all members of the school community to develop their unique potential.

TIMELINE TO ELECT INITIAL RSU BOARD

Step	Action	Legal Deadlines	Sample Dates For Election on January 20, 2009	Selected Dates
1.	RSU Referendum Election	January 30, 2009	Tuesday, November 4, 2008	Done
2.	SAU District Boards Meet to Declare Results	"Immediately" After Referendum	Wednesday, November 5, 2008	Done
3.	Each SAU Reports Referendum Results to DOE	None; Recommend Prompt Reporting	Thursday, November 6, 2008	Done
4.	State Board Certifies RSU	None; Expect Prompt Turnaround	Thursday, November 13, 2008	December 1, 2008
5.	School Administrative Teams Prepare and Coordinate Election Schedule, Procedures And Forms, Including Nomination Papers, Ballot Preparation, Absentee Ballots, Calling Elections	Prompt Turnaround	Tuesday, November 18, 2008 (One Day Prior to Joint Board Meeting)	Meeting with Supts and Town Clerks on Monday, Nov 24
6.	Each SAU Superintendent Calls For Joint SAU Board Meeting	Prompt Turnaround (Could be Done in Advance of State Board Certification <u>if</u> Date is Known in Advance)	Friday, November 14, 2008	
7.	Hold Joint SAU Board Meeting to Select Interim Secretary and Choose Election Date For Initial RSU Board.	Must Allow for Minimum 10 Day Nomination Period <u>Plus</u> a 45 Day Period Following Filing Deadline; May be Longer Depending on Municipal Charter Requirements, if Any; Suggest the Joint Board Meeting Occur at Least 60 Days Before Election	Thursday, November 20, 2008 (Note – Following Week is Thanksgiving Week)	December 1, 2008 Joint Meeting to be held in Windham
8.	Interim Secretary Furnishes Nomination Papers at Each SAU and Municipal Office	10 Day Nomination Period, Beginning no Later Than 55 Days Before Election Date	Tuesday, November 25, 2008	December 2, 2008

Step	Action	Legal Deadlines	Sample Dates for Election on January 20, 2009	Selected Dates
9.	Deadline to File Nomination Papers With Interim Secretary	During Business Hours By The 45 th Day Prior to Election Date <u>And</u> at Least 10 Days After Nomination Papers Are Furnished	Friday, December 5, 2008	Friday, December 12, 2008
10.	Interim Secretary Verifies Signatures (Note: Candidates May Have Clerks Verify Signatures Before Filing)	None Unless Challenged; Do This Prompting to Conform to Local Practice of Verifying Signatures	Tuesday, December 9, 2008	December 15, 2008
11.	Deadline For Written Objections to Filed Nomination Papers	43 rd Day Before Election Date	Tuesday, December 9, 2008	Monday, December 15, 2008
12.	Municipal Officers Meet to Call Election And Issue Warrants (or, as Applicable, Approve Notices of Election)	None, But Signed Warrants Must be Posted 7 Days Before Election; See Charters, as Applicable, For Notice of Election Deadlines	Monday, December 15, 2008 (It is Preferable to Call Election Before Absentee Ballots Become Available)	Need to check with Town Clerks on when Council / Selectmen Meetings need to be
13.	Posting of Warrants or (if Applicable) Notices of Election	7 Days Before Election Date	Tuesday, December 16, 2008 (It is Preferable to Call Election Before Absentee Ballots Become Available)	January 20, 2009
14.	Interim RSU Secretary Prepares Ballots, Distributes Absentee Ballots Clerks	30 Days Before Election Date (to Make Absentee Ballots Available)	Thursday, December 18, 2008 (December 19 is Last Business Day Before Absentee Ballot Deadline)	December 29, 2008
15.	Election Date	No Earlier Than 45 th Day After Nomination Paper Filing Deadline	Tuesday, January 20, 2009	January 27, 2009
16.	Clerks Certify Election Results to Interim Secretary	Prompt Turnaround	Wednesday, January 21, 2009	January 28, 2009
17.	Interim Secretary Tabulates Certified Voting Results of Each Municipality; Totals Votes as Needed	Prompt Turnaround	Thursday, January 22, 2009	January 28, 2009

Step	Action	Legal Deadlines	Sample Dates for Election on January 20, 2009	Selected Dates
18.	Interim Secretary Notifies each Clerk, Candidate and Commissioner of Final Voting Results and Name/Address of Persons Elected	Prompt Turnaround	Thursday, January 22, 2009	January 28, 2009
19.	State Board Sets Date of First RSU Board Meeting; Notifies Each Director of Registered Mail, Return Receipt Requested	Prompt Turnaround Needed	State Board Meets Wednesday, February 11, 2009; Hopefully Arrangements Will be Made to Provide This Notice Before This Scheduled Date	