

Public Easement Advisory Committee

Purpose:

The purpose of the committee shall be to serve as an advisory body to the Town as the Town evaluates the eligibility of public easements for winter maintenance performed by the Town.

Membership:

The committee shall consist of five (5) members appointed by the Town Council for their interest in assisting the Town with improving the overall safety of public easements. An understanding of the maintenance and legal issues faced by residents of public easements is preferred. Four (4) of the members shall be a residents of public easements and shall be appointed for staggered three (3) year terms, and may apply for reappointment thereafter. One (1) member of the Town Council shall be chosen to serve as an *ex officio* voting member of the committee. Terms for this committee shall expire on February 15.

The Town Manager shall designate appropriate Town staff to provide support to the committee.

Meetings and Procedures:

The committee shall select a Chairman from its membership. The Chairman shall have the authority to convene meetings of the Committee, which shall be conducted in accordance with Maine's Freedom of Access law (1 MRSA § 401 et seq.), with due notice to the members. The committee shall adopt, subject to the review and approval of the Town Council, such other reasonable rules of procedure as may be necessary for the efficient conduct of its business while allowing for public accountability and due process.

The committee shall serve at the pleasure of the Town Council.

Charge:

It shall be the responsibility of the committee to carry out the tasks described in the Policy for Granting Winter Maintenance on Public Easements:

1. Coordinate with the Public Works Department to review information on public easements that have received notice from the Town indicating possible suspension of winter maintenance.
2. Schedule meetings between the Committee, a representative from the Public Works Department, a representative from the Fire/Rescue Department, and road associations and/or residents on site to inspect deficiencies identified by the Town and to formulate a scope of work and schedule for remediating the deficiencies.
3. Conduct follow-up evaluations of public easements where remediation of deficiencies has been implemented in order to determine if they either meet the public easement suitability criteria or they have made reasonable progress toward meeting the criteria.

4. Provide recommendations to the Town Council to suspend winter maintenance on public easements that have not made reasonable progress toward meeting public easement suitability criteria.
5. Undertake such other related tasks as the Council may assign.
6. Investigate revised standards for public easements.
7. Consider a \$200 tax credit for road associations to encourage road maintenance.
8. Research and provide recommendations on a plan for paving unpaved public roads.
9. Examine right-of-way limitations.

Adopted: Order 11-031, 2/22/2011
Amended: Order 11-041, 3/8/2011
Amended: Order 12-057, 5/8/2012