

Public Works Directors Association Meeting
9:00-11:00 a.m. Wednesday, August 13th, 2008
GPCOG Conference Room

Present: Erik Street, Chair, (Yarmouth); Dana Anderson (South Portland); Shawn Bennett (Pownal); Tom Eldridge (Westbrook); Doug Fortier (Windham); John Foster (Brunswick); Robert Malley (Cape Elizabeth); Roger Mosley (Standish); Dan Nowell (Sebago); Rob Pontau (Topsham).

Staff and Guests: John Cannell, Region I Mngr., (MaineDOT); Pete Coughlan (MaineDOT); Carol MacKenzie (GPCOG); Sue McIntyre (GPCOG); Martin Rooney (MaineDOT).

1. **Welcome and Introductions** – Erik Street - Chairman
Erik Street called the meeting to order at 9:03 a.m. and welcomed those present.
2. **Acceptance of Minutes from June 11th, 2008 Meeting**
Bob Malley made a motion for approval of the June 11th, 2008 meeting minutes, seconded by Doug Fortier. Vote taken. All were in favor. Minutes approved.
3. **Roundtable Discussion** – Local road issues; maintenance responsibilities; compact issues, etc.
 - John Cannell – MaineDOT
 - Pete Coughlan – Maine Local Roads
 - Marty Rooney – State Bureau of Planning

Road Segments:

John Cannell, the Region I Manager of the MaineDOT, provided an overview of state and local road maintenance responsibilities in relation to roads within compact lines and roads outside of compact lines.

Typically, MaineDOT does not have much responsibility for segments of roads that are located within a compact line. If the road segment in question is located right on the line, then MaineDOT will work with the respective towns. In reference to the urban compact issue, MaineDOT does not have much to do with it until it becomes a compact project.

John explained what constituted a “capital project”. He also said that a big issue with the Bureau of Highway Maintenance as well as the Bureau of Internal Responsibility is catch basin work. Erik referred to a catch basin maintenance issue he was encountering in Yarmouth, specifically along a segment on U.S. Route 1. Rob Pontau made reference to a segment located along Route 201 in Topsham which included 400 feet of road section that is on the compact side at the Route 201 intersection. John advised Rob to contact the DOT. That segment is the DOT’s responsibility. He also advised other members in the group who might have similar issues to contact him or to develop a relationship with Tim. Tim would then meet with the Regional Manager at the road segment in question to discuss the compact line and to decide who has the responsibility to maintain it. More discussion followed on this topic specifically about what happens if a catch basin is failing. John noted that the question that needs to be asked is whether the catch basin in question is a capital project. That is the dividing line. If the catch basin becomes a capital project then that is different. But if it fails, it then becomes a maintenance issue and the DOT needs to repair it. Discussions continued on the differences between maintenance and a capital project.

Signs:

- Route signs and state signs are the MaineDOT’s responsibility.
- In some situations, business signs might also be the MaineDOT’s responsibility.
- Some signs on bridges are maintained by the MaineDOT.
- Stop signs when entering a State owned road are the MaineDOT’s responsibility.
- Street names are the Town’s responsibility.
- Initial postings of speed limits signs are the MaineDOT’s responsibility. However, if in the long term a speed limit sign needs replacement it then becomes a town issue.

Further discussion followed about “old” compact lines and the need to update. Compact lines in question will be forwarded to MaineDOT for follow-up and clarification. John Cannell encouraged the group to contact him with any questions regarding this topic. He noted that the MaineDOT is continually reviewing compact lines and has recently reviewed road classifications. Since then, many road classification changes have taken place.

Pete Coughlan spoke of recent changes in the law that took place during this past Legislative session. The bill LD 1018, “An Act to Require that a State Road be in Good Condition before Being Turned over to a Municipality” was signed into law by the Governor in June of 2007. Pete saw an opportunity to put forth his recommendations for new language to amend the old law, and was instrumental in bringing this new language forward as a bill in the Legislature. Previous to this law, state roads that were turned over to municipalities did not have to meet those criteria. Now according to Title 23, Section 754, regarding “good condition upon transfer”, the road has to be in reasonable condition and the attributes like culverts, ditches, etc. have to be in good repair as to not require capital improvement within the next ten years. The road must be in reasonable condition which means that it can be taken care of with regular maintenance. He also pointed out that the new language in the law works both ways. Towns must also put any roads to be transferred to the State in fair and reasonable condition upon transfer.

With reference to Federal and State Urban Lines, Pete explained that State Urban Lines are depicted with black and white signs. These refer to density and specify who maintains them. Federal Urban Lines are especially important when you put on your “PACTS hat” and are looking for capital funding. This line follows different criteria. If a road is inside the Federal Urban Line it involves PACTS, if a road is outside the Federal Urban Line it involves the MaineDOT. Pete spoke further about the Federal Urban Line, Compact Lines, and State Urban Lines, adding that if anyone had any questions about any of these “lines” or needed further clarification to contact him. He will get that information for your town. He also pointed out that all of the legal definitions are on the State of Maine website in the Miscellaneous section, under URIP. In some of the descriptions, you will find a list of all 43 urban compact lines and you will get the written description of those lines. This information can also be accessed through the State of Maine GIS webpage.

Pete directed the group to a reference sheet he distributed entitled “Urban Compact Areas – State vs. Municipal Maintenance Responsibilities on State and State Aid Highways”. This reference sheet gives a quick synopsis of the Municipal urban maintenance duties as well as the MaineDOT maintenance duties. It is not geared toward capital improvement responsibilities but it should answer many questions regarding responsibilities for maintenance within those compact lines.

Maintenance of bridges, as described in the handout, was defined as follows:

- Bridge:** Anything over 20 feet in length.
- Span:** Anything that is 10 to 20 feet in length
- Culvert:** Anything less than 10 feet.

With regards to traffic signal maintenance, Pete explained that when it comes to replacement of such, that is something that the town and Steve Landry should discuss. In answer to a question about improvements that include trenches that you have to cut across, Pete replied that any utility, driveway, entrance or excavation is strictly the town’s responsibility and authority.

A discussion began on moratorium situations and standards. Mike Bobinsky noted that if an emergency arises in Portland and a road that is in a moratorium area is affected and then subsequently needs to be repaired it must be repaired within moratorium standards. He spoke of some conflicts with that in reference to the state language. Mike said he would encourage the MaineDOT to review their moratorium standards. Different scenarios pertaining to the moratorium was further discussed. With regards to the recent suspension by MaineDOT of all paving projects, Mike noted that he had five streets that are on the suspended list of paving projects. However, notification letters had already been sent out to the residents announcing that their streets would be paved. There was a consensus among the group’s members that they would have liked better advanced notice about the suspended paving projects. Tom Eldrige spoke of Westbrook’s ordinance and spoke of an escape clause with respect to moratoriums. The City Council for Westbrook can override or approve the street opening in case of an emergency. And, beyond that, the Council can actually override that with utilities as well. Mike B. added that Portland does give his position the discretion in an emergency with regards to a sewer collapse or furnace failure, for instance. Further discussion continued on this topic with various scenarios depicted and discussed.

Discussion continued about other topics such as State “owned” signs, the OBDS forms and URIP payments, as well as the “hold harmless” clause, etc. With reference to the URIP payments, this year’s payments of 6% has shrunk to 4%. He noted that the cover letter that went out with the recent URIP forms for this year indicated that when the Legislature comes back in the fourth quarter, payments might be lower. It all depends on the highway budget, but Pete did not think it would go down as low as 0%.

In summary, Pete said that the MaineDOT would be starting a four-year cycle of a statewide review of all compact lines. He also announced that MaineDOT had suspended immediately all paving projects due to the unprecedented increase in asphalt prices.

John Cannell, the MaineDOT Region I Manager, announced to the group that the new MaineDOT Region I Engineer is Carl Hall and the new Region I Traffic Engineer is Brian Keezer. A new contact list will be forwarded to the group soon.

Marty Rooney from the State Bureau of Planning spoke next. He explained that he is in charge of capital planning and that he had been invited to come to the meeting to address any issues or questions that the group may have with regards to compact issues. With respect to MaineDOT's suspension of all paving projects, he explained that there were three important factors that led up to that decision. The biggest reason was the escalator. When the DOT plans for an escalator they do not anticipate that it will go up from 30% to 40%. He continued by further explaining the process that is used to project incoming revenue. The projection for revenue right now is low. A question was asked as to what might happen if prices of asphalt start to decrease in September, in relation to the list of projects in the press release that were suspended. Would it be fair to say that these projects would have priority and might be going back into production? Marty felt that it would be fair to say that they would take priority. He pointed out that this is the second time that MaineDOT has had to suspend projects. The first time was 3 or 4 years ago due to project differentials. But, today's decision was unprecedented since the early 70's. In addition to the increased costs in asphalt, there is a great uncertainty of revenue. There are many different projects pending and then there are also bridge projects that are currently being done.

Marty answered other questions with regards to topics such as the history of odd and even numbered routes, State road routes, as well as, the U.S. numbered routes. U.S. numbered routes are controlled by AASHTO. Any changes done to U.S. numbered routes must first go through the AASHTO process. With the State of Maine system if anything needs to be changed it goes through the Commissioner's meeting. Pete pointed out that there is a protocol. More information on this topic is available on the Maine Department of Transportation website. He added that if a town feels that a road classification needs to be reviewed, send Pete a letter. It does affect URIP payment and authority over the road. Also, anything that has to do with speed limits should go through Brian Keezer the new DOT Traffic Engineer.

The topic of speed limits generated further discussion. Pete advised members of the group to be cautious about putting up speed limit signs of 25 mph and 45 mph on town roads. Any town roads that have a speed limit sign must have received approval by ordinance. Anything of a regularity nature such as "no thru trucks" signs, or "no swimming off bridge" signs, etc. is considered a traffic ordinance and must have been approved by town selectmen and/or city councils. With regards to speed limit signs outside of town roads, a request must be made to the MaineDOT first. They would know what the official speed limit is on those roads. The DOT keeps track of speed limits in two ways. One includes roads with route numbers and the other includes roads that do not have route numbers. The DOT currently has a list available for those roads with route numbers and will have a list with roads without route numbers available soon.

Pete also reminded the group that if a subdivision is being built and the town and/or city has accepted the new roads, please contact either Pete Coughlan or Fred Hutchinson to let them know that you have accepted these roads. Erik thanked Pete, Marty and John for taking part in the discussions.

4. Announcements

There are no changes in asphalt. There is a sign bid going out for the October 1st contract year. All other bids are out for the year. Carol will be sending notices out for the paving bid soon. Any information can be found on the COG website: www.gpcog.org or call Carol.

5. Other Business

There was no other business discussed.

6. Next Meeting – September 10th, 2008 at 9:00 a.m.

7. Adjourn

The meeting adjourned at 10:45 a.m.