

MaineDOT Utility Task Force Meeting Minutes

MaineDOT Augusta Headquarters, 24 Child Street, Room 216

October 15th, 2019 1:00 – 3:00 PM

Attendees: See list at end of document

Welcome everyone! Meeting opened with introductions.

Agenda Items Discussed

1. **Status of Wireless Antenna and Facilities Deployment in the State** – Brian Burne - What activity is going on the 5G Permit side?
 - ❖ MaineDOT would like to better understand if any aerial utilities are being approached by wireless providers requesting attachment to existing poles. If so, how is that going?
 - ❖ Maine DOT expanded its accommodation rules for wireless facilities by policy in October 2017 and updated its rules on December 1, 2018.
 - ❖ MaineDOT streamlined its application process for wireless facilities by expanding the applicability of the Permit-By-Rule process.
 - ❖ MaineDOT has received some applications from one LLC that had intended on only owning the poles and leasing space to a separate wireless provider. Since MaineDOT permits the wireless facility and will include a pole in that permit when necessary, the applications were not consistent with MaineDOT's permitting process and the applications were denied. The company is currently requesting reconsideration of that action.
 - ❖ In accordance with 35A MRS Chapter 25, as licensing authority, municipalities will process wireless permits on all state aid roads in a compact area.

Comments from MPUC – Jeff McNelly and Jason Marco

- ❖ We are noticing most activity in populated areas.
- ❖ Revisions to clarify existing rules to address the permitting and physical location of facilities for the 5G wireless deployment are currently underway in the State of Maine, including technical revisions for utility accommodation such as material types, offsets in state and state-aid highway rights-of-way, dual pole lines, and permitting of pole locations.
- ❖ They are currently receiving comments about poles that are not being removed in a timely manner. MPUC report on abandoned poles will be done and out in January.
- ❖ Also revising attachment rules; if no prior attachment experience, company needs to acquire license from MPUC to be able to perform attachments.

Comments from Garrett Corbin – Maine Municipal Association (MMA)

- ❖ Small cell deployment, Verizon, AT & T and Emera representatives' interest in treating wireless antennas the same as any equipment, such as Smart Meters, in the right of way.
- ❖ Cell towers, several companies are dealing with the congestion issues, clarification on accessibility rights.
- ❖ MMA working on model ordinance based on this year's legislation. Small towns waiting for model ordinance to go out at the end of this year. Preference is to permit facility on existing poles.
- ❖ Last year a lot of the utilities did not follow up with town ordinances for right of way issues. Some towns have been waiting two years to get poles removed from utilities involved.
- ❖ Model Ordinance proposes to reuse, recycle of old poles.

2. **Open Forum:** The Department would like to hear how we are doing from all utilities; What's working? What's not? Things utilities might like to see? Construction Issues?

- ❖ **Construction issues – Mark LaGross** – He heard that Emera had issues in the county with construction trucks tearing down equipment, and possibly some damage issues with existing equipment. LCP paving issues in the Howland area, ripped down 2 lines within a few days, they were using inexperienced workers and drivers, safety issues and concerns. Brian Burne mentioned that many contractors and MaineDOT are now using lime green cones, placed on the edge of the road, to warn the operators of construction equipment about overhead lines that are present.
- ❖ **Searsport Water District – Herb Kronholm** – Our difficulties and issues are regarding the Route 1 Project in Searsport, it has been an ongoing delay in project delivery. Early on, we received grants for the Drinking Water State Revolving Fund (DWSRF) and we must comply with the deadline to get the applications in on time to receive the funds.
- ❖ MaineDOT Searsport Route 1 Project planning started in 2017 and is still going on, it was supposed to be finished. The delays have caused the District several issues with getting our bids out, we did manage to get them out in July finally.
- ❖ The night work was unexpected; caused delays, traffic issues, existing water mains and spurs hard to see. The biggest issue was the length of time, costs were up more, issues with clearing lanes was huge.
- ❖ We were getting complaints and calls from customers with the length of the construction, noise, and lights keeping people up at night.
- ❖ When you choose to do construction night work, it is a lot more dangerous, you need to factor in workers not getting enough sleep, potential for safety issues with the lighting not clear enough or too bright to see while working.
- ❖ Higher costs.
- ❖ Mike Moreau said he would pass on the comments to MaineDOT's Chief Engineer and Project Development Director.

- ❖ *Searsport Water District - Herb Kronholm - Davis - Bacon Wage Rules –*
- ❖ It is killing our area in Searsport, the rates come up, no contractor wants to work any overtime, hurts and impacts the budget.
- ❖ It needs to be uniform across the board, it is unfair, it needs to be looked at closer.
- ❖ Costs \$150 - \$200 thousand more on projects every time we go out.
- ❖ Federal Government sets the wages for Davis-Bacon, it needs to be revisited and looked at again.

- ❖ *Comments from Jon Earb – Maine Water -* In Southern Maine, wages for earthwork the laborers under the Davis-Bacon are being paid a lot more, blanket the state, laborers getting paid \$60 an hour.

3. *MaineDOT Utility Database update – Derek Carleton –*

- ❖ We have been busy working on our MaineDOT Utility Database. We are trying to update all utility/municipality contact information.
- ❖ We sent out emails with an outlined list of the information we need for the updates, unfortunately we had a difficult time getting many responses back. So, to make the process easier we are sending out all the existing contact data from our files in editable format. Hopefully, this will increase the number and quality of responses.
- ❖ PUC offered to share the Utility/Municipal Database they use, it is kept current. MaineDOT can send the utility list you need updated to the PUC, we can help.
- ❖ PUC uses INFORME it is very helpful.
- ❖ MMA also has 487 utilities all up to date and current. The waste water list they will share with MaineDOT as well.

Thank you all for coming, send any questions or share any info you may have, with us.

Meeting adjourned

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Attendance List

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