



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



|                     |   |                   |            |
|---------------------|---|-------------------|------------|
| <b>Meeting Date</b> | 01/09/2019  | <b>Department</b> | City Clerk |
| <b>Agenda Item</b>  | 4.4 Appointment of Sealer of Weights and Measures |                   |            |
| <b>Est. Cost</b>    | n/a   |                   |            |

**Background Information**

Attached is a proposal for the City to appoint a Sealer of Weights and Measures. This appointment will not cost the City financially, as all costs associated with his services are paid by the customer.

This is an optional appointment at the state level. Please see the letter of interest and State statute attached from Bryan Bachelder, along with his qualifications.

|   |   |
|---|---|
| <b>Requested Action</b>                   | 'I move to appoint Bryan Bachelder as Sealer of Weights and Measures for the City of Gardiner.' |
| <b>City Manager and/or Finance Review</b> | The City Manager recommends the above action.   |
| <b>Council Vote/ Action Taken</b>         |   |
| <b>Departmental Follow-Up</b>             |   |

|                            |                               |                                  |                                |
|----------------------------|-------------------------------|----------------------------------|--------------------------------|
| <b>City Clerk Use Only</b> | 1 <sup>st</sup> Reading _____ | Advertised _____                 | <b>EFFECTIVE DATE</b><br>_____ |
|                            | 2 <sup>nd</sup> Reading _____ | Advertised _____<br>w/in 15 Days |                                |
|                            | Final to Dept _____           | Updated Book _____               | Online _____                   |

Bryan Bachelder

November 9, 2018

P.O. Box 271

Readfield, Maine 04355

207 458 9388 -----bbach0167@aol.com

Subject: Local Sealer

To whom it may concern,

I am a retired Maine State Trooper with a history of Weights and Measures. I would like to be the Local Sealer for your town/city. I have enclosed my qualifications from the National Conference on Weights and measures. This appointment/election to the position of Local Sealer is mandated by the state (see LD enclosure) and is of no cost to you. Consideration for this position is greatly appreciated.

Sincerely

A handwritten signature in black ink, appearing to read 'Bryan Bachelder', with a long horizontal flourish extending to the right.

Bryan Bachelder

Retired Maine State Trooper

Local Sealer

Enclosures:3

## Maine Revised Statutes

### **Title 10: COMMERCE AND TRADE**

#### **Part 6: WEIGHTS AND MEASURES**

#### **Chapter 501: WEIGHTS AND MEASURES LAW**

#### **Subchapter 4-A: LOCAL SEALERS**

#### **§2461. Election by municipal officers**

The municipal officers of a municipality may elect or appoint a sealer of weights and measures, and a deputy sealer if necessary, not necessarily a resident of that municipality, and the sealer and deputy sealer hold office during their efficiency and the faithful performance of their duties. The state sealer has final approval authority over a sealer or deputy sealer elected or appointed pursuant to this section. Prior to approval or assuming any duties, a sealer or deputy sealer elected or appointed pursuant to this section must successfully complete certification by the National Conference on Weights and Measures as a weights and measures professional in the National Conference on Weights and Measures professional certification program for the device types the sealer or deputy sealer wishes to seal. On complaint being made to the municipal officers of the inefficiency or neglect of duty of a sealer or deputy sealer, the municipal officers shall set a date for and give notice of a hearing to the complainant, the relevant sealer and the state sealer. If evidence satisfies the municipal officers that the sealer or deputy sealer has been inefficient or has neglected the sealer's or deputy sealer's duty, they may remove the sealer or deputy sealer from office and elect or appoint another in the sealer's or deputy sealer's stead. The state sealer has jurisdiction over a sealer or deputy sealer elected or appointed pursuant to this section, and any vacancy caused by death or resignation must be filled by election or appointment by the municipal officers within 30 days. Within 10 days after each such election or appointment, the clerk of each municipality shall communicate the name of the person so elected or appointed to the state sealer. A sealer of weights and measures in any municipality may be sealer for several municipalities, if such is the pleasure of the municipal officers of those municipalities, as long as this action receives the approval of the state sealer. The state sealer or the state sealer's designee shall test and certify annually municipal weights and measures equipment used by a sealer or deputy sealer elected or appointed pursuant to this section. [2017, c. 172, §1 (NEW).]

#### SECTION HISTORY

2017, c. 172, §1 (NEW).

**The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.  
If you need legal advice, please consult a qualified attorney.**

**Office of the Revisor of Statutes (mailto:webmaster\_ros@legislature.maine.gov) • 7 State House Station •  
State House Room 108 • Augusta, Maine 04333-0007**

Page composed on 11/03/2017 01:23:14.

# National Conference on Weights and Measures Professional Certification Program



## Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION  
IN THE CATEGORY OF

### Retail Motor Fuel Dispensing Systems

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT  
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

*Brett Gurney*  
BRETT GURNEY, CHAIRMAN  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 22, 2018

DATE OF CERTIFICATION

*Don Onwiler*

DON ONWILER, EXECUTIVE DIRECTOR  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.

# National Conference on Weights and Measures Professional Certification Program



## Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION  
IN THE CATEGORY OF

### Small Capacity Weighing Systems Class III

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT  
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

*Brett Gurney*  
BRETT GURNEY, CHAIRMAN  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 26, 2018  
DATE OF CERTIFICATION

*Don Onwiler*  
DON ONWILER, EXECUTIVE DIRECTOR  
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.