

MINUTES
Board of Selectmen Meeting
Tuesday, February 3, 1998

ATTENDANCE: Stephanie Bubier, Chairman; Betty McDermott; Ernest Allen; Ada Brown; Charles Murray; Karen Martin, GPCOG representative; and Nathan Poore, Town Manager.

1. **CALL TO ORDER:** Stephanie Bubier called the meeting to order at 7:01 pm at the Town Hall.
2. Consideration of previous meeting minutes.
 - a. January 6, 1998

MOTION: Ernest Allen motioned to accept the Minutes as written. Seconded by Ada Brown.

VOTE: Unanimous.

1. Consideration of a citizen appeal of the Town Managers denial of a bulky waste fee refund.

MOTION: Ernest Allen motioned to table until the next meeting as the appellant has asked to have it postponed, however if it is not heard on February 17, 1998 it will be denied. Seconded by Betty McDermott.

VOTE: Unanimous.

2. Consideration to award a Bond Anticipation Note bid for funding of a portion of architectural services associated with the new school construction project and Jordan Small School renovation project.

BIDS: Nathan Poore announced the bids:
Key Bank 3.64% with interest of \$22,426.95
Fleet Bank 3.94%
Peoples Bank 3.94%
Advest, Inc. 4.20%

None have a prepayment penalty.

MOTION: Ernest Allen motioned to accept the bid from Key Bank of 3.64%. Seconded by Ada Brown.

VOTE: Unanimous.

NOTE: Stephanie Bubier read the three (3) sections of the necessary bond issue notes which are attached.

MOTION: Betty McDermott motioned to approve Vote #1. Seconded by Charles Murray.

VOTE: Unanimous.

MOTION: Betty McDermott motioned to approve Vote #2. Seconded by Charles Murray.

VOTE: Unanimous.

MOTION: Betty McDermott motioned to approve Vote #3. Seconded by Charles Murray.

VOTE: Unanimous.

3. Review a citizen initiative/idea for the privatization of EMS services.

DISCUSSION: Mary White requested that the Selectmen initiate a study of our rescue

services to see if hiring the service done by an outside business would be more cost effective to the Town. Mr. Allen was opposed to the study and didn't think that a referendum vote was necessary. He added that this study would take quite a lot of time and money. Mr. Murray asked if mutual aide would be impaired. Mrs. White replied no, it would work as it always has. David White added that insurance payments would take care of the expense and that anyone could call on a private business to carry someone to doctor's visits or from a hospital, which the Raymond Rescue can't accommodate. Kathy Emery said that if this was done and Raymond lost their EMS license plus all their equipment and personnel it would be very difficult to start up again if Raymond decided to go back to the way we now have the service. She also felt that response time would be much longer. Craig Gerry concurred and added that people who didn't have insurance and couldn't afford the charges would be dunned. He also felt that a company would not house a unit in Raymond for just 400 calls a year and that a unit would have to be sent from a distance i.e. Auburn which would take a considerable amount of time which is precious to someone in dire need. He added that if a study were to be done, he would like to be on that committee. Mrs. Emery asked that she be put on the committee as well. Brian Elliott informed the Board that the educational aspects of the department would be missed as well as the Ladies Auxiliary, the scholarships and felt that if anyone needed transportation to a doctor's office or from a hospital that private carriers can provide that service now. He also said that if information about EMS work were needed to go to MHIC (Maine Health Information Center) which would supply many areas of criteria and survey information. Mr. Murray said there were no complaints to date and that he saw no reason for any change. However, if someone wanted to get a petition signed with the amount of signatures required, the Selectmen would entertain such a study.

MOTION: Charles Murray motioned that the Selectmen direct anyone interested in this study to gain citizens' petition to ask for such a study. Seconded by Stephanie Bubier.

VOTE: Unanimous.

4. Review the possibilities of establishing a Tax Increment Financing District encompassing the area of the proposed natural gas pipeline corridor and certain parts of the route 302 commercial corridor. Karen Martin of the Greater Portland Council of Governments will be present to offer guidance.

DISCUSSION: Ms. Martin explained that TIF's (Tax Increment Financing Districts) were beneficial to towns in that the extra tax money gained by development could be deferred from inclusion in the State's school subsidy value and the County Tax base. This can be delayed as long as 30 years. The tax money gained from the improvements can be used for town business improvements with the exception of recreational usage i.e. it cannot be used to lower the mil rate. Mr. Allen had a problem with what would be designated as a TIF area and where the money would be spent. Mr. Poore said he was looking only at the pipeline at this time and use the TIF money for commercial improvement i.e. a new rescue unit. He continued that it could be used possibly as a revolving commercial loan fund, it all depends on how the TIF is written. This arrangement can be very flexible. The only caution would be to plan how the end of the TIF would effect the Town because that tax money would be added by the State and the County, but the tax money gained would then go into the usual tax accounts. Mr. Allen felt that this should not be hurried and that if a special town meeting were necessary, he would agree to it. Ms. Martin said she could prepare some proposals of

different arrangements. The only limitation is that the TIF area can't be more than 5% of the total town acreage. The majority of the Selectmen decided to have her proceed. Mr. Poore said that the DECD will review this proposal and will expect to see specifics as to where the money will be used. He felt that the development of the Route 302 corridor from the Windham line to Route 85 would be most beneficial for traffic control, economic development and esthetics i.e. landscaping and lighting. Mr. Allen asked that they get some information about how this has worked in Gray. Mr. Poore noted that every year at Town Meeting a vote will be taken as to what the funds will be used for and that it can be very flexible.

SPECIAL SELECTMEN'S MEETING: It was decided to have a special Selectmen's meeting on February 24, 1998 to discuss this further and plan a public hearing which could be at Town Meeting March 21st as long as a ten day notice has been posted.

5. Consideration to make recommendations on several proposed Town Meeting warrant articles.

Article 2: To see if the Town will vote to authorize the Selectmen on behalf of the Town to sell and dispose of property acquired by the Town for nonpayment of taxes pursuant to the policy adopted by the Selectmen, as may be amended from time to time, the policy to remain consistent with State statutes and laws. In all cases conveyance to be made by municipal quit claim deed.

Selectmen recommend adoption of this article. Article 2: To see if the Town will vote to authorize the Selectmen on behalf of the Town to sell and dispose of property acquired by the Town for nonpayment of taxes pursuant to the policy adopted by the Selectmen, as may be amended from time to time, the policy to remain consistent with State statutes and laws. In all cases conveyance to be made by municipal quit claim deed.

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Selectmen recommend adoption of this article.

MOTION: Betty McDermott motioned to recommend this article.
Seconded by Charles Murray.

VOTE: Unanimous.

Article 3: To see what date taxes will be due and to set an interest rate for unpaid amounts. Article 3: To see what date taxes will be due and to set an interest rate for unpaid amounts. Article 3: To see what date taxes will be due and to set an interest rate for unpaid amounts.

The Selectmen recommend 1st half to be due no later than October 31,

1998 and 2nd half to be due to no later than April 30, 1999 with interest at 10.75% on any unpaid balances.

MOTION: Betty McDermott motioned to recommend this article with the interest rate of 10.75%. Seconded by Ada Brown.

VOTE: Unanimous.

Article 4: To see if the Town will vote to set the interest rate to be paid by the town on abated taxes at eight and three quarters (8.75%) per cent for the fiscal year. Article 4: To see if the Town will vote to set the interest rate to be paid by the town on abated taxes at eight and three quarters (8.75%) per cent for the fiscal year. Article 4: To see if the Town will vote to set the interest rate to be paid by the town on abated taxes at eight and three quarters (8.75%) per cent for the fiscal year.

Selectmen recommend adoption of this article.

MOTION: Ernest Allen motioned to recommend this article with the interest rate of 8.75%. Seconded by Charles Murray.

VOTE: Unanimous.

Article 5: To see if the Town will vote to authorize the Board of Selectmen to dispose of Town owned personal property and to set a maximum value of \$35,000 for such authority with authority to be in effect March 22, 1998. Article 5: To see if the Town will vote to authorize the Board of Selectmen to dispose of Town owned personal property and to set a maximum value of \$35,000 for such authority with authority to be in effect March 22, 1998.

Budget Committee recommends adoption of this article.

Selectmen recommend adoption of this article.

MOTION: Betty McDermott motioned to recommend this article. Seconded by Stephanie Bubier.

VOTE: Unanimous.

Article 6: To see what sum the Town will vote to authorize the Selectmen to borrow or appropriate from undesignated surplus as they deem advisable to meet the unanticipated needs of the community that occur during the fiscal year. Article 6: To see what sum the Town will vote to authorize the Selectmen to borrow or appropriate from undesignated surplus as they deem advisable to meet the unanticipated needs of the community that occur during the fiscal year. Article 6: To see what sum the Town will vote to authorize the Selectmen to borrow or appropriate from undesignated surplus as they deem advisable to meet the unanticipated needs of the community that occur during the fiscal year.

The Budget Committee recommends up to \$50,000.

The Selectmen recommend up to \$50,000.

MOTION: Betty McDermott motioned to recommend this article. Seconded by Ada Brown.

VOTE: Unanimous.

Article 7: To see if the Town will authorize the Selectmen, for the fiscal year 1998 - 1999, to transfer funds between appropriation accounts so long as the grand total of all appropriations is not exceeded. Any such transfers to be approved only at a properly called public meeting of the Selectmen. Article 7: To see if the Town will authorize the Selectmen, for the fiscal year 1998 - 1999, to transfer funds between appropriation accounts so long as the grand total of all appropriations is not exceeded. Any such transfers to be approved only at a properly called public meeting of the Selectmen.

The Budget Committee recommends adoption of this article.
The Selectmen recommend adoption of this article.

MOTION: Betty McDermott motioned to recommend this article. Seconded by Charles Murray.

VOTE: Unanimous.

Article 8: To see if the Town will vote to authorize the use of Town employees and/or Town owned equipment for maintenance on private roads in special and certain circumstances. Article 8: To see if the Town will vote to authorize the use of Town employees and/or Town owned equipment for maintenance on private roads in special and certain circumstances.

Note of explanation -- Three examples of when the use of Town employees and equipment is necessary include the following:

A. Tie in work done on a public road that intersects a private road;

B. Plowing snow on a private road to clear the way for emergency response apparatus; and

C. In rare or emergency situations, private road maintenance for school bus access to special education students is deemed necessary.

The Selectmen recommend adoption of this article.

MOTION: Ernest Allen motioned to recommend adoption of this article. Seconded by Betty McDermott.

VOTE: Unanimous.

Article 9: To see if the Town will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. ss. 506.

The Selectmen recommend adoption of this article.

MOTION: Betty McDermott motioned to recommend adoption of this article.

Seconded by Ernest Allen.

VOTE: *Unanimous.*

Article 10: *To see if the Town will vote to move the Annual Town Meeting date to June of each year. Article 10: To see if the Town will vote to move the Annual Town Meeting date to June of each year.*

The Selectmen recommend adoption of this article.

Ernest Allen recommended that they do away with this article. The Selectmen agreed.

Article 11: *reserved for consideration of an EMS services billing ordinance - the Town Attorney is working on an ordinance that will essentially permit the town to continue billing patients for EMS services.*

MOTION: *Betty McDermott motioned to recommend. No second.*

DISCUSSION: *Mr. Poore recommended that this ordinance be accomplished to protect the Town. Mr. Allen and Mr. Murray didn't want to deal with this now.*

MOTION: *Stephanie Bubier motioned to consider an EMS billing ordinance.*

Seconded by Betty McDermott.

VOTE: *2 in favor (Bubier, McDermott) 3 opposed (Allen, Murray, Brown)*

Article 15: *To see if the Town will vote to amend the comprehensive plan as follows: Article 15: To see if the Town will vote to amend the comprehensive plan as follows: Article 15: To see if the Town will vote to amend the comprehensive plan as follows:*

Page VI-2:

Delete Section 3.a and replace with the following:

Concentrate new commercial development and light manufacturing along the commercially zoned sections of the route 302 corridor allowing perpendicular Expansion of future commercial development and light manufacturing but prohibiting future commercial development and light manufacturing parallel to Route 302 in the non-commercially zoned sections of the Route 302 corridor.

Leave Section 3.b.

Delete Section 3.c.

Page VI-11:

Reword Section 1.a so that the sentence reads:

Encourage appropriate new commercial development and light manufacturing within the existing general commercial zoning district, and expansion of new commercial development and light manufacturing adjacent to the existing

commercial zoning district, except parallel to route 302 in the non-commercial zone.

Page VIII-2:

Reword the first sentence of Section 2, second paragraph to read:

Given the current amount of vacant and underutilized land, there appears to be some room for expansion within the existing commercial district boundaries, and perpendicular to the existing commercial district boundaries.

Reword the fourth sentence of the Section 2, second paragraph to read:

As a result, future commercial development should occur within the current commercial zoning district and immediately adjacent thereto, except parallel to Route 302 in the non-commercial zone.

Add a new third sentence to Section 2, second paragraph to read:

Therefore it is important that any industry immediately adjacent to residential areas be light industry and that performance standards ensure the compatibility of that light industry with residential uses.

DISCUSSION: Mr. Allen felt they should talk about these after the Planning Board has given their opinion. Mr. Poore noted that the Planning Board would be the committee to host a public hearing. Mr. Murray felt that the Selectmen should give a recommendation for the Comprehensive Plan articles only.

Article 20: To see if the Town will vote to replace the 1990 B.O.C.A. building code with the 1996 B.O.C.A. building code with certain changes, additions, and deletions. (A copy of the proposed building code with certain changes, additions and deletions is available for review at the office of the Town Clerk.). Article 20: To see if the Town will vote to replace the 1990 B.O.C.A. building code with the 1996 B.O.C.A. building code with certain changes, additions, and deletions. (A copy of the proposed building code with certain changes, additions and deletions is available for review at the office of the Town Clerk.). Article 20: To see if the Town will vote to replace the 1990 B.O.C.A. building code with the 1996 B.O.C.A. building code with certain changes, additions, and deletions. (A copy of the proposed building code with certain changes, additions and deletions is available for review at the office of the Town Clerk.).

MOTION: Charles Murray motioned to recommend this article.
Seconded by Ernest Allen.

VOTE: Unanimous.

Article 22: To see what sum the Town will vote to raise and/or appropriate from undesignated surplus, such funds to be expended during the present fiscal year, to construct an automated meter and pumping station at the septic spreading facility to provide better management and control of said facility. Amount requested \$30,000.

Article 22: To see what sum the Town will vote to raise and/or appropriate from undesignated surplus, such funds to be expended during the present fiscal year, to construct an automated meter and pumping station at the septic spreading facility to provide better management and control of said facility. Amount requested \$30,000.

Article 22: To see what sum the Town will vote to raise and/or appropriate from undesignated surplus, such funds to be expended during the present fiscal year, to construct an automated meter and pumping station at the septic spreading facility to provide better management and control of said facility. Amount requested \$30,000.

The Budget Committee recommends adoption of this article.

The Selectmen recommend adoption of this article.

MOTION: Stephanie Bubier motioned to recommend this article.

Seconded by Betty McDermott.

VOTE: 4 in favor (Bubier, McDermott, Murray, Brown) 1 opposed (Allen)

Article 23: To see if the Town will vote to ratify the Board of Selectmen action in utilizing up to \$5,000 from undesignated surplus as authorized by Article 7 at the March 15, 1997 annual Town Meeting, and to appropriate up to \$5,000 from undesignated surplus for engineering and analysis of Town owned property referred to as the "septic spreading facility property", and referred to as tax map 5 and lot 18 and 19.

Engineering and analysis is for future land use opportunities. Such funds expended and to be expended during the present fiscal year. Article 23:

To see if the Town will vote to ratify the Board of Selectmen action in utilizing up to \$5,000 from undesignated surplus as authorized by Article 7 at the March 15, 1997 annual Town Meeting, and to appropriate up to \$5,000 from undesignated surplus for engineering and analysis of Town owned property referred to as the "septic spreading facility property", and referred to as tax map 5 and lot 18 and 19. Engineering and analysis is for future land use opportunities. Such funds expended and to be expended during the present fiscal year.

The Budget Committee recommends adoption of this article.

The Selectmen recommend adoption of this article.

MOTION: Stephanie Bubier motioned to adopt this article. Seconded by Betty McDermott.

VOTE: Unanimous.

1. Consideration of a supplemental tax commitment, as prepared by O'Donnell

and Associates.

MOTION: Ernest Allen motioned to approve. Seconded by Betty McDermott.

VOTE: Unanimous.

2. Communications and other business.

- a. State Treasurer's notification that the highest percentage on overdue taxes allowable will be 10.75%.
- b. Casco/Naples Transfer Station meeting will be next Thursday.
- c. Thank you letter from landowner on Conesca Road for Public Works.
- d. Lake Region Economic Development Planning Committee meeting will be February 12, 1998 at 5:00 pm at the Naples Municipal Office.
- e. Scholarship dollar level.

DISCUSSION: Mr. Poore asked if the Selectmen intended to have an article in the Town Meeting warrant to bring the scholarship principals up to their original level. Mr. Murray and Mr. Allen felt that this money should not be raised by tax dollars but brought in by volunteer means.

f. Old ambulance body.

DISCUSSION: Mr. Poore said that SOLO , an EMS training organization located in New Hampshire would take the body away if it were donated.

MOTION: Stephanie Bubier motioned to give the body to SOLO as is. Seconded by Betty McDermott.

VOTE: Unanimous.

- g. Thank you letter to Fire Department by owners of Lakinbrook.
- h. Mr. Poore said the bid specifications on the septic site were proceeding.
- i. Woodford's Family Services requested \$100.00 saying that they have served one family from Raymond. Mr. Poore replied saying that our Unclassified requests should be available to us in September and told them they could apply next fall for the following Town Meeting.
- j. Quit Claim Deed.

MOTION: Stephanie Bubier motioned to sign the Quit Claim Deed.

Seconded by Ernest Allen.

VOTE: Unanimous.

- k. Mrs. Brown asked if there would be an article to prevent the blocking together of warrant articles for voting at Town Meeting.

MOTION: Ada Brown motioned to see if the Town will vote to consider each article in this March 21, 1998 Town Meeting Warrant individually. Seconded by Charles Murray.

VOTE: Unanimous.

1. Review and authorize the February 3, 1998 Treasurer's Warrant.

MOTION: Ernest Allen motioned to approve the Treasurer's Warrant in the amount of \$47,562.41. Seconded by Charles Murray.

VOTE: Unanimous.

MOTION: Charles Murray motioned to go into Executive Session with the Town Manager concerning a personnel matter. Seconded by Betty McDermott.

VOTE: Unanimous.

RECESS: Stephanie Bubier recessed the meeting to go into Executive Session at 9:29 pm.

MOTION: Ernest Allen motioned to re-open the meeting. Seconded by Charles Murray.

VOTE: Unanimous.

RE-OPEN MEETING: Stephanie re-opened the meeting at 9:42 pm.

NOTE: Mrs. Bubier reported that no action was taken in the Executive Session.

NOTE: Mr. Poore announced that Byron Rogers would be acting Fire Chief through February in place of Tim Pellerin.

MOTION: Betty McDermott motioned to adjourn after signing the warrant. Seconded by Charles Murray.

VOTE: Unanimous.

ADJOURNMENT: Stephanie Bubier adjourned the meeting at 9:43 pm.

Respectfully submitted,

Louise H. Lester
Secretary