



BOARD OF SELECTMEN

Minutes*

September 11, 2012

SELECTMEN'S MEETING

Present: Chairman Sam Gifford, Parliamentarian Joe Bruno, Charly Leavitt, and Mike Reynolds.

Absent: Vice-Chair Lonnie Taylor

Staff: Louise Lester, Town Clerk; Nathan White, Public Works Director; Chris Hanson, Code Enforcement Officer; and DL

Other:

1) Call to order. Chairman Sam Gifford called the meeting to order at 6:59pm and a quorum was declared.

2) Minutes of previous meeting dated:

- **August 14, 2012**

MOTION: Joe Bruno motioned to accept the minutes; seconded by Charly Leavitt.

DISCUSSION: Mr. Leavitt wanted to remind the public that the approved minutes of the meetings were the DVDs. He was stating this because he did not feel that the written minutes accurately reflected the true nature of some of the discussions. He clarified that his statement was for informational purposes only and not a criticism of the Recording Secretary.

VOTE: UNANIMOUS APPROVAL (3/o/1 ab [MR])

3) Policy Review

a) Peddler's Ordinance- Chris Hanson, CEO

Chris Hanson, Code Enforcement Officer, reviewed the ordinance and the objectives that were given to him at the last meeting. He compared the ordinances that he had found in other towns. Mr. Bruno wanted to know if any of the ones he had found dealt with limiting the type of business, and Mr. Hanson responded that each one varied but most of them dealt with push carts.

Mr. Reynolds said that he was concerned that the ordinance was restricting the Town, particularly the number of permits and by defining the applicant as peddlers because someone trying to operate a fair would not be able to do so. He was in favor of eliminating the number and leaving it up to the Select Board based on the need and reducing the duration from one year. Mr. Gifford agreed but thought that there should be a set of permanent permits and other "wiggly room" permits

Louise Lester, Town Clerk, said that she felt the original reason for the ordinance was to protect permanent retailers. She added that there was already a fee for music festivals and did not see why the Town could not create a policy for it and divorce an event from from peddlers license. Mr. Leavitt felt that the current

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**Item taken out of order

ordinance would prohibit an event like this and the fee was a bit cost prohibitive.

Dana Desjardins, River Road, explained that he agreed with peddlers getting a permit, but did not wanted to see organizations charged and wanted to see that their carts were being inspected. Mr. Bruno said that the Board could look into the number licenses and make exemptions, but that any inspections would go through the Department of Health and Human Services. Mr. Leavitt read the definition of peddler, which excluded nonprofit/religious groups as well as yard sales, minor groups. He felt that, in comparison, that other towns' ordinances allowed for more licenses versus less. Mr. Bruno liked the Yarmouth Ordinance, because it defined location, and felt that, overall, the language of the ordinance needed to be cleaned up.

4) New Business.

a) Consideration of Accepting Frye Road as a Public Road- Nathan White, Public Works Director

Public Works Director Nathan White explained that accepting Frye Road was a house keeping measure, because even though the town has been maintaining the road, there is not documentation that the town officially accepted the road from Cumberland County. There was discussion of what had resulted from a review of similar roads and the number of houses that they served.

Mr. Reynolds wanted to know what had been record, and Mr. White responded that it was a plan showing the portion of the road that the town maintained.

MOTION: Joe Bruno motioned that the Town of Raymond will continue to maintain Frye Road; seconded by Mike Reynolds.

DISCUSSION: Mr. Desjardins felt that these roads should be converted to private. Mr. Willard explained that it was a complicated and expensive process.

VOTE: UNANIMOUS APPROVAL (4/o)

b) Discussion of and Setting of the 2012-13 Property Tax Commitment/Rate- Contract Assessor Curt Lebel

Contract Assessors' Agent Curt Lebel explained that he had prepared some proposed tax rates. He explained that there would be a significant increase this year. Mr. Bruno wanted to know if Mr. Lebel expected a higher percentage of abatement requests, and Mr. Lebel responded that he did not think so but it could happen. Mr. Bruno then asked how much Mr. Lebel had felt that they had abated the year before, and responded that he though it was around \$5,000-8,000.

Mr. Reynolds wanted to know where the stood in terms of revenues, and Mr. Willard replied that he was not sure and that nothing had been brought to his attention. Mr. Bruno asked in the Fund Balance was around \$1.8mil, and Mr. Willard said that he thought that it was in that neighborhood. Mr. Willard explained that they had gotten the Fund Balance to a healthy figure and felt that they could assume a lower overlay.

MOTION: Mike Reynolds motioned to approve the tax rate of \$11.10 based on the formula provided by Curt Lebel; seconded by Charly Leavitt.

DISCUSSION: Mr. Leavitt commented that he was surprised that the RSU budget increase did not have more of an impact and that the proposed rate of \$11.10 was lower than expected. If continued that if the

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Board tried to drop the tax rate further, for example \$11.05, than the town would lose the overlay and be in the negative. He explained that for the last couple of years, the town had received dividends that helped to keep the tax rate low and wished that the Board could do better and that there should be serious budget discussions on the RSU level. Mr. Bruno added that the town got hit with \$807,000 increase from the school because he felt that the school department had not plan well enough for future expenditures. He continued by saying that hopefully they would not see an increase next year because student population was decreasing.

Mr. Desjardins, Budget Finance Committee member, asked that the Selectmen include discussion of the mill rate with the Budget Committee in the future and he requested that Appropriation Control Reports be distributed monthly as well to them. Mr. Leavitt explained that he did forward this information on to other Budget Finance members. There was discussion regarding the Budget Finance Committee's role in the budgeting process and their level of input with other town financial processes.

VOTE: UNANIMOUS APPROVAL (4/0)

c) Consideration of Warrant for November 6, 2012 Election- Louise Lester, Town Clerk

Louise Lester, Town Clerk, explained that she was requesting that the warrant be approved for the Presidential Election. She added that it was also a municipal election, where residents were electing a Portland Water District representative. She stated that the election would be held on November 6th from 7:00 am to 8:00 pm. She added that absentee ballots would be available shortly, but that staff were taking applications.

MOTION: Mike Reynolds motioned to approve the election warrant for November 16, 2012; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

d) Consideration of Election Warden and Moderator- Louise]

Ms. Lester asked the Board to considered her appointment for the warden and the moderator, who would be the same person.

MOTION: Joe Bruno motioned to accept Louise Lester's recommendation of Laurie Forbes as the moderator for the November 16, 2012 election; seconded by Mike Reynolds.

DISCUSSION: None.

VOTE: MOTION CARRIED (3/1[CL])

e) Executive Session pursuant to 1 MRSA § 405(6)(E): Meeting with CEO Regarding Pending Land Use Legal Matters

MOTION: Mike Reynolds motioned to go into Executive Session pursuant to 1 MRSA section 405(6)(E) for a meeting with the CEO regarding pending Land Use legal matters; seconded by Charly Leavitt.

VOTE: UNANIMOUS APPROVAL (4/0)

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Chairman Sam Gifford announced that the Board was going into Executive Session at 8:02pm.

MOTION: Joe Bruno motioned to come out of Executive Session; seconded by Mike Reynolds.

VOTE: UNANIMOUS APPROVAL (4/0)

Chairman Sam Gifford announced that the Board was coming out of Executive Session at 8:33pm.

MOTION: Joe Bruno motioned to allow the CEO to proceed with legal discussions and perusing two land use violations; seconded by Charly Leavitt.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

f) Consideration of Regional Study to Merge the Fire/Rescue Departments of Casco, Naples and Raymond- Selectman Mike Reynolds

Mr. Reynolds gave a brief history of the project, including the previous Fire Chief's goals. He directed the public to the meeting's ePacket for the regionalization study. He explained that he was asking for a vote of support from the Board to allow Town Manager and staff and staff to begin investigations into a possible merger.

MOTION: Mike Reynolds made a motion that the Board of Selectmen authorize the Town Manager and Fire Rescue Departments to look in the consolidation of the three towns' Fire Rescue Departments; seconded by Joe Bruno.

DISCUSSION: Mr. Leavitt gave a quick overview of the communications consolidation with Cumberland County. Mr. Willard explained that local dispatch was discontinued because could not compete with Cumberland County, but local efforts were successful when the town was working with neighboring towns. Mr Leavitt stated that he felt that setting up dispatch in Naples was expensive, and Mr. Willard stated that it was not because they had utilized used equipment and used an existing contractor's services.

Mr. Leavitt continued that he did not share Mr. Willard's viewpoint because the town's services were beat out, price-wise, by Cumberland County. He continued by stating that although people are enthusiastic, there were great disparities between the neighboring towns, in terms of Raymond being more sophisticated. He did not see a symbiotic relationship that was reaching a greater good. He added that the town was currently spending \$50,000 to renovate District 2, but the report suggested closing it in the merger. Mr. Willard stated that they were just looking for support, any decisions would have to be approved at Town Meeting. He felt that it was best practice to work with their neighbors and help to provide the best services possible. He did agree that other towns would have to find ways to bring more to the table, but thought this was the best way to give more to their residents without the increased cost.

Mr. Reynolds added that he hoped that by showing the support of Selectboard, that other towns realized that Raymond was serious about combining efforts. Mr. Leavitt stated that he was always in support of working with neighbors, but, as an elected official, was trying to look out for the best interests of their residents, especially when the town was already providing good services because the other two towns have more work to do before discussion of a merger. Mr. Bruno reiterated that all Mr. Reynolds was asking for was support in encouraging Raymond's departments to continue looking into merging, if it was feasible and cost effective for the town.

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VOTE: MOTION CARRIED (3/1 [CL])

g) Thank you for Firehouse Subs Donation- Selectman Mike Reynolds

Mr. Reynolds explained that the Fire Department had received an anonymous donation through the Firehouse Subs program in honor of former Fire Chief Denis Morse's retirement, and he wanted to thank whomever the individual was who arranged for this donation. The donation helped to buy a life saving mannequin. He encourage anyone to donate funds to the Fire Department.

Mr. Leavitt stated that he was pleased with donation but was concerned with the news coverage that depicted the Firehouse Subs Program as "coming to the rescue" because of perceived budget constraints and failed attempts at funding. He felt that this wording discredited Raymond tax payers, because the fire rescue department has always been supported by the residents and the Fire Department could have requested the funds for the mannequin. He added that he was also very leery about out of state funding that was donated anonymously and did not feel hat the town should accept money without knowing where it came from. Mr. Willard responded that the money came from 50 year, seasonal resident and that there was nothing suspicious because the item was considered a luxury item and, though it was not asked for, was very much necessary to the life saving process.

h) Consideration of Quit Claim Deeds as Submitted by Sue Carr, Deputy Tax Collector- Board of Selectmen

MOTION: Joe Bruno motioned to approve the Quit Claim Deeds as presented by Deputy Tax Collector, Sue Carr; seconded by Mike Reynolds.

DISCUSSION: None.

MOTION: UNANIMOUS APPROVAL (4/0)

i) Consideration of Request from Planning Board to Form a New Comprehensive Plan Committee

Mr. Willard gave a brief background of the Comprehensive Plan to the Board and stated the request submitted by the Planning Board Chair. There was discussion that a new Comprehensive Plan Committee was not necessary at this time, because GPCOG was looking into a regional plan that would cross borders. The Board asked that the Town Manager send a letter on their behalf explaining their decision.

5) Old Business

a) Consideration of Changing Town Office Hours- Board of Selectmen

Mr. Willard gave an overview of the agenda item, including a brief history. It was decided to table the application so that they could see data related to the number of Saturday patrons and what transactions they were completing.

b) Consideration of Town Report Memorial and Town Report Dedication Page- Louise Lester, Town Clerk

Ms. Lester explained that she had the results from their surveys for the Dedication/Memorial Page. The Board stated that they wanted it to be a surprise.

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MOTION: Mike Reynolds motioned to go with the recommendation based on the surveys; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

5) Public Comment:

a) Charly Leavitt, Leavitt Road:

Mr. Leavitt stated that he had made the request for reopening Selectmen Communications portion of the Agenda to the Chair who, Mr Leavitt quoted as saying, he would only support the request if another member came forward. He pointed out to the public that Public Comment section was also up to the chairman. He requested that the Board workshop to include the Selectmen Comments and Public Comment (resident and non-resident)to the Bylaws, so that they were no longer to the discretion of the chairman.

Mr. Gifford clarified that he had said that he would consider adding the item back to agenda if there were requests from other Board members, and that he no intentions of removing Public Comment section.

6) Town Manager Report and Communications.

a) Town Manager at ICMA Conference October 6-11

b) Confirm date for next regular meeting:

- **October 16, 2012**

c) Contract Assessor Update

Mr. Willard explained that he had received a memo from Mr. Lebel to increase the number of days that he was available and that the proposed increase was within the current budget.

7) Fiscal Warrants – September 11, 2012

• **Payroll Expense Warrant**

MOTION: Mike Reynolds motioned to approve the Payroll Expense Warrant, dated September 11, 2012, in the amount of \$97,135.71; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

• **Treasurer's Warrant**

MOTION: Mike Reynolds motioned to accept the Treasurer's Warrant, dated September 11, 2012, in the amount of \$80,470.08; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

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- **Cumberland County Tax Assessor's Return**

MOTION: Mike Reynolds motioned to accept the Cumberland County Tax Assessor's Return in the amount of 589,109.00; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: MOTION CARRIED (3/1[MR])

8) Adjournment.

MOTION: Joe Bruno motioned to adjourn; seconded by Mike Reynolds.

VOTE: UNANIMOUS APPROVAL (4/0)

Chairman Sam Gifford adjourned the meeting at 9:32pm.

Danielle Loring
Recording Secretary

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