



BOARD OF SELECTMEN
Minutes*
June 18, 2013

SELECTMEN'S MEETING

Present: Chairman Sam Gifford, Vice Chair Lonnie Taylor, Parliamentarian Joe Bruno, Mike Reynolds and Teresa Sadak.

Absent: None.

Staff:

Other: Walter Lunt, Douglass Libby, Jim Bunting, Brenda McMackin, Herbert McMeekin, Jeanie McKay, Caroline West, Jessica Fay

1) Call to order: Chairman Sam Gifford called the meeting to order at 6:59pm. He welcomed Teresa Sadak as their newest member and congratulated Mike Reynolds for his reelection.

2) Election of Selectmen Chair, Vice Chair and Parliamentarian

MOTION: Lonnie Taylor nominated Sam Gifford as Chair, seconded by Mike Reynolds.

DISCUSSION: No other nominations.

VOTE: UNANIMOUS APPROVAL (4/0/1 [ab SG])

MOTION: Joe Bruno nominated Lonnie Taylor as vice chair; seconded by Mike Reynolds.

DISCUSSION: No other nominations.

VOTE: UNANIMOUS APPROVAL (4/0/1 [ab LT])

MOTION: Mike Reynolds nominated Joe Bruno as parliamentarian; seconded by Teresa Sadak.

DISCUSSION: No other nominations.

VOTE: UNANIMOUS APPROVAL (4/0/1 [ab JB])

3) Minutes of previous meeting dated:

- **May 14, 2013**

MOTION: Lonnie Taylor motioned to accept the minutes of 5/14/13 as written; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: MOTION: UNANIMOUS APPROVAL (3/0/2 [ab TS & MR])

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4) New Business.

a) Presentation of Special Service Award- Board of Selectmen

Chairman Gifford presented a certificate of appreciation to Nathan White for his extraordinary service to the town. Mr. Willard commented on the level of dedication that Mr. White has shown in everything that he has done. Mr. White thanked the Board for their gesture of appreciation.

Mrs. Sadak suggested that there be an employee appreciation wall at the Town Office. Mr. Willard agreed and suggested a having a permanent plaque with employees names being recognized and suggested the name "Nathan White Employee Appreciation Plaque." Mr. Taylor stated that he was in support of the idea and offered to purchase the plaque and all names after. Mr. Willard stated that he would look into the cost and get back to the Board with related information.

b) Discussion of Solid Waste Collection Concerns- Walter Lunt & Jim Bunting, Thomas Pond Terrace

Walter Lunt, 134 Thomas Pond Terrace, explained his displeasure with the town choosing to permanently move Thomas Pond Terrace to dumpster removal versus returning to curbside pick up and would like effort to discuss this issue with Town staff.

Douglass Libby, 128 Thomas Pond Terrace, passed out pictures of the dumpsters.

Jim Bunting, Treasurer of Thomas Pond Terrace Association, addressed the supposed lack of turn around space on Thomas Pond Terrace. and he felt that it was adequate for the trash trucks. He invited staff to walk the grounds to get a better idea of what they were describing.

Brenda McMackin, 107 Thomas Pond Terrace, wanted to know what it cost the town to continue pick up. She was disappointed with the lack of discussion with the residents. She estimated that the 79 homes in that area were paying approx \$200,000 in taxes and felt that money was more than adequate to continue service given that the majority were not year round residents.

Mr. White explained that this was the result of a second round of road cuts. They asked the contractor how they could save money and Thomas Pond Terrace had been in the 1st round but town staff were able to negotiate Pine Tree to keep that road on the route. He explained that Pine Tree Waste vehicles had gotten stuck several times, one costing \$2,000 to tow them out, and the contractor was adamant they wanted this road removed. Mr. White apologized for not notifying the residents on Thomas Pond Terrace but they did not want to reinstate curbside just to remove it again three weeks later. Mr. Willard also apologized for the lack of notification.

Mrs. McMackin stated that she did not agree with the reduction in service and did not think the issues regarding the dumpsters (overflow, illegal dumping...etc.) would be resolved. Mr. White explained that once the dumpsters were out of site of rte 302 they should become manageable.

Mr. Bruno explained that there were road standards, and he did not think that Thomas Pond Terrace met them. Mr. Libby stated that the road association had not received them. Mr. Bruno asked if they were willing to meet the standards and Mr. Libby stated that he could not answer that. Mr. Bruno thought that the road association needed to be given an opportunity to meet the standards, because if they were in compliance then the town needed to service them with curbside pick up. Mr. Libby argued that pick was not an issue in the summer.

Chairman Gifford agreed that the road association needed to have the chance address the minimum standards. Mr. Libby was not happy with that answer and thought that the standards were negotiable.

Herbert McMeekin, 38 Thomas Pond Terrace, explained that their road contributed very little to the school budget, road maintenance and snow removal with very little benefits for taxes.

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Jeanie McKay, 28 Thomas Pond Terrace, had caught contractor vehicles illegally dumping and felt that they were being excluded from the recycling program.

Mr. White suggested talking with Pine Tree Waste and seeing if anything more that could be done as well as visit the road standards.

Mr. Reynolds felt that the town “missed the boat” by not giving out the road standards to all of the associations and felt that they should work something out for the summer. He recommended giving them until next mud season to fix the standards.

Mrs. McMackin thought the issue was the larger trucks that the contractor was using rather than the smaller ones that had been used in the past. Mr. White explained the history of trash pick up on private roads and the fact that they were dealing with larger corporations versus small business.

Mr. Reynolds felt that the association should have the chance to meet the standards but cautioned the residents that it was not going to be easy to do so.

Caroline West, 60 Thomas Pond Terrace, wanted to know the solution was until they met the standards.

Jessica Fay, 141 Spiller Hill Road, was concerned that other roads had not been notified. Mr. Willard explained that the plan had been to contact roads once the budget had been approved.

Sarah Hafensteiner, 77 River Road, felt that the residents should take responsibility for their trash but also felt that the town should do more to help maintain services for those residents.

Mr. McMeekin felt that the town should raise the taxes and shared the burden with the whole town.

Tim Patchman, 22 Thomas Pond Terrace, wanted to know how the road standards were developed and wanted to know about the possibility of smaller trucks. Mr. Willard explained that the standards were created in joint effort between the town and Pine Tree Waste and that it cost more to use small trucks.

Mrs. Sadak felt that low taxes were not worth the mess and asked about who was supposed to clean up the trash that overflowed. Mr. Bruno explained that the contractor was supposed to pick up the trash on the ground and Mr. White confirmed.

Mrs. McMackin stated that she was concerned with hazardous waste being dropped off at the dumpsters as well.

MOTION: Mike Reynolds motioned to give private roads notice of road standards and give them until after mud season 2014 to comply and to resume service until then; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

Ms. Hafensteiner wanted to know if the condition only applied to the roads that were going to be cut in the most recent contract and Mr. Reynolds confirmed.

Wayne Gelston, Ledge Hill Road, stated that the Maine Trappers Association would check on any lakeside properties as a courtesy.

c) Consideration of Revised FY 2013-14 Fee Schedule- Louise Lester, Town Clerk

Louise Lester, explained the changes that were being proposed which were:

Town Clerk's Office Fees:

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- Non-certified photocopies of vital records \$5.00 each [was \$1.00 but takes time to research]

Tassel Top Park:

- General Admission \$4.00 Adults 11-64
\$3.00 Seniors 65 and over
\$2.00 children 10 and under
- **Daily function fees: [does not include security deposit or taxes]**
Up to 50 people \$500/day
Up to 75 people \$750/day
Up to 1000 people \$1,000/day
Up to 1250 people \$1,250/day
Up to \$150 people \$1,500/day

MOTION: Joe Bruno motioned to accept the changes as recommended; seconded by Lonnie Taylor.

DISCUSSION: None.

Mr. Reynolds questioned the time for research cost changed and wanted to know if that was associated with any other fees. He was concerned that research should be an hourly fee. Mrs. Lester clarified that she felt that the proposed charge would be for records that would not be that hard to find.

Mr. Reynolds stated that felt that there should be a research fee and a copy fee

VOTE: UNANIMOUS APPROVAL (5/0)

d) Consideration of Revising Town Office Saturday Hours- Louise Lester, Town Clerk

Mrs. Lester explained the seasonal fluctuation in town office use and how the increase in traffic was not sustained through the summer. Chairman Gifford asked if boats could be registered if the Town Office was not open, and Mrs. Lester responded that re-registrations could be done online.

Mr. Taylor felt that staff time could be utilized for projects if it was slow on Saturdays because he felt that the weekend hours were beneficial.

Mr. Reynolds felt that they owed offering these hours to summer residents and that the 30 residents reported were still a significant number. He was not in favor of closing. Mrs. Sadak agreed and felt that the numbers were consistent with showing that the Saturday hours were beneficial.

MOTION: Teresa Sadak motioned to continue the summer Saturday hours through labor day (as is); seconded by Lonnie Taylor.

DISCUSSION: Mr. Bruno felt that people would get used to it if they closed but suggested the Town Office should be open Monday though Friday, instead.

VOTE: MOTION CARRIED (4/1 [JB])

e) Consideration of FY 2013-14 Annual Committee Appointments- Louise Lester, Town Clerk

Mrs. Lester presented the Board with the list committee assignments and stated that she needed to know the Selectmen representative assignments.

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Mike Reynolds- GPCOG, Beautification Committee & Raymond Village Library
Teresa Sadak- Tassel Top Board of Directors
Lonnie Taylor- Technology & Cemetery
Don Willard- MWAC

MOTION: Joe Bruno motioned to accept all the names on the list for positions; seconded by Teresa Sadak

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

***g) Library Report- Mike Reynolds, Selectman RVL Representative**

Mr. Reynolds discussed the upcoming Raymond Garden Tours.

Elisa Gifford, Steering Committee, explained that there was a lot of signage advertising regarding the tour on June 29th that was going to include 11 gardens around Raymond and Casco.

Mr. Reynolds thanked the coordinating group that pulled the event together. He explained that tickets were \$15 in advance or \$20 the day of and listed the places that they could be purchased. He continued that there was also a raffle for a painting by a local artist as well as listed the library events that were going on at the Library.

***f) Discussion of FY2013-14 Municipal Employee Health Insurance Program- Nancy Yates, Finance Director**

Nancy Yates, Finance Director, explained that there were several different plan options that were being offered and her recommendation of increasing the family deductible reimbursement to \$4,000 from \$3,000 due to the cost savings of the new plan.

Mrs. Sadak wanted to know why they were not members of MMA, because her understanding was that there were several benefits, including health insurance and legal services available. She was concerned with the high cost of prescription drugs and the limited coverage for the employees. Mrs. Yates stated that the insurance would be more expensive than other towns because of their small number of employees. Mr. Gifford stated that they would investigate them as a possibility for the next budget season.

MOTION: JB make accept the recommendation on the new issuance plan; seconded by Mike Reynolds.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

h) Consideration of Revising Shoreland Zoning Ordinance- Kevin Fay, Spiller Hill Road/Spiderweb Way

Kevin Fay summarized the proposed Shoreland Zoning Ordinance revisions, and gave his reasons for proposing the changes. He felt these changes would protect the water resources, rural character and bring the ordinance more in line with the Comprehensive Plan. He explained that his concerns were in response to the Frye Island Park & Ride Planning Board Application and centered his arguments around their proposed project.

Mr. Reynolds asked why are they were coming forward to the Selectmen rather than the Planning Board, and staff explained that it was because it was a citizen request versus and staff or contractor proposed revision.

MOTION: Joe Bruno motioned to send to the request to the Planning Board; seconded by Lonnie Taylor.

DISCUSSION: None.

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VOTE: UNANIMOUS APPROVAL (5/0)

- i) Consideration of Quit Claim Deeds as Submitted by Deputy Tax Collector:**
- **David Thompson, (016/002A);**

MOTION: Mike Reynolds motioned to approve the Quit Claim Deed for David Thompson for 9 Peppercorn Way, Map 16, Lot 2A; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

- **Pierre Marier, 27 Raymond Hill Road (010/108);**

MOTION: Mike Reynolds motioned to accept the Quit Claim Deed Pierre Marier for 27 Raymond Hill Road, Map 10, Lot 108; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

- **Carl Bartolomeao, 5 Mill Street (047/008);**

MOTION: Mike Reynolds motioned to accept the Quit Claim Deed for Carl Bartolomeao for 5 Mill Street, Map 47, Lot 8; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

- **Jordan Bay Properties, Inc., 51 Main Street (046/034) [John C. & Michelle C. Carver]**

MOTION: Mike Reynolds motioned to approve the Quit Claim Deed for Jordan Bay Properties, Inc. and John C. & Michelle C. Carver for 51 Main Street, Map 46, Lot 34; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

- **Jordan Bay Properties, Inc., 71 Main Street (046/008) [Carver Enterprises, Inc.];**

MOTION: Joe Bruno motioned to accept the Quit Claim Deed for Jordan Bay Properties, Inc. and Carver Enterprises, Inc. for 71 Main Street, Map 46, Lot 8; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

- **Stephen H. Long/Raymond Service Center, Inc., 2 County Road (053/005) [2 County Road, LLC].**

MOTION: Mike Reynolds motioned to approve the Quit Claim Deed for Stephen H. Long and Raymond Service Center for 2 County Road, Map 53, Lot 5; seconded by Joe Bruno.

DISCUSSION: None.

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VOTE: UNANIMOUS APPROVAL (5/0)

MOTION: Joe Bruno motioned to approve the Quit Claim Deed for 2 County Road, LLC for 2 County Road, Map 53, Lot 5; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

j) Consideration of Regionalization/Mutual Aid Service Agreement with Gray Fire Department- Bruce Tupper, Fire Chief

Chief Bruce Tupper explained that the Town of Gray had decided that they were not going to renew their \$10,000 contract with the town to provide services to certain roads. In order to continue service, the Raymond Fire Department was looking to swap services with Gray for roads that each town could provide better response services to particularly difficult to access roads.

Chairman Gifford stated that this solution appeared to be the best approach to a bad situation.

MOTION: Teresa Sadak motioned to accept agreement; seconded by Lonnie Taylor.

DISCUSSION: Joe Bruno stated that he felt that Gray was getting the better end of the agreement

Lonnie Taylor stated that he thought that it made geographic sense to divide the roads in the way that they had.

Mr. Bruno wanted to know how they could provide all these services to all surrounding towns, and Chief Tupper stated that they were already providing automatic mutual aid to the surrounding areas and vice versus. He felt it was important to emphasize that this was to save lives and property which was much more important to consider.

Mr. Willard felt that Chief Tupper had done his best to reach a compromise to the situation. He felt that this driven by a cost savings on the Gray side.

Mr. Taylor asked if Chief Tupper felt that Gray would do their part, and Chief Tupper responded that he was hopeful. Mr. Taylor suggested a six month review and Chief Tupper agreed.

Mr. Reynolds wanted to know the difference in the total number of properties covered, and Cathy Gosselin responded that she felt like they were about the same but the homes were more spread out along North Raymond Road.

Chairman Gifford asked what would happen if the Board took no action, and Chief Tupper responded that they should be prepared to take over their roads as of July 1.

Mr. Reynolds stated that they should build a relationship towards true regionalization but felt that there had been a lack of willingness in Gray.

Mr. Willard applauded the Chief for taking the high road on the matter and being willing to work with Gray

Mrs. Gosselin gave the history for the support provided for and by the Town of Gray and how the level were equitable to one another.

VOTE: MOTION CARRIED (3/2 [JB LT])

k) Consideration of Authorizing the Town Manager to finalize Perpetual Easement Sale Closing Documents with Crown Castle on June 21, 2013 as Approved at Annual Town Meeting- Board of Selectmen

Mr. Willard explained that this was a formality to finalize the tower site sale that was approved at Town Meeting.

MOTION: Joe Bruno motioned to direct and authorize the Town Manager to finalize all documents related to the closing with Crown Castle on June 21, 2013 as Approved at the Annual Town Meeting; seconded by Mike Reynolds.

DISCUSSION: Teresa Sadak was abstaining because she was not on the Board at the time that the discussions and approvals had been granted for the sale.

VOTE: UNANIMOUS APPROVAL (4/0/[1 ab TS])

l) Consideration of Property Tax Abatements and Supplemental Property Taxes as Submitted by Contract Assessor Curt Lebel- Board of Selectmen

• **Abatements**

MOTION: Mike Reynolds motioned to grant an abatement for account M9402P in the amount of \$143.19 for a software error; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

MOTION: Mike Reynolds motioned to grant the abatement for account W9507R in the amount of \$4,171.38 because it was assessed to wrong person; seconded by Joe Bruno

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

• **Supplemental**

MOTION: Teresa Sadak motioned to grant the supplement for account B2566R in the amount of \$4171.38 to assess the correct person; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

***5) Unfinished Business**

a) Consideration of Creating a Boat Launch Ordinance- Peggy Jensen, Meadow Road

Peggy Jensen, Meadow Road, explained the history and status of the request since the last time she had come before the Board. She had the chance to meet with Stephanie Carver, Town Planning Consultant, and made revisions to their original submission.

Mr. Willard stated that he had gathered the answers that were asked of him at the last meeting. He confirmed that there was an offer on the table for the property from the State of Maine but there was indication that there was any potential that it would be accepted. Mrs. Jensen explained that the current offer was the catalyst to the proposal but felt that it was important to protect all water bodies, regardless of the status of the offer.

Mr. Reynolds wanted to know what rules would manage a boat launch, State or local. Mr. Willard responded that

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it would be both but the State could overrule any local requirements and Mr. Bruno agreed.

Mr. Bruno felt that the Board should send the proposal to the Planning Board for review as an incorporation rather than a stand alone ordinance. Mrs. Jensen felt that residence should have a voice in the way that the facilities would be managed.

MOTION: Mike Reynolds motioned to send to the Planning Board for review with no recommendation; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

m) Executive Session pursuant to 1 MRSA § 405(6)(C): Land Acquisition Discussion with Town Manager and Fire Chief

MOTION: Joe Bruno motioned to go into Executive Session pursuant to 1 MRSA § 405(6)(C) for Land Acquisition Discussion with Town Manager and Fire Chief; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Sam Gifford announced that the Board was going into Executive Session at 9:39pm.

MOTION: Joe Bruno motioned to come out of Executive Session; seconded by Lonnie Taylor.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Sam Gifford announced that the Board was coming out of Executive Session at 9:58pm.

MOTION: Joe Bruno motioned to authorize the Town Manager to proceed in negotiations for a land purchase; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

6) Public Comment: None.

7) Town Manager Report and Communications.

a) Confirmed date for next regular meeting as July 30, 2013.

b) Mutual Aid for Fire Equipment.

Mr. Willard announced that there were two crucial pieces of equipment that were out of commission and the Public Safety Department was relying on mutual aid from Windham until theirs were returned to service.

8) Fiscal Warrants – June 18, 2013

• **Payroll Expense Summary Warrant**

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MOTION: Lonnie Taylor motioned to accept the Payroll Expense Summary dated June 18, 2013 in the amount of \$45,419.06; seconded by Mike Reynolds.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

- **Treasurer's Warrant**

MOTION: Lonnie Taylor motioned to accept the Treasure's Warrant dated June 18, 2013 in the amount of \$199,133.13; seconded by Mike Reynolds.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

9) Adjournment.

MOTION: Lonnie Taylor motioned to adjourn; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Sam Gifford adjourned the meeting at 10:02pm.

Danielle Loring
Recording Secretary