



BOARD OF SELECTMEN
Minutes*
September 10, 2013

SELECTMEN'S MEETING

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

Absent: None.

Staff: Nathan White, Public Works Director; and Caroline Paras, Economic Development Contractor.

Other: Charles Leavitt, John Russo, Julie Sutherland, Chris Flynn, Betty & Frank McDermott, Brian Walker, Elissa Gifford, Steve Linne, Sharon Dodson, and Barbara Lovell.

1) Call to order: Chairman Sam Gifford called the meeting to order at 6:59pm.

2) Minutes of previous meeting dated:

- **July 30, 2013**

MOTION: Lonnie Taylor motioned to accept the minutes as written; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

4) New Business.

a) Update Regarding Safety Improvement Engineering Study of Ledge Hill Road and North Raymond Road Intersection– Nathan White, Public Works Director

Mr. White summarized the report from Gorrill Palmer Engineering regarding the intersection of North Raymond Road with Ledge Hill Road and Ganderbrook Road. He continued that there were also suggestions/options for the intersection, one of which were to install 48" stop signs, which may only be available to MDOT. Mr. Taylor suggested a blinking stop sign, and Mr. White responded that lighting options would be included in the lighting report that he was waiting for, which would also include pricing. Mr. White explained that he estimated traffic lights to be between \$100,000-150,000, plus the monthly cost for a blinking light, which the engineers felt was unnecessary.

b) Consideration of Resignations from the Planning Board

- **Pat Clark**

MOTION: Joe Bruno motioned to accept Pat Clark's resignation; seconded by Lonnie Taylor.

DISCUSSION: Chairman Gifford stated that he was vote with reluctance because he appreciated Mr. Clark as a member and the Chairman of the Planning Board.

VOTE: UNANIMOUS APPROVAL (5/0)

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- **Dan West**

MOTION: Joe Bruno motioned to accept Dan West's resignation; seconded by Lonnie Taylor.

DISCUSSION: Chairman Gifford asked that both individuals be sent letters of appreciation, and Mr. Willard assured that do so.

VOTE: UNANIMOUS APPROVAL (5/0)

Mrs. Sadak asked if the Board had received a letter of resignation before considering the next agenda, and Chairman Gifford responded that they had received Mr. Linne's letter of resignation before the start of the meeting.

- **c) Consideration and Appointment of New Planning Board Member to Fill Vacancy**
 - **Steve Linne**

MOTION: Joe Bruno motioned to accept Steve Linne's letter of resignation from the Budget-Finance Committee; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Gifford invited the Board to ask Mr. Linne questions. Mrs. Sadak clarified that Mr. Linne had served on the Planning Board before, and Mr. Linne agreed and explained that he had left because the "Town Bodies Ordinance" had prohibited him from serving on both the Planning Board and his elected position on the Budget-Finance Committee, which was the same case for Selectmen as well. Mrs. Sadak asked what considerations should be given for his reappointment, and Mr. Linne explained that his background was in engineering and that he was better suited for that appointment.

Mrs. Sadak explained that she had concerns with his conduct in the past, including allegations that he had made against Town employees and hoped that he would not continue. Mr. Linne explained that the instances that she was referring to did not happen during his capacity as a Planning Board member and that his application to be reappointed had been recommended unanimously by that Board.

Mr. Bruno expressed his concerns with Mr. Linne being a resident of the Raymond Cape, given the ongoing controversial project, and asked if Mr. Linne could remain objective. Mr. Linne responded that he could because he felt that approval was dependent on compliance with the ordinances and meeting the standards.

MOTION: Mike Reynolds motioned to accept Steve Linne's appointment to the Planning Board; seconded by Lonnie Taylor.

DISCUSSION: Joe Bruno stated that he was going reluctantly vote for Mr. Linne because of his past inappropriate behavior on Budget-Finance Committee. He hoped that Mr. Linne had an open mind and was not swayed by the pending lawsuit.

VOTE: MOTION CARRIED (3/2 [SG/TS])

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d) Consideration and Appointment of Economic Development Task Force- Selectboard Chairman Sam Gifford & Caroline Paras of Greater Portland Council of Governments (GPCOG)

- **Rolf Olsen**
- **Teresa Sadak**
- **Elissa Gifford**
- **Bob Harmon**
- **Mike McClellan**
- **Laurie Forbes**
- **Sharon Dodson**

Chairman Gifford explained that the Raymond Revitalization Committee had led to the creation of the task force, which would serve to be an active part in economic development. He explained that they would primarily work with Mrs. Loring, but that they could request assistance and resources from any staff member or contractor that they needed to.

e) Consideration and Setting of 2013-14 Property Tax/Mill Rate- Curt Lebel, Contract Assessor

Contract Assessor Curt Lebel explained the factors that went into considering the mill rate. He explained that there would need to be a tax increase to cover all of the charges. He explained that due to cuts in Maine Revenue sharing, that happened after the budget passed, it created a \$77,000 shortfall.

Mr. Bruno stated that the Undesignated Fund Balance went up by \$50,000 at the end of the last fiscal year and wanted to know if those monies could be used to offset the amount lost by revenue sharing. Mr. Lebel responded that his understanding was that Board was only allowed to use the \$75,000 that they were designated from contingency or to go to a special town meeting.

Mr. Willard suggested that the Board could also have the undesignated portion carried forward to rectify the situation.

Mr. Bruno was not sure that the revenues were going to be a shortfall and felt optimistic that their projections could be realized. Mr. Lebel cautioned against trying to project the revenues so early in the year. Mr. Bruno stated that he did not think that a tax increase was necessary felt that they could use a number lower than the suggested minimum \$11.30. Mr. Lebel responded that he did not think that \$11.20 would be feasible because it would give a negative overlay.

Mr. Reynolds stated that they could do \$11.23 and be good, but Mr. Lebel cautioned against fractional amounts because they did not making proper numbers. Mr. Reynolds pointed out that he also noticed that \$56,000 had been added to the Undesignated Fund Balance and wanted to know where the funding from the sale of the Tax Acquired Properties were going. Mr. Willard explained that the proceeds would pay off the back taxes and then the rest would go to fund balance, but Mr. Lebel explained that those would still be unappropriated funds.

Mr. Reynolds wanted to know how much the previous year's abatements had totaled, and Mr. Lebel responded that it had been under \$10,000.

Mr. Bruno asked again if there was no way to leave the tax rate the same, and Mr. Lebel explained \$11.10 would not be enough money to pay the appropriations approved by the voters and did not think that the Board could levy less. Mr. Bruno felt that there had not been an increase in the budget to cause a tax increase, and Mr. Lebel explained that there had been an increase in the school budget and the county taxes.

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MOTION: Joe Bruno motioned to set tax rate at \$11.25 and review revenues in January; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

***g) Consideration and Approval of Appointing Town Manager as Freedom of Information Officer and Executive Assistant as Alternate- Louise Lester, Town Clerk**

MOTION: Joe Bruno motioned to accept the appointment of the Town Manager as Freedom of Information Officer and the Executive Assistant as the alternate; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

***f) Tenney River Project Update- Chairman John Rand, RCC, and Anne Gass**

John Rand, Chairman of the Raymond Conservation Commission, explained Anne Gass would be discussing the progress made with the project and explained that the drive of the project was to be in line with the Comprehensive Plan and the Open Space Plan.

Anne Gass explained that the group was requesting \$15,000 from the Maine Open Space Fund. She continued that they needed to raise \$210,000, which they had raised about half of. She explained that they had drafted an easement, which had been provided for the Board's review.

Ms. Gass continued that the primary focus was to protect the habitat and wild life as well as the wild character of the river as well and adjacent wetlands. One of the concerns raised was the public access to these lands, and she explained that the easement would limit public access because the primary objective was to protect the lands. She explained that there were not going to have public parking and there was only access through a private road, but access from the river would be allowed. She added that the land would remain in a wild and undeveloped state, but the Boy Scouts of America would be allowed to put signage as well as trails that were not paved and there would be no tent platforms or buildings erected. In addition, she explained, that there would be active forest management of the area, which must be in compliance with best management practices.

Mr. Bruno pointed out that the original request had been for \$10,000 but now they were asking for \$15,000. Mrs. Gass clarified that they had been looking for \$10,000-20,000 so as he felt it was best to choose a number that in the middle.

Mr. Bruno asked who had written the easement, and Mrs. Gass responded that Rob Levin from the Loon Echo Land Trust (LELT) and also reviewed by the Boy Scouts of America attorney. Mr. Bruno asked how are the easement would be upheld, and Mrs. Gass responded that enforcement would be through inspections as well as recorded in the deed.

Mr. Bruno felt that they would have a hard time with limiting public access through an easement. Mrs. Gass stated that she did not see issues with enforcing these standards. Mr. Bruno asked who was going to stop anyone from parking along river road, and Mrs. Gass responded that they were not about prohibiting public us but teaching respectful use. Mr. Bruno read the ways enforcement would be carried out listed in the easement and that the site would be controlled through the Scouts. He explained that there were mechanisms that would back this up.

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Mr. Bruno asked if the easement had been reviewed by the Town Attorney, and Mr. Willard explained that it had not been yet.

Mrs. Gass asked if the Board would feel more comfortable if public access was completely removed. Mr. Bruno responded that he would not want public money spent to have no public access and asked that the document be reviewed by town attorney.

Mrs. Sadak asked how easy would it be to report an issue to the Boy Scouts, and Mrs. Gass explained that there contact information was publicly listed and that the LETT was also an option.

Mr. Reynolds stated that he liked the concept of the project but was concerned with using town money to take land off the tax role, but not as concerned with public access. He wanted to know if this sort of action by a Town was precedented, and Mr. Willard responded that it was not unprecedented and that it was up to Selectmen to gauge the public benefits versus expenditure.

Mr. Reynolds stated that \$15,000 was about 6.5% of the purchase price but wanted to make sure that there were no restrictions and get go ahead from legal team as well as wanted to make sure that there was no liability from accidents.

Mrs. Gass added that this was phase 1 of a 3 phase plan to conserve land along the river. She continued that there was another adjacent land owner that they are negotiating with as well as the scouts creating an easement on their land.

Mr. Willard stated that he did not think the town would be liable for donating money. Mr. Reynolds clarified his concern that a taxpayer may have try to assert their rights because public money was spent.

Mr. Bruno asked for the group's time frame, and Mrs. Gass explained that they wanted to be ready for the warrant in June 2014 and finish by summer.

5) Public Comment:

a) Charles Leavitt, 14 Leavitt Road

Mr. Leavitt explained that there had been a Special Selectmen's meeting on August 21, 2013 and felt that the citation for Executive Session should be more precise so that there was no confusion on what was being discussed.

b) Chris Flynn, 136 Plains Road

Mr. Flynn stated that on August 24, 2013 there was a fundraiser at Camp Hinds that involved clay shooting. He felt that it disrupted his activities at their home. He explained that he was using the Tenny River and he had been warned about fallout from the shooting along the river. He was concerned with noise, safety and how an event like such was allowed to happen.

Chairman Gifford explained that he also had a concern because of the timing of the event.

c) Ronald Lemons, 11 Presidential View

Mr. Lemons stated that he had felt grateful to have been able to attend the charity event that Mr. Flynn had been referring to. He stated that he was more concerned with personal use of firearms than a controlled environment held by the Boy Scouts of America.

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d) Julie Sutherland, Ledge Hill Road

Ms. Sutherland explained that she and a concerned group of citizens had been working to address the Fireworks Issue and wanted to bring forward a bill to the House concerning livestock and firework use. She explained that they were planning an event in October at the Taste of Maine in Woolwich.

6) Town Manager Report and Communications.

a) Confirm date for next regular meeting:

- **October 8 2013 confirmed**

b) Regional Economic Development

Mr. Willard explained that the Town of Casco had heard about some of Raymond's Economic Development initiatives and they were willing to work with Raymond and showed their support through a unanimous vote of their Board of Selectmen.

7) Board of Selectmen Communications

a) Library report- Mike Reynolds

Mr. Reynolds announced that the Library's Annual Appeal had started and was in the mail. He stressed the importance of this event in terms of raising monied for the bulk of their operating costs.

b) Windham Middle School Expansion Committee Concerns- Teresa Sadak

Mrs. Sadak explained that there was a committee impaneled by the RSU to look for land and funding for a new middle school and, at this time, there would be no funding from the State. She was concerned with moving their middle school out of the town, for a consolidated middle school, because of the economic and community effects that it may have. She felt that residents should be concerned and involved about the effect of funding.

c) Reviving the Road Runner Newsletter- Teresa Sadak

Mrs. Sadak explained that she had spoken with representatives from the Windham Eagle, and they are interested in publishing articles in a Raymond section or opting for an insert to be included in the paper. They were going to be flexible with funding, but they were quoting around \$1,000 a month for once a month article. Chairman Gifford instructed Mrs. Sadak to submit the information as a future agenda item.

d) Responses to Public Comment- Joe Bruno

Mr. Bruno stated that the Executive Session called in August was a legal meeting that was specific under Title 1, but that no further information was necessary. He continued that there was nothing wrong with the nature of the Boy Scouts of America activities and they were well within their rights.

e) Workshop Request- Joe Bruno

Mr. Bruno suggested a workshop with the Board and the Budget-Finance Committee to discuss that committee's charge in reviewing the budgetary process.

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8) Fiscal Warrants – September 10, 2013

• **Payroll Expense Summary Warrant**

MOTION: Lonnie Taylor motioned to accept the Pay Roll Expense Summary, dated September 10, 2013, in the amount of \$47,426.63; seconded by Teresa Sadak.

VOTE: UNANIMOUS APPROVAL (5/0)

• **Treasurer's Warrant**

MOTION: Lonnie Taylor motioned to accept the Treasurer's Warrant, dated September 10, 2013, in the amount of \$84,364.93, seconded by Teresa Sadak.

VOTE: UNANIMOUS APPROVAL (5/0)

9) Adjournment.

MOTION: Mike Reynolds motioned to adjourn; seconded by Lonnie Taylor.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Sam Gifford adjourned the meeting at 8:34am.

Danielle Loring
Recording Secretary

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