



BOARD OF SELECTMEN
Minutes*
January 14, 2014

SELECTMEN'S MEETING

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

Absent: None

Staff: Don Willard, Town Manager; Nathan White, Public Works Director; Bruce Tupper; Fire Chief; Chris Hanson, Code Officer; Louise Lester, Town Clerk; Nancy Yates, Finance Director; and Danielle Loring, Recording Secretary.

Other: Mike Manning, Charles Leavitt

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

2) Minutes of previous meeting dated:

- **December 10, 2013**

MOTION: Lonnie Taylor motioned to accept the December 10, 2013 minutes; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

- **December 17, 2013 (Workshop)**

MOTION: Lonnie Taylor motioned to accept the December 17, 2013 minutes; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

3) Public Hearing

a) William and Kimberly Hines of Whines Ent. Inc. DBA Cafe Sebago, 1248 Roosevelt Trail, for Liquor License Renewal

Mr. Willard explained that the requisite life safety inspection had been completed and no complaints had been filed at the Town regarding the establishment.

Chairman Gifford opened the Public Hearing for comment and there was none. He closed the Public Hearing and asked for a motion.

MOTION: Lonnie Taylor accept liquor license renewal for William and Kimberly Hines of Whines Ent. Inc. doing business as Cafe Sebago, 1248 Roosevelt Trail; seconded by Mike Reynolds.

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DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

4) New Business.

a) Consideration of Draft Consent Agreement as Presented by Mike Manning on Behalf of Herluf Madsen – Chris Hanson, Code Officer

Mr. Hanson summarized the history of the alleged violations in 2009, which resulted in a draft consent agreement. Mr. Manning stated that he was looking for a reduction in the fine amount and was there for any questions that the Board may have. Mr. Reynolds wanted to know what had changed for Mr. Manning that was causing him to come forward with a revision. Mr. Manning responded that the Town originally wanted \$50,000 but he felt that it was excessive. He continued that the properties had not been broken off in the correct order but corrective deeds have been filed and his counter offer was providing restitution to recoup costs for researching the matter.

Charles Leavitt, 14 Leavitt Road, wanted to know if there were actually two issues being dealt with which were the road extension and the alleged illegal subdivision. He thought the planner had decided that the subdivision was not in violation. Mr. Hanson confirmed that there were two notices of violation; one for road and divisions. He explained that both issues could be resolved by coming in to do a subdivision through the Planning Board but Mr. Manning chose to do only improve the road standards. He explained that the Town Attorney recommended that the Board go into Executive Session for further discussion. Mr. Bruno agreed with the recommendation and suggested inviting Mr. Manning as well.

MOTION Joe Bruno motioned to go into Executive Session pursuant to Title 1 MRSA section 405(6)(E) with the Town Attorney, staff and Mr. Manning; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Gifford announced that the Board was going into Executive Session at 7:10 pm.

MOTION: Lonnie Taylor motioned to come out of Executive Session; seconded by Teresa Sadak.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Gifford announced that the Board was coming out of Executive Session at 7:36 pm.

Mr. Bruno suggested to Mr. Manning that he negotiate with the Code Officer or go to Planning Board for subdivision approval and there was no motion needed.

b) Discussion and Setting of the FY 2014-15 Budget Goals- Board of Selectmen

Mr. Willard explained that they were presenting draft goals as they were discussed at the last workshop for the Board's consideration.

Mr. Bruno stated that the Department Heads needed to come forward with any expansion of departments

Charles Leavitt, 14 Leavitt Road, asked where the Town stood on the \$2 mil bond and when the payments begin. Mr. White explained that they had a road maintenance plan and schedule in place for the bond money, and Mr. Willard explained that he was not prepared to answer bond questions but would look into the answers.

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Mr. Leavitt was concerned with the Board not trying to comply with LD-1 as one of their budget goals. He explained that in his research he had found that the budget has increased over \$600,000 since 2009 and listed all of the departments that had received increases over that time span. He guessed that there was going to be an increase this year as well with the LD-1 formula.

Mr. Bruno state that he was okay with the goals as they were. Mrs. Sadak explained that her primary concern was the language concerning minimal increases because she felt the Department Heads should not have restrictions. Mr. Bruno explained that the departments should present their needs and it will be up to the Board and Budget-Finance Committee to adjust it.

MOTION: Teresa Sadak motioned to accept the budget goals; seconded by Mike Reynolds.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

c) Consideration of Warrant Article for Tenny River Project

Chairman Gifford summarized the project and the nature of the warrant article. Mr. Bruno clarified that the Board was approving the warrant article language so that they could hold a Public Hearing in February, and Chairman Gifford confirmed.

MOTION: Joe Bruno motioned to send the warrant article to public hearing next month; seconded by Mike Reynolds.

DISCUSSION:

Dana Desjardins, River Road, expressed his concerns with the project. He wanted the Board to wait for approval until the abutters had more information. He wanted to preserve the privacy of the private road. Mr. Bruno asked if there was there an obligation to notify the abutters for subdivision, and Mr. Willard clarified that there was no legal obligation regarding this project, which the Town Attorney had reviewed.

Charles Leavitt, 14 Leavitt Road, explained that though the Town was not obligated, it was the right this to do. Mrs. Loring explained that she was notifying all of the residents along the River Road as well as publishing newspaper ads and posting the materials on the website.

Mr. Desjardins explained that many the residents lived out of town and would not be able to make the haring. Mr. Bruno explained that they still had access to the materials and could voice their opinions in other ways.

VOTE: UNANIMOUS APPROVAL (5/0)

5) Public Comment:

a) Charles Leavitt, 14 Leavitt Road:

Mr. Leavitt explained that he had a couple issues for future agenda items. One was that he noticed that Selectmen communications was gone from the agenda and wanted to know if it would return. The second was that he was concerned that the broadcasts on Raymond TV were outdated. The last was that he saw the recognition that the Town had sent to his brother for his many years of service on the Zoning Board of Appeals and appreciated that the Town expressed their gratitude.

b) Bruce Tupper, Raymond Fire Chief:

Chief Tupper recognized the proactive efforts made by the Public Works Department because of the

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obstacles present by the recent icy conditions. Mr. White thanked Chief Tupper for his department's gratitude and would be sure to pass it on to his crew.

6) Town Manager Report and Communications.

a) Confirm date for next regular meeting:

- **February 11, 2014- Confirmed**

b) Forestry Bid Update

Mr. Willard explained that the forestry bids were in for the Town's Forest Management Plan. Greg Foster reviewed the bidding process and announced the apparent high bidder. He estimated that the Town would receive \$55,000 for the wood on the Patricia Avenue lot. He explained that he would request a deposit, fees and certificate of insurance before the work would begin.

Mr. Bruno asked it was expected that the contractor would start, and Mr. Foster responded that they had twelve months but probably start as soon as they paid deposit. Mr. Bruno asked for clarification on the \$11,000 deposit, and Mr. Foster explained that it was a non-refundable stumpage deposit and then logger pays remaining money that they collected over that amount.

MOTION: Joe Bruno motioned to accept Greg Foster's recommendation of the highest bidder; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

c) CDBG Planning Grant Application

Mr. Willard explained that intention of the Planning Grant Application and the project it would support. Mrs. Loring followed up with the details of the project, the relationship with USM and then general benefits to the community and commercial district. She was asking for a letter of support from the Board to include in the application.

Mr. Leavitt expressed his concerns with public support of private projects and gave the EmbedTech project as an example. Mr. Willard explained the benefits associated with that project even though there were back taxes associated with the previous owner.

d) Derby Update

Mr. Willard explained that the Ice Fishing Derby was scheduled for February 15th and 16th and that he had planning meeting prior to the current meeting. He said that everything was moving forward to a successful event, weather permitting.

e) F550 Update and Purchase of New 510

Mr. White explained that that transmission died in the F550 over the weekend and it needed \$50,000-60,000 in repairs but the vehicle was not worth it. He had found a 510 for \$79,9000 at 2.75% financing over 3 years. He explained that the department was not expending anymore money than was already budgeted.

MOTION: Joe Bruno motioned to allow Nathan White, Don Willard and Nancy Yates move forward with the purchase of the truck; seconded by Mike Reynolds.

DISCUSSION: None.

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VOTE: UNANIMOUS APPROVAL (5/0)

f) Disposal of Old F550

Mr. Willard explained that they would work to dispose of the old F550 reach a maximum return. Mr. Reynolds commented that he had never seen this situation of trying to save money that it led to an emergency where the condition of a piece of equipment was so far beyond its useful life.

7) Fiscal Warrants – January 14, 2014

• **Payroll Expense Summary Warrant**

MOTION: Lonnie Taylor motioned to approve the Payroll Expense Summary, dated January 14, 2014, in the amount of \$69,049.06; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

• **Treasurer's Warrant**

MOTION: Lonnie Taylor motioned to approve the Treasurer's Warrant, dated January 14, 2014, in the amount of \$190,328.89; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

8) Adjournment.

MOTION: Joe Bruno motioned to adjourn; seconded by Teresa Sadak.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Sam Gifford adjourned the meeting at 8:30pm

Danielle Loring
Recording Secretary

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