



**BOARD OF SELECTMEN
Minutes**

June 21, 2016

7:00pm – Regular Meeting

Broadcast Studio
423 Webbs Mills Road

Resolution: We, the Raymond Board of Selectmen, recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to "Be the Influence" and to recognize that decisions matter.

Selectmen in attendance: Joe Bruno, Teresa Sadak, Lawrence Taylor, Samuel Gifford, and Rolf Olsen

Selectmen absent: none

Town Staff in attendance:

Don Willard – Town Manager
Nathan White – Public Works Director
Sue Look – Town Clerk

1) **Called to order** at 7pm by Selectman Sadak.

2) **Election of Chair, Vice Chair, and Parliamentarian** – Board of Selectmen

Motion to elect Selectman Bruno as Chairman by Selectman Gifford. Seconded by Selectman Taylor.

Unanimously approved.

Motion to elect Selectman Sadak as Vice-Chairman by Selectman Taylor. Seconded by Selectman Gifford.

Unanimously approved.

Motion to elect Selectman Olsen as Parliamentarian by Selectman Taylor. Seconded by Selectman Sadak.

Unanimously approved.

a) **Determination of Representatives on Committees/Boards**

Included in the ePacket is a list of committees/boards that have had either a Selectman or another individual appointed as their representative. Staff action requested to make FY 2016-2017 appointments.

- Teresa Sadak
Beautification Committee
Tassel Top Board of Directors
- Sam Gifford
Veteran's Memorial Park Committee
GPCOG / Portland Area Comprehensive Transportation System (PACTS)

- Lonnie Taylor
Cemetery Committee
Technology Committee
Raymond Recreation Board
Raymond Library Board of Trustees
- Rolf Olsen
Greater Portland Council of Governments (GPCOG) *(with Don Willard as alternate)*
- Mark Gendron
Mid Maine Waste Action Corporation (MMWAC) *(with Don Willard as alternate)*

Motion to approve representatives to committees as above by Selectman Olsen. Second by Selectman Taylor. **Unanimously approved.**

3) Minutes of previous meeting – May 10, 2016

Motion to approve minutes as presented by Selectman Taylor. Seconded by Selectman Sadak. **4-0 with 1 abstention**

4) New Business

- a) **Request for Town Sponsorship of “Everyone ♥ Raymond Day” on August 6, 2016** – Chairman Carrie Colby and Nick Hardy of the Raymond Revitalization Committee

Chairman Colby – In existence for about 4 years. Last year was 1st event on July 4th with a parade and events. Add their mission statement. Last year the Town supported the effort via insurance, Public Safety, Public Works. We are not asking for monies, we get sponsors. The Freeport Jazz Band is going to perform as a donation. Last year we had 500-800 attending. We are trying to engage businesses. We are coming out with a new brochure.

Chairman Bruno – Is there any concerns about the Town supporting this?

Town Manager Willard – None.

Selectman Sadak – I support them.

Motion to approve by Selectman Gifford. Seconded by Selectman Taylor. **Unanimously approved.**

We are asking for elected officials and candidates to be in the parade at 10am at the Dog Lodge on Main St.

Mr Hardy – We will have craft vendors who will only sell handmade items, not for resale. We are looking for more participants and it is \$10 per table. We are only taking parade participants and vendors from Raymond. We have a form to fill out.

Town Manager Willard – The Town’s insurance will be inforce for this event.

Chairman Bruno – Thank you.

- b) **Consideration of Changing Selectmen Meeting Time from 7:00pm to 6:30pm** – Selectman Sadak

Motion to change the Regular Selectmen's Meeting time to 6:30pm by Selectman Sadak. Seconded by Selectman Taylor.

Selectman Olsen – We moved the Budget-Finance Meeting from 7pm to 6:30pm and saw no lack of participation.

Selectman Taylor – I think it is a great idea.

Unanimously approved.

c) BOS Information Request – How to deal with Board and Committee Vacancies – Sue Look, Town Clerk

Pursuant to 30-A MRSA §2602:

A vacancy in a municipal office may occur by the following means:

- Non-acceptance
- Resignation
- Death
- Removal from the municipality
- Permanent disability or incompetency
- Failure to qualify for the office within 10 days after written demand by the municipal officers (failure to be sworn in)
- Failure of the municipality to elect a person or office
- Recall pursuant to 30-A MRSA §2505

Vacancy in the office of Selectman – the Selectmen may call a town meeting to elect a qualified person to fill the vacancy. *The use of the word “may” here gives the Selectmen permission to fill the position or not. It does not mean that they can use any other means (i.e.: appointment) to fill the position.*

Vacancy in the RSU Board of Directors – The municipal officers of the municipality in which the director resided shall select an interim director for the municipality to serve until the next annual municipal election. The interim director shall serve until a successor is elected and qualified. The municipal officers shall provide at the next municipal election for the election of a director to fill the vacancy. (20-A MRSA §1474)

Vacancy in any other office – the Selectmen may appoint a qualified person to fill the vacancy. *Again, the use of the word “may” here gives the Selectmen permission to fill the position or not.*

From the Town of Raymond Miscellaneous Ordinances - Elected Official Recall & Appointment Ordinance:

Section 9. Filling Vacancies: Pursuant to MRSA Title 30-A, §2602: after the results have been certified by the Board of Selectmen, the Clerk must prepare and call a special election within 30-45 days of that certification if there is not already a regularly scheduled election within 90 days of certification unless the conditions are met described under Section 10.

Section 10. The Town of Raymond office of an elected official shall be deemed vacant under one or more of the following conditions:

- A. Non-acceptance;
- B. Resignation;
- C. Death;
- D. Removal from the municipality;
- E. Permanent disability or incompetency;

F. Failure to qualify for the office within 10 days after written demand by the municipal officers;
or

G. Failure of the municipality to elect a person to office.

Section 11. If the Clerk believes one or more of the above criteria are met, the Clerk shall in writing inform the Board of Selectmen and notify the affected elected official (unless deceased). A vacancy shall be declared if the Board of Selectmen determines by a majority vote of the members present that one or more of the above criteria are met.

Section 12. Following solicitation of interested candidates pursuant to MRSA §2625, vacancies in the office not withstanding any previous actions, except for vacancies in the school board and those as the result of a recall, shall be filled by the Board of Selectmen through appointment of a registered voter residing in the Town of Raymond and at least 18 years of age. The Board of Selectmen shall confirm the appointment by a majority vote of the Board members. The appointed official shall serve until the next regularly scheduled Town election and a successor is elected and sworn. Said successor shall serve the balance of the term.

Selectman Sadak – So in the current case where we have someone who has moved who was elected to the Budget-Finance Committee, we can appoint to fill the term until then next Town Meeting Election?

Town Clerk Look – Yes. The Budget-Finance Committee could have input if the Selectmen so chose, but the appointment is the Select Board's to make.

Chairman Bruno – Do we formally have an opening on the Budget-Finance Committee?

Town Clerk Look – Not that I have been made aware of.

Chairman Bruno – So we haven't seen a letter of resignation...

Selectman Olsen – I received a letter which has been forwarded to Selectman Sadak & former Selectman Mike Reynolds.

Chairman Bruno – It is not a resignation until it gets to the Town Manager. The resignation doesn't go to the chairman; it goes to the Town.

Selectman Sadak – I have a copy and can send it to Town Manager Willard & Town Clerk Look.

Chairman Bruno – Once the resignation is official we can appoint someone at our next meeting.

Selectman Olsen – The problem is that you have a conflict between 2 ordinances. The Budget-Finance Ordinance is specific in how to fill vacancies: *“Any vacancy among the voting members shall be filled by the Town at the first annual Town Meeting following the creation of that vacancy.”*

Chairman Bruno – Then the question becomes does the Select Board Ordinance override the Budget-Finance Ordinance, and I would say, “Yes.” The Select Board is the elected governing body of the Town.

Selectman Sadak – The ordinances are what everyone votes on, so aren't they the governing body?

Pertinent Statute References:

- 30-A MRSA §2001 (8) – *Town Meeting is the “Legislative Body” of the municipality.*

- 30-A MRSA §2604 (1) – “Body” means the governing unit of a municipality and any subunit of government of a municipality, including agencies, authorities, boards, commissions, and offices.
- 30-A MRSA §2635 – The board of selectmen as a body shall exercise all administrative and executive powers of the town.
- 30-A MRSA §3001 – Any municipality, by the adoption, amendment or repeal of ordinances or bylaws, may exercise any power or function which the Legislature has power to confer upon it, which is not denied either expressly or by clear implication, and exercise any power or function granted to the municipality by the Constitution of Maine, general law or charter.

Town Manager Willard – I would think that the later ordinance would govern.

Chairman Bruno – The Selectmen’s ordinance was enacted a year ago and if anyone would like to challenge it there are ways of doing that.

Selectman Olsen – There are other parts of the Budget-Finance Committee ordinance that need to be changed.

Chairman Bruno – The Budget-Finance Committee should make those changes and submit them to the Board of Selectmen for inclusion in next year’s Town Meeting Warrant.

d) Consideration of Auditor Engagement Letter with Smith & Associates – Board of Selectmen

We have received the engagement letter from Smith & Associates to audit FY 2015-2016 beginning the first week in September 2016. This is the final year of the 3-year contract with Smith & Associates.

Motion to approve by Selectman Gifford. Seconded by Selectman Sadak.
Unanimously approved.

e) Consideration of FY 2015-16 Budget Reserve Carry Forwards

- Monies from Economic Development Appropriation under TIF – as of June 21, 2016 there is \$1,590
- Monies from Elections for the sign – about \$2,800

Motion to carry forward any remaining monies from Economic Development Appropriation under TIF not spent in FY 2015-2016 by Selectman Gifford. Seconded by Selectman Sadak.
Unanimously approved.

Motion to carry forward any remaining monies from Elections not spent in FY 2015-2016 by Selectman Sadak. Seconded by Selectman Gifford.
Unanimously approved.

f) Tax Acquired Properties, Quit Claim Deeds – Sue Carr, Tax Collector

Details for Tax Acquired Properties to potentially go up for auction, as well as Quit Claim Deeds for owners who have paid their taxes in full are in the ePacket.

Tax Collector Carr – Chapman, Lewis, Square J were up for auction last year. I have not heard from the Conservation Commission, so I assume that they are not interested. The others have paid or made payment arrangements.

Motion to put the 3 properties above out to bid by Selectman Sadak. Seconded by Selectman

Taylor.

Selectman Sadak – If we put these up for bid will we state the minimum we will accept?

Selectman Bruno – No.

Selectman Taylor – Should we to possibly get better bidders?

Selectman Sadak – I think we should let people know what we expect as a minimum.

Town Manager Willard – The bidders often contact the Town Office and they are told that this is not a “Fire Sale”. I tell them that we are trying to recoup the outstanding taxes and a percentage of the value.

Selectman Taylor – I think we should put a reserve as the lowest we would accept.

Chairman Bruno – I am not in favor of a reserve.

Tax Collector Carr – I create a bid package with all the property information we have.

Selectman Olsen – What is the right number? There is a lot that goes into a cost – taxes outstanding, interest on the taxes, advertising costs, etc.

Selectman Sadak – I would like to move these properties to get them back on the tax rolls and I think a minimum bid would help.

Selectman Olsen – If you list a minimum bid, then you can not reject any bid that is at least the minimum.

Tax Collector Carr – The properties that do not sell still accumulate taxes unless we put the property in our name.

Unanimously approved.

Motion to add a reserve to each of these 3 properties by Selectman Sadak. Seconded by Selectman Taylor.

Selectman Olsen – I agree as long as there is the ability for the Select Board to reject any bid.

Public Works Director White – The bank will have a reserve that they do not publish. When you put a reserve on you will see a cluster of bids around the reserve.

Motion and second withdrawn.

Motion to add the one that Sue will tell me about by Selectman Sadak. Seconded by Taylor.

- g) **Consideration of FY 2016-17 Fee Schedule** – Sue Look, Town Clerk
Included in the ePacket is the Fee Schedule as proposed for FY 2016-2017 for Selectman approval.

Selectman Sadak – I think the dog fines for dogs on the beach, left in a car, etc.

Motion to approve as presented by Selectman Taylor. Seconded by Selectman Gifford.
Unanimously approved.

- h) **Consideration of FY 2016-17 Committee Appointments** – Sue Look, Town Clerk
Included in the ePacket is the annual appointment of committee members for Selectman approval.

Town Manager Willard – Mary Jane Wells on the Board of Assessment Review has moved.

Selectman Olsen – Holly Mitchell on the Board of Assessment Review has also moved.

Motion to approve the list with the 2 above deleted by Selectman Olsen. Seconded by Selectman Sadak.

Unanimously approved.

- i) **Consideration of FY 2016-17 Staff Appointments** – Sue Look, Town Clerk
Included in the ePacket is the annual appointments of staff members for Selectman approval.

Motion to approve by Selectman Sadak. Seconded by Selectman Taylor.

Unanimously approved.

- j) **Consideration of Changing Summer Hours from “Memorial Day Weekend to Labor Day Weekend” to “Memorial Day Weekend to Weekend before July 4th”** – Sue Look, Town Clerk

Included in the ePacket please find the number of people served in 2015 on Tuesdays after 4pm and on Saturdays, and a summary of full-time office hours for municipalities in Androscoggin, Cumberland, and Oxford Counties sorted by population.

First, thank you for allowing me to present this request. I appreciate your serious consideration of this issue.

In 2015 we kept counts of all customers who came in after 4pm on Tuesdays and on Saturdays from March through September. As you can see the statistics show that there is a marked decrease in the number of customers on Tuesdays when we are open on Saturdays, suggesting that many of the Saturday customers could come in on Tuesdays.

The other hand out depicts the office hours for all towns in Cumberland, Androscoggin, and Oxford Counties (who have full-time office hours) and found that Raymond is the only town over a population of 1,616 to have Saturday hours at all. There are 3 smaller towns who are open 1 Saturday per month, and a town that is 1/4th the size of Raymond (Lovell) who is open each Saturday.

From Memorial Day to the 4th of July we do many boats. After the 4th of July we do very few boats, instead it is mostly car re-registrations which can be done online or on Tuesday night.

When an employee works on Saturday their hours must be subtracted from the hours they work during the week. For example, when Alice or Cindy (both part-time employees) work a Saturday they do not work one of their other shifts during the week. This leave us short-handed during the week and defeats the purpose of them working the counter so Rita and Sue can get their other responsibilities done.

State offices are only open M-F from 8am to 5pm (some close as early as 4pm), and insurance companies rarely have office hours on Saturdays. If a customer comes in with a situation requiring help from Augusta it can not be handled on Saturday and the customer will need to

return during the week. On the whole customers are very unhappy with needing to return a 2nd time to the office to complete a transaction.

We are requesting that you consider either eliminating being open on Saturday during July & August, or dropping down to 1 Saturday per month for those months.

Chairman Bruno – The issue with 1 Saturday per month is confusion of which Saturday is it.

Selectman Sadak – My thoughts on this are I think it is a benefit to the town and there are summer people who are coming up only on the weekend. If we wait on 17 people on a Saturday, that is 17 people we did not get to during the week. I would like to see Saturdays continue and the employees get paid for those extra hours instead of taking the hours from the rest of the week.

Selectman Gifford – What do the locals want?

Town Clerk Look – It is mostly re-registrations of cars and boats that can both be done online. As I understand it, one of the reasons we do this is to accommodate the summer folks, but they are doing most of their registrations online. On the whole, if you do not register your boat by the 4th of July you are not going to register it.

Chairman Bruno – What is more egregious – the 7pm on Tuesday or the Saturday?

Town Clerk Look – None of us mind the 7pm on Tuesday and we often get comments that citizens appreciate that we are there to accommodate them. As you can see from the numbers a lot of the traffic shifts from Tuesday to Saturday.

Chairman Bruno – When we voted this in I voted against opening on Saturdays. Almost everything can be done online, I almost never come to the Town Office (I may have to come in more often now). I don't know why we are paying payroll dollars for Saturday morning. Most towns are not open on Saturday. I know we do it because we are a vacation destination and people have 2nd homes and come up on Saturday, but most of what they need to do can be done online.

Selectman Gifford – That is the problem, I wonder if everyone knows that? Is it posted?

Town Clerk Look – Online transactions are highlighted on the website and there are links to all the State sites.

Chairman Bruno – I think a sign on the front door that we are not open and you can do most transactions online. Only for renewals, not for new registrations.

Selectman Taylor – What if we closed on Saturdays in July and August and opened on the 1st day of Hunting Season? That way we are taking away 1 thing and replacing it with another.

Chairman Bruno – You can buy a hunting license online.

Selectman Taylor – What if you don't have a printer? I am game to close on Saturdays, but there are a couple – 1st day of hunting season, 4th of July Saturday – that I think we should be open.

Chairman Bruno – The question is, how many people come in and get their hunting license on Saturday?

Town Clerk Look – Fewer & fewer because Walmart sells them and so does Cabela's, LL Bean, etc. There are a lot of places that sell hunting licenses.

Selectman Olsen – One question I have is how many places advertise that we are open on Saturdays in the summer? The Welcome to Raymond flyer states this.

Town Manager Willard – As far as that goes, I am doing the edits right now and we could change that schedule.

Chairman Bruno – The question becomes; do we do it for this year or wait until next year? The 4th of July is 2 weeks away. I am in favor of saying that after Labor Day we are shut down on Saturdays from then on and open on Tuesday nights. So beginning in 2017 we will not have Saturday hours.

Motion to end Saturday hours after Labor Day weekend of 2016 by Selectman Taylor. Seconded by Selectman Gifford.

Selectman Sadak – I abstain.

Chairman Bruno – You can not abstain at this point. You have an item in front of you and you must vote.

Unanimously approved.

- k) **Consideration of New Electronic Town Office Sign, Balance from Contingency** – Sue Look, Town Clerk
Included in the ePacket please find the most suitable competitive proposal to replace our current sign with an electronic sign.

Chairman Bruno – So you are requesting \$12,000 additional for the sign? We don't have final year-end figures and you are waiting for a final quote. Get the new quote, come back to the next Selectmen's Meeting when we know how much is available after carry forwards, so we will know the balance.

Selectman Taylor – Why do we need such an extravagant sign? Or, why do we need this particular sign?

Town Manager Willard – We started looking at this about 10 years ago with the White Board technology (white background and black letters). That is still prohibitively expensive. The kind of sign that the Town of Gray has, the Town of Oxford has one, has pretty much become the norm these days. The idea is that you have a capital investment, you have the cost of the installation, but what you don't have is the time, the effort, and the exposure to liability in trying to deal with the weather and hand manipulating letters onto a static board. You can do this from a desktop easily, seamlessly. It is the way of the world, everything is going digital/electronic. This is way to make contact with citizens. Every town around us has them now. I think it will be a huge improvement for notifications and for the staff to be able to do that more easily and efficiently.

Chairman Bruno – I can't imagine the staff going out in the dead of winter to update the sign.

Selectman Taylor – It is a nice looking sign; it is just a lot to absorb. You know me about us looking modern and how we don't want to look like a bunch of hill billies, but a 4' X 7' box is going to cost \$20K?

Chairman Bruno – For this price we should get more than 1 bid.

Town Clerk Look – We did get several and this one for several reasons came to the top. One

was the ascetics. To those of us in the Town Office this sign fit the character of the Town Office better than other designs. The other designs were too square and austere.

Selectman Olsen – What is our goal in putting this up?

Chairman Bruno – Inform the public of meetings and events.

Selectman Olsen – Where is the traffic flow in the town?

Chairman Bruno – 302

Selectman Olsen – Are we better served to look at seating it at the Public Safety building rather than the Town Hall?

Selectman Taylor – The Public Safety building has less exposure than the Town Hall.

Selectman Olsen – Is there a better place that is going to get more exposure?

Town Manager Willard – Maybe we should get quotes for both so you can consider it.

Selectman Sadak – I don't think it should be on the Public Safety building.

Town Manager Willard – Eventually you should have one there.

Selectman Gifford – I don't think so either. The location is not good.

Public Works Director White – The Town Office sign, regardless of whether we do electronic or not, needs to be replaced. It is about ready to fall over.

Selectman Gifford – The sign should stay at the Town Hall.

Selectman Olsen – We need to look at this in total, how are we going to market ourselves going forward.

Selectman Sadak – As people are driving to work on 302 a sign would remind them about what is going on in Town. But, real estate on 302 is really tough. Don't we own Tassel Top?

Chairman Bruno – No, it is run by us and owned by the State of Maine.

Selectman Olsen – We could probably get approval from the State.

Selectman Sadak – It is like a perfect location.

Chairman Bruno – If we are going to spend that much money it should be a budget item and let the Town decide. Ask the vendor if there are any volume discounts.

Town Meeting Willard – We have not done any negotiations of price as yet, only collected costs.

5) Public Comment

None

6) Selectman Comment

Chairman Bruno – I am looking forward to working with this board. I have a good feeling about this board.

7) Town Manager's Report and Communications

a) Confirm Dates for Upcoming Regular Meetings

- September 13, 2016
- October 11, 2016
- November 15, 2016 (November 8th is Election Day)

b) Reminder of Upcoming Holiday Schedule

- Monday, July 4, 2016, in observance of Independence Day
- Monday, September 5, 2016, in observance of Labor Day
- U Can 5K will be on Saturday, June 25th

c) Sand-Salt Building Update – Public Works Director Nathan White

- The building is complete. The parking lot will be paved this Friday and we will be adding a gate. There will not be a storage building built, instead we will be rehabbing our current building for storage.
- Town Manager Willard – It looks great and Nathan did a great job.
- People will still be able to get sand/salt in the winter. This year was 30-40 yards and 2 years ago we went through 1,000 yards.

d) Roads Update – Public Works Director Nathan White

- North Raymond Road is done
- Reclaimed Pond Road and Shaker Woods Road.
- The crew is working on Crescent Beach on Rt 85 to do drainage improvement for the lake
- Next we will do the whole length of Mill Street and then Patricia Avenue

8) Treasurer's Warrant – June 21, 2016

Motion to approve the warrant dated 6/21/2016 for \$464,885.75 by Selectman Taylor. Seconded by Selectman Sadak.

Unanimously approved.

9) Adjournment

Motion to adjourn at 8:33pm by Selectman Sadak. Seconded by Selectman Taylor.

Unanimously approved.

Respectfully submitted,

Susan L Look, Town Clerk