# BOARD OF SELECTMEN
# AGENDA

March 5, 2013
7:00 p.m.
***(After Joint Public Hearing with Planning Board)***
Broadcast Studio

## SELECTMEN'S MEETING

**1) Call to order.**

**2) Minutes of previous meeting dated:**
- **February 12, 2013**

**3) PUBLIC HEARING:** For the purpose of receiving public comment on the following potential warrant articles.

**a) Extension and Amendments to the Waste Handling Agreement with Mid-Maine Waste Action Corporation**

The purpose of this proposed warrant article is to authorize the town to enter into a 20 (twenty) year contract extension for Municipal Solid Waste (MSW) incineration services with Mid-Maine Waste Action Corporation (MWAC). It would also give the Board of Selectmen the authority to make contract amendments, other than to extend the term of the contract, without Annual Town Meeting Approval. The warrant article that has been drafted by the town attorney is attached to the ePacket and copies are available on the town website, at the Town Office and at the meeting.

**b) Conversion of Existing Tower Site Lease to a Perpetual Easement for a One-time Payment of $900,000 at 90 Patricia Avenue (005/019/ON0) Property**

At the May 8, 2012 meeting, the Board of Selectmen authorized the Town Manager to continue negotiations for the sale of a perpetual easement to Crown Castle for an existing tower site at 90 Patricia Avenue. The proposed warrant article will authorize the Board of Selectmen to execute the sale of the easement as long as the easement document is substantially similar to the one attached the to ePacket, as negotiations are ongoing. Copies of the proposed warrant article, proposed easement language, and survey of the property are available in the ePacket as well as on the town website, at the Town Office and will be available at the meeting.

**4) New Business.**

**a) Consideration of Raymond Beach Private Management Proposals- Board of Selectmen**

Recently, a new Request for Proposals (RFP) was advertised for the management of Raymond Beach. One proposal was received by the closing deadline and another was received late, which has also been included. Attached to the ePacket is the original RFP and the proposals received as well as a brief summary for each. The qualifying applicant has been invited to present/discuss their proposals.

**b) Consideration of Funding for Tenny River Project and Possible Warrant Article for 2013 Annual Town Meeting- John Rand, Raymond Conservation Commission Chair**

At the April 10, 2012 Selectmen meeting, Chairman John Rand of the Raymond Conservation Commission requested that the Selectmen consider contributing $10,000 from the Open Space Fund Reserve (current available balance is $49,306.70) toward a matching grant for the Tenny River Corridor Project, contingent on a conservation easement being successfully negotiated with Loon Echo Land Trust (attached to the ePacket). The Conservation Commission made an official vote to unanimously support the project at their meeting on March 7, 2011 (memo from Chairman John Rand attached to the ePacket).

The Conservation Commission is requesting that the purchase of property within the Tenny River corridor be included as a warrant article for the 2013 Annual Town Meeting. However, there were several concerns raised at the last meeting including granting public access to a private road, "in perpetuity" language in the easement, the fact that the easement has not been vetted by town's attorney and the fact the public has not had time to comment on this purchase, especially abutters, via a public hearing.

**c) Setting Date for 2013 Annual Town Meeting (June 4, 2013) and Elections (June 11, 2013)- Louise Lester, Town Clerk**

Town Clerk Louise Lester is requesting to officially set the dates for the 2013 Annual Town Meeting as June 4, 2013 and the Election as June 11, 2013.

**d) Executive Session pursuant to 1 MRSA § 405(6)(A): Town Manager Evaluation and Consideration of Contract Extension**

**5) Unfinished Business**

**a) Consideration and Review of Amended Heavy Oil Sands Resolution- Board of Selectmen**

At the February 12, 2013 Selectmen's meeting, the Healthy Waters Coalition requested that the Board of Selectmen adopt an Oil Tar Sands Resolution, that they submitted for consideration to protect the town in the event of an accidental contamination. The Board heard presentations from the Healthy Waters Coalition, representatives of the Portland Pipeline, Canadian Government, and concerned citizens. Attached to the ePacket is a revised resolution for consideration, review and possible adoption.

**b) Consideration of Appointment of Member and Alternate to Portland Area Comprehensive Transportation System (PACTS) Policy Committee and Executive Committee- Board of Selectmen**

The 2010 Census Data has indicated that Portland's metropolitan area population had increased and, as a result, the size of the immediate transportation network within the PACTS system was extended to include roughly 1 mile of Route 121 as well as 1.5 mile of Route 302 in Raymond. This could mean that if federal capital road improvement funds became available Raymond may be eligible.

PACTS Director John Duncan has requested that Raymond select one member and two alternates to serve on the PACTS Policy Committee and of those individuals, one member and one alternate be chosen to serve on the Executive Committee. Attached the ePacket is a list of the responsibilities and functions for each committee. Public Works Director Nathan White has expressed interest in serving on the Policy Committee.

c) **Consideration and Approval of Planning Board Warrants for 2013 Annual Town Meeting- Board of Selectmen**

On January 16, 2013, the Planning Board held a public hearing to review proposed ordinance changes. As a result, five ordinance revisions were recommended to be sent to Selectmen for approval and recommendation for Town Meeting. Proposed warrants and a memo from the Danielle Loring, Planning Board Secretary, are attached to the ePacket.

d) **Consideration of Zoning Board of Appeals Request for the Resignation of Member- Danielle Loring, Zoning Board Secretary**

The Zoning Board of Appeals voted at their January 7, 2013 meeting to request that the Board of Selectmen ask for the resignation of their alternate member, Sheila Philpot, due to lack of attendance and advertise for a new member. Ms. Philpot began her service in December, 2009 and has attended one meeting to date, in February, 2010. Chairman Matt Schaefer has been in contact Ms. Philpot, and although she has expressed interest in remaining a member, she did not attend either of the two meetings following their discussion. The Board is currently working to create bylaws that would help to establish an attendance policy moving forward.

**6) Consideration of FY 2013-14 Municipal Budget- Board of Selectmen**

The Town Manager proposed Budget/Warrant Articles will be discussed, amended, and possibly approved by the Board of Selectmen.

**7) Public Comment** This agenda item is for the public to bring attention to any issues and concerns for future Board of Selectmen meetings.

**8) Town Manager Report and Communications.**

a) **Confirm date for next regular meeting:**
- **April 9, 2013**

b) **Nomination papers available March 19, 2013**
- **Board of Selectman- 3 year (2)**
- **Budget-Finance Committee- 3 Year (3)**
- **RSU#14 Board of Director- 3 year (1)**

**9) Fiscal Warrants – March 5, 2013**

- **Payroll Expense Summary Warrant**
- **Treasurer's Warrant**

**10) Adjournment.**