

MINUTES
Board of Selectmen Meeting
Tuesday, February 17, 1998

ATTENDANCE: Stephanie Bubier, Chairman; Ernest Allen; Ada Brown; Charles Murray; Jackie Hewett, Chairman of the Comprehensive Plan committee; and Nathan Poore, Town Manager.

1. **CALL TO ORDER:** Stephanie Bubier called the meeting to order at 7:00 pm at the Town Hall.
2. Consideration of previous meeting minutes.
 - a. January 19, 1998
 - b. January 20, 1998
 - c. January 24, 1998
 - d. February 3, 1998

DISCUSSION: Charles Murray asked that the Minutes from February 3, 1998 be amended to say in his motion that anyone who wants an article in the warrant produce a citizens' petition.

MOTION: Ernest Allen motioned to approve all of the Minutes with the amendment to the February 3, 1998 Minutes. Seconded by Charles Murray.

VOTE: Unanimous.

3. Consideration of a citizen appeal of the Town Manager's denial of a bulky waste fee refund.

DISCUSSION: Betty Walsh, appellant, thanked the Board for postponing this hearing and said that she had been a resident of Raymond for about 13 years. She indicated that this delivery to the bulky waste facility was on November 11, 1997 and that she was there with her car which had a sticker and the U-Haul truck which she had rented. The Facility would not let the truck in without a day pass and since she had the truck for just one day, she elected to pay the cash customer fee which was 10 cents per pound amounting to \$106.00. Mr. Poore said he had empathy for her position but felt that he could not overrule Raymond's policies. He continued that he had talked with the Facility and Dave Morton, Town Manager of Casco, and they would not change their position on the fee charged. Mr. Poore said that if the Selectmen wanted to refund any money, he suggested refunding the 5 cents per pound which Raymond would have paid if she had a Day Pass. He indicated that this was the first request of this type in over two years.

MOTION: Charles Murray motioned to give back one half the fee charged (\$53.00). Seconded by Ada Brown.

VOTE: Unanimous.

DISCUSSION: Mr. Allen asked Nathan Poore to initiate discussion with the Bulky Waste Facility to see if they would be willing to change their policy for situations such as this. Mr. Poore answered that during his talks with Mr. Morton and the Facility, they indicated that they did not want to entertain any policy changes at this time. Mr. Allen asked that publicity be sent out to again advertise Raymond's policy on what people must do to be able to take bulky waste to the Facility.

4. Review final draft of the 1997 Town Report and consideration to make recommendations on several proposed Town Meeting warrant articles.

DISCUSSION: Mr. Poore noted that the Selectmen could put a recommendation on some zoning or ordinance warrant articles. Mrs. Hewett said that she had a problem with the process taken to put articles in the warrant. Mr. Poore said that what they had was a working draft of the articles which will be voted on March 10th to go to Town Meeting. Mrs. Bubier said that the Selectmen voted to put on the Warrant what was read on January 20th. Mr. Poore thought that the intent was to have the articles drawn up for a vote before Town Meeting. He continued that the actual warrant approval would be at the signing of the Town Meeting Warrant. Mrs. Hewett asked that they be aware of the process so that they could rebutt. She felt that the Planning board was driving the issue and there had not been enough public participation. She thought that one hearing ten days prior to a vote was not enough time. She continued that if changes were needed, there would not be enough time to do them prior to the meeting and they could not be accepted as substantive changes. Mrs. Bubier affirmed that the Selectmen or the Planning Board had not intended to keep this quiet or ram it through. Michael Cline asked where this change came from and who had a specific interest in its passage. He felt there should be a major outpouring from the public. Harold Burnham was glad to have a Comprehensive Plan which laid the framework for the Town's expansion. He felt that changing it in part would unravel the whole framework. Ada Brown noted that the Comprehensive Plan was not sacred and that the people could over rule the Comprehensive Plan if they chose. There was discussion as to which must be in place first the ordinance or the comprehensive plan. Mr. Allen said that Raymond's zoning came first and then the Town was required by the State of have a Comprehensive Plan. He felt there were towns in Maine which had ordinances but no Comprehensive Plan. He added that the first Comp Plan only dealt with what Raymond had to have to cover its ordinances. He thought the revision of 1991 involved more people but he wasn't sure how it was accomplished. The Selectmen felt this zone change could be brought to the people as one small part of the Comp Plan. Mrs. Hewett indicated that any town which has zoning must have a Comp Plan. Mrs. Bubier reviewed the history of the area and the Cabin Candlerly issue. Mrs. Hewett felt more time was needed for discussion. Mr. Murray thought the voters were able to read and make up their own minds. Mr. Burnham asked how the Selectmen could keep the process going with so much negative feedback. He hadn't heard any positive remarks at this meeting. Mr. Murray said that this was not the only hearing they had had on the subject and that they and the Planning Board had heard positive feelings about it at other meetings. Mrs. Rand asked if the Comp Plan Committee was reestablished to review this issue? Mr. Murray replied it was only by happenstance. The Comp Plan Committee had been asked to convene so that they could review the Action Plan Matrix because some of the implementation dates were overdue. Mr. Poore added that the Committee was formed to look at the implementation schedule and whether it was up to date or needed review. The Candle Candlerly request came along after this request. Tim Pomerleau remembered that at that time the Comp Plan was not supposed to be etched in stone and the Planning Board could work with it i.e. taking land out of resource protection with an affirmative Town Meeting vote. Mr. Allen felt that if the question is very clear that the voter can make a decision. Mr.

Cline didn't think that this was a small issue and felt it was a very destructive issue. The issue should be left for study prior to any decisions. Mr. Poore reviewed the history from the Planning Board first meetings last spring until now. Mr. Crockett requested that the Selectmen have a public hearing and delay this issue to hear what the public wants. Mr. Murray said they only wanted to bring this to the Town for their vote. Dr. Burnham said the reality now was that this zone won't allow commercial use and that any possible change might take a year or two to make changes. Mrs. Hewett noted that this area is over a primary aquifer and bad traffic area which should be looked at strenuously. She added that if the Town is not in compliance with the State guidelines the Town would not be able to get State funding i.e. natural resources and traffic control. Mr. Allen asked if all definitions of light industrial been given. Mr. Poore replied that what he had was what the Planning Board had formulated. Dr. Burnham asked to know more specifics of the criteria for the zone changes and definitions. Mr. Allen said the articles must be very clear as to what the people will be voting for and how it will effect the Town. If it takes more than the time to Town Meeting he would consider a special town meeting but he didn't want to wait two years for the whole Comp Plan to be studied. Mrs. Bubier asked if more time is needed would the Selectmen consider calling a special town meeting. Mr. Murray had a problem with the lack of attendance at special town meetings and didn't find it desirable. He thought enough information was available and that the issue had been discussed at length. There was discussion of the timing of the public hearings which would allow the article(s) to be withdrawn if necessary.

MOTION: Ada Brown motioned to accept the warrant as written. Seconded by Stephanie Bubier.

AMENDMENT: Charles Murray amended to strike the Selectmen recommendation on Article 20.

DISCUSSION: Mrs. Hewett requested that the Comp Plan Committee have their recommendation printed on the warrant articles.

MOTION WITHDRAWN: Ada Brown withdrew her motion.

MOTION: Charles Murray motioned to print the Town Report including all articles and on Article 20 to remove the Selectmen's recommendation. Seconded by Ada Brown.

VOTE: Unanimous.

MOTION: Charles Murray motioned to authorize the Comprehensive Plan Committee to make a recommendation on Article 15 on the supplemental warrant. Seconded by Ernest Allen.

VOTE: Unanimous.

5. Consideration to proclaim the month of May, 1998 as "Older Americans Month".

MOTION: Ada Brown motioned to pass over. Seconded by Charles Murray.

VOTE: 3 in favor (Brown, Murray, Allen) 1 opposed (Bubier)

6. Consideration to enter into an agreement with the Animal Refuge League for animal shelter services and other related services.

NOTE: Mr. Poore said that he had discussed with them their increase notice after Raymond's budget process was finished.

MOTION: Ada Brown motioned to enter into an agreement pending passage at the Annual Town Meeting on March 21, 1998. Seconded by Charles Murray.

VOTE: Unanimous.

7. Discuss raising the fees charged for septic storage and spreading services.

DISCUSSION: Mr. Poore suggested that they discuss this issue if and when the Town passes this improvement at Town Meeting.

PASSED OVER.

8. Communications and other business.

a. Abatements for B0590R (reduction of value because of neglect to property) and B0580R (reduction because it is non-buildable).

MOTION: Charles Murray motioned to approve. Seconded by Ada Brown.

VOTE: 3 in favor (Brown, Murray, Bubier) 1 abstention (Allen)

W1475R (reduction for Veteran's Abatement)

MOTION: Ernest Allen motioned to approve. Seconded by Ada Brown.

VOTE: Unanimous.

b. MMWAC proposed budget.

NOTE: Mr. Allen said that the tipping fee looks like it might be around \$40.00/ton.

c. Mr. Poore announced that currently the Town is working under the 1990 BOCA Code.

d. Hill-Martin of Vermont agreement on snow equipment.

Truck will be fitted with plowing gear. Bids: #1 \$22,944.00, #2 \$26,100.00 and #3 \$24,415. With wing plow and stainless steel sanding hopper \$29,245.00

MOTION: Charles Murray motioned to purchase the package for both trucks with steel hoppers. Seconded by Ernest Allen.

VOTE: Unanimous.

e. Boston Post Cane.

NOTE: Mr. Poore said that a letter of thanks had been sent to Mr. Holmquist and the Historical Society for the Cane display case.

f. School Bus Bids.

DISCUSSION: Mr. Poore announced there were three bids for the 1979 big bus of \$255.55, \$304.00, and \$501.00.

MOTION: Charles Murray motioned to accept the highest bid. Seconded by Ernest Allen

VOTE: Unanimous.

DISCUSSION: Mr. Poore informed the Selectmen that the Fire Department Ladies Auxiliary would like to have the small bus to be retrofitted into a canteen vehicle. They will support the vehicle other than gasoline and insurance. Mr. Murray said it was OK with him as long as it didn't cost the Town much money.

g. Comprehensive Plan.

NOTE: Mr. Poore said that the Comp Plan implementation summary would have to be farmed out because of a lack of his time to put into it. He felt there could be a goal meeting in April.

h. Town Warrant Article Petitions.

NOTE: Mr. Poore said that Mrs. White had not turned in any petition as yet and that he would suggest getting a legal opinion of any possible petition wording prior to circulation so that everyone understood the intention of the petition. Mrs. Bubier felt that was necessary.

8. Communications and other business.

a. Candidates night will be March 12, 1998 at Jordan Small School at 7:00 pm.

b. Tassel Top Committee will be meeting February 19, 1998.

c. February 10, 1998 Election. 33% turnout and all went well.

d. CRDA Regional Transportation Advisory Committee meeting in Buxton was a disappointment and Mr. Poore was not sure whether Raymond would get any money after all.

9. Review and authorize the February 17, 1998 Treasurer's Warrant.

MOTION: Ernest Allen motioned to approve the Warrant in the amount of \$80,193.07. Seconded by Charles Murray.

VOTE: Unanimous.