

Town of Raymond  
401 Webbs Mills Road  
Raymond, Maine 04071  
207-655-4742

Selectmen Meeting Minutes  
Tuesday, August 17, 2004

Members present: Betty McDermott, Chairman; Ada Brown; Chris McClellan; Mark Gendron; and Mike Reynolds.

Staff present: Don Willard, Town Manager; Elizabeth Cummings, Finance Director; Josh Stevens, Fire Department Inspector; Bruce Tupper, Deputy Fire Chief; and Nathan White, Public Works Director.

Others present: Robert O'Neill; Ken Walker; and Dana Malair, Nortrax.

1. Call to order. Betty McDermott, Chairman, opened the meeting at 7:00 pm at the Town Office.

2. Consideration of previous minutes dated:

a.) August 3, 2004

MOTION: Christine McClellan motioned to accept the minutes of August 3, 2004 as written. Seconded Ada Brown.

VOTE: Unanimous.

b.) July 20, 2004

MOTION: Christine McClellan motioned to approve the minutes of July 20, 2004. Seconded by Mike Reynolds.

VOTE: 3 in favor (McDermott, Reynolds, McClellan) 2 abstentions (Brown, Gendron both absent for that meeting)

3. Consideration of Liquor License renewal for Café Sebago – Michael Schmidt, 1248 Roosevelt Trail.

DISCUSSION: Josh Stevens, Fire Department Inspector, recommended a conditional 60 day stipulation for corrections: 1) dumpster too close to the building which is a Pine Tree Waste issue rather than Café Sebago; 2) a portable fire extinguisher is under the bar which should be where the people can get to it; and 3) the emergency lighting in case of power failure needs to be operational. Mr. and Mrs. Schmidt are aware of the problems and will fix them. Two other things, which have been fixed, are a tile in the kitchen ceiling needed to be replaced and electric outlets need to be grounded. Mr. Schmidt said that the ceiling tile was always there but translucent. Mr. Stevens said that he might not have notice that. Mr. Schmidt complained that the last visit was in June and now yesterday they came again and he didn't feel that they were given enough time to make these changes before the license hearing. He said that if they had more time they could have had these things

rectified before their visit. Mr. Stevens said that their time for inspections is voluntarily and on their own time, and this was the first chance they had to inspect the business. Mr. Gendron asked if they give a conditional approval, does Mr. Schmidt have to appear before the Selectmen again. He would rather give approval now and ask Mr. Stevens to check that the corrections have been done. Mr. Stevens said that the fire inspector is held responsible if anything should happen before the corrections are made. Mr. Reynolds asked if the town could rescind the license if the repairs are not done. Mr. Stevens didn't think so. Deputy Chief Tupper said that they should have an extension so that all businesses are handled the same. Mr. Gendron felt that because the inspection was done yesterday, Mr. Schmidt should be given an opportunity to fix the items but not be delayed in getting his license. Deputy Chief Tupper reiterated that he was looking at keeping the standards equal and fair for everyone. Mr. Willard said that the town could issue a letter of extension for the liquor license and have Mr. Schmidt return when the repairs are complete. Mr. Reynolds felt that they probably didn't have to appear again but have the Selectmen sign the license at the next meeting if the repairs are done. Mr. Willard said that the town would take the responsibility of the delay with the State Liquor office. Mr. Reynolds added that Mr. Schmidt should call when the changes are made. Mr. Gendron felt that it should be approved and then given to the Schmidt's when the corrections are made. Mr. Willard said that he would hold the signed license until the Fire Department says everything is to code. MOTION: Mark Gendron motioned to approve and sign the license with the holdup being the Fire Inspectors notification that the fire extinguisher has been mounted and the emergency light has been corrected. Seconded by Mike Reynolds. VOTE: Unanimous.

4. U.S. Postal Service – Discussion of Raymond Road Runner delivery problems – Paul Robinson, Acting Director U.S. Postal Service.

DISCUSSION: Mr. Willard announced that Mr. Robinson couldn't be here. Mrs. McDermott noted the problem with July Roadrunner which wasn't delivered to one route. Mrs. McDermott inquired at the post office why the route didn't get their Roadrunners and the Post Office said they would investigate. The post office contacted Mr. Willard. Mr. Willard said they reported that the carrier didn't feel well that day and put the Roadrunners in or near the recycling bin because she thought they were junk mail. Mr. Willard asked for a refund on the postage for the Roadrunners which weren't delivered. Mrs. McDermott said that during the term of this discussion, the post office's story changed which disturbed her and she felt they should refund for the entire route. Mr. Willard said they refunded \$135.48. Mr. Reynolds asked what other items were not delivered that day or other days, which we don't know about. Mr. Willard concurred and felt that the post office should be invited to another Selectmen's meeting instead of a private daytime meeting. Mr. Gendron felt that the Postal Service should stand up for this inadequacy. Mr. Willard asked if they wanted to pursue this and step up to the next departmental level if necessary. Mrs. McDermott felt that possibly some mail is not always delivered when it is in the post office. She noted that her husband's paycheck was not delivered on Saturday when it has always come before. Mr. Gendron felt that the Postal Service should appear at a Selectmen's meeting to answer questions. Mr. Willard said that he would try to have someone here at the next meeting.

5. 2004 Backhoe Bid Award – Nathan White, Public Works Director.

DISCUSSION: Mr. White announced the bid opening on Wednesday, August 11, 2004, where the Case backhoe was the low bidder but didn't meet our specifications. He also noted that the town has had bad luck with Case machines in the past. He noted that the John Deere 410G is more expensive by \$11,000 but is his recommendation because it is a larger backhoe; 9% more operating weight, the torque rise is more, the hydraulic flow is more which will run the equipment we have, there is a limited slip front end, the digging depth is 20 feet, the digging force is 14% more, the front end capacity is 16% more, the bucket capacity is larger; and the power steering is in force even without power. Mrs. McClellan asked if it was still within the budget. Mr. White replied yes. Mr. Willard said that the loan officer preferred the John Deere machine. Mr. Reynolds felt that if the specs don't match then it should not be considered because it didn't meet our needs. Mr. White said that they have not had a chance to try the Case but felt it would be too light a machine for the town's needs. Mr. Gendron noted that last week a resident suggested that we purchase machinery which will stand up and be able to do the work needed. He felt that we shouldn't purchase something which will just get us by and possibly have problems. Mr. White said that the Case isn't even as heavy a machine as what we are presently using. Mr. White said the John Deere has a four-year warranty, and we can get a backup machine from the dealer if ours is being repaired. He added that the service department is very good at Nortrex. There was discussion about the JCB machine, which was not up to specs and had some problems with safety issues when Public Works tried the demo machine. Mr. White said that the JCB is an imported machine and that Public Works has had problems getting parts for our New Holland machine, which is also an imported machine. Mr. Walker felt that any machinery purchased should be big enough to do the job and have a good service department.

MOTION: Mark Gendron motioned to accept the bid from Nortrex for the John Deere 410G for not more than \$65,250. Seconded by Christine McClellan.

VOTE: Unanimous.

6. Year end Financial Review – Elizabeth Cummings, Finance Director.

DISCUSSION: Mr. Willard noted that the budget is in good shape with revenues over projection and expenditures under budget. This will allow the difference to go into surplus. Mrs. Cummings noted that these are pre-audit numbers but felt that they are correct. The audit will be completed at the end of September. Mr. Willard emphasized that Mrs. Cummings keeps control of the books with a capable hand. Mr. Reynolds questioned General Assistance. Mrs. Cummings explained that this is for emergency aid only and is awarded on a one by one basis. She noted that there is a 50% match from Augusta for our General Assistance expenditures. Mr. Reynolds felt this was a low number. Mrs. Cummings said there are state guidelines which we must follow for qualifying recipients. Mr. Willard felt that most of the applicants who are given help are transients. Mr. Reynolds questioned the amount being paid to the bulky waste facility as being lower than last year. Mrs. Lester said that she couldn't give a reason for the lower amounts being taken there but felt that possibly the damage from the 1998 Ice Storm has now been cleaned up. Mrs. Cummings explained that last year's budget number was figured for the

expenditure for the previous hauler but the town hired another company which was less expensive. Mrs. Cummings said that the revenues for 2003-2004 were \$73,000 over projections but was way below the amount of revenues collected above projections for 2002-2003. The results from the Smith and Associates audit should be available by the end of October. She noted that the current fund balance is \$1,400,000 and the 2003-2004 overage will be added. She expected to have a fund balance of \$1,600,000, which is near the auditor's recommendations. Mr. Reynolds asked what we were over at the end of last year 2002-2003. Mrs. Cummings wasn't sure but said that we did have receipts going into surplus. Mr. Reynolds commended the town in coming in under budget after the town meeting gave the message that they wanted less spending. Mr. Willard said that all departments have tried very hard to hold the line.

7. Selectmen Bylaws – consideration of draft.

DISCUSSION: Mr. Willard explained that this draft is from the best elements of several other towns' bylaws, which Mrs. Lester compiled. He suggested that if passed it should be reviewed annually by the Selectmen after each annual town meeting. Mr. Gendron asked that it come back at another meeting so that they have more time to look at it. Mr. Willard explained that towns operate under Maine statute M.R.S.A. 30-A and a council form of town government has a charter which allows those towns to operate as they choose as long as they don't go against Maine state law. Mr. Reynolds felt that this should be discussed on some issues and procedures and take out some redundancies. Mr. Willard asked if they felt this should be a workshop or a subcommittee to work with staff for a product to come to the Selectmen again. Mr. Willard suggested a workshop meeting. Mr. Reynolds agreed and said that there were some items to discuss i.e. Selectmen "chairman" to "chair".

8. Planning Board Resignation – Debi Davis.

DISCUSSION: Mr. Willard noted that Mrs. Davis couldn't stay on the board due to some family problems. He provided a recognition certificate for the Selectmen to sign for her.

MOTION: Christine McClellan motioned to accept Mrs. Davis' resignation. Seconded by Mike Reynolds.

VOTE: Unanimous.

9. Planning Board Vacancy Interviews – Robert O'Neill and Shirley Thibeault.

DISCUSSION: Mrs. McDermott noted that Mrs. Thibeault was not in attendance. Mr. O'Neill introduced himself as one who has been on the list for over a year. He would like to participate on the Planning Board. He said that he is retired military, graduate of a teachers program, and currently teaching chemistry, physics and environmental studies. He also has worked on Raymond Pond's water survey, has helped with a water abatement system on their road, and he and his wife have helped with milfoil inspections. Mr. Gendron felt that the Board needs a conservationist on the Planning Board.

MOTION: Mark Gendron motioned to appoint Robert O'Neill to the Planning Board. Seconded by Mike Reynolds.

VOTE: 4 in favor (Gendron, Reynolds, McDermott, McClellan) 1 opposed (Brown)

10. One Raymond Strategic Plan. – Mark Gendron.

DISCUSSION: Mr. Gendron said that at the last steering committee meeting it was decided to contact every board, committee, and organization in the town to ask their members for information in what they need from the town and their vision of the town. They would also be asked to send a representative from each group to meet with the One Raymond Committee. He hoped that Brad McCurtain, co-chair of the Comprehensive Plan Committee, would provide information from the Comprehensive Plan. Mr. Gendron said the mailing of 500 would invite people to a meeting, which will break down into small groups for discussion. At the end of the meeting, each group will receive the information from the other groups. Their next meeting will be to organize the information from the solicitations. He felt that for future planning the town needs to look at goals up to 10 years out. One of the issues is whether the volunteer groups can continue to provide their services or whether it will become a town service, which will affect the tax base. The ability to utilize the town/school's attributes is important to share resources and save money. They are interested in people involved in various groups in the town but the Committee also wants to include those who would now like be involved. There will be another article in the September Roadrunner.

11. Communications and other business.

a. Ken Thompson – Appeals Board appeal.

Mr. Willard reported that Chris Vaniotis, town attorney, proposed that we go to Superior Court with Ken Thompson about his boathouse. Mr. Thompson has not brought the boathouse into compliance. Mr. Willard said there has been no response from Mr. Thompson. Mr. Reynolds asked how long this has been going on. Mr. Willard said quite a while – years, and the agreement was made last fall that he needed to move the building. Mr. Reynolds didn't feel that the town could let this go. Everyone was in agreement with the town manager's action.

b. Comprehensive Plan Public Hearing and Special Town Meeting.

Mr. Willard announced that there would be a public hearing for the new Comprehensive Plan on September 9, 2004, at 7:00 pm at Jordan-Small Middle School and a Special Town Meeting to vote on it October 14, 2004 at 7:00 pm at Jordan-Small Middle School. Copies of the draft Comprehensive Plan are available at the town office and the Village Library as well as on the website [www.raymondmaine.org](http://www.raymondmaine.org).

c. 1A Initiative.

Mr. Willard reminded the Selectmen about the letter of July 8, 2004 from the City of Brewer relative to 1A from the 2004 June referendum. He said that the response could be accomplished at the workshop if desired. There are also some other small issues which could be considered at that time. Mr. Willard felt that the 1A issue should be discussed with the School Committee and the Budget/Finance Committee, which he will arrange. Mrs. McClellan asked that the workshop be in September and Mr. Willard said that he would arrange it.

d. Sheri Gagnon Park

Mr. Willard noted that a major beer party apparently happened at the Sheri Gagnon Park picnic area. Along with trash, which he and some other people picked up, the playground airplane was badly damaged and is now at the Old District 1 garage. Public Works will try to repair it. This vandalism is very disappointing. The dog signs are still there but the red lettering has faded. He said that signs with black lettering would replace the faded signs. Mr. Reynolds noted that recently the Windham parks are banning dogs for the same reason.

12. Review and authorize Payroll and Treasurer's Warrants dated August 17, 2004.

MOTION: Ada Brown motioned to approve the payroll warrant in the amount of \$43,261.57. Seconded by Christine McClellan.

VOTE: Unanimous.

MOTION: Ada Brown motioned to approve the Treasurer's Warrant in the amount of \$146,644.59. Seconded by Christine McClellan.

VOTE: Unanimous.

13. Adjourn.

MOTION: Mark motioned to adjourn. Seconded by Christine McClellan.

VOTE: Unanimous.

ADJOURNMENT: Betty McDermott adjourned the meeting at 8:24 pm.

Louise H. Lester  
Town Clerk