

401 Webbs Mills Road
Raymond, Maine 04071
207.655.4742

BOARD OF SELECTMEN
MINUTES* (corrected)
Tuesday, July 12, 2005

Selectmen present: Betty McDermott, Chairman; Mike Reynolds; and Dana Desjardins.

Selectmen absent: Mark Gendron; and Lonnie Taylor

Staff present: Don Willard, Town Manager; Jack Cooper, Code Enforcement Officer; Denis Morse, Fire Chief, and Josh Stevens, Firefighter.

Others present: Ada Brown; and Charles Leavitt and others.

1) Call to order. Betty McDermott called the meeting to order at 7:00 pm at the Town Office.

2) Minutes of the previous meeting. June 21, 2005

MOTION: Mike Reynolds motioned to approve the minutes of June 21, 2005 as written. Seconded by Dana Desjardins.

VOTE: Unanimous 3-0

3) New business.

a. Consideration of new road name located off Egypt Rd. – Files Farm Dr. – Jack Cooper, Code Enforcement Officer.

DISCUSSION: Jack Cooper explained that this road is just before the road to the old dump off Egypt Road on the land of Trudilynn Files, and there is also one off Oakledge Road which the residents want to call Waterview Lane.

MOTION: Mike Reynolds motioned to approve the names of Files Farm Drive off the Egypt Road and Waterview Lane off Oakledge Road. Seconded by Dana Desjardins.

DISCUSSION: Mr. Desjardins asked why the road names are approved by the Selectmen instead of the Planning Board. Mr. Cooper said that many of the roads don't go before the Planning Board because they're not in a subdivision but are under the 911 authority which the Selectmen have always done. Mr. Willard added that naming town roads by the Selectmen is traditional statewide. Mr. Cooper said that if these roads became a part of a subdivision they would most likely keep the same name but even subdivision road names come before the Selectmen.

VOTE: Unanimous 3-0

b. Consideration of First Time System Variance Request – Map 52, Lot 40 - Jack Cooper, Code Enforcement Officer.

DISCUSSION: Mr. Cooper reported that this lot was located behind Key Bank (County Road) which is grandfathered but does need a variance because they can't meet code criteria from the water table and the depth of the leach field. Mrs. McDermott asked how Mr. Cooper feels about this request. Mr. Cooper replied that the septic will be near an abutter's well which the abutter has signed off on. Mr. Reynolds said that with his new education with the CPIC Committee he said he didn't feel qualified to make this decision. He asked to have a professional advisory opinion. Mr. Cooper noted that this does qualify for the state's variance with the abutter's permission. Dennis Fecteau, A & D Construction, the developer, said that the state has been at the site and this could be done with the new systems available today. This would be 85 feet from the well which is a deep well and down stream from where the septic would be. He said the house won't obstruct the area because it will be a small ranch with a small garage. The only trees cut will be for the house, leach bed, and driveway. James Mancini will design the septic system. Mr. Desjardins had concern about the reselling of the house and lot and the future for this house. He also wanted a second opinion from another site evaluator because this would be a waiver from our codes. Mr. Desjardins asked to see the report from the state and their opinion. Mr. Reynolds said that if the state doesn't approve it, the house is a "no go" anyway. Mr. Desjardins asked to postpone this until next week's meeting to see the state report. Mrs. McDermott felt they could approve it with the stipulation that the state approve it. Mr. Cooper informed them that this would be the scenario because the state won't look at it until the Selectmen sign off on it. He added that the lot has been for sale for a long time because of this problem. Mr. Reynolds asked if this would be an asset or liability to the town. Mr. Cooper replied that the town would not be responsible for this after construction. There was discussion about the process. Mr. Fecteau felt that his site evaluator did a good job, and the state has looked at it and said that it looked good to them. The only problem is the 85 feet to the neighbor's well.

MOTION: Mike Reynolds motioned to table until next week or the next meeting when they can have more information from the state. Seconded by Dana Desjardins.

DISCUSSION: Mr. Desjardins felt it should be on the agenda for next week. There was discussion about the protocol decision about whether they have workshop or regular meetings and when they could vote on it.

VOTE: Unanimous 3-0

c. Board of Assessment Review interviews: William Priest and Ada Brown.

DISCUSSION: Mr. Priest was absent. Ada Brown testified that she had served on the Board of Selectmen for 8 years which means that she was also considered an assessor. She felt that she had learned a lot during that time and would be helpful in the process. She wanted to keep everything equal for landowners. The Board thanked Mrs. Brown for her interest.

d. Appointment Board of Assessment Review.

DISCUSSION: Mr. Reynolds felt that Mr. Priest's absence should take him out of contention since this is the second time he has been absent. Mr. Reynolds said he had a recommendation ready but would be comfortable waiting for a full Select Board if that is what is correct. *Mrs. McDermott said that Mark Gendron had no problem with going

forward without him. (“when she had spoken with Mark Gendron he didn’t mention any problems with the agenda.”) Mr. Reynolds read from a previous write up which said that there would be 3 regular members (1 year, 2 year, and 3 year terms), and two alternates (1 year and 2 year terms). All members will be necessary to attend all meetings.

MOTION: Mike Reynolds nominated the following slate of candidates: Ray Kelso regular member 3 year term, Mary Jane Vandersluis regular member 2 year term, Brenda Tubbs regular member 1 year term, Ada Brown alternate member 1 year term, and Charles Miller alternate member for a 2 year term. Seconded by Dana Desjardins.

VOTE: Unanimous 3-0

e. Addendum to Liquor License - Montebello Ristorante.

DISCUSSION: Mr. Willard explained that they want to serve food and drink on the outside deck and the front porch. Mr. Desjardins questioned liquor licenses not being advertised. Mrs. Lester reported that the state now does not require advertising for any liquor license application whether new or renewal. Mr. Willard added that the Selectmen can choose to require advertising or not. Mrs. Lester said that she would report to them the cost of advertising which the applicant would have to pay prior to their hearing. Chief Morse said that he didn’t think the state would allow the front door being used for serving because it obstructs the exit. He added that the room for entertainment i.e. standing room only would have to be in accordance with their per square foot requirement. He also said that the possible temptation to lock exits to prevent customers letting other people into the building was a dangerous potential. They needed to have the owner sign off on the location of tables and prevention of the blockage of doorways. Mr. Stevens said that the state won’t allow the use of the porch because of the potential blockage of the front door but there was no problem with using the side deck.

MOTION: Mike Reynolds motioned to approve serving on the side deck but not the front porch because of our ordinance Life Safety 101. Seconded by Dana Desjardins.

VOTE: Unanimous 3-0

f. Special Amusement Application – Montebello Ristorante.

MOTION: Mike Reynolds motioned to approve the Special Amusement License for the Montebello Ristorante. Seconded by Dana Desjardins.

VOTE: Unanimous 3-0

g. Consideration of abatement A04-20 – Account #F1100R, Fricker Qualified Personal Trust; and A04-21 – Account #G4015R, Gagnon Development Company – Amanda Simpson, Assessors’ Agent.

Ms. Simpson absent.

DISCUSSION: Mr. Willard said that A04-20 was a supplement made in error of \$301.63 and the second abatement A04-21 was an unbuildable lot for \$521.99 for a total abatement of \$823.62.

MOTION: Dana Desjardins motioned to approve the abatements as Amanda Simpson requested. Seconded by Mike Reynolds.

VOTE: Unanimous 3-0

NOTE: Selectmen signed the abatements.

h. Request for capital reserve fund auto accident revenues – Fire Chief Denis Morse.

DISCUSSION: Chief Morse asked to move forward on billing for accidents as they have been doing for mutual aid. The Jaws of Life have needed constant repair and need a safety harness, and oil containment materials are an ongoing need. It is also advantageous to have a backup apparatus. He said they have been billing for commercial truck accidents and now would like to bill for car 1055's. He said it was becoming important to have a Jaws of Life in each District which could be purchased with revenues from outside the town budget. This billing would be done by the Fire Department for 1055's rather than outside like we do for rescue billing. Using this system we could save the taxpayer funding on the budget and keep the equipment repaired or replaced. This could be billed to insurance companies and vehicle owners which is an accepted practice for most towns and cities. Basic allowable charge is \$250 for most auto insurance companies which is included in almost all premiums.

MOTION: Dana Desjardins motioned to approve the request to have a reserve fund for future 1055 vehicle crash equipment. Seconded by Mike Reynolds.

DISCUSSION: Mr. Desjardins asked if there would be a limit for this account. Chief Morse wanted to build the account for a power pack which is about \$18,000 or more. Any purchase would have to come before the Selectmen prior to purchase. Mr. Reynolds had concern that this would ultimately increase the insurance cost to everyone with the current trend in spiraling insurance costs. He said the need is certain but the vehicle for funding is his question. Chief Morse felt that most crashes are not by residents but people passing through town, and they should be responsible for payment of services. He added that we are now having walk-ins coming into the Public Safety Building for rescue care because they know we're there.

WITHDRAW MOTION: Desjardins withdrew the motion.

MOTION: Dana Desjardins motioned to table this issue until the next business meeting. Seconded by Mike Reynolds.

VOTE: Unanimous 3-0

i. Raymond Fire/Rescue Department Tank 2 refurbishment update – Fire Chief Denis Morse.

DISCUSSION: Chief Morse reported that the Department used the tanker shuttle and emptied the steel tank to see what the tank looks like and found its getting worse. E1 had estimated for a tank at \$38,000 - \$40,000. EPM estimate of \$58,000 which would have to be a written estimate because of possible additional expense for parts. He thought it would be \$35,000 to \$42,000 to have the steel tank removed and the new poly tank installed as low on the chassis as possible for better weight distribution. He wanted to take half from the reserve account and half from the maintenance account. Chief Morse felt that this rebuilt truck should last Raymond another 15 years because the frame looks very good and will be sand blasted and recoated prior to the new tank being installed. He added that the truck was out of service right now to protect the pumps from the tank residue. Tank 2 began in Raymond as a used truck and it works very well with little repairs.

MOTION: Mike Reynolds motioned to continue the rehabilitation of Tank 2 as described by Chief Morse. Seconded by Dana Desjardins.

VOTE: Unanimous 3-0

j. Consideration of Quit Claim Deed – Hurd/Chevarie – Map 15, Lot 92.

DISCUSSION: Mr. Willard recommended approving the Quit Claim Deed because all fees have been paid and the property is in compliance. He said they would have the storage yard judgment lien in force for one year. Mr. Reynolds noted an error in the names to be signed on the form. Mrs. Lester suggested striking the incorrect Selectmen names to be signed and sign the corrected ones.

MOTION: Dana Desjardins motioned to approve the Quit Claim Deed for Hurd/Chevarie as written by the Town Attorney with the corrections of two names of Ada Brown and Christine McClellan. Seconded by Mike Reynolds.

VOTE: Unanimous 3-0

NOTE: Selectmen signed the Quit Claim Deed.

k. Maine Department of Transportation (MDOT) Rural Road Initiative Project Agreement- Route 121/Meadow Road.

DISCUSSION: Mr. Willard noted their past discussion on this project and Raymond's previous cooperation with the state on Route 85. The total value will be \$450,000 with the town's contribution of \$150,000 which will go from Main Street 1.8 miles to the north for heavy pavement reclamation. The money would come from the pavement bond. He said they didn't expect this to come this quickly but the MDOT didn't do a job in Scarborough, and we're next. He added that he wasn't happy about this scenario with the state but felt that it would be the only way the state roads would be repaired is to be partnered with the state. Mr. Desjardins had concern that we have some town roads that could use this money and didn't feel it was a high priority. Mrs. McDermott thought that Nathan White had signed it while Mr. Willard was on vacation. Mr. Desjardins asked if this was the going rate. Mr. Willard felt the price will keep going up because the price of petroleum products (asphalt) and cost in construction.

MOTION: Mike Reynolds motioned to approve the partnership with the state and ask a town official to sign the contract. Seconded by Dana Desjardins.

VOTE: Unanimous 3-0

4) Old (unfinished) business. None.

5) Town Manager Report and Communications.

a. Hired part-time Communications Director.

Mr. Willard announced that John Hanley has been hired to fill this position. He is well versed in all forms of communications and will do the Roadrunner, Town Report, website, and other things. He will be paid \$10,000 annually which will be taken from the salary for Kevin Woodbrey.

b. Code Enforcement Assistant.

Mr. Desjardins asked when this position will be refilled. Mr. Willard replied that they will begin interviews very soon and have several applicants.

NOTE: Reynolds will not be available for August 2, 2005. It was decided to discuss the August 2nd meeting date next week.

- 6) Fiscal Warrants – Payroll and Appropriation Warrants dated June 30, 2005 and July 12, 2005. (The June 30, 2005 warrants were overlooked and will appear at the next meeting July 19, 2005.)

MOTION: Mike Reynolds motioned to approve the Payroll Warrant for July 12, 2005 in the amount of \$32,721.63. Seconded by Dana Desjardins.

VOTE: Unanimous 3-0

MOTION: Mike Reynolds motioned to approve the Treasurer's Warrant for July 12, 2005 in the amount of \$42,013.37. Seconded by Dana Desjardins.

VOTE: Unanimous 3-0

- 7) Adjournment.

MOTION: Dana Desjardins motioned to adjourn. Seconded by Mike Reynolds.

VOTE: Unanimous 3-0

ADJOURNMENT: Betty McDermott adjourned the meeting at 8:28 pm.

Louise H. Lester
Town Clerk