

TOWN OF RAYMOND
401 Webbs Mills Road
Raymond, Maine 04071

SELECTMEN'S MEETING
MINUTES
Tuesday, August 5, 2008

SELECTMEN: Mike Reynolds, Chairman; Mark Gendron; Joe Bruno; and Lonnie Taylor

SELECTMEN ABSENT: Dana Desjardins

STAFF: Don Willard, Town Manager; and Will Cook, Code Enforcement Officer

OTHERS: Howard and Eileen Stiles, Eleanor Thompson, Bonnie Lewis, Elizabeth Wilson, Rick Gordon, and Chris Naegel Esq.

1. Call to order. Mike Reynolds called the meeting to order at 7:07 pm at the Broadcast Studio.
2. Minutes for July 15, 2008

MOTION: Joe Bruno motioned to approve the minutes of July 15, 2008. Seconded by Lonnie Taylor.

VOTE: Unanimous 4-0

3. New Business:
 - a. Greater Portland Council of Government (GPCOG) Award/Veterans Memorial Park – Veterans Memorial Park Chair Howard Stiles, Beautification Committee Sharon Dodson, Hawthorne Garden Club Irene Morris, and Steven Lentine.

DISCUSSION: Mr. Reynolds introduced the award given to the Veterans' Memorial Park by GPCOG for that committee's work in creating this area. The park was created by volunteers, an Eagle Scout, the Hawthorne Club, and Raymond Public Works. Mr. Stiles said that it was a project supported by the town, the Selectmen; the Town Manager; the Founders Day Committee with funds left after that event; Raymond Lions Club, Bob Gilmore, President; Paul Lentine; Eagle Scout Steve Lentine; the Hawthorne Garden Club which maintains the flowers; Vern Waters; Eleanor Thompson; and many others. Bob Flynn and Dwaine Buzzell were contractors who gave of their time and materials. Engraved paving stones are still available and will be an ongoing endeavor. Mr. Stiles introduced those present from the volunteers.

- b. Consideration of annual town appointments – Town Clerk Louise Lester

DISCUSSION: Mr. Reynolds noted that Dana Desjardins stepped down as the MMWAC representative and Mark Gendron will take that position.

MOTION: Joe Bruno motioned to approve the listed appointments dated July 31, 2008 with the replacement of Mr. Gendron for Mr. Desjardins as MMWAC representative. Seconded by Mark Gendron.

VOTE: Unanimous 4-0

- c. Casco/Naples/Raymond regional services discussion, consideration of exploration and vote of support – Chairman Mike Reynolds

DISCUSSION: Mr. Reynolds reported that he, Mr. Bruno, Mr. Willard met with the Casco and Naples Selectmen and other department heads, as well as some interested public to talk about how the three towns might share services. The first goal would be for fire/rescue services. Currently we do share emergency dispatch. The intent is to keep our current services at the not less than present level with the hope that it would cost less in the long run. They are considering a straw vote to see if the citizens of the town would like to go ahead with these discussions and eventually have some regional services. Mr. Bruno felt that Raymond had the most to offer the other towns but felt that talking was a good idea. Mr. Willard hoped that it could reduce duplication which might save money.

MOTION: Joe Bruno motioned to continue to explore regional opportunities with Casco and Naples. Seconded.

DISCUSSION: Mr. Gendron asked if Gray should be considered as well because we're also talking with them. Mr. Willard said that Raymond would continue with Gray and possibly expand further in the future. Mr. Bruno reported that Cumberland County Dispatch was coming in at a very good price and that might be an item as well.

VOTE: Unanimous 4-0

- d. School consolidation information update – Selectman Joe Bruno

DISCUSSION: Mr. Bruno announced that there would be a meeting Monday, August 11th at 5:00 pm at the Windham Superintendent's Office to finalize the cost sharing and on August 13th there will be a joint meeting in the Windham Council Chambers of School Boards and Selectmen/Councilors at 6:30 pm to talk about where we are. On September 10th there will be a public hearing at Windham High School auditorium about consolidation. He added that they were looking for a school consolidation referendum vote probably on November 4th.

- e. Executive Session – Consultation with Code Enforcement Officer on pending enforcement matters as authorized under 1 M.R.S.A. §405(6)(H)

MOTION: Joe Bruno motioned to go into Executive Session authorized under 1 M.R.S.A. §405(6)(h) Seconded by Lonnie Taylor.

VOTE: Unanimous 4-0

RECESS: Mike Reynolds recessed the meeting at 7:31 pm.

MOTION: Joe Bruno motioned to come out of Executive Session. Seconded by Mark Gendron.

VOTE: Unanimous 4-0

REOPEN MEETING: Mr. Reynolds reopened the meeting at 8:06 pm.

MOTION: Mark Gendron motioned to authorize Don Willard and Will Cook, Code Enforcement Officer, to proceed with the enforcement. Seconded by Lonnie Taylor.

VOTE: 3 in favor (Gendron, Taylor, Reynolds) 1 recused himself (Bruno)

MOTION: Mark Gendron motioned to authorize Don Willard to move forward with the Raymond Pond violation. Seconded by Lonnie Taylor.

VOTE: Unanimous 4-0

4. Old (unfinished) business

- a. Request for easement over Deep Cove Road (Manor Harbor Road) – Scott and Jane Maxwell

DISCUSSION: Chris Naegel attorney for the Maxwell's and JRJ Group announced that the Maxwell's reached an agreement with the Sheehan's Island Homeowners' Association. He showed a plan of what they want to do in that area and gave a history of the subject land. He noted that with the purchase of the Manor Harbor land there was an easement by Elizabeth Wilson on Manor Harbor Road and found that they didn't have an easement over the town land, bus turnaround, on Deep Cove Road and Manor Harbor Road. They have a written agreement with the Sheehan's Island Homeowners' Association that they won't oppose the easement and that the Maxwell's won't ever use the Sheehan's Island Road or bridge. The Maxwell's ask for only an easement for the 50' wide Manor Harbor Road from Deep Cove Road and an article at a town meeting for town approval.

Mr. Gendron asked if the Sheehan's Island Homeowners' Assoc. and the Thomas' also need this easement because they don't currently have it. Mrs. Lewis said that there are four lots on the Sheehan Island Assoc. part of the island. Mr. Naegel said that the Thomas' are grandfathered prior to 1972 and wouldn't need this easement. Mrs. Lewis said that there was a concern that through legal and/or political means there might be a way the Maxwell's lot could use the bridge. She asked that in order to clear this up that the Sheehan Island Homeowners' Assoc. be given an easement as well. The Sheehan Island Homeowners' Assoc. presently has an agreement among them that there will not be more than four dwellings on Sheehan's Island. She felt that the Thomas' be included as well so there will never be any question as to their right to use the town property. Mr. Bruno felt that the Selectmen's concern is only the easement over the town land. He felt that any easement should benefit the town in some way, and he didn't see any way that it does presently. He was not in favor. Mr. Taylor concurred. Mr. Gendron felt the town has benefited from the gift of the bus turnaround since 1972 and felt that has been and will continue to be of benefit to the town. Mr. Reynolds felt that it was inconceivable that the town tells someone that they can't access their property by crossing a piece of town land. Mr. Bruno didn't feel that they are compelled to give the easement because the remainder amount of payment was not going to be paid to the seller.

Mr. Naegel said that the Maxwell's just want access to their land on Manor Harbor Road and in some way to their land on Sheehan's Island. He didn't see any harm to the town and an increase in value to all the properties on Manor Harbor Road, the Thomas', and Sheehan's Island. Ms. Lewis said that the two subjects are totally separate and their major concern was that the Maxwell lot not use their bridge and roadway. She felt the agreement with the Maxwell's would solve this concern. They do have concern with the integrity of the waterway between the Maxwell's Manor Harbor lot and Sheehan's Island. She thanked the Selectmen for their time and concern in this matter.

MOTION: Mark Gendron motioned to bring forward to a town meeting an easement deed across the town property (bus turnaround) that would include the Sheehan Island residents, the Thomas' lot,

and the Maxwell's and JRJ Group to access the single-family dwellings. Seconded by Lonnie Taylor.

VOTE: 2 in favor (Gendron, Taylor) 2 opposed (Bruno, Reynolds)

Mr. Gendron asked that it be brought up again when there is a full Board of Selectmen. It was noted that since the motion was defeated by the tie vote, only a voter on the opposition side could ask that it be brought up again.

5. Town Manager Report and Communications

a. MDOT Urban-Rural Initiative Program 2008-2009 Certification

Mr. Willard said that state funding would be less than budgeted which will be \$1,300 less than anticipated. There is a certification form which must be sent back.

MOTION: Mark Gendron motioned to accept the money that is stated on the form for our roads. Seconded by Joe Bruno.

MOTION WITHDRAWN: Mark Gendron and Joe Bruno withdrew their motion.

MOTION: Mark Gendron motioned to authorize the town manager to do the annual paperwork to receive the state money for local roads. Seconded by Joe Bruno.

VOTE: Unanimous 4-0

b. Don Willard vacation time

Mr. Willard said that he would be taking the week of August 18-22 for vacation.

c. Hazardous Waste Day

MOTION: Joe Bruno motioned to pay 50% of the total residential delivery to Hazardous Waste Day August 23, 2008 to the limit of \$3,800 including the setup cost. Seconded by Mark Gendron.

VOTE: Unanimous 4-0

d. Regional Meeting

Mr. Willard announced that there would be another regional meeting with Casco and Naples here on August 26 at 7:00 pm at the Broadcast Studio.

e. Next Selectmen's meeting

September 2, 2008. There will be a warrant for August 19th which the Selectmen will come into the Town Office to sign.

6. Fiscal Warrants – Payroll and Appropriation Warrants – August 5, 2008

MOTION: Lonnie Taylor motioned to approve the Payroll Warrant in the amount of \$74,501.23. Seconded by Joe Bruno.

VOTE: Unanimous 4-0

MOTION: Lonnie Taylor motioned to approve the Treasurer's Warrant for June 30, 2008 in the amount of \$6,950.66. Seconded by Joe Bruno.

VOTE: Unanimous 4-0

MOTION: Lonnie Taylor motioned to approve the Treasure's Warrant for August 5, 2008 in the amount of \$134,363.22. Seconded by Mark Gendron.
VOTE: Unanimous 4-0

7. Adjournment

MOTION: Mark Gendron motioned to adjourn. Seconded by Lonnie Taylor.
VOTE: Unanimous 4-0

ADJOURNMENT: Mike Reynolds adjourned the meeting at 9:02 pm.

Louise H. Lester
Town Clerk