



BOARD OF SELECTMEN
MINUTES*
September 14, 2010

Attendance: Chairman Joe Bruno; Mike Reynolds; and Dana Desjardins.

Absent: Charles Leavitt and Lonnie Taylor.

Town Staff: Town Manager Don Willard; Mike O'Donnell, Contract Tax Assessor; Chris Hanson, Code Enforcement Officer; Nathan White, Public Works Director; Fire Chief Denis Morse; Louise Lester, Town Clerk and Danielle Loring, Recording Secretary.

Others in attendance: Keith Libby, Chris Brown, and Peter Dunn.

1) Call to order: Meeting was called to order by Joe Bruno at 6:56pm and a quorum was declared.

2) Minutes of previous meeting August 10, 2010:

MOTION: Mike Reynolds motioned to approve the minutes from the meeting on August 10, 2010 as submitted. Seconded by Joe Bruno.

VOTE: 2/0/1 (DD Abstain because absent).

3) New business:

Item taken out of order:

d) Selectmen Recognition of Kathryn "Ginger" Wallace for her service on the Planning Board

Joe Bruno presented a Certificate of Appreciation to Ginger Wallace for her many years of dedicated service. He read the certificate aloud and commented that he knew she had given many more volunteer services to the Town in other capacities over the years. She was thankful for the appreciation and said that her years of service had been fun.

a) Set FY 2010-11 mill rate and sign tax commitment- Michael O'Donnell, Tax Assessor

Contract Tax Assessor, Mike O'Donnell, apologized for not providing tax commitment information ahead of time but said he was working on it right up to the time of the presentation. He presented the minimum mill rate as \$10.42/\$1,000 and the maximum as \$10.93/\$1000.. He explained that in order to avoid borrowing from the undesignated fund balance, that an additional 13 cents be included. Mr. Bruno said that, based on his calculations, that an additional 16 cents was needed to get away from borrowing money from the fund balance and this rate would still lower taxes. He suggested \$10.90, which he felt would be approximately a \$60 reduction for the average property owner.

Mr. Reynolds asked Mr. Willard about the Town's ability to pay it's RSU dues coinciding with tax collection dates. Mr. Willard responded that there was a thin margin between the two tax collection dates and when

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these payments were due. Mr. O'Donnell confirmed this by stating that the average amount that was paid out by Raymond monthly was approximately \$1,000,000.00, but this amount increased to \$2,000,000.00 in October, which was when the fund balance reserve was at its lowest. The County Taxes accounted for 54.5 cents of the mill rate. Mr. Reynolds added that the municipal budget was \$2.33 of the mill rate, which was held flat for the last five years. He pointed out that next year's rate will not be this low because RSU had over \$300,000.00 that was carried over from the year before, which was a one time occurrence. He felt that the mill rate would be above \$11.11 in the future to make up for this.

The Selectmen opened the forum for public comment:

Peter Dunn, 84 Whittemore Cove, agreed with most of what the Selectmen had said until they had proposed the rate be \$10.90. He felt that abatements should be a budget item and not come out of the overlay. Based on the calculations that he has made, he feels that the rate should be \$10.60. He pointed out that the recent Census showed that 17% of Raymond citizens are on a fixed income and this was an opportunity to give back to the community.

MOTION: Dana Desjardins motioned to set the mill rate at \$10.42. No second.

MOTION: Mike Reynolds motioned to set the mill rate at \$10.80. Joe Bruno seconded.

DISCUSSION: Mr. Desjardins stated that very little of the emergency reserve had been used in the past and felt that it was unnecessary to add more funding. He felt that cuts should have been made to keep the mill rate down. Mr. Bruno countered by stating that the balance was to serve for unforeseeable emergencies, that it was not a budget item. He also stated that Raymond has the lowest mill rate in Cumberland County. Mr. Reynolds added that the mill rate had been \$14.95 in 2000 but was brought down to \$9.30 with Raymond's revaluation and has only gone up 10-15% since. In terms of the reserve, it has been brought down from \$150,000 to \$129,000 and the municipal budget has not gone up since 2006, all evidence that cuts have been made.

VOTE: 2/1 (DD); Approved

b) Consideration of Abatement- Michael O'Donnell, Tax Assessor

Mr. O'Donnell presented an abatement for Calvin Beaumier at Map 19, Lot 32B in the amount of \$449.96 for Selectmen approval.

MOTION: Mike Reynolds motioned to approve the abatement in the amount of \$449.96 for Calvin Beaumier at Map 19, Lot 32B. Seconded by Dana Desjardins.

VOTE: 3/0 Unanimous approval.

c.1) Road Name Changes on Indian Point- Chris Hanson, Code Enforcement Officer

Chris Hanson, Code Enforcement Officer, presented name changes for Indian Point: Flying Hullsway; Tommahawk Trail; Allen's Way; and Boater's Way.

MOTION: Mike Reynolds motioned to approve the road name changes of Flying Hullsway, Tomahawk Trail, Allen's Way and Boater's way on Indian Point. Seconded by Dana Desjardins.

DISCUSSION: Mr. Desjardins said that he felt that Tommahawk Trail was offensive to Indians. Fire Chief Denis Morse said he thought that the name changes would help to clear things up and Mr. Hanson

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confirmed that GIS Coordinator, Elisa Trepanier, was working to get these names into the GPS system to make finding them easier for Fire/Rescue Services. Mr Hanson would fill out the appropriate paper work with E911 to get the changes into the dispatch system.

VOTE: 2/1 (DD); Approved.

c.2) Proposal for “Placement of Inert Fill Permit”- Chris Hanson, Code Enforcement Officer

Mr. Hanson presented the new “Placement of Inert Fill Permit” and explained that it was modeled after DOT's version of the permit. It's purpose was to make property owner's responsible for the placement of fill and remove the Town from any liability. Mr. Bruno felt that no action was needed on this matter and agreed with the purpose of the permit.

e) Review of Acquired Property Collection Status- Sue Carr, Deputy Tax Collector

The Selectmen reviewed the summary of tax acquired properties in order to determine the appropriate action in moving forward. Mr. Reynolds was concerned about the individuals that resided at these properties who were not the owners. He did not know what the obligation of the Town was in notifying these individuals. Mr. Willard pointed out that he felt that it would be considered interfering with the contract between the tenant and landlord. Louise Lester, Town Clerk, stated that when the Town went through this process about thirteen years ago and this issue had worked itself out because tenants became aware as things progressed. Mr. Willard said that he would work with the Town attorney to find out what is the appropriate course of action.

MOTION: Mike Reynolds motioned to follow the next step in the “Tax Acquired Property Policy,” amended May 9, 2010. Seconded by Dana Desjardins.

VOTE: 3/0 Unanimous approval.

f) Approval of Warrant for Election of Officers- Board of Selectmen

MOTION: Mike Reynolds motioned to approve the warrant for the Election of Officers on November 2, 2010. Seconded by Dana Desjardins.

VOTE: 3/0 Unanimous approval.

g) Request for Restricted Public Access to Town owned Property located off Egypt Road at Farwell Drive- Keith Libby, 24 Beaulieu Drive (off Farwell Drive)

Keith Libby, 24 Beaulieu Drive, explained to the Selectmen that he was not trying to take access away from anyone; he was just concerned about the safety of his family and condition of the road. He explained that he felt that the use of high powered rifles around the old Town landfill not only presented the risk of explosions but also was a danger to his family because hunters were getting too close to his home. He wanted to place a locked gate at the telephone pole before his house that he, his neighbor, and Public Safety would have a key to.

Mr. Bruno was concerned with restricting access to the public. Mr. Desjardins felt that the Town should take responsibility for the road and, at the very least, grade it. Mr. Willard stated that the Town had no current plans for the property and the previous plan of bringing the Army National guard to clean the cite had fallen through, so there was no reason Town to use funds to improve the condition of the private road.

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Mr. Libby clarified that he was not asking for help with improving the road. He wanted to stop people from going down his driveway and riding ATV's on the former landfill. Nathan White, Public Works Director, stated that DEP conducts site visits to monitor the site monthly. DEP's plan was to limit vehicle access by placing boulders in the road and Mr. Libby's fence would actually be a better alternative. As it was now, people were constantly driving down behind the fill and tearing it up to the point where Public Works was constantly having to repair it. Mr. Willard asked Mr. Morse if a locked gate would present any risk to public safety. Mr. Morse responded that all Public Safety vehicles came equipped with bolt cutters to cut locks and the risk would be a delay in response time.

Chris Brown, 51 Mill St, said that he felt that there should be signage showing that there was parking before the gate, so people were not parking directly in front of it and Mr. Reynolds agreed. Mr. Bruno felt there should be no action taken since DEP was already handling the situation.

h) Vote on use of undesignated fund balance reserve to fund Regional Public Safety Study Local Share

Mr. Willard explained that \$7450.00 that was due per town, which was actually less than what the Town had originally agreed to pay because Dave Morton, Casco Town Manager, had secured a \$15,000 Community Development Block Grant.

MOTION: Mike Reynolds motioned to approve the use of undesignated fund balance reserve to fund the Public Safety Study Local Share. Seconded by Dana Desjardins.

VOTE: 2/1 (DD); Approved.

i) Quit Claim deed for approval: Christine Hedtler, Map 18, Lot 18b, 6 Furlong- Board of Selectmen

MOTION: Mike Reynolds motioned to approve the Quit Claim deed for Christine Hedtler at 6 Furlong, Map 18 Lot 18b. Seconded by Dana Desjardins.

VOTE: 3/0 Unanimous approval

Item taken out of order:

4.b) Discussion of draft IAFF Local 4095, AFL-CIO-CLC Agreement- Fire Chief Denis Morse

Mr. Bruno asked to leave this item tabled until October, because Charles Leavitt had questions that he wanted to ask and he was absent due to an emergency. He felt it would be unfair to proceed without him. Mr. Morse understood and agreed with this decision.

j) Signing of County Tax Assessor's Return- Board of Selectmen

Mr. Reynolds presented the Cumberland County tax return in the amount of \$544,546.00, which is due at the end of October.

MOTION: Mike Reynolds motioned to approve sending \$544,546 to the County of Cumberland. Seconded by Dana Desjardins.

VOTE: 3/0 Unanimous approval.

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4) Old (unfinished) business.

a) Vote to approve revised “The Bold New Town Report Plan”, as discussed on June 10, 2010

Mrs. Lester presented this policy as splitting the Town Warrant and Town Report, which would now be published in November. This helped to get information out to the public so that they were informed in time for the Warrant in the Spring. She felt that it was going smoothly.

DISCUSSION: Mr. Desjardins felt that though Dr. John Painter was not a resident of the community that the Town Report should be dedicated to him. Mrs. Lester stated that a motion to approve changes in the Report timing should be formal, considering the Selectmen were amending an 143 year tradition.

MOTION: Dana Desjardins motioned to accept “The Bold New Town Report Plan” and dedicate the Town Report to Dr. John Painter. Seconded by Mike Reynolds.

VOTE: 3/0 Unanimous approval.

5) Public Comment: None.

6) Town Manager Report and Communications.

a) Confirm date for next meeting.

Proposed date of the next meeting, Tuesday, October 12, 2010, was confirmed by the Selectmen.

b) Town Manager to attend ICMA Conference October 16-22.

Mr. Willard announced that he would be attending the ICMA conference in San Jose, CA from October 16-22. He would be sharing expenses with Naples Town Manager Derik Goodine, leaving early and coming back later in order to save on travel expenses.

Item taken out of order:

8) Fiscal Warrants – Payroll and Appropriation Warrants – September 14, 2010

MOTION: Mike Reynolds motioned to approve the Payroll Expense Summary in the amount of \$102,267.71. Seconded by Dana Desjardins.

VOTE: 3/0 Unanimous approval

MOTION: Mike Reynolds motioned to approve the 9/14/2010 Treasure's Warrant in the amount of \$103,799.51. Seconded by Dana Desjardins.

VOTE: 3/0 Unanimous approval.

7) Selectmen Communications: none.

Mr. Bruno announced that he was aware that a member of the Selectboard had refused to comply with the Freedom of Information Act. A formal written request for copies of emails and other public information had been made, but this legal request was denied by Mr. Desjardins. Mr. Bruno wanted it to be made clear that as Chair he did not condone this illegal behavior. He wanted to make Mr. Desjardins aware that these actions could result in fines and legal fees against Mr. Desjardins.

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Mr. Desjardins wanted to respond to Mr. Bruno's announcement by stating that this has all been a “smear” campaign against him using the press. Rather than asking him for the files, they accused him of not having them. He does have the back-up files in his possession, but he does not want to give them up to the person who has “smeared” his name. He continued that he has nothing to hide, but this is a matter of principle. Mr. Bruno reiterated that he was just passing along the request, but did not know the specifics, and just wanted to be sure that Mr. Desjardins knew that there were consequences to his actions. Mr. Reynolds requested that there be a disciplinary hearing for Mr. Desjardins. Mr. Bruno responded that Mr. Desjardins had five days to respond to this request by either handing over the disc or responding in writing and would consider it at that point.

9) Adjournment.

MOTION: Dana Desjardins made a motion to adjourn. Seconded by Mike Reynolds.

VOTE: 3/0 Unanimous approval

Joe Bruno adjourned at 8:31 pm.

Danielle Loring
Recording Secretary

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