



**BOARD OF SELECTMEN  
MINUTES\***  
June 21, 2011

**SELECTMEN'S MEETING**

**Present: Chairman Joe Bruno, Vice-Chair Lonnie Taylor, Charly Leavitt, Sam Gifford and Mike Reynolds.**

**Absent: None**

**Staff: Town Manager Don Willard; Fire Chief Denis Morse; Assistant Chief Bruce Tupper; Town Clerk Louise Lester; Finance Director Nancy Yates; Assessor Assistant Elizabeth Cummings; Assistant Code Officer Jack Cooper; and Recording Secretary Danielle Loring.**

**Other: Windham GIS Coordinator Dave Sawyer; Earle Cummings; Frank & Betty McDermott; Craig Gerry; and Coldwell Banker Agent Wendy Gallant.**

**1) Call to order:** Chairman Joe Bruno called the meeting to order at 7:18pm and a quorum was declared.

**\*\*3) New business:**

**\*\*b) Recognition and thank you to long time employees Elizabeth Cummings and Jack Cooper**

Mr. Bruno explained that the Town wanted to express appreciation for both Elizabeth and Jack for their hard work and dedication because they were retiring. He presented them both with plaques. Mrs Cummings said that it had been a pleasure and thanked them for the gesture. She continued by saying that it had been a pleasure working for the Town of Raymond with good people and had many good memories. Mr Cooper said that he had enjoyed working with various Selectmen and the Fire Department, because he had worked his way up as chief at one point before becoming a code officer.

**\*\*i) Letter of Concern Regarding Actions of a Member of the Board of Selectmen- Craig Gerry**

Mr. Gerry explained his concerns and the events that happened leading to him writing a letter to Mr. Bruno. Mr. Gerry had donated a home for fire training, including being burned down, in the spring of 2011 because the home was not fit for living, and found out that that room burns had been canceled due to concerned because a selectman had raised concerns about asbestos. He was upset because the end result was the house did not get burned down, even though the chances of suspect materials was low, and the valuable training was lost. He felt that the selectman was micromanaging employees.

Mr. Leavitt identified himself as the responding selectman and explained that the concern was not unsolicited because he had received an email from a concerned citizen. He explained that asbestos does not burn and becomes free floating in the air, contaminating the neighborhood. He said that he followed the appropriate chain of command by going to the Town Manager and then following up with the Code Officer. If anything, it had been a learning experience for all involved.

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Mr Morse said that there had been several buildings that the department had burned and the they had done their part to investigate the buildings that they burned. He thanked Mr. Gerry for allowing them to get the training from the building and did not think that he needed to apologize for any actions that they had taken.

Mr. Bruno said that he thought that his role as chairman was to address these issues as they were presented to him. He thought that that Mr. Leavitt was correct in bringing the issue forward but thinks that it is important that the Board members realize the thin line between being a citizen and Board member. Everything should be funneled through the Town manager.

**\*\*c) GIS Quarterly Update- Windham Assessor/GIS Coordinator Dave Sawyer**

Mr. Sawyer explained that Windham had been completing contract service for about a year and Windham employee, Elisa Trepanier, spent 15 hours a week in Raymond to get the Town updated, including realignment of parcel layers, which had taken the bulk of her time, and looking for Town monuments and plotting.

Mr. Willard explained that the Town had renewed the contract for the 2011-12 fiscal year but through they would be considering it on a maintenance level after that, which would mean less hours and money, once the major projects were done.

**d) Presentation for Possible Videographer/Digital Broadcast Studio Public-Private Business Opportunity- Wendy Gallant, Coldwell Lake Region Properties Real Estate Agent**

Ms. Gallant explained that she had noticed on the Town's website that they had a Broadcast Studio and thought that it was a good opportunity to be able to do house tours and promote house sales for Raymond and surrounding towns. Mr. Willard added that when Ms. Gallant had come to him, he saw it a good opportunity to generate revenue from their studio.

There was much conversation regarding how the fees would be decided upon especially factoring Workman's Compensation and how to make sure that the amount of time that was being devoted to each video was cost effective. Mr. Taylor was concerned with censorship and did not want the Town to be accused of being discriminatory. Mr. Willard replied that would have a policy that would outline the events that they could be contracted for. There were also concerns about competing with private sector businesses and others felt that it was a good opportunity for the Town to prosper and make money on an asset.

The general consensus was that they were interested in pursuing the project but that they needed to have more information and have policies in place. Mr. Willard said that if it moved forward that Ms. Gallant had agreed to do community highlight videos that would be played on the local access channel to help promote the area.

**e) Signing of Cumberland County 2011 Hazard Mitigation Plan- Bruce Tupper, Assistant Fire Chief**

Mr. Tupper explained that all of the local towns come together to create a mitigation plan and

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representatives from each sign into it in order to receive funding. Mr. Willard recommended approval for funding.

MOTION: Mike Reynolds motioned to join 2011 Hazard Mitigation Plan; seconded by Lonnie Taylor.

DISCUSSION: Mr. Leavitt said that he had not reviewed plan but felt that it must have been reviewed by involved department heads and would support it positively.

VOTE: UNANIMOUS APPROVAL (5/0)

**f) Annual Appointments for Approval- Louse Lester, Town Clerk**

Town Clerk, Louise Lester, presented the annual list of individuals serving for Town committees that needed to be approved. The following Board of Selectmen representatives were chosen:

- GPCOG, Mike Reynolds
- Tassel Top, Charly Leavitt
- MWAC, Charly Leavitt
- Technology, Lonnie Taylor
- Recycling, Sam Gifford
- Veterans Memorial, Lonnie Taylor

MOTION: Mike Reynolds motioned to approve appointments as presented; seconded by Lonnie Taylor.

DISCUSSION: Mr. Leavitt commented that the list was generally approved as a block without name by name request. He asked that they look at the list more in depth because would like to discuss these committees in more depth because not all boards are fully staffed. He felt that it was apparent watching the television who was attending the meetings, and who was frequently advertising. Mrs. Lester agreed that people who are on committees need to attend meetings but there were some people who were back up people for the work that needed to be done on the committee; as was the case for Cemetery and Conservation committees. She asked that if there were people interested in joining a committee to please come forward because all committees needed more help. Mr. Willard pointed out that Planning Board and Road Improvement Study Committee were of the most need.

VOTE: UNANIMOUS APPROVAL (5/0)

**\*\*4. Old (unfinished) Business**

**a) Draft Fraud Policy- Nancy Yates, Finance Director**

Nancy Yates, Finance Director, presented a revised fraud policy that had been reviewed by counsel.

MOTION: Mike Reynolds motioned to approve the Fraud Policy; seconded by Sam Gifford.

DISCUSSION: None.

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VOTE: UNANIMOUS APPROVAL (5/0)

**2) Minutes of previous meeting dated:**

**a) May 10, 2011**

MOTION: Mike Reynolds motioned to approve the minutes from the May 10, 2011 meeting; seconded by Lonnie Taylor.

DISCUSSION: Mr. Leavitt reminded the public that the official record was the DVD. In section b, there was an excerpt about Mr. Bruno allowing a citizen to speak about the Black Ghost Cafe, but his (Mr. Leavitt's) comment about wanting to know why it was an exception was not. He was concerned that if there was a technical failure that the minutes would not accurately reflect the meeting that took place. Mr. Willard reassured Mr. Leavitt that they had several options if that were to happen, including two back up cameras.

VOTE: UNANIMOUS APPROVAL (5/0)

**• May 31, 2011**

MOTION: Mike Reynolds motioned to approve the minutes for the May 31, 2011 meeting; seconded by Charly Leavitt.

DISCUSSION: None.

VOTE: APPROVED (4/0/1 [Abstention LT])

**\*\*3) New business:**

**a) Election of Chairman, Vice-Chairman, and Parliamentarian**

MOTION: Mike Reynolds motioned to elect Joe Bruno as chair for the upcoming year; seconded by Sam Gifford.

No other nominations made.

DISCUSSION: Mr. Leavitt expressed concern that the chairman had been acting more as a chief executive officer, rather than a chief representative for the Board. Mr. Bruno explained his role as a chairman and Mr. Willard explained that the description in the agenda summary was just to explain the positions in a very broad way.

VOTE: APPROVED (3/1 [CL]/1[Abs JB])

MOTION: Mike Reynolds motioned to elect Lonnie Taylor as Vice-chair; seconded by Sam Gifford.

DISCUSSION: Mr. Leavitt reiterated that he had the same concern for vice-chair as he had for the chair because this person would act as chair in the chairman's absence. Mr. Reynolds explained that he was comfortable with how the Board was being led, based upon his experience as a chairman and research on that role. He felt that there was a lot of room for the chairman to run the Board and Mr. Bruno reminded

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the Board that they had adopted *Robert's Rules of Order* as their governing guide for meetings.

VOTE: APPROVED (3/1[CL]/1[Abs LT])

MOTION: Mike Reynolds motioned to elect Joe Bruno for parliamentarian; seconded by Sam Gifford.

DISCUSSION: Mr. Leavitt felt that it was a conflict of interest to have the chair also be the parliamentarian as a statement of good governance and clarity. Mr. Bruno stated that the parliamentarian only advises the board on the ruling of the chair. Mr. Leavitt felt that he had reason to be concerned that materials were being held back and thought it was a matter of good governance. Mr. Taylor stated that he saw the chair as a someone to guide and govern the Board and the parliamentarian as someone who the rules. Mr. Leavitt said that he was also concerned that because the chair and the parliamentarian were the same person that the vice-chair could not fill that role and Mr. Bruno stated that could happen with any position.

VOTE: APPROVED (4/1[CL])

**g) Consideration of Quit Claim Deeds as submitted by Deputy Tax Collector Sue Carr**

MOTION: Mike Reynolds motioned to approve quitclaim deed for 81 Haskell Ave, Map 30, Lot 43; seconded by Lonnie Taylor.

VOTE: UNANIMOUS APPROVAL (5/0)

MOTION: Mike Reynolds motioned to approve the quitclaim deed for 30 Murch Landing, Map 74, Lot 12A; seconded by Lonnie Taylor.

DISCUSSION: Mr. Bruno wanted to know if the quitclaim deed needed to say to the "Estate of" or be a probate deed and Mrs. Yates said that it was whatever was on the original deed, but Mr. Willard said he would check into it.

VOTE: UNANIMOUS APPROVAL (5/0)

**h) Consideration of Abatements as Submitted by Contract Assessor Michael O'Donnell**

Mr. Bruno explained that there were four abatements, which included three denials and one approval.

MOTION: Lonnie Taylor motioned to deny the abatement for Map 10, Lot 61 for Daniel West; seconded by Sam Gifford.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

MOTION: Lonnie Taylor motioned to deny the abatement for Map 53, Lot 7 for Gilman & Bauer; seconded by Sam Gifford.

DISCUSSION: None.

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VOTE: UNANIMOUS APPROVAL (5/0)

MOTION: Lonnie Taylor motioned to deny the abatement for Map 5, Lot 6 for Gilman & Bauer; seconded by Michael Reynolds.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

MOTION: Lonnie Taylor motioned to accept the abatement for Map 1, Lot 23 for Frank Dexter for reason that it was sold; seconded by Mike Reynolds.

DISCUSSION: Mr. Leavitt explained that they Board had workshop in May on concepts of assessing but less than clear the obsolescence and not sure about using a recent sale price to consider abatement. Obsolescence meant that the property was aesthetically or functionally different than the norm but he was not sure if that meant that the owner did more harm to his sale than good. Mr. Bruno agreed with Mr. Leavitt, that structure of the house was its downfall, but the way it was laid out led to it not selling, and does not think that it will ever get its potential. My Taylor said that he stood behind their employee's decisions to grant an abatement.

VOTE: UNANIMOUS APPROVAL (5/0)

**j) Letter of Resignation: Contract Assessor Mike O'Donnell- Board of Selectmen**

Mr. Willard explained that Mike O'Donnell had been the town assessor for more than 10 years but, because Town assessing model does not fit their business model, the O'Donnells are putting their resources into towns that have a bigger pay off.

MOTION: Sam Gifford motioned to accept Mike O'Donnell's resignation; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: APPROVED (5/1[MR])

Mr. Willard explained that they were now looking to fill the vacant positions in the assessing department, even though Mr. O'Donnell was willing to stay through the commitment, he was already exploring different options. Once he had candidates, he would bring forward their options. Mr. Gifford was appointed to be involved in reviewing the applicants.

Mr. Reynolds explained that the reason that he voted against accepting Mr. O'Donnell's resignation was because he would be a hard position to fill.

**\*\*4) Old (unfinished) business.**

**b) Review of Tax acquired properties**

Mr. Willard presented the list of properties and Mrs. Loring explained that Sue Carr, Deputy Tax Collector,

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had sent out a 30 day demand letter, which resulted in a few of the owners on the list coming forward and making payment plans. She also explained that Mrs. Carr had also sent out another 30 day notice to find out what the owners' had interest in the properties . Mr. Willard asked if they were moving toward sale and if selling tax acquired properties would be a regular occurrence, and Mr. Bruno confirmed.

**c) Recall Ordinance Discussion**

Mr. Bruno wanted to know what direction the Board wanted to take with this item and let them know that if an ordinance was created, it could go to Town Meeting in 2012. It was agreed that they felt that the ordinance was necessary for part of the general democratic process but that it should not be an easy thing to achieve. It was decided that the ordinance would:

- Mirror Scarborough's Ordinance, with provisions for a towns without a charter
- Petitioners would have 30 days to collect signatures
- Petitions would be certified forms from the Town Clerk
- Would require signatures from 25% of the voters in the last gubernatorial election.

It was also agreed that they would review language for an Appointment Ordinance, but that the two ordinances would not be tied together.

**\*5) Public Comment: NONE.**

**6) Town Manager Report and Communications.**

**a) Confirm date for next regular meeting:**

The next meeting was set for August 2, 2011.

**b) CMP Smart Meter Program**

Kay Rand had been in contact with Mr. Willard to let him know that meters would begin to be installed June 25, 2011 and more information would be available on the website.

**7) Selectmen Communications.**

**a) Recognition of Mike Reynolds- Chairman Joe Bruno**

Mr. Bruno recognized Mike Reynolds for becoming President of the Greater Council of Government (GPCOG). He felt that it showed that many other people respected him.

**b) Recognition of Veterans' Memorial Donations- Chairman Joe Bruno**

Mr. Bruno thanked Frank McDermott for collecting the moneys that exceeded the costs for the Veterans' Memorial so they were also able to donate some funds to the Beautification Committee. Mr. Leavitt also thanked the donors for contributing those funds and former Selectmen Dana Desjardins for starting that project.

**c) Welcoming New Member to Tassel Top Board of Directors- Charly Leavitt**

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Mr. Leavitt welcomed Shauna (correction: Sharon) Peffer to the Tassel Top Board of Directors because she was voted in on June 14, 2011 to fill a vacancy.

**d) Mid- Maine Waste Action Corp. Update- Charly Leavitt**

Mr. Leavitt explained that he attended the Mid-Maine Waste Action Corp (MWAC) meeting on June 16, 2011, where they applauded Donna Morton's fourth grade class for coming up with a possible new name for the corporation. The name was Green Energy Maine (GEM) and the class received a \$500 gift but were also recognized for taking the project a step further and creating a module that was incorporated into their lesson plan regarding waste and recycling.

**e) Cumberland County Civic Center Renovations- Charly Leavitt**

On May 25, 2011 the Cumberland County Commissioners approved a \$150,000 in funds for SMART Architects for \$28mil renovations of Cumberland County Civic Center. They are starting a PR campaign to convince voters to vote in favor of renovations. Both Mr. Leavitt and Mr. Bruno said that they would keep the public updated.

**f) Update on Letter of Appreciation Request for Former Selectmen Dana Desjardins- Charly Leavitt**

No longer going to request a letter of appreciation because with the last election 11.8%, or 130 voters, sent that message when they voted for him to return as a selectman.

**g) Summer Learning Reminder**

Mr. Leavitt reminded the public of the importance for children to continue learning over the summer.

**8) Fiscal Warrants – Payroll and Appropriation Warrants – June 21, 2011**

MOTION: Lonnie Taylor motioned to approve the Payroll Expense Summary, dated \$141537.14; seconded by Mike Reynolds.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

MOTION: Lonnie Taylor motioned to approve the Treasurer's Warrant, dated June 21, 2011, in the amount of \$138,445.54; seconded by Mike Reynolds.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

**\*\*3) New business:**

**k) Executive Session pursuant to 1 MRSA § 405(6)(F): Consideration/Award of 2011 Scholarship Awards**

MOTION: Mike Reynolds motioned to go into Executive Session pursuant to 1 MRSA § 405(6)(F): Consideration and Award of 2011 Scholarship Awards; seconded by Lonnie Taylor.

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DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

The Board went into Executive Session at 9:26pm.

MOTION: Mike Reynolds motioned to come out of Executive Session; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

The Board came out of Executive Session at 9:41pm.

MOTION: Charly Leavitt motioned to award a \$500 scholarship per student, who had applied and had a complete application on time for the scholarship awards of \$500 each:

- Cassandra Gordon from Collins-Day scholarship fund;
- Mollissa Keane-Dreyer, \$500 from the Wood scholarship fund;
- Elizabeth Shively, \$500 from the Collins-Day scholarship fund;
- Dylan Taylor from the Wood scholarship fund;
- Deanna Weeks from the Edwards scholarship fund; and
- Tyler Winde from the Clough scholarship fund;

seconded by Sam Gifford.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0).

The Selectmen congratulated the recipients and Mr. Bruno reminded the public that any donations to the scholarship fund were always welcome and to see town clerks for details. Mr. Taylor also mentioned that anyone who made a donation could create a new scholarship fund.

**9) Adjournment.**

MOTION: Charly Leavitt motioned to adjourn; seconded by Lonnie Taylor.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Joe Bruno adjourned the meeting at 9:43pm.

Danielle Loring  
Recording Secretary

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