



**BOARD OF SELECTMEN
MINUTES*
February 7, 2011**

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

Absent: None

Staff: Sue Fielder, Animal Control Officer; Chris Hanson, Code Enforcement Officer; Nancy Yates, Finance Director; Louise Lester, Town Clerk; and Danielle Loring, Recording Secretary.

Other: Ralph Bartholomew, Betty Williams & Pat Marass (Cumberland County Soil & Water Conservation), Wayne Geltson, Julie Sutherland, Peter Leavitt and Theresa Sadak.

1) Call to order: Chairman Joe Bruno called the meeting to order at 7:00pm and a quorum was declared.

2) Minutes of previous meetings dated:

- **December 6, 2011**

MOTION: Mike Reynolds motioned to accept the minutes for the December 6, 2011 meeting; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

- **January 10, 2012**

MOTION: Mike Reynolds motioned to accept the minutes for the January 10, 2012 meeting; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

3) New Business.

a) Certificate of Appreciation for Budget-Finance Committee Service Ralph Bartholomew- Joe Bruno, Chair

Mr. Bruno presented the plaque of appreciation to Ralph Bartholomew for his dedicated years of service on the Budget-Finance Committee and thanked him for all the work he had done. Mr. Bartholomew said that Raymond was a great Town and that he had participated in a lot of services that the Town had to offer and,

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**Item taken out of order

in doing so, he had come to appreciate the volunteer spirit.

b) Panther Pond Project Phase II Wrap Up Presentation- Betty Williams & Pat Marass, Cumberland County Soil & Water Conservation District

Betty Williams gave a presentation about the scope and status of the Panther Pond Project. She explained that Federal Watershed grants come under the Clean Water Act, administered by Department of Environmental Protection (DEP) and funded through the US Department of Agriculture (USDA). These organizations are able to allocate up to \$500k to projects of this type and there was a 40% match requirement for this grant.

There were six project requirements, which included project management, residential matching grants. The project was managed through the Steering Committee which was comprised of individuals from Panther Pond Association, Raymond Waterways, Portland Water District, and the DEP.

They were able to complete all thirteen required NPS abatement projects. She explained how these projects were important to minimize run off into the watershed. This mostly included replacing and repairing culverts, bank and shoreland stabilization, maintaining ATV trails and bridges and other projects of this nature. She thanked Lake Region ATV Club, Raymond Rattlers, Casco Snowmobile Club, Raymond Boyscout troop 800 and the Panther Pond Association.

Pat Marass also spoke and explained that he helped out with the residential matching grant component. They were projects where the homeowner could complete themselves with a few volunteers. This primarily involved the use thick mulch to stabilize the terrain around water.

The Selectmen thanked them for them for the update and commended them for their hard work.

c) Consideration and Approval of Proposed Planning Board Warrant Articles for 2012 Annual Town Meeting- Chris Hanson, Code Enforcement Officer

Chris Hanson presented the ordinance changes that had been proposed by the Planning Board

MOTION: Mike Reynolds made a motion to send the three articles, as recommend by the Planning Board to the annual Town Meeting; seconded by Sam Gifford.

DISCUSSION: Mr. Leavitt pointed out that there was language about the collection of fees that were required for Certificate of Occupancy reinspection. Mr. Hanson responded that he was not recommending a fee increase, but he could in the future. Mr. Leavitt asked what had happened to the Backlot Driveway article that the Planning Board had been working on and Mr. Hanson explained that it had been tabled for further work.

VOTE: UNANIMOUS APPROVAL (5/0)

MOTION: Mike Reynolds motioned that the Board of Selectmen follow the Planning Board recommendation and recommend the ordinances for approval; seconded by Sam Gifford.

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DISCUSSION: NONE

VOTE: UNANIMOUS APPROVAL (5/0)

d) Abatements as Presented by Contract Assessor, Curt Lebel- Don Willard, Town Manager

Mr. Willard presented the abatements that Contract Assessor Curt Lebel had prepared and explained that they were house keeping in nature. Mr. Leavitt commented on the new format and said that he liked the information that it provided them.

MOTION: Mike Reynolds motioned to approve abatements as presented by Town Assessor; seconded by Lonnie Taylor.

DISCUSSION: NONE.

VOTE: UNANIMOUS APPROVAL (5/0)

4) Old Business

a) Consideration of Lease Renewal Proposal (Patricia Ave Cell Tower)- JP Knisell, Site Lease Specialist- Crown Castle

Mr. Willard explained that the attorney had looked over the materials and provided a memo with his recommendation. The Board discussed the options that were given and the recommendation from the attorney. They decided that the best course of action was to not accept the first offer but to have the property valued first and work with a negotiator to get the best price.

MOTION: Sam Gifford motioned to move forward with allowing the Town Manager to find an appraiser/negotiator and present an offer to the Board; seconded by Lonnie Taylor.

DISCUSSION: Mr. Reynolds believed that they could get more than 4%. Mr. Willard said that he would work on the existing language to make it more favorable for the Town/

VOTE: UNANIMOUS APPROVAL (5/0)

b) Animal Noise Ordinance

Mr. Bruno asked if the Board wanted to send an ordinance for animal noise to Town Meeting and the rest of the Board agreed that it was a Town issue and wanted to know where the rest of the citizens stand on the issue because if the Board did nothing then it would have to wait another year before anything could be done again.

Both Wayne Geltson and Julie Sutherland, feuding neighbors from Ledge Hill Road, spoke of their experiences and where they stood on the issue of creating an ordinance. ACO Sue Fielder said that she had also been working on a draft ordinance that would help with enforcement. It was decided that the Board would send what the Town had drafted to Public Hearing and that changes could always be made

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as a result.

MOTION: Lonnie Taylor motioned to send the issue to public hearing; seconded by Sam Gifford.

DISCUSSION: NONE.

VOTE: UNANIMOUS APPROVAL (5/0)

****d) PACE Loan Ordinance**

MOTION: Mike Reynolds motioned to send PACE Ordinance to Public Hearing; seconded by Sam Gifford.

DISCUSSION: NONE.

VOTE: UNANIMOUS APPROVAL (5/0)

****c) Recall and Appointment Ordinance**

MOTION: Mike Reynolds motioned to send the Recall & Appointment Ordinance to the Public Hearing in March; seconded by Lonnie Taylor.

DISCUSSION: MR. Leavitt said that he had thought that the Board had originally had 25% percentage and reduced it to 15% at the last meeting but now saw 10% and Mr. Reynolds said that he believed that 10% was correct because he had brought up 15% and after discussion 10% was decided on due to the numbers at gubernatorial elections. Mrs. Loring said that she checked the DVD when making changes to the ordinance but had made a typo when recording 15% in written minutes.

Theresa Sadak, Webbs Mills Road, said that she felt that the recall and appointment should be separate documents. The Board explained how the recall and appointment ordinance would work and that a recall could not result in an appointment. They invited her to come to the Public Hearing to discuss any changes.

VOTE: UNANIMOUS APPROVAL (5/0)

****6) Public Comment:**

a) Peter Leavitt, Leavitt Road

Peter Leavitt gave his history of working on Boards and volunteer capacities within the Town in order to demonstrate his understanding of the Bylaws and Robert's Rules of Orders. He expressed his concerns with the politics of the Board. He cited examples where members had shown disrespect toward one another and the public. He expressed his concerns for allowing Ms. Sadak's speech at the meeting before because it was a personal attack on a Board member.

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b) Theresa Sadak, Webbs Mills Road

Theresa Sadak said that she still stood behind her speech that she had given at the last meeting because she had cited examples of the disrespect that she observed.

Mr. Leavitt commented that he wanted some guidance over the Bylaws for future meetings and Mr. Bruno responded that the chairman has the discretion to rule over the meeting.

c) Charles Leavitt, Leavitt Road

Charles Leavitt thanked the Selectmen and the Town Manager for the letter of appreciation for recognizing Dana Desjardins and his efforts that led to an individual being caught stealing bottles from the Lion's Club donation bin.

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

a) Confirm date for next regular meeting:

- Announced meeting on February 28, 2012 with Budget-Finance Committee
- Confirmed meeting on March 6, 2012 for Selectmen Consideration of Budget & Ordinance Public Hearing

b) Announcements:

- **Republican Caucus:** February 9, 2012 at 7pm at the Town Office
- **Democratic Caucus:** February 26, 2012 at 12:30pm at the Raymond Public Safety Building
- **Nomination papers** are ready on March 16th for positions on the Selectboard and Budget-Finance Committee

c) Dana Desjardins Recognition

Also recognized Mr. Desjardins for his diligence and reporting a situation that he believed to be suspicious.

****8) Fiscal Warrants – Payroll and Appropriation Warrants – February 7, 2012**

a) Payroll Expense Summary

MOTION: Lonnie Taylor motioned to accept the Payroll Expense Summary dated February 7, 2012 in the amount of \$90,038.34; seconded by Mike Reynolds.

DISCUSSION: NONE.

VOTE: UNANIMOUS APPROVAL (5/0)

b) Treasure's Warrant

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MOTION: Lonnie Taylor motioned to accept the Treasure's Warrant dated February 7, 2012 in the amount of \$109,098.35; seconded by Mike Reynolds.

DISCUSSION: NONE.

VOTE: UNANIMOUS APPROVAL (5/0)

****5) Executive Session pursuant to 1 MRSA § 405(6)(H): Meeting with CEO Regarding Pending Land Use Legal Matters**

MOTION: Mike Reynolds motioned to go into Executive Session pursuant to 1 MRSA § 405(6)(H) for a meeting with the CEO regarding pending land use legal matters; seconded by Lonnie Taylor.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Joe Bruno announced that the Board would be going into Executive Session at 8:46pm.

MOTION: Sam Gifford motioned to come out of Executive Session; seconded by Charly Leavitt.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Joe Bruno announced that the Board was out of Executive Session at 9:25pm.

MOTION: Mike Reynolds motioned to authorize the CEO to give seven days, which is February 15th, for a response to pending legal matters on land use; seconded by Lonnie Taylor.

DISCUSSION: NONE

VOTE: UNANIMOUS APPROVAL (5/0)

9) Adjournment:

MOTION: Lonnie Taylor made a motion to adjourn; seconded by Charly Leavitt.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Joe Bruno adjourned the meeting at 9:26pm.

Danielle Loring
Recording Secretary

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