



**BOARD OF SELECTMEN
Minutes**

July 12, 2022

5:30pm – Workshop with RSU #14

6:30pm – Regular Meeting

At Broadcast Studio, Via Zoom & on YouTube

Resolution: We, the Raymond Board of Selectmen, recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to “Be the Influence” and to recognize that decisions matter.

Select Board members in attendance: Rolf Olsen, Joe Bruno, Teresa Sadak, Samuel Gifford, Lawrence Taylor

Select Board members absent: none

Town Staff in attendance:

- Don Willard – Town Manager
- Bruce Tupper – Fire Chief
- Alex Sirois – Code Enforcement Officer
- Charisse Keach – Finance Director
- Sue Look – Town Clerk

1) **Called to order** at 5:30pm

2) **Workshop with RSU #14** – School Choice Tuition and Statutes

The Raymond Representatives of the RSU #14 Board of Directors – Katie Levielle, Jodi Carroll, and Char Jewell, and Superintendent Chris Howell attended to discuss these issues with the Select Board.

Town Votes at Town Meeting from 2008:

Date	Article	Description	Decision
5/28/2008	37	<p>To see if the Town will vote to limit the tuition rate which it pays for students who attend secondary schools other than Windham High School to a rate no more than the Windham High School tuition rate.</p> <p>Explanation: If Article 37 is approved, after July 1, 2008, the Raymond School Department will limit the amount of tuition it pays for secondary students who are permitted to attend public or private secondary schools other than Windham High School at public expense to the amount that the Raymond School Department pays for tuition at Windham High School, and any additional tuition charges for attendance at these public or private secondary schools other than</p>	Approved

Date	Article	Description	Decision
		Windham High Schools shall be the responsibility of the students' parents or guardians.	
11/4/2008	Special Election	<p>Are you in favor of retaining Raymond's current secondary school policy of allowing school choice?</p> <p>Explanation:</p> <ul style="list-style-type: none"> • A YES vote preserves the current "Secondary School Attendance Policy" which <u>provides choice</u> for all Raymond students educated at public expense to attend another public or private secondary school. • A NO vote approves a "Secondary School Attendance Policy" which provides that all Raymond students educated at public expense after July 1, 2009 shall attend Windham High School, <u>eliminating choice</u>, except for those students who are grandfathered because they are residents of Raymond on July 1, 2009 and attend another public or private secondary school beginning the 2009-2010 school year. 	Voted Yes 1,809 No 901

The reason for the workshop is to discuss how to achieve the will of the Town of Raymond that for school choice students the parents pay the difference between the cost to send the student to WHS and the cost to send them to the school of choice.

The votes in 2008 were taken prior to the Town entering the RSU. Once the Town was a part of the RSU in 2009, the rules were then under the RSU statutes:

MRS Title 20-A, §1479. PROGRAM

5. Additional expense. In a regional school unit where some but not all of the students are attending school pursuant to this section, the sending municipality is responsible for the additional expense as calculated in accordance with this subsection.

A. For each secondary school student who attends a public school in another school administrative unit, the sending municipality in a regional school unit is responsible for an amount equal to the difference in tuition in cases when it exceeds the amount of the regional school unit's tuition rate calculated in accordance with section 5805.

B. For each secondary school student who attends a private school approved for tuition purposes subject to the provisions of chapter 219, the sending municipality in a regional school unit is responsible for an amount equal to the difference in tuition in cases when it exceeds the amount of the regional school unit's tuition rate calculated in accordance with section 5805.

Municipalities exercising school choice pursuant to this section are responsible for a local contribution in accordance with section 15688 and the additional expense calculated in accordance with this subsection.

MRS Title 20-A, Chapter 219. TUITION

§5805. Secondary school students; public schools

2. Maximum allowable tuition. The maximum allowable tuition charge by a public secondary school is the rate computed under subsection 1 or the state average per public secondary student cost as adjusted, whichever is lower. The school board of the sending

unit may vote to pay a higher tuition rate.

§5806. Secondary school students; private schools

3. Tuition charge above allowable maximum. A private school may charge tuition above the allowable maximum established in subsection 2, to a maximum excess charge of 15% above the otherwise allowable maximum, in those cases when the private school has a tuition contract with a public school unit or in those cases when the student has an alternative choice for attending secondary school at the allowable maximum tuition rate. The amount above the allowable maximum may be paid in whole or in part by the school administrative unit if the legislative body of the administrative unit votes to authorize its school board to pay a higher tuition rate.

MRS Title 20-A, §15688. SCHOOL ADMINISTRATIVE UNIT CONTRIBUTION TO TOTAL COST OF FUNDING PUBLIC EDUCATION FROM KINDERGARTEN TO GRADE 12

2. Member municipalities in school administrative districts, community school districts, regional school units; total costs. For each municipality that is a member of a school administrative district, community school district or regional school unit, the commissioner shall annually determine each municipality's total cost of education. A municipality's total cost of education is the school administrative district's, community school district's or regional school unit's total cost of education multiplied by the percentage that the municipality's most recent calendar year average pupil count is to the school administrative district's, community school district's or regional school unit's most recent calendar year average pupil count.

B. For a school administrative district, community school district or regional school unit composed of more than one municipality, each municipality's contribution to the total cost of education is the lesser of:

(1) The municipality's total cost as described in subsection 2; and

(2) The total of the full-value education mill rate calculated in section 15671-A, subsection 2 multiplied by the property fiscal capacity of the municipality.

C. For a school administrative district, community school district or regional school unit composed of more than one municipality, the unit's contribution to the total cost of education is the lesser of:

(1) The total cost as described in subsection 1; and

(2) The sum of the totals calculated for each member municipality pursuant to paragraph B, subparagraph (2).

The State of Maine sets the tuition rates for all public schools and sets a cap for private schools. Under the RSU Statutes the Town of Raymond must pay the difference between the tuition rate at WHS and either the public school tuition rate or the cap rate for the private school tuition, and then the parents are responsible to pay the difference between the cap rate and the full tuition to the private school.

There would have needed to be wording to account for these differences in the original RSU consolidation plan in 2009. The intent with the votes was to have choice with the parents paying the difference in tuition once the Town consolidated with the RSU.

Possibly the Town could bill the parents for the difference. We would need to check with the Town Attorney to see if this was permissible. The Town would be able to get the

information from RSU 14 for these costs per student.

Private schools must go through an approval process to receive taxpayer funded tuition, and only for students who live in towns that have school choice.

The proposed new middle school parcel is 45 acres and is in the process of being assessed by State agencies to see if there are any issues. The current purchase price is \$1,500,000. The land has always been used for farming and was not used for dumping.

Workshop ended at 6:07pm.

Regular Meeting began at 6:30pm.

3) Minutes of previous meetings

a) June 21, 2022

Motion to approve as presented by Selectman Sadak. Seconded by Selectman Taylor.

Unanimously approved

4) New Business

a) Consideration and Recommendation for Possible Approval of a Warrant article for a Special Town Meeting to consider funding for the Raymond Casco Historical Society

ARTICLE 2: *To see if the Town will vote to appropriate from undesignated fund balance (surplus) the sum of \$23,200 to help fund the moving and restoration of the historic Raymondtown Watkins Blacksmith Shop (circa 1820) to the Raymond-Casco Historical Society campus.*

Motion to recommend the proposed warrant article by Selectman Olsen. Seconded by Selectman Gifford.

Unanimously approved

Motion to approve the proposed warrant as presented by Selectman Olsen. Seconded by Selectman Taylor.

Unanimously approved

5) Public Hearing

a) August 9, 2022, Special Town Meeting Warrant

Public Hearing declared open at 6:35pm by Chair Bruno.

No public comment

Public Hearing declared closed at 6:35pm by Chair Bruno.

6) New Business, continued

a) Consideration of Renewal of the Liquor License for The Beacon – Rob & Pam Wing, owners

Motion to approve the renewal of the Liquor License for The Beacon by Selectman Olsen. Seconded by Selectman Taylor.

Unanimously approved

b) Consideration of a Liquor License Extension – Kyle Bancroft, Café Sebago

Mr Bancroft asked that this item be removed from the agenda because the Select Board had approved his extension at their May 2021 meeting contingency upon approval of the CEO and Fire Inspector.

May 2021 Minutes Excerpt:

b) Consideration of a Liquor License Extension – Kyle Bancroft, Café Sebago

Mr Bancroft recently signed a long-term lease for 9,200 sf and would like to use it for additional parking and outdoor entertainment. To also sell beer, wine and liquor there (in a tent) his current State Liquor License would need to be modified to extend the area of the license by about 50'-80'). CEO Sirois and the Town Planner would need to approve the expansion and Mr Bancroft has not as yet submitted the applications. Also, the lot he has leased is currently zoned for residential use and this would be changing the use. There are items that would need to be in place to pass the Fire Inspection as well.

CEO Sirois has verbally approved, prior to application, the use of the grassy area for parking to avoid people parking across the street and then crossing Route 302. The beer tent, corn-hole games, and any other pieces may not be installed until after the applications have been approved.

The progression is that the CEO, Planner and Fire Inspector approve their aspects of the project, the Select Board approves the extension of the area covered by the liquor license, and then the State approves the extension.

The property used to have a softball field and was then approved for those uses.

Motion to approve the Liquor License Extension contingent upon approval by CEO, Planning, and Fire Inspector by Selectman Sadak. Seconded by Selectman Bullock.

Unanimously approved

Motion to table until the next Regular Meeting by Selectman Sadak. Seconded by Selectman Taylor.

Unanimously approved

c) Consideration a Lease Purchase Agreement for a New Rescue Pumper Truck – Bruce Tupper, Fire Chief and Charisse Keach, Finance Director

The truck was priced at \$750,000 when we put it in the budget, but as everything else is increasing in price, the truck is now as much as \$795,000. CIP will be used for the difference between the financed amount of \$489,250 and the purchase price. We should be setting money aside for the next truck/apparatus in CIP rather than borrowing.

Motion:

- 1) That a Capital Acquisition Project (the "Project") consisting of the lease of a New Rescue Pumper Truck is hereby approved; and
- 2) That the financing for the Project in the principal amount of \$489,250 is

awarded to Androscoggin Bank at an interest rate of 3.97%; and

- 3) That the Treasurer and the Chair of the Select Board are hereby authorized, acting jointly or individually, to execute the Lease Purchase Agreement and all other documents reasonably necessary to accomplish the purpose of this vote, as the documents may require; and
- 4) That said Lease is hereby designated a “bank qualified tax-exempt obligation of the Town for the 2022 calendar year under the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

by Selectman Olsen. Seconded by Selectman Sadak.

Unanimously approved

- d) Consideration of Appointing Bob Jones to the Budget-Finance Committee – Sue Look, Town Clerk

Motion to appoint Robert Jones to the Budget-Finance Committee for a term ending June 30, 2023, by Selectman Olsen. Seconded by Selectman Taylor.

Unanimously approved

- e) Consideration of Issuing a Quit Claim Deed – Sue Carr, Tax Collector

Robert F Murray – 22 Murray Road – Map 078 Lot 012

Motion to issue a Quit Claim Deed to Robert Murray for Map 078 Lot 012 by Selectman Sadak. Seconded by Selectman Olsen.

Unanimously approved

7) **Public Comment** – none

8) **Selectman Comment** – none

9) **Town Manager's Report and Communications**

Main Street Sidewalk is well underway and on schedule.

Thanks to Everett “Shep” Stults for a job well done as he retires after 20 years of service and dedication on the Public Works crew.

The recreation bus is being lettered. There will be a Family Fun Festival in August at Tassel Top. There is a outdoor pickleball court at Sheri Gagnon Park.

- a) Confirm Dates for Upcoming Regular Meetings

- August 9, 2022
- September 13, 2022

10) Executive Session

- a) Discussion of Land Use Violation - pursuant to 1 MRSA §405 (6) (A)

Motion to enter executive session at 6:56pm as noted above by Selectman Olsen. Seconded by Selectman Sadak.

Unanimously approved

Motion to leave executive session at 7:10pm by Selectman Sadak. Seconded by Selectman Gifford.

Unanimously approved

Motion to allow the CEO to move to enforcement action on the land discussed by Selectman Olsen. Seconded by Selectman Sadak.

Unanimously approved

- b) Consideration of Town Manager's Annual Review – pursuant to 1 MRSA §405 (6) (A)

Motion to enter executive session at 7:10pm as noted above by Selectman Sadak. Seconded by Selectman Olsen.

Unanimously approved

Motion to leave executive session at 7:44pm by Selectman Sadak. Seconded by Selectman Olsen.

Unanimously approved

Motion to amend the Town Manager's contract as discussed in executive session by Selectman Olsen. Seconded by Selectman Gifford.

Unanimously approved

11) Adjournment

Motion to adjourn at 7:44pm by Selectman Olsen. Seconded by Selectman Sadak.

Unanimously approved

Respectfully submitted,

Susan L Look, Town Clerk