



SELECT BOARD Minutes

August 13, 2024

6:00pm – Public Hearing, Special Town Meeting, and Regular Meeting

At Broadcast Studio &
Via Zoom & on YouTube

Resolution: We, the Raymond Select Board, 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: Teresa Sadak, Samuel Gifford, Denis Morse, Derek Ray (arrived at 6:17pm)

Select Board members absent: Rolf Olsen

Town Staff in attendance:

Richard Dowe (Library Director); Melanie Fernald (Town Clerk); Sandy Fredricks (Planning Board Admin); Wayne Jones (Fire Inspector); Sue Look (Town Manager)

Public Hearing

1) Open Public Hearing

a) **Change Land Use Ordinance to Not Allow Commercial Solar Arrays in Rural and Shoreland Zones**

Vice Chair Sadak opened the Public Hearing at 6:00pm

The following people spoke:

Jennifer Danzig, Pulpit Rock Road – spoke about the history of this issue, original applicant for a solar farm has withdrawn their application, but that explains the wording of the Ordinance change, and gave some figures noted in studies and news articles.

Grace Leavitt, Leavitt Road – expressed her hope that the Planning Board will review this to ensure that there are no unintended consequences, such as removing the option to allow homeowners to put solar panels on their own homes for personal use.

Jennifer Danzig, Pulpit Rock Road – spoke to the concern that this change might affect personal solar, she ensures that the attorney they hired to review this matter has combed through the full ordinance and that this is aimed to only effect commercial solar arrays or "solar farms".

Greg Foster, Ledge Hill Road – is worried that the retroactive portion of this proposed change is unconstitutional.

Select Board Vice Chair Sadak clarified that the wording proposed in this matter cannot be changed. That's the wording that was on the petitions signed by residents, so that's the way it needs to stay for this meeting.

Bob Wallace, Pulpit Rock Road – the reasoning behind the retroactive is that there was an applicant who wanted to begin a project.

Jennifer Danzig – states that there is a State law that allows retroactive ordinances. There is no longer an application on file.

Peter Leavitt, Leavitt Road – what is the status of the project up the road, the approved solar farm project? Just received an extension from the Planning Board,

Kyle Bancroft, Meadow Road - how did it go from protecting waterfront (shoreland) to also include rural residential? Questions a blanket ordinance change, wonders if it's more appropriate to review each application on a case-by-case basis. Does this limit the owners of large parcels who have land that can hold a project like this without disturbing abutters.

Jennifer Danzig, Pulpit Rock Road – project was partially in shoreland other part in rural residential near Thomas Pond, that project was proposed for a 10-acre parcel. This item stemmed from the specifics of the proposed project. The Planning Board will review the ordinance change and may make any additional changes necessary. DEP does not protect as much as you might think they would. Her neighbor's driveway flooded after the area was clearcut. The "blanket" change made it simplified enough to easily gather signatures on the Citizen's Initiative petition

Linda Pankewicz, Pulpit Rock Road – reminds everyone that we're not the only creatures involved here in decisions like this that change the land

Peter Leavitt, Leavitt Road – Comprehensive Plan being developed has policies embedded in the policies is the recommendation that there be a site selection criteria built into the solar energy ordinance. The intent is that there would be a specific set of criteria to make it less restrictive than this proposed blanket part of this proposed ordinance change.

Vice Chair Sadak closed the Public Hearing at 6:29pm.

Special Town Meeting

2) Special Town Meeting Warrant

Town of Raymond

August 13, 2024

SPECIAL TOWN MEETING WARRANT

Town Clerk Fernald opened the meeting by reading: In the name of the State of Maine, I am hereby required to notify and warn the inhabitants of the Town of Raymond, qualified by law to vote in Town affairs, to meet at the Broadcast Studio at 423 Webbs Mills Road in said town on Tuesday, August 13, 2024, at 6:00 P.M., then and there to act on Articles 1 through 2 as set out below.

ARTICLE 1: To elect a moderator to preside at said meeting.

Town Clerk Fernald entertained a nomination for Moderator.

Mr. Gifford nominated Teresa Sadak as Moderator.

Motion to close nominations by Vice Chair Sadak.

Unanimously approved

Ms. Sadak elected as Moderator by written ballot 3-0.
Town Clerk Fernald swore Ms. Sadak in as Moderator.

ARTICLE 2: Shall an ordinance dated July 1, 2023, and entitled “An amendment to the Town of Raymond’s Land Use Ordinance Regulating Commercial Solar Energy Systems,” be enacted?

Select Board recommends Article 2

Summary: *This amendment with a retroactive date of July 1, 2023, will prohibit the installation of commercial solar energy systems in the Rural Residential District and all of the Shoreland Districts.*

Proposed Ordinance Change:

**An Amendment to the Town of Raymond’s Land Use Ordinance
Regulating Commercial Solar Energy Systems**

The Town of Raymond hereby ordains that Chapter 300, Article 4 of the Land Use Ordinance and Chapter 350, Article 5 of the Shoreland Zoning Ordinance are emended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

§ 300-4.4. Rural Residential District (RR).

A. Intent. The Town of Raymond recognizes that certain areas of Town will experience residential growth due to rapid population growth in the region. It is the intent of this section to allow these uses while maintaining the basic rural orientation of the community.

B. Permitted uses.

12. ~~Solar energy systems.~~ This provision has retroactive application to July 1, 2023.

§ 350-5.4. Table of Land Uses

Table 1 Land Uses in the Shoreland Zone				
Land Uses		RP	SP	LRR1 LRR2
35.	Solar energy systems	no	no	PB <u>*no</u> <u>*this provision has retroactive application to July 1, 2023.</u>

Motion to approve as presented by Mr. Morse. Seconded by Mr. Gifford

Motion passes by a raising of cards of the registered voters present (vote 54:1)

[Note: 55 registered voters were present for the meeting]

Adjourn Special Town Meeting

Vice Chair Sadak adjourned the Special Town Meeting at 6:36pm

Select Board Meeting

Select Board members in attendance: Teresa Sadak, Samuel Gifford, Denis Morse, Derek Ray (arrived at 6:17pm)

Select Board members absent: Rolf Olsen

Town Staff in attendance:

Richard Dowe (Library Director); Melanie Fernald (Town Clerk); Sandy Fredricks (Planning Board Admin); Wayne Jones (Fire Inspector); Sue Look (Town Manager)

3) Called regular meeting to order at 6:38pm by Vice Chair Sadak

4) New Business

a) Consideration of Accepting a Gift for Raymond Village Library – Richard Dowe, Librarian

Elizabeth “Betty” Shively passed in January of 2024 and left the Raymond Village Library \$500 in her will.

Gave an update of some recent programming, including a Touch a Truck event.

Motion to accept gift as presented by Mr. Morse. Seconded by Mr. Gifford.

Unanimously approved

b) Consideration of Renewing the Liquor License for East Shore Tavern – Kyle Bancroft, owner

Kyle Bancroft, applicant spoke to a few details noted on the Fire Safety inspection report. Should have the recommended fixes completed within the 10-day window. Mr. Bancroft contacted the Fire Marshal’s Office a few weeks ago, but has not heard back yet about them coming for the inspection.

Wayne Jones, Fire Inspector – Fire Marshal’s Office report is needed, and a copy of the Fire Alarm inspection report.

Motion to approve the renewal of East Shore Tavern’s Liquor License contingent upon completion of items in the Fire Inspection Report by Mr. Morse. Seconded by

Mr. Gifford.

Unanimously approved

- c) Consideration of Renewing the Special Amusement License for East Shore Tavern – Kyle Bancroft, owner

Motion to approve the renewal of East Shore Tavern’s Special Amusement License contingent upon completion of items in the Fire Inspection Report by Mr. Morse. Seconded by Mr. Gifford.

Unanimously approved

- d) Consideration of Issuing Quit Claim Deeds – Sue Carr, Tax Collector

9 Shore Road, Map 78, Lot 48. Kathleen Clarke passed away, family members came in to pay off all the taxes.

Motion to issue a Quit Claim Deed as presented by Mr. Gifford. Seconded by Mr. Ray.

Unanimously approved

- e) Consideration of Updated ACO Interlocal Agreement with Casco and Naples – Sue Look, Town Manager

Met with Town Managers, agreed on job description, for an updated ACO agreement – will hire an additional part time ACO to allow coverage from 6am- 6pm across 7 days a week. Jessica is still an employee of Casco. This is a 1 year agreement, which includes prioritization of call types and how to respond.

Mr. Ray asked about GPS in the vehicle to help ensure that we are getting our fair share of ACO services

Motion to approve the updated ACO Interlocal Agreement with Casco and Naples and to authorize the Town Manager to sign the agreement by Mr. Morse. Seconded by Mr. Ray.

Unanimously approved

- f) Consideration of Adding Appendix to Personnel Policy for Earned Paid Leave – Sue Look, Town Manager

During a review for updates to the personnel policy, our Town Attorney noticed that we do not have the required language added to our Personnel Policy regarding Earned Paid Leave that was enacted by the State of Maine as of January 1, 2023.

Motion to add appendix as noted above as required by State Law by Mr. Morse. Seconded by Mr. Gifford.

Mr. Morse asked for clarification on what this addition is, and how it might be different from the traditional paid time off.

Town Manager Look noted that this is a change in State Law that allows employees to use 40 hours of sick time toward personal time.

Unanimously approved

g) Discussion of a Workshop with Budget-Finance Committee – Select Board

To answer questions about procedure, open discussion, ask questions to help guide and share knowledge between members.

Vice Chair Sadak gathered consensus of the Select Board members that this workshop should happen.

Shawn McKillop, Budget-Finance Committee member, mentioned their next meeting is next Wednesday; would bring the idea to his committee's attention for scheduling.

5) Public Comment

Grace Leavitt, 2 Leavitt Road – Raymond Recreation Sumer Camp program is great, their family members use it and enjoy it. Windham has a committee that's being put together to look at how they're going to use their Middle School once the new Middle School is built and ready for use. Hopes that Raymond will be forming a committee soon to look at how to best use the Jordan-Small Middle School and if Town Offices move to the middle school, how will the current Town Office be used. Costs for renovations will need to be investigated, it will be a huge project. The groundbreaking for the new RSU #14 will be the morning of September 21st.

Peter Leavitt, 2 Leavitt Road - workshop for all the boards and committees to hear an update on the Comprehensive Plan, encourage everyone to attend, meeting will be in the gym at JSMS, so there is plenty of room. August 28th 6:30pm at the Gym. Results of the "Pom Pom" Surveys will be shared at that meeting

6) Selectman Comment

Mr. Morse asked if the Town Manager's report can be moved to before Public Comment in the agenda, so the public can ask about whatever is brought up in that section.

Wanted to share that the Fire Department received a State award, for rural rescue with bringing a hiker down a hill, commendation from State collaboration with other town's on that. Victim broke a hip, at least 9 people to carry him down safely.

Ms. Sadak wanted to echo the comment about how great the Recreation programming is. They're in the process of creating a before- and after-school program as well.

7) Town Manager's Report and Communications

a) Updates

- Spoke at Panther Pond Lake Association's annual meeting - that association wants to know more about the Sebago Lake violation. Their invitation shows how much residents care about the proper upkeep of their property and the lake & water care.
- Status of the request to buy a Tax Acquired Property on Tenny Hill – property offer by abutter to purchase the property, was given a timeline to follow up by, didn't do that. The Legislature has proposed a change to law, town cannot simply sell the property to someone to wants to pay. The new law dictates that

the owner has a certain time frame to pay past taxes and fees, etc. to retain the property.

The new process is that the Town sends a letter to the former owner to notify them of the intent to sell the property. They have 90 days to redeem the property at the cost of all the fees (taxes, interest, lien charges, administrative costs, and attorney fees, realtor fees). If it comes down to the Town selling the property, we need to hire a realtor, sell property at fair market value, town can only retain money to recoup costs incurred, anything above the town's taxes and fees paid will go back to the original owner. That became law on August 9th.

- Melanie Fernald has achieved re-certification with the Maine Town and City Clerk's Association. This requires several classes, time and effort.
- Cumberland County has issued a notice of caucus for Monday, September 9th at 4:15pm at the Cumberland County Courthouse in Portland to establish a Cumberland County Finance Committee and elect municipal representation.

b) Confirm Dates for Upcoming Regular Meetings

- September 10, 2024
- October 8, 2024

c) Upcoming Holiday Closings

- Monday, September 2 – Labor Day

Thank you to Samantha Kerr the fill-in videographer, who is leaving for college. Good Luck!

8) Adjournment

Motion to adjourn at 7:30pm by Mr. Ray. Seconded by Mr. Gifford.

Unanimously approved

Respectfully submitted,

Melanie Fernald, Town Clerk