



**BOARD OF SELECTMEN
MINUTES
December 14, 2010**

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

Absent: None.

Staff: Don Willard, Town Manager; Denis Morse, Fire Chief; Chris Hanson, Code Enforcement Officer; Louise Lester, Town Clerk; Nancy Yates, Finance Director; and Danielle Loring, Recording Secretary.

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

2) Minutes of previous meeting dated November 9, 2010

MOTION: Lonnie Taylor motioned to accept the minutes for the November 9, 2010 meeting as submitted. Seconded by Charly Leavitt.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0).

3) New business.

****4e) Discussion/Consideration of draft IAFF Local 4095, AFL-CIO-CLC Agreement- Fire Chief Denis Morse**

Fire Chief Denis Morse explained that the changes that were suggested during the executive session in October were incorporated into the new draft document. The Board agreed that there was no need to go into executive session to discuss the matter. Mr. Leavitt commended Mr. Morse for making the changes, because he felt that it showed accountability.

MOTION: Charly Leavitt motioned to accept the new draft contract for IAFF 4095, AFL-CIO-CLC Agreement as submitted. Seconded by Sam Gifford.

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**Item taken out of order

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0).

a) Liquor License Application Renewal for Whines Ent., Inc DBA Cafe Sebago- Louise Lester, Town Clerk

Louise Lester, Town Clerk, explained that the application was for a liquor license renewal with no with no amusement permit at that time. Mr. Willard continued that there were no complaints with the Town and that the fire inspection can be completed and come back satisfactory.

MOTION: Vice-chair Lonnie Taylor motioned to accept the application for liquor license renewal from Whines Entertainment, Inc. DBA Cafe Sebago. Seconded by Charly Leavitt.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0).

b) Consideration of Abatements- Tax Assessor Michael O'Donnell

Mr. Willard presented abatements to the Selectmen from Tax Assessor, Michael O'Donnell. He read the description of the two properties and the reasoning for the abatements.

MOTION: Charly Leavitt moved to accept the abatements as recommended by the assessors agent:

- Russell & Deborah Hutchinson, Map 019-Lot 27, account H2281R in the amount of \$232.20
- Marianne Dubois, Map 55-Lot 19, account S0730R in the amount of \$558.36.

Seconded by Lonnie Taylor.

DISCUSSION: Mr. Bruno wanted to know how property deterioration meant that the owner was entitled to an abatement. Mr. Hanson said that he did not know the circumstances where that would be the case, and Mr. Willard said that he would find out from Mr. O'Donnell.

VOTE: UNANIMOUS APPROVAL (5/0)

c) Report on unlicensed businesses, new permit work with Fire Department and building code update- Code Enforcement Officer Chris Hanson

Code Enforcement Officer, Chris Hanson, updated the Selectmen on progress that he had been making in order to assure compliance and create permitting procedures for the commercial district. He explained that he had already been working with some businesses but would not be able to complete the process until the forms that he was creating were finished. He continued that these were all formalities for the requirements that the State mandated that the Town Code Office comply with.

Mr. Hanson was going to make a recommendation that there be an ordinance change regarding signage.

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He felt that if a property owner wanted to do work on an existing sign, that he should be able to approve the change without the owner having to go before the Planning Board. If the change was going to effect the location and dimensions or if it was a new construction, then the sign permit should go before the Planning Board, but simple modifications should be within his jurisdiction because it was costly for business owners to have to pay \$600-\$700 for maintenance or changes that did not change the sign in terms of site design.

Mr. Bruno responded that any ordinance changes should be drafted and brought forward by the Planning Board as part of a public hearing for Town approval. Mr. Hanson said that he would work with the Planning Board to make that change and would present the Selectmen with finalized permit documents for their review

d) Discussion of protocol for making requests for information by Selectmen- Chairman Joe Bruno

Mr. Bruno gave a brief overview of the general events that led to the this agenda item. The Selectmen discussed the circumstances for making requests and what roles that the Town Manager, Chairman and individual Selectmen would play in approving requests. The majority agreed that information was valuable to their role as Selectmen and would not deny that access to anyone, including the public, but the costs of gathering custom tailored information may fall on the individual, if it was not pertinent to the whole group.

Mr. Bruno felt that the protocol should be that requests for information should go through the Town Manager and if gathering the information was going to cost money, required significant staff time, or was not for the benefit of the entire Board, he would call the Chair. If the Chair denied the request, it would go before the Board as an agenda item and be voted on.

MOTION: Lonnie Taylor moved that if a Board Member asks for information and the Chair denies it, because of cost and the research is going to take up too much Town employee time, it can be brought forward as an agenda item and will be voted on by the Selectmen. Seconded by Sam Gifford.

DISCUSSION: Mr. Bruno felt that the request should go before the Board automatically if the Town Manager denied the request. Mr. Taylor disagreed because he felt that the Board had voted the Chair as a representative and felt confident with that individual's decision to make such calls. There was discussion about changing the motion, but it was agreed that the original motion would stand. Mr. Leavitt was concerned that, because the Board meets once a month, it would be an issue for time sensitive matters. Mr. Bruno responded that they would hold a special meeting if that was the case.

VOTE: APPROVED, 4/1 (CL)

e) Draft FY11-12 Municipal Budget Development Schedule for Review

The Selectmen discussed the draft Municipal Budget Schedule and made changes. They continued by discussing the nine goals that were sent forth for the FY11-12 budget. Mr. Willard wanted to know

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what was going to happen if the Department Heads were not able to come in at a zero baseline that they were able to in years past. Mr. Bruno responded that the departments should submit the budgets that they felt they needed and the Selectmen would review them.

f) Discussion of Project Canopy Grant Application/Project- Forester Greg Foster

Greg Foster, forester, summarized the information that he had gathered regarding the application for Project Canopy. Mr. Willard suggested that, if Mr. Foster was willing to do the work, the Town should sole source the timber harvesting to him. Mr. Foster said that he was willing to go with whatever the Selectmen decided and did not mind the job going out to bid. Mr. Leavitt commented that he did not agree with sole sourcing but was in favor of the private/public partnerships that Project Canopy promoted. He was familiar with the project and felt that it was not appropriate for what they were trying to accomplish and felt that the Town would be better off harvesting the wood themselves.

MOTION: Mike Reynolds motioned to move forward with project with Greg Foster taking charge of exploration and application. Seconded by Lonnie Taylor.

DISCUSSION: Mr. Willard and Mr. Bruno agreed that the purpose of having Mr. Foster manage the project was to remain revenue neutral, with the understanding that he would only be compensated if the grant application was successful. Mr. Leavitt felt that it would be more beneficial to have a grant writer handle the application. Mr. Taylor felt that it was worth having Mr. Foster work on the application and they would review his work to see if it is worth submitting.

VOTE: APPROVED, 4/1 (CL)

g) Greater Portland Council of Government (GPCOG) update- Mike Reynolds, Raymond Representative

Mr. Reynolds updated the Selectmen of the activities that the Greater Portland Council of Government had completed and been working on in the last year. This included working with a consultant to help keeps policies generic and work on the Regional Comprehensive Plan.

4) Old (unfinished) business.

a) Policy Creation: “Memorial and Dedication Page Policy”- Town Manager Don Willard

MOTION: Lonnie Taylor moved to accept the “Memorial and Dedication Page Policy.” Seconded by Charly Leavitt.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

****d) Elderly Resident Property Tax Deferral Law- Chairman Joe Bruno**

Mr. Willard explained the measures that had been taken to inform the public about the Elderly Resident

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Property Tax Deferral Law and solicit interest, but no responses had been received. Mr. Bruno said this item would be removed from the agenda queue until interest was expressed.

****c) Tax Acquired Property Sale Update- Town Manager Don Willard**

Mr. Willard updated the Selectmen that the Town was now advertising for and accepting bids for tax acquired properties. He explained that the Town was still accepting bonified payment arrangements up to the sale date with a significant upfront payment. Mr. Bruno wanted the public to know that the Town did not want to go in this direction and that property owners were encouraged to come in and make payment arrangements.

b) Discussion of Memorandum from Planner Hugh Coxe Regarding Proposed US Cellular Wireless Communication Facility (Cell Tower)

Mr. Bruno explained that they had received memo from the Town Planner, Hugh Coxe, notifying them that the Planning Board had voted to maintain a null position on the issue to allow conditional rezoning for a cell tower and that the applicant was requesting a Special Town Meeting. He explained that they had to decide whether to schedule this meeting or choose to have a ballot box instead. Mr. Leavitt requested that the memo from Mr. Coxe to reflect the actual vote of 5-0 from the Planning Board, instead of 6-0, which was reported.

MOTION: Mike Reynolds motioned to have a Special Town Meeting ballot box in June, if allowable by law. Seconded by Sam Gifford.

VOTE: APPROVED, 3/2 (LT, CL)

5) Public Comment: None.

6) Town Manager Report and Communications.

a) Confirm date for next meeting.

Mr Willard proposed the next meeting date as Tuesday, January 11, 2011, which was confirmed by the Selectmen.

b) RFP for Management of Raymond Beach

Mr. Willard announced that the RFP for management of Raymond Beach was now available. The new stations had talked about the RFP and he had hoped that it would get the word out. He mentioned that Mr. Hanson, CEO, had made a good presentation and suggested some permitted uses that an interested party could do with the beach. He reminded the public that the deadline was January 7, 2011.

c. General Assistance

Mr. Willard explained that the Town had more requests than average for General Assistance. He said that they usually give about \$2000, but had been giving \$4000 in the last couple years but had already

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given out \$6000 at the halfway mark of the year.

7) Selectmen Communications:

a) Letter of Appreciation- Charly Leavitt

Mr. Leavitt thought that the letter of appreciation that Mr. Willard had sent to Representative John Robinson was nice. He requested that that a letter of appreciation for former Selectman Dana Desjardins be placed on the agenda for the next meeting.

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

a) Payroll expense warrant, dated December 14, 2010

MOTION: Lonnie Taylor motioned to accept the payroll expense warrant, date December 14, 2010, in the amount of \$123,050.85. Seconded by Mike Reynolds.

VOTE: UNANIMOUS APPROVAL (5/0)

b) Treasure's Warrant, dated December 14, 2010

MOTION: Lonnie Taylor motioned to accept the Treasure's Warrant, date December 14, 2010, in the amount of \$157,633.64. Seconded by Mike Reynolds.

VOTE: UNANIMOUS APPROVAL (5/0)

9) Adjournment:

MOTION: Lonnie Taylor motioned to adjourn. Seconded by Mike Reynolds.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Joe Bruno adjourned the meeting at 9:17pm

Danielle Loring
Recording Secretary

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