



## BOARD OF SELECTMEN

Minutes\*  
August 14, 2012

### SELECTMEN'S MEETING

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

**Absent: Mike Reynolds**

**Staff: Don Willard, Town Manager; Chris Hanson, Code Enforcement Officer; Nathan White, Public Works Director; Louise Lester, Town Clerk; and Danielle Loring, Recording Secretary.**

**Other:**

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

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

- **June 19, 2012**

MOTION: Joe Bruno motioned to accept the minutes; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

**3) PUBLIC HEARING**

**a) General Assistance Ordinance Appendices A-C 2011-12 Annual Update**

Mr. Gifford explained the purpose of the public hearing and the process of amending the General Assistance Appendices. He opened the public hearing for comment and there was none. Mr. Gifford closed the public hearing at 7:02 pm.

MOTION: Joe Bruno motioned to accept new guidelines for General Assistance; seconded by Lonnie Taylor.

DISCUSSION: None

VOTE: UNANIMOUS APPROVAL (4/0)

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\*\*Item taken out of order

**b) Application for New Special Amusement License:  
Doug Maher (11 Hale Road, Raymond)  
A La Mexicana located at 1227 Roosevelt Trail**

Mr. Gifford explained the purpose of the public hearing and opened it the hearing for public comment and there was none. He closed the public hearing at 7:03 pm.

MOTION: Lonnie Taylor motioned to approve the special amusement license for Doug Maher at 11 Hale Road for A La Mexicana located at 1227 Roosevelt Trail; Joe Bruno.

DISCUSSION: Mr. Gifford corrected that the application was actually under Evelia Maher.

VOTE: UNANIMOUS APPROVAL (4/0)

**4) Policy Review**

**Peddler's Ordinance- Chris Hanson, Code Enforcement Officer**

Mr. Hanson explained that he had was trying to clarify some issues within the ordinance; one being the number of allowed licenses and the other being the process of obtaining a license. He explained that the Board had expressed before that they did not intend the Raymond Beach Management to use one of the two allowed Peddlers Licenses. However, he could not issue more than two because of the language in the ordinance. The other issue was that there had been complaints regarding peddlers setting up near established businesses.

Mr. Bruno suggested that the Board conduct a review of the ordinance. Ms. Lester commented that she felt that the purpose of the ordinance was to protect stationary retailers and Mr. Leavitt added that he also thought that it was to promote highway safety, but Mr. Hanson added that he had not had any complaints regarding safety hazards caused by peddlers. Mr. Bruno asked that staff conduct a search or neighboring towns' ordinances, paying particular attention to the number and cost of licenses.

**5) New Business**

**a) Presentation of Panther Pond Phase II Erosion Control Grant- President Peggy Jensen, Panther Pond Association**

President Peggy Jensen, Panther Pond Association, thanked the Town for their support for the 5 years over the time of the grant. She explained that the efforts helped stop tons of sediment from entering the lake. She added that Panther Pond Association was recognized by Cumberland County Sand Soils and Waters Association for their volunteer efforts and she explained that they wanted to maintain the progress through "mini" grant program as well as accomplish more.

**b) Presentation by Raymond Conservation and Loon Echo Land Trust Concerning Proposed "Community Forest" Off of Conesca Road- Carrie Wallia (LELT) and John Rand (RCC)**

Carrie Wallia, Loon Echo Land Trust, and John Rand, Raymond Conservation Commission, explained that they were working on a concept proposal to acquire land from Hancock Lumber to create a community forest. They were looking for the Town's support because it would give them the drive to continue forward with this project. This would be the third conserved land over 250 acres in Raymond. Ms. Wallia explained that they would look at income strategies to either make payments in lieu of taxes or timber sales. Mr. Leavitt suggested that they should look into place a cell phone tower in that location.

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Mr. Rand continued that he did not want these lands to be viewed as locked away conserved lands and they would like public input through the Raymond Conservation Commission's website. He added that could come back again in 2-3 months to discuss appraisal that was scheduled to be done. Mr. Gifford stated that he would like to see more information before committing to anything. Mr. Bruno suggested reaching out to local associations to get more support from people in the area and he wanted to know how funding source will be replaced once taxes are not being paid.

Mr. Willard asked if they though the town had a good chance of receiving grant funds and Ms. Wallia replied that she believed so because they had a good track record.

**c) Raymond Revitalization Committee Request for Dock at Panther Run- Chris Hanson, CEO**

Mr. Hanson explained that he had received a request to put a dock off from the Veterans' Memorial Park so that boaters could access the commercial district. He explained that he was bringing this matter to their attention because he could not approve this request without town approval. He added that there were concerns about the affects of dock on traffic and the water quality.

Mr, Gifford wanted to know if there was already boat traffic and Mr. Hanson confirmed that there was from the marina. Dan Bernard stated that Panther Run, off the park, was already full of milfoil and that it would get chopped up while boats were idling. Mr. Gifford stated that he believed that they were going to be time limits on using the dock.

Ms. Lester asked if the Veterans' Memorial Committee had been contacted, because she felt that the park was a special area. Mr. Gifford confirmed that the he believed that they had been contacted and Wayne Holmquist confirmed that they had spoken with Chairman Howard Stiles and gotten his blessing.

Chairman Sam Gifford opened the meeting for public comment.

Mark Pilsworth, Raymond Condo Association, explained that the Association had spent thousands of dollars for milfoil ratification and that the area was a hot spot for problem areas. He felt that there are people with stakes in this matter not being consulted and that they were potentially allowing problem people from the beach to come into that area. He added that the people using the dock would contributing \$o help contribute to the solution.

Ben Severn, 4 Avery Lane and Raymond Waterways Protective Association, explained that milfoil was a big problem and was increasing. He stated that he would not want to interfere with increased business. However, the goal was to get a handle on marinas' issues and need a larger effort. He suggested asking the businesses to contribute funding to help clean up the area.

Adam Perron, Program Director at Lakes Environmental Association, explained that they were coordinating efforts to support the larger problems being coves of Sebago Lake and asked for the Board's consideration before moving forward with approval.

Kevin Faye explained that he was also concerned with milfoil and suggested that the Board needed to consider the impact of encouraging increased boat traffic.

Mr. Leavitt pointed out that their Chair was the founder of Raymond Revitalization Committee. He though that it was premature to come forward with a proposal and he commended Town Manager and CEO for keeping track of this issue. He commented that they had contacted Chairman Howard Stiles but committee needs to take a vote in order to issue a decision. He wanted to know if was a private issue, then why was

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Panther Run Marina not running this project.

Mr. Holmquist stated that the Revitalization Committee consisted of volunteers that operated in a similar fashion to the chamber of commerce, which were interested in retail services only. He added that this would not put anymore boats in the water and will encourage little extra additional traffic for the good of the local businesses.

Mr. Bruno stated that he was concerned with the Veterans' Park and boat parking. He wanted to know how they would manage long term parking. He also felt that they needed to talk to DOT and set up pedestrian crossing on Route 302. He also added that they were going to need to go to Town Meeting to allow public property be used in this way. Mr. Leavitt added that he would like to see a more developed plan

Will Coppersimth. Fisherman's Catch, explained that he supported the project because he had had 26 boaters in the past week walk up to his business and he felt that there was potential.

**d) Consideration of Town Owned Wood Lot Harvesting (Egypt Road/Patricia Avenue)-  
Greg Foster, Forester**

Forester Greg Foster, TimberState, explained that the concept of a timber sale came from his forest management plan as part of the Project Canopy Grant. He explained that he could mark the lot and come up with an estimated value and put a bid out to logging contractors.

Mr. Bruno commented that he liked idea of marking the lot a going to bid. Mr. Leavitt wanted it clarified that if the lot was marked and did not sell, Mr. Foster would charge an hourly rate for his time. Mr Foster responded that he would hold the contract over until opportunity to sell wood. There was a clause in the contract because people have decided not to sell after he put a lot of work into preparing the lot.

MOTION: Joe Bruno motioned to allow Greg Foster to mark the lot and move forward with the contract; seconded by Lonnie Taylor.

DISCUSSION: Mr. Leavitt commented that this had involved Mr. Foster making a proposal with negotiations from the Board. He did not agree with a sole source contract and this was not under Project Canopy anymore. He felt that the contract should go out to bid.

VOTE: MOTION CARRIED (3/1 [CL])

**e) Consideration of Town Report Memorial and Town Report Dedication Page- Louise  
Lester, Town Clerk**

Louise Lester presented a list of individuals whom had passed during the last fiscal year as well as those whom had made significant contributions to the Town. The Board agreed that they wanted he choice to be a surprise. Ms. Lester would give extended bios via email and pole the Board for their choice.

Chairman Sam Gifford tabled this matter until the next meeting.

**f) Consideration of Support for Transportation Enhancement (TE) Grant Application-  
Nathan White, Public Works Director**

Public Works Director Nathan White explained that they had worked on a grant application to install sidewalks in Town. Initially, the application had been to add sidewalks within two miles of a school but after the sitewalk it was determined that the area was too rural and they were encourage to apply for the village area of town, on Main Street. Mr. Leavitt asked if they were not hopeful about getting the grant,

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based off a previous email. Mr. White responded that he believed that they had good chance because Dan Stewart from MDOT was very excited about the development that had already been done on Route 302, in terms of sidewalks.

MOTION: Joe Bruno motioned to move forward with the grant application; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

**g) Consideration of New Road Names by Chris Hanson, Code Enforcement Officer**  
• **Kokatosi Camp Ground per E911 Requirements**

Mr. Hanson explained that this project had been going on for a while and that Kokatosi contained one main road and eight side roads. The proposed road names were: Bunny Loop; Porcupine Run; Moose Landing; Trot Alley; Critter Lane; Rooster Ridge; Leisure Lane; and Squirrel Square.

MOTION: Lonnie Taylor motioned to accept the eight roads put forth for new road names in Town of Raymond; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

• **Gordan Lane (by Mason Lane) per George Gordon**

Mr. Hanson explained that Mason Lane contained four residents, but half of the road was actually an easement that served two of the properties under the same ownership and were not intended for public access. The owner, Mr. Gordon, was requesting that that easement be named Gordon Lane.

George Gordon explained that these roads had historically been two roads, fire lane 2a, which would remain Mason Lane, and Firelane 2a-1, which is proposed to be converted to Gordon Lane.

MOTION: Joe Bruno motioned to accept the CEO's recommendation to name Firelane 2a-1 Gordon Lane; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

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

MOTION: Lonnie Taylor motioned to go into Executive Session pursuant to 1 MRSA Section 405(6)(H) for meeting with CEO and Town Attorney regarding pending Land Use legal matters; seconded by Charly Leavitt.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

Chairman Sam Gifford announced that the Board was going into Executive Session at 8:49 pm.

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MOTION: Joe Bruno motioned to come out of Executive Session; seconded by Lonnie Taylor.

VOTE: UNANIMOUS APPROVAL (4/o)

Chairman Sam Gifford announced that the Board was coming out of Executive Session at 9:33 pm.

MOTION: Joe Bruno motioned to allow the CEO to issue a 2 week notice on August 28<sup>th</sup> to abate the issue of land use; if not abated, we author him to move forward with an injunction in court; seconded by Lonnie Taylor.

VOTE: UNANIMOUS APPROVAL (4/o)

**i) Consideration of Quit Claim Deeds as Submitted by Sue Carr, Deputy Tax Collector- Board of Selectmen**

MOTION: Joe Bruno motioned to accept the recommendation of Deputy Tax Collector Sue Carr to file two quit claim deeds for Robert J. and Joanne Doherty; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

**j) Consideration of Auditor Engagement Letter with Smith & Associates- Board of Selectmen**

Mr. Willard explained that this was a matter of process, as required by Maine Law, and recommended for approval.

MOTION: Joe Bruno motioned to accept the audit by Smith and Associated, as has been done for many years; seconded by Charly Leavitt.

DISCUSSION: Mr. Leavitt expressed his appreciation for Town Manager's attention in this matter, in light of issues in Casco.

VOTE: UNANIMOUS APPROVAL (4/o)

**k) Consideration of Appointment of Rolf Olsen as a Member of the Compensation Study Committee- Board of Selectmen**

MOTION: Joe Bruno motioned to appoint Rolf Olsen to the Compensation Study Committee; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

**l) Consideration and Approval of Planning, Economic Development & GIS Contracts (GPCOG/Sebago Technics)- Board of Selectmen**

MOTION: Joe Bruno motioned to approve the contracts with GPCOG and Sebago Technics; seconded by Lonnie Taylor.

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DISCUSSION: Mr. Leavitt wanted to know if, in the case of an application, if a portion of the planning fees were paid for by the applicant and Mr. Willard confirmed that they were paid for out of an escrow setup by the applicant.

VOTE: UNANIMOUS APPROVAL (4/o)

## **6) Old Business**

### **a) Consideration of Changing Saturday Town Office Hours- Board of Selectmen**

MOTION: Joe Bruno moved to table this matter until Selectmen Mike Reynolds returns; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

### **b) Consideration of Disposition for Tax Acquired Properties (TAP)- Board of Selectmen**

Executive Assistant Danielle Loring summarized the status of the 2011 and 2012 list of tax acquired properties and the steps taken to relinquish taxes.

MOTION: Joe Bruno motioned to acquire the 2011 list of properties; seconded by Charly Leavitt.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

MOTION: Joe Bruno motioned to send 30 day demand letters to the top half of 2012 list; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

Mr. Leavitt wanted to know what the policy was for making payment arrangements for delinquent taxes. Mr. Willard explained that it was based on a good faith effort and that there were no policies or perimeters because eventually they would get the taxes as well as penalties. Mr. Leavitt stated that he did not think that the payments plans were a fair representation of monies that could be paid, for example there was a business paying \$50 a month. Mr. Willard stated that they could come back with a summary and look into creating a policy.

**7) Public Comment** This agenda item is for the public to bring attention to any issues and concerns for future Board of Selectmen meetings.

### **a) Charly Leavitt, Leavitt Road**

He requested that the Chairman restore the Selectmen Communications to the agenda and incorporate into the bylaws so that it could not be removed again in the future.

Mr. Leavitt also stated that US Cellular has withdrawn its application for the wireless communication

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facilities on Farm Road, but still have rights in perpetuity. He explained that the driving force was public safety and encouraged the Board to come up with plan to deal with issue for lack of coverage.

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

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

- **September 11, 2012- Confirmed**

**b) Crown Castle Perpetual Easement Update**

Mr. Willard explained that they were in the process of negotiating with Crown Castle and had received the first draft and returned it with significant changes, which should not hold up the deal, given the nature of the changes. He added that once the negotiations were final, that the sale would still need to be approved at Town Meeting.

**9) Fiscal Warrants – Payroll and Appropriation Warrants – August 14, 2012**

MOTION: Lonnie Taylor motioned to accept the Payroll Expense Summary, dated August 14, 2012, in the amount of \$137,998.92; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

MOTION: Lonnie Taylor motioned to accept the Treasure's Warrant, old year warrant, in the amount of \$944.17; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

MOTION: Lonnie Taylor motioned to accept the Treasure's Warrant, dated August 14, 2012, in the amount of \$131,444.43; seconded by Joe Bruno.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

**10) Adjournment.**

MOTION: Joe Bruno motioned to adjourn; seconded by Charly Leavitt.

VOTE: UNANIMOUS APPROVAL (4/o)

Chairman Sam Gifford adjourned the meeting at 10:02 pm.

Danielle Loring  
Recording Secretary

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