

Town of Casco

Minutes of the February 9, 2016 Selectboard Meeting

Selectboard Members Present:

Holly Hancock, Calvin Nutting, Tom Peaslee and Grant Plummer

Staff Present:

Town Manager David Morton and Administrative Secretary Bob Tooker

Approval of Agenda:

The Selectboard moved (Peaslee), seconded (Plummer) and voted to approve the agenda for the February 9, 2016 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

Approval of Warrants:

The Selectboard moved (Plummer), seconded (Peaslee) and voted to approve bills and sign warrants: 4 in favor, 0 opposed, 0 abstentions.

Approval of Minutes: (January 26, 2016)

The Selectboard moved (Plummer), seconded (Peaslee) and voted to approve the minutes of the January 26, 2016 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

Town Manager's Update: (David Morton)

The new Town Office project continues to progress. The public hearing and site plan review with the Planning Board scheduled for February 8, 2016 was cancelled due to poor weather and rescheduled for Monday, March 14, 2016. The draft budget is almost complete and will be presented at the first Finance Committee meeting on February 17, 2016. The Finance Committee meeting schedule is posted on the Events Calendar on the Town website. All meetings will be held at the Central Fire Station at 7:00 p.m. unless otherwise posted.

Vehicle parking on public roads is prohibited during storm events. Vehicles parked on public roads during winter storm events may be towed. Vehicles parked on private roads with public easements may be cause for the Town to stop plowing services. Folks should be aware of road conditions and adjust speeds accordingly. It is best not to travel during winter storms if it is not required. Please call the Casco Town Office at 627-4515, extension 201, to report hazardous conditions or any concerns about road plowing. Winter sand is available for Casco residents on

Leach Hill Road across from the Casco/Naples transfer station. The site is intended to provide small quantities of sand for folks to sand their walkways and driveways. Larger quantities of sand are available for purchase from P&K Sand and Gravel. The area for residents to pick up sand is clearly marked with entrance and exit signs. No unauthorized traffic is permitted through the metal swing gate. That area is reserved for commercial traffic that provides plowing and sanding services for the Town.

The Casco Recreation Department has received approval for a grant of approximately \$42,000.00 for improvements to the Memorial School property recreation field. Notice has been given from the Maine Department of Agriculture, Conservation and Forestry pending approval by the National Parks Service. A special thanks to Wendy Betts who spent countless hours working with our staff to develop the grant application.

Committee and Staff Reports:

None.

Public Participation:

Peg Dilly of Casco noted that polls are open in New Hampshire and reminded everyone of Maine's March 6, 2016 democratic and republican presidential primary caucuses, adding that the local district democratic caucus will be held at the Casco Community Center from 1:00 p.m. to 3:00 p.m. Peg stated that this is a chance to be heard and caucus for a candidate. Peg described the caucuses as a gathering of neighbors in the New England tradition of town meetings to choose a candidate and determine the number of convention delegates allocated to each candidate. Peg reminded everyone that anyone who will be eligible to vote in the State of Maine and who will be eighteen years of age on Election Day, November 8, 2016, may participate in the caucuses, adding that the deadline for changing party affiliation is February 19, 2016. Peg encouraged everyone to participate in local caucuses.

Blaine Small of Casco expressed his interest in purchasing a tax acquired property and requested that it be offered through an open bid process instead of a sealed bid process. David Morton stated that the process would be at the Selectboard's discretion.

Guest Speaker:

Holly Hancock introduced guest speaker Dave Libby to discuss possibilities for improving cell phone service, adding that it is intended as a question and answer session.

Dave Libby, owner of several cell tower companies, stated that in no particular order, the three dominant cell phone carriers in this area are Verizon, U.S. Cellular and AT&T Wireless. Dave noted that population and terrain are particular barriers to adding new cell towers, adding that costs are significant and that it is all about business and profitability. Dave emphasized three steps a town can take to attract investment in costly cell towers and equipment include 1) having

friendly zoning; 2) having telecom zones or other friendly areas in town where cell towers are permitted; and 3) writing letters to carriers. Dave expressed that the Town has some homework to do make the Town more attractive to carriers, adding that some people will want more coverage and some people will not want more coverage.

In response to an inquiry from Tom Peaslee, it was noted that there are only two cell towers in Casco located on and near Hacker's Hill to cover twenty-four square miles and that some coverage comes from outside of Casco. The Selectboard discussed other options for better cell phone coverage including the use of repeaters, small cell technology and portable temporary service. Dave noted that growth in the wireless industry is significantly driven by the need for more data transmission and not just voice transmission.

In response to an inquiry from Holly Hancock, Dave noted that repeaters could work in public buildings as long as there is broadband internet connectivity. In response to an inquiry from David Morton, Dave explained how cell phone carriers bill each other for call traffic across each other's towers. David Morton noted the possibility of the Town investing in a cell tower and billing cell phone carriers for their calls that go through it, adding that it would be a way of improving local coverage if no carrier invests in a local cell tower.

Grant Plummer noted that several possibilities for a cell tower location in Casco failed and inquired about what Casco might do to identify other possible locations. David Morton described several possible locations. Dave Libby commented on various reasons for opposition to cell towers. Grant described the favorable infrastructure of the Casco Community Center that might be able to support a rooftop cell tower. Holly Hancock noted that it would be worth including the Community Center in letters to carriers. David Morton commented on Casco's ordinances related to cell towers. Dave Libby noted the importance of including all of that information in letters to carriers and projecting a zoning friendly, welcoming and accommodating tone. In response to an inquiry from David Morton, Dave Libby commented on the computer modeling used by carriers to determine the feasibility of potential cell tower and equipment locations, especially as it relates to building heights. In response to an inquiry from Tom Peaslee, Dave Libby confirmed that investment costs as they relate to potential income is a primary consideration when carriers decide whether or not to invest in a cell tower.

Old Business:

1. Budget discussions.

David Morton stated that the Finance Committee's first meeting will be held on February 17, 2016 at the Central Fire Station, adding that initial budget books have been distributed to the Selectboard. David stated that he took the liberty and initiative to look into bonding costs and included a 2.5 million dollar proposal for a "public works" bond for roads, a portion of which could be used for the Pleasant Lake/Parker Pond dam project. David stated that the bond could be used for the reconstruction of Johnson Hill Road, Edwards Road, Point Sebago Road, Cooks

Mills Road and Tenney Hill Road, which would be a two or three year process at a bonding cost of under \$300,000.00 per year for ten years. David emphasized that he included the bonding proposal for discussion purposes only.

David stated that 1) by including the bonding proposal, he reduced the road maintenance and reconstruction budget by \$100,000.00 to focus solely on road upkeep and maintenance; and 2) he maintained the \$120,000.00 to \$130,000.00 paving budget at the same level for paving roads that do not require reconstruction.

David expressed that he feels it is important for the community to have a discussion about whether or not the Town should continue to maintain the former Grange Hall because of potentially substantial investments necessary to maintain or replace heating, boiler, plumbing and electrical systems, as well as maintaining the structure itself. Grant Plummer inquired as to whether David could prepare a summary of short term and long term maintenance needs along with reasons for maintaining the building. David expressed that it boiled down to an issue of emotion and that there is no practical reason to maintain the building other than its history. The Selectboard discussed the history of the building, past uses, its current condition and site limitations.

In response to an inquiry from Calvin Nutting, David stated that if everything is approved and without all the necessary input, the preliminary budget reflects a 7% to 8% increase, adding that he is fairly certain that it will be pared down.

2. Personal property collections and policy.

David Morton summarized a draft policy for delinquent personal property tax collections as a process of pursuing collections as allowed by law via a number of legal methods, adding that the policy can be posted on the Town website. In response to an inquiry from Calvin Nutting regarding the generic nature of the draft policy as it related to non-specific actions to be taken, David encouraged the Selectboard to offer ideas as to how those concerns might be addressed, adding that the draft policy addresses what will happen without specifying how it will be accomplished so as to provide flexibility. Holly Hancock expressed that the draft policy allows the Town to handle collections more on a case by case basis. David stated that a policy is technically not necessary because legal actions are covered by State law. The Selectboard decided to table further discussions on the draft policy until Mary Fernandes is in attendance, and to keep it on the agenda for future Selectboard meetings.

David Morton discussed a recent meeting with Bruce Plummer, President of P&K Sand and Gravel, regarding its delinquent personal property taxes and a letter from them proposing a payment plan for bringing their account up to date. David reviewed the proposed payment plan and stated that if approved by the Selectboard, he would work with legal counsel to implement it. Holly Hancock described the plan as a manageable and good faith effort by P&K Sand and Gravel. Tom Peaslee described the plan as well written and well presented. Calvin Nutting and David agreed. In response to an inquiry from Grant Plummer, David explained personal

property tax reimbursements from the State as a way for the State to encourage investment in businesses, adding that P&K Sand and Gravel will rely in part on State reimbursements as part of its payment plan.

The Selectboard moved (Hancock), seconded (Nutting) to accept P&K Sand and Gravel's payment plan and direct the Town Manager to pursue the plan and the structure of the note with P&K Sand and Gravel and make sure that it meets with the approval of legal counsel and the auditor with extreme limited cost to the Town of Casco.

In response to an inquiry from Tom Peaslee, David Morton clarified that the Town cannot force collection of the overdue account and that P&K Sand and Gravel wants to pay what they were supposed to have paid.

The Selectboard voted on the motion and the motion passed: 4 in favor, 0 opposed, 0 abstentions.

3. Pleasant Lake/Parker Pond dam update and discussion.

Holly Hancock stated that the Pleasant Lake/Parker Pond Dam Subcommittee met on February 4, 2016 with Myron Petrovsky, adding that the Casco and Otisfield Selectboards will be meeting on March 1, 2016 to discuss costs. The Selectboard reviewed and commented on Myron's design work for the dam. Holly noted that the new dam will be located on the same spot as the existing dam. Holly stated that an invoice for the design work has been submitted to both towns. Holly encouraged the Selectboard to review the design work in preparation for the joint meeting with the Otisfield Selectboard, adding that she asked Myron to provide a rough estimate of costs.

In response to concerns about the possibility of a lengthy Department of Environmental Protection (DEP) approval process, Holly stated that the two towns are under a water level order from the DEP and it appears that a lengthy process may not be an issue. Holly noted that costs, the approval process, the bid process and whether or not the project will be ready to present at the June Town Meeting will be discussed at the joint meeting of the two Selectboards. In response to an inquiry from Calvin Nutting, Holly explained the water level order. David Morton stated that in part because of the water level order, a DEP representative out of Portland will work with the two towns on the DEP application, approval and licensing process, adding that Myron is responsible for permitting. The Selectboard discussed how the new dam will operate and the role of a dam keeper.

Grant Plummer inquired as to 1) why is the dam needed given that it was originally created to generate power for sawing lumber and that the dam has remained in place since then just to hold back water; and 2) given the investment, whether there should be provisions in the design to retrofit the new dam with power generating equipment. Holly Hancock replied that the dam is needed to protect the watershed that the dam created and the flora and fauna that now exists there. Holly stated that she thought hydropower would be an excellent topic for discussion at the joint meeting of the two Selectboards and with Myron.

4. Discussion regarding placing tax acquired property up for sale.

David Morton reviewed a list of tax acquired properties that included comments from the Code Enforcement Officer, a bid sheet checklist for bidders, and a copy of the Town's policy for the disposition of tax acquired properties. David expressed his hope that the Selectboard will authorize him to move forward with the bidding process. David noted that account 2638 was a duplicate, account 3243 has been redeemed, account 763 has an extension, and the Open Space Commission recommended that the Town retain properties for accounts 3766 and 3767 because they are adjacent to wetland areas. David stated that Blaine Small had earlier in the evening requested that account 449 be handled as an open bid public auction instead of a closed bid.

The Selectboard reviewed the process for open bids and the Open Space Commission's recommendation that properties for accounts 3766 and 3767 be retained.

The Selectboard moved (Hancock), seconded (Peaslee) to retain accounts 3766 and 3767 as open space.

Grant Plummer stated his view that the motion should only be for retaining the properties.

The Selectboard moved (Hancock), seconded (Peaslee) and voted to retain accounts 3766 and 3767: 4 in favor, 0 opposed, 0 abstentions.

The Selectboard discussed the extension of account 763 and decided to hold an open auction for account 449.

The Selectboard moved (Hancock), seconded (Peaslee) to hold an open auction for account 449 during the March 15, 2016 Selectboard meeting.

In response to an inquiry from Calvin Nutting, David Morton recommended establishing a minimum bid of 30% to 40% of total value. The Selectboard discussed the process of establishing minimum opening bids, particularly with respect to setting a minimum dollar amount versus relying on a percentage of total value. David recommended relying on a percentage of total value that can be applied across the board. The Selectboard decided to establish minimum bids of 40% of total value. David stated that the Town will 1) create a public view file for each property that includes the Code Enforcement Officer's comments; 2) advertise the properties; and 3) notify the abutters, adding that although the Town will advertise individual properties for sale, it will not maintain a list of them for the public.

The Selectboard moved (Hancock), seconded (Peaslee) to set 40% of the assessed value as the minimum bid for all the tax acquired properties being offered.

David Morton suggested adding “less the value of any structures that need to be removed” to the motion. Grant Plummer stated that he wants to ensure that properties are restored to a clean slate, safe condition with no oil tanks or other debris lying around.

The Selectboard moved (Hancock), seconded (Peaslee) to set 40% of the assessed value as the minimum bid for all the tax acquired properties being offered less the value of any structures that are required to be removed.

In response to concerns expressed by Calvin Nutting, David stated that the removal of junk or other debris could be included in the motion.

The Selectboard moved (Hancock), seconded (Plummer) and voted to set 40% of the assessed value as the minimum bid for all the tax acquired properties being offered less the value of any structures that are required to be removed, and to require successful bidders to remove any junk or debris from the property within sixty days of acquisition: 4 in favor, 0 opposed, 0 abstentions.

Holly Hancock listed accounts 412, 1533, 2942, 165, 1088, 3979, 571, 1688, 277 and 1834 as accounts to be advertised for closed bids. Holly stated that account 449 will be auctioned at the March 15, 2016 Selectboard meeting. In response to an inquiry from Calvin Nutting regarding account 3979, David Morton stated that it involves leased land and that it needs to be looked into. David stated that for each property, a public view folder will be made available that includes the lien process, assessor’s records, the tax map and all available information.

The Selectboard moved (Hancock), seconded (Plummer) and voted for all tax acquired properties being offered to go to closed bid except for account 449 that will be auctioned at the March 15, 2016 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

New Business:

None.

Selectboard Comments:

Holly Hancock reminded everyone that this is the time of year when the State advertises unclaimed property and that anyone who might want to claim property should go to the maine.gov website to search for unclaimed property.

In response to an inquiry from Calvin Nutting regarding hazardous trees on Quaker Ridge Road, David Morton stated that some of the trees were removed and others are on private property.

Holly Hancock added delinquent personal property tax collections to the February 23, 2016 Selectboard agenda, and Tax Assessor Renee Lachapelle and the account 449 auction to the March 15, 2016 Selectboard agenda.

David Morton noted that several liquor license applications will be coming up soon.

Grant Plummer suggested inviting a school board member to speak at an upcoming Selectboard meeting because the Town of Sebago recently voted to begin the process of withdrawing from the school district.

The Selectboard moved (Peaslee), seconded (Plummer) and voted to adjourn: 4 in favor, 0 opposed, 0 abstentions.

ATTEST:

Robert Tooker
Administrative Secretary