

Town of Casco

Minutes of the March 29, 2016 Selectboard Meeting

Selectboard Members Present:

Holly Hancock, Mary Fernandes, Calvin Nutting and Tom Peaslee

Staff Present:

Town Manager David Morton and Administrative Secretary Bob Tooker

Approval of Agenda:

The Selectboard moved (Fernandes), seconded (Peaslee) and voted to approve the agenda for the March 29, 2016 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

Approval of Warrants:

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

Approval of Minutes: (March 15, 2016)

The Selectboard moved (Peaslee), seconded (Fernandes) and voted to approve the minutes of the March 15, 2016 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

Town Manager's Update: (David Morton)

A second referendum to vote on a proposal for renovations to repurpose the Crooked River School to once again hold elementary classrooms will take place on Tuesday, April 12, 2016 at the Casco Community Center. The referendum is an important decision for the school district, which is severely overcrowded. The repurposing of the Crooked River School is the best and least expensive long term solution for tax payers. The Selectboard encourages voters to turn out and vote yes on April 12. Absentee ballots are available at the Town Office.

The Selectboard will hold a public discussion regarding the future of the Grange Hall building on April 26, 2016. The concerns are whether or not the Town should consider continued and extensive investment in the building in the absence of any significant Town use. The building is currently used for the Head Start program. The Town is faced with repairs to the building in the vicinity of \$60,000 to \$70,000 over the next two or three years if the Town wishes to retain the

building. This will be an opportunity to discuss the future of the building and determine if the Town still values this old building.

The Town Meeting will be held on June 15, 2016 at 7:00 p.m. at the Central Fire Station. Nomination petitions are available at the Town Office. There are two open positions on the Selectboard, one open position on the Open Space Commission, one open position for a School Board Director, and one open position on the Transfer Station Council.

Committee and Staff Reports:

None.

Public Participation:

None.

Guest Speaker: (Al Smith, Superintendent of School Administrative District 61)

Al Smith thanked the Selectboard for the opportunity to speak and also for its support for the Crooked River School project to relieve overcrowding at Songo Locks School. Al began with a detailed review of the School Administrative District 2016 – 2017 General Fund Budget that included articles for Regular Instruction, Special Education, Career and Technical Education, Other Instruction (Co/Extra Curricular and Summer School), Student and Staff Support, System Administration, School Administration, Transportation, Facilities and Maintenance, Debt Service and All Other Expenditures. Al explained the reasons for budget increases or decreases in each article that collectively result in a proposed budget increase of .93%, which he emphasized as less than one percent.

In response to an inquiry from Mary Fernandes regarding a budget proposal for two new busses, Al explained that busses age quickly due to the huge geographic area of the district and that budgets typically include a replacement bus each year, adding that the district needs to replace two busses this year on a three year lease/purchase arrangement.

Al discussed other issues related to the budget including debt service, the need to hold lunch prices steady this year, and the inclusion of smaller projects that collectively amount to large expenditures in the capital reserves account, which will require tax payer authorization for the release of funds as specific projects become necessary.

In response to an inquiry from Mary Fernandes regarding the balance in the capital reserves account, Sherrie Small of Naples stated that it was approximately \$230,000.

Al explained 1) the proposed \$272,182 (.93%) General Fund budget increase to local tax payers; 2) the proposed increase to Bridgton, Casco, Naples and Sebago as determined by the State funding formula; and 3) his communications with the School Commissioner regarding the

distribution of State funds. In response to an inquiry from Holly Hancock, Al stated that the budget hearing is scheduled for May 17, 2016.

Al narrated a slide presentation that described 1) the overcrowded conditions at Songo Locks School; 2) the reasons for the Crooked River School project; and 3) the benefits and solutions that could result from the project. Al described logistical issues related to lunchroom and playground overcrowding, hallways, closets and a trophy room being used for classes, student pick-up and delivery hazards, aging portable classrooms and other factors related to overcrowded conditions at Songo Locks School. Al distributed a proposed project schedule and drawings and described the educational and social benefits of grouping grades 3 – 5, class sizes, long term building, educational and economic benefits and other factors related to the Crooked River School project.

Al described architectural, mechanical and financial cuts made to the original Crooked River School proposal in an effort to make it more affordable without compromising building or educational quality, adding that a full service kitchen and generator was retained in part for community sheltering in the event of an emergency. Al emphasized the project's benefits to special education needs and approaches. Al provided many explanations as to why proposed alternative solutions fall short. Al explained that all of these benefits and solutions for four hundred students can be attained with a \$4.00 per month valuation increase to tax payers. Al stated that \$7,880,000 for the Crooked River School project is a bargain by today's standards, especially in terms of the benefits and solutions it can provide.

In response to an inquiry from Mary Fernandes, Al explained that regardless of this project, alternative education students will be relocated to a refurbished building behind the high school, adding that the high school provides essential educational resources that would otherwise be difficult to provide. In response to an inquiry from Mary, Al stated that pre-kindergarten is not mandated by the State, adding that there is currently no space for pre-kindergarten in the school district. In response to an inquiry from Mary, Al stated that with Crooked River School, he would be pushing for pre-kindergarten and that there is somewhere in the vicinity of one hundred and thirty potential students.

In response to an inquiry from Holly Hancock regarding the status of Sebago's process of withdrawing from the school district, Al stated that the process is a separate entity from the Crooked River School project, adding that Sebago 1) has formed a committee; 2) has a person helping them with the process; 3) has ninety days to submit a plan to the School Board; and 4) can ask for an extension. Al stated that if everything goes the way it should, then the School Board should receive a proposal by no later than May 23, 2016. Al emphasized that Sebago's plan is not a negotiation, but rather a plan brought before the School Board without Sebago's School Board representative being present. In response to an inquiry from Holly about anticipating a large vote in Sebago against the Crooked River School project, Al stated that he witnessed a request to Sebago's Selectboard to withdraw \$2,500 from the Town's voted withdrawal funds to help "Friends of Sebago" fight the Crooked River School project.

In response to an inquiry from Tom Peaslee about how Sebago's withdrawal from the district might affect Casco's share of the Crooked River School project, Al stated that he doesn't believe it will be as big an issue as some people believe, adding that it is a very complicated issue for Sebago. Sherrie Small noted that Sebago's \$84,000 per year share of the project could result in an approximate \$30,000 per year increase to the other three towns in the district. Al added that that would be a worst case scenario. Al described a minimal debt increase over time as a result of new Crooked River School debt being offset by the retirement of debt in other areas.

Mary Fernandes commented that photographs of Songo Locks School scream of overcrowded conditions, adding that she cannot believe that students get by in it and that it appears to be claustrophobic. In response to an inquiry from Mary regarding public health, Al stated that there are higher incidents of normal illnesses that quickly spread through the schools and that there are challenging health situations for which existing health space is too small.

In response to an inquiry from David Morton, Al confirmed that if Sebago withdraws from the school district, it will be required to pay its proportional share of existing debt. In response to an inquiry from Tom Peaslee, Al explained that if the Crooked River School project is approved, then a minimal amount of money will be needed to restore Songo Locks School to the school it was intended to be before temporary measures were put into place. In response to an inquiry from David, Al explained that he is not sure whether the average citizen in Sebago understands that citizens are in charge of the process, adding that 1) citizens can stop the process if they feel that withdrawing from the district may not save them the money they currently think it will save; 2) it would require stopping the process, creating a new process and holding another vote; and 3) they are in complete control of their own destiny.

Old Business:

1. Opening of bids for tax acquired properties being sold.

Holly Hancock suggested that the Selectboard hold off on one of the accounts due to recently received information.

The Selectboard moved (Hancock), seconded (Fernandes) and moved to table account 1533 until the Selectboard can follow-up on the new information.

David Morton noted that it is tax map 22, lot 4 on Elmore Road.

A vote was taken and the motion passed: 4 in favor, 0 opposed, 0 abstentions.

Holly Hancock suggested opening all of the bids first and then addressing each bid individually.

(Minutes are presented out of order in an effort to group Selectboard actions and discussions by account number.)

Account number 1688: David opened a bid for account 1688, tax map 27, lot 8 on State Park Road and stated that the bid amount is \$1,750, the assessed value is \$25,900, and the bidder is Christopher Jordan. David stated that he does not think it is a buildable lot and questioned the assessed value.

David described the location of the property. Christopher Jordon of Casco presented photographs of the property, described it as a swamp, and stated that his interest in the property is preserving his view and preventing another home from being built on the property. David explained that if Christopher purchases the property, it is so small that it would become part of his current lot. Tom Peaslee expressed his view that a higher bid is unlikely. Holly Hancock stated that it is up to the Tax Assessor to review the assessment.

The Selectboard moved (Peaslee), seconded (Nutting) and voted to accept the offer from Christopher Jordan on account 1688 on State Park Road for \$1,750: 4 in favor, 0 opposed, 0 abstentions.

Account number 412: David opened a bid for account 412, tax map, lot 21-16 on Overlook Lane and stated that the bid amount is \$18,300, the assessed value is \$45,500, and the bidder is Eli Goodwin. David noted that forty percent of the assessed value is \$18,200.

The Selectboard moved (Peaslee), seconded (Fernandes) and voted to accept \$18,300 from Eli Goodwin for account 412, property on Overlook Lane: 4 in favor, 0 opposed, 0 abstentions.

Account number 1533: David opened a bid for account 1533, tax map 22, lot 4 on Elmore Road and stated that the bid amount is \$18,000, and the bidder is James Wynn, adding that this is the property the Selectboard put on hold. David stated that the bidder will be notified that the property is on hold and notified if it again becomes for sale.

Account number 277: David opened a bid for account 277, tax map 3, lot 21-10 on Scott Drive and stated that the bid amount is \$2,549, the assessed value is \$42,200, and the bidder is Edouard Gauthier, adding that forty percent of the assessed value would be \$16,880.

Calvin Nutting stated that the bid was grossly below the forty percent minimum opening bid. David stated that the conditions of sale require an occupancy permit from the Code Enforcement Officer addressing any structural concerns and the removal of all debris and junk from the property within thirty days of purchase. Holly noted that it is not considered a dangerous building and expressed her view that the bid is not reasonable.

The Selectboard moved (Peaslee), seconded (Fernandes) and voted to reject the bid on account 277, 9 Scott Drive: 4 in favor, 0 opposed, 0 abstentions.

Account number 2942: David opened a bid for account 2942, tax map 10, lot 33-5 on Connell Acres Lane and stated that the bid amount is \$1,000, the assessed value is \$30,200, and the

bidder is Bobbi Berard. David stated that that taxes owed are \$12,000, the property is a lot and there are no additional notes or comments with the bid.

David opened another bid for account 2942, tax map 10, lot 33-5 on Connell Acres Lane and stated that the bid amount is \$8,334, the assessed value is \$30,200, and the bidder is Cheryl Callahan. David stated that the bidder submitted photographs showing a great deal of junk and debris on the property, adding that forty percent of the assessed value would be \$12,000.

Holly noted that two bids had been received for account 2942, one for \$1,000 and the other for \$8,334. David directed the Selectboard's attention to the photographs submitted by Cheryl Callahan. Tom Peaslee noted that \$8,334 is less than the forty percent minimum opening bid of \$12,000 and suggested that the difference might cover the cost of the necessary clean-up. David offered that the Town might want to clean up the property and offer it again. The Selectboard rejected the idea and discussed whether or not the bidder should be required to remove a large structure that appeared to be a mobile home. After discussing the low bid and potential costs and issues associated with the necessary clean-up, the Selectboard decided not to accept either bid for the property.

The Selectboard moved (Nutting), seconded (Peaslee) and voted to reject both bids: 4 in favor, 0 opposed, 0 abstentions.

David stated that no bids were received for 19 Cooks Mills Road or 16 New Road and that the Selectboard needs to decide how it wants to move forward on those properties. In response to an inquiry from Tom Peaslee, David explained that Town owned property on Tenney Hill Road is a small vacant lot the Town thought abutters might be interested in, and property formerly owned by the Town on Timbuktu Drive had been sold. Holly and David reviewed the foreclosed property list and updated the status of accounts on the list.

David stated that previous bid notices were open for about thirty days and suggested that new bid notices could be open for about two months, adding that there is no hurry and perhaps the deadline for bids should be the day before a Selectboard meeting to allow time to prepare the responses for Selectboard review. Holly suggested a bid due date of May 23, 2016 in preparation for a Selectboard the following night. In response to an inquiry from Holly, David stated that account 763 had been give six months to redeem the property, which comes up at the end of April. Holly suggested that the account be notified that the Selectboard needs final information.

The Selectboard moved (Hancock), seconded (Fernandes) and voted for the Town Manager to contact the family members of account 763 and request that they either attend or provide information at the April 26, 2016 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

The Selectboard moved (Hancock), seconded (Fernandes) and voted for the Town Manager to re-advertise accounts 2942, 165, 571, 277 and 1834 with final bids due on May 23, 2016 for review at the May 24, 2016 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

In response to inquiries from Mary and Holly, David explained that the issues surrounding account 1533 on Elmore Road that was put on hold were that the owners asked if they could redeem the property, adding that as with all redemptions, they could redeem the property if they paid all back taxes with interest.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to allow the owner of property for account 1533 the opportunity to redeem the property for back taxes with interest: 4 in favor, 0 opposed, 0 abstentions.

New Business:

2. Discussion of BAN (bond anticipation note) note for Town Office project.

David Morton explained that with the need to move forward with the new Town Office project and uncertainty as to whether the Town will approved bonding for roads, he recommends a bond anticipation note. David stated that if the Town approves bonding for roads, then everything can be wrapped into one borrowing, which would result in a lower interest rate. In response to a comment from Holly Hancock, David confirmed that the Town has already approved funding for the new Town Office, adding that the amount is too small by itself for a bond and would otherwise require a conventional loan.

In response to an inquiry from Calvin Nutting, David explained that a bond anticipation note would likely be two or three points above the interest rate of a bond, adding that the money for the new Town Office needs to be borrowed anyway in order to start the project this spring. David stated that the bond anticipation note would require approximately \$1,000 to \$1,500 for legal review. David noted that if the Town waited for the Town Meeting to know the outcome of the bonding approach for roads, then construction of the new Town office would likely be delayed until fall. In response to an inquiry from Calvin, David explained that construction of the new Town Office is nearly ready to begin, adding that a few elements remain to be determined. In response to an inquiry from Holly, David explained the process including final Planning Board approval and subsequent reviews that could allow construction to begin in early May. Holly confirmed that Tom Peaslee, a member of the Town Office Building Committee, was comfortable with the process and the schedule.

The Selectboard moved (Hancock), seconded (Peaslee) and voted to authorize the Town Manager to pursue information about the bond anticipation note: 4 in favor, 0 opposed, 0 abstentions.

3. Discussion regarding selection for Spirit of America recognitions at Town Meeting.

David Morton reminded the Selectboard that the Spirit of America program is a way to create recognition for folks who have done great things in the community, and that recognizing the good things that people do in the community is important.

Holly Hancock stated that she is in favor of recognizing the two food pantries, one at the Alliance Church and one at the Casco Village Church, adding that she will be happy to find out who should be invited to attend the Town Meeting to receive the recognition and also prepare something for it.

4. Review of write-offs for uncollectable taxes for trailer illegally removed.

David Morton stated that one of the write-offs is for Eric Krause in the amount of \$802.12, adding that it is unclear as to whether the trailer was parked in Point Sebago during certain years.

In response to an inquiry from Mary Fernandes about how to solve this recurring problem, David stated that 1) either trailers be removed on October 1 of each year and not allowed to return until after April 1 of each year, which Point Sebago does not want to do; or 2) the Town gets Point Sebago to help the Town with collections. David noted that Point Sebago handles the purchase and sale of trailers and collects taxes, but somehow does not make payments to the Town. In response to Selectboard frustration with this recurring problem, David stated that it is also frustrating and very time consuming for the Town staff.

Holly Hancock reminded the Selectboard about how recent motions on the same issue were handled, included sending the accounts to the Town's collection agency. David noted that collections for the Eric Krause account would be inappropriate because although the Town was taxing the personal property, there is a question as to whether the trailer was parked in Point Sebago during the assessment period. Holly confirmed that another write-off for Philip Sanguedolce should be sent to the collection agency.

The Selectboard moved (Hancock), seconded (Nutting) and voted to write off the taxes on the account for 343 Orange Road, account 3785: 4 in favor, 0 opposed, 0 abstentions.

The Selectboard moved (Hancock), seconded (Peaslee) and voted to write off the taxes on account 3791 and send the account to the Town's collection agency: 4 in favor, 0 opposed, 0 abstentions.

Selectboard Comments:

In response to an inquiry from Mary Fernandes regarding the status of the Town Ordinance Codification project, Bob Tooker explained that the Organizational Analysis phase is nearly

complete and the next phase is the Editorial Review, adding that the organization phase is what is included and the order in which it is presented, and the editorial phase is a legal review and clean-up of obsolete, redundant and inconsistent ordinances. In response to an inquiry from Holly regarding the Town's adoption of any changes, Bob explained that the final step is the Town's adoption of an Adoption Ordinance that encompasses the entire set of codified ordinances that will first be reviewed and approved by legal counsel, adding that it has been a routine and smooth process for other towns. In response to an inquiry from Holly, Bob stated that the Adoption Ordinance will likely be ready to present at the 2017 June Town Meeting or at a Special Town Meeting.

Mary Fernandes expressed that the Selectboard Planning Matrix is not being fully utilized and cited a recent review of delinquent personal property taxes as an example of a recurring event that could be scheduled annually. Holly added a review of the Planning Matrix to the agenda for the April 12, 2016 Selectboard meeting. Mary stated that she will review the policy for the collection of delinquent personal property taxes with Pamela Griffin, Deputy Treasurer and Tax Collector, after Pamela returns from attending a class on the subject, and then present it in its totality to the Selectboard. Mary expressed her hope that the Planning Matrix will be a very useful guide and resource for current and new Selectboard members.

In response to an inquiry from Calvin Nutting, David Morton stated that P&K Sand and Gravel has made serious progress in paying its delinquent personal property taxes.

In response to an inquiry from Tom Peaslee regarding Legislative Document (LD) 1637, David explained that the proposed legislation would require the Town to accept responsibility for the plowing, maintenance and repair of private roads where there is any type of a public easement and on which private roads the U.S. Postal Service delivers mail, adding that the Town could be forced to maintain old abandoned private roads even if the public easement is only for foot traffic. David acknowledged the potentially significant costs to the Town and the peculiarity of having to maintain roads to a U.S. Postal Service standard even though no such standard exists, adding that both elected representatives do not support the proposed legislation.

In response to an inquiry from Mary Fernandes regarding the Town snow plowing contract, David stated it was recently renewed and will be up for renewal again in three years, adding that it can be reviewed each year.

In response to an inquiry from Holly Hancock regarding the source of the recently distributed Technology Acceptable Use Policy, David stated that it originated from the Maine Municipal Association, adding that he obtained it at a seminar. David explained that network security and ensuring that personal devices are not connected to Town networks is very important, adding that multiple wireless systems are needed to separate public wireless connections from Town wireless connections to its networks. David noted that in several towns, departmental networks had been hacked, hijacked and held for ransom. David stated that no cost liability insurance from the Maine Municipal Association requires the adoption of a cyber use policy.

David Morton stated that Camp Sunshine has submitted three applications for Games of Chance permits for events at Point Sebago from which proceeds will go to Camp Sunshine, adding that the events are policed by the State Department of Public Safety and Gaming.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to approve Camp Sunshine's applications for Games of Chance at Point Sebago to benefit Camp Sunshine: 4 in favor, 0 opposed, 0 abstentions.

New Business (continued):

5. Review of a request for abatement of taxes due to poverty or infirmity (requires executive session subject to Title 1 M.R.S.A., subsection 405, paragraph 6, part F., and pursuant to Title 36 M.R.S.A., subsection 841 (2)).

The Selectboard moved (Hancock), seconded (Fernandes) and voted to enter into executive to review a request for abatement of taxes due to poverty or infirmity pursuant to Title 1 M.R.S.A., subsection 405, paragraph 6, part F., and pursuant to Title 36 M.R.S.A., subsection 841 (2): 4 in favor, 0 opposed, 0 abstentions.

The Selectboard entered into executive session at 8:54 p.m.

The Selectboard returned from executive session at 9:17 p.m.

The Selectboard moved (Hancock), seconded (Peaslee) and voted to return from executive session: 4 in favor, 0 opposed, 0 abstentions.

The Selectboard moved (Hancock), seconded (Peaslee) and voted to take no action on account 989 and forestall foreclosure until January 1, 2017, and for the requestors to provide bi-weekly updates until that time: 4 in favor, 0 opposed, 0 abstentions.

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

ATTEST:

Robert Tooker
Administrative Secretary