

Town of Casco

Minutes of the April 28, 2015 Selectboard Meeting

Members Present:

Grant Plummer, Mary Fernandes, Holly Hancock, Calvin Nutting and Tom Peaslee

Staff Present:

Town Manager David Morton and Administrative Secretary Bob Tooker

Approval of Agenda:

Grant Plummer added signing of warrants to agenda item seven: Review of meeting schedule conflicts with SAD budget vote May 12.

The Selectboard moved (Fernandes), seconded (Hancock) and voted to approve the agenda for the April 28, 2015 meeting as amended: 5 in favor, 0 opposed, 0 abstentions.

Approval of Warrants:

The Selectboard moved (Hancock), seconded (Plummer) and voted to approve bills and signed warrants: 5 in favor, 0 opposed, 0 abstentions.

Approval of Minutes: (April 7, 2015)

The Selectboard moved (Fernandes), seconded (Plummer) and voted to approve the minutes of the April 7, 2015 Selectboard meeting: 5 in favor, 0 opposed, 0 abstention.

Town Manager's Update: (David Morton)

Point Sebago has chosen not to continue with its application for a Contract Zone extension at this time. The golf course resort community will continue to exist as it has been constructed. Its ability to continue to build-out ends October 31, 2015 unless Point Sebago chooses to reopen discussions. The Finance Committee has completed a majority of the budget review process. The municipal budget appears to be a 1.5% increase pending final costs and funding plans related to the Pleasant Lake/Parker Pond Dam. The Selectboard Subcommittee is reviewing options and costs for a new Town Office. The Town is applying to the Innovative Readiness Training program as a source of labor for recreational improvements to the Memorial School property, possibly saving the Town nearly \$400,000.00. A Town Meeting will be held on Wednesday, June 10 at 7:00 p.m. at the Central Fire Station. The School Administrative District

61 budget meeting and vote is scheduled for Tuesday, May 12 at 6:30 p.m. at Lake Region High School. A subsequent vote to ratify the SAD 61 budget will be held on May 26.

Committee and Staff Reports: none

Selectboard Comments:

- Holly Hancock inquired as to whether certain documents had been distributed to the Selectboard. David Morton said that he will distribute them again.
- Holly Hancock inquired as to whether the Maine Department of Transportation (MDOT) was patching roads in Casco. David Morton replied that he would not have been informed. Holly inquired as to whether there has been any discussion about serious curb damage in the village green area. David replied that he would look into whether repairs would be a municipal or MDOT responsibility. In response to an inquiry from Grant Plummer, David replied that Town road crews are patching and grading, that roads remained too wet for sweeping, and that anyone with concerns about roads should call the Town Office.
- Mary Fernandes thanked David Morton for distributing the Selectboard Planning Matrix and foreclosure list with the understanding that taxes due and land and building values will be added later.

Public Participation:

- Lynne Potter of Casco, Chair of the Planning Board, reviewed a list of Town street lights including those removed or in need of relocation or increased wattage, as well as intersections or areas that may require new street lights. Lynne summarized recommendations that thirty-four lights be turned off, twelve be reviewed, and eight be installed. Mary Fernandes pointed out that a recommended light at the intersection of Route 11 and Johnson Hill Road has been installed.
- Lynne Potter added that a new law going into effect in ninety days will allow Towns to charge a fee for kilowatt usage at electric car charging stations.
- Ray Grant of Casco inquired as to whether any information about buildings, prices, etc., for a new Town Office has been obtained, and whether any related meetings have been held because he wants to be notified. Grant Plummer replied that very little information about costs has been returned, and that only one meeting was held recently.
- Lawrence Nile of Casco mentioned the use of volunteer labor in the construction of Dayton's new Town Office. For the purpose of saving tax payers money, Lawrence advocated for an addition to the current Town Office instead of constructing a new facility.

Old Business:

1. Discussion regarding a new Town Office facility.

Grant Plummer stated that work related to determining the cost of a new facility is underway.

2. Discussions regarding proposed amendments to authorization for the Town plowing of certain private ways which meet standards and provide a public easement.

David Morton stated that the Selectboard needs to amend the proposed amendments or present them as they are at the June Town Meeting, and that the proposed amendments require a Town Meeting vote. David clarified that the proposal includes the continued plowing of private roads approved under the original standards as long as they are maintained according to the original standards, and as long as the Town votes each year to continue to provide the service. David added that newly approved roads must meet the newer standards of the Town's Subdivision and Zoning Ordinances for minor streets.

Tom Peaslee inquired as to whether homeowner's associations will be required to certify that their roads meet the required standards. David replied that nothing will change as long as "grandfathered" private roads subject to the original standards are maintained as they have been, and that new roads requesting plowing services will have to meet the higher standards. Grant Plummer added that the original standards were adopted in 1972, and that for various reasons, including the protection of Town equipment, higher standards for new roads accepted into the program are overdue.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to put the new proposal for updated road standards for the Town plowing of private roads as drafted on the June Town Meeting agenda: 5 in favor, 0 opposed, 0 abstentions.

3. Review of proposed write-offs of EMS charges for emergency services.

Holly Hancock stated that a request had been made to the billing company for information concerning an individual who had not provided the requested information. The Selectboard further reviewed the list of proposed write-offs.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to submit the list to collections: 5 in favor, 0 opposed, 0 abstentions.

4. Discussions regarding guidelines for committee appointments.

David Morton explained that the current policy for committee appointments was adopted by the Selectboard in November, 2003, and that given the inability of certain committees to secure the requisite five members, the Selectboard is free to change the policy. Mary Fernandes commented that many people do not have time to volunteer, that advertising openings had not

been effective, and that perhaps a requirement of five committee members may be too many. In response to an inquiry from Tom Peaslee, Mary indicated that she was inclined to consider three members. Grant Plummer expressed that he was leaning in that direction, but that some committees may require five members and others fewer members, adding the question of what to do about inactive committees. Holly Hancock added that there are certain legal requirements and certain issues that may be too big for committee work, and that if a committee is not attracting members, then it's not a committee and perhaps not doing real work for the Town. Grant expressed that the policy is due for an update. The Selectboard concluded that this should be further discussed in a workshop setting.

Old Business:

5. Discussion regarding waste hauler permitting.

David Morton explained that Casco is a part-owner of ecomaine and that the Town's agreement requires that all household types of waste go to ecomaine. David added that as a result of competition among waste facilities, haulers are taking waste elsewhere, which resulted in ecomaine requesting that its membership communities enforce their agreements. David explained that one method that has worked well for larger communities is the requirement of licensing for large "compacting" haulers who are not allowed to use the Town transfer station, for which license they must agree to use ecomaine. David added that ecomaine is willing to administer the licensing, and that this will not affect smaller "non-compacting" haulers that are allowed to use the transfer station because transfer station waste is forwarded to ecomaine. Consequently, an unlicensed large, "compacting" hauler will not be allowed to do business in Casco.

David added 1) that legal counsel determined that the licensing decision is up to the Selectboard; 2) that it would be up to ecomaine to administer the licensing and up to the Town to enforce it; and 3) that he hopes to have the Executive Director of ecomaine speak to the Selectboard. In response to an inquiry from Calvin Nutting about large haulers who stop in neighboring towns, David clarified that ecomaine welcomes the extra waste because it derives revenue from electrical generation, which in turn keeps costs lower for the Town. In response to an inquiry from Grant Plummer, David expressed that he couldn't identify any downside to the licensing approach. Grant added that it would be helpful to explain to smaller local haulers that they will not be affected. In response to an inquiry from Calvin Nutting, David expressed uncertainty as to how ecomaine will identify haulers who violate their licensing agreement. Grant added that perhaps the Executive Director of ecomaine could address this when he speaks to the Board.

6. Review of petition regarding proposal for add on to the existing town office building.

David Morton stated that the petition was compliant and had the required number of signatures, and that the process calls for the Selectboard to review it for any legal flaws and approve it for a Town Meeting if no legal flaws are identified. David added that if no legal flaws are found, then the Selectboard is obligated to approve it.

Jim Willey of Casco expressed that he spent volunteer time and energy helping to build the current Town Office building because it was explained to him by the Fire Department, which was soliciting volunteer labor at the time, that the building would serve as a temporary Town Office and eventually be returned to the Fire Department. Based on that understanding, Jim questioned how a petition to add-on to the building as a solution for a new Town Office came about. David Morton expressed that the issue of returning the building to the Fire Department had been raised at a previous Selectboard meeting, but not with the level of detail concerning those who volunteered on behalf of the Fire Department.

In response to a question from Jim, David acknowledged that this is an important piece of the puzzle. Jim added that the current building is a pole barn with vinyl siding that would be difficult to add-on to in a way that would look “half way intelligent” without major renovations to the existing structure. In response to further questioning from Jim regarding consideration for the volunteers, Calvin Nutting expressed that he didn’t have an answer other than that these discussions have been going on for “years and years and years,” acknowledging that the building was designed as a garage. After expressing his belief that people who signed the petition were unaware of these circumstances, Jim asked about who will be explaining these circumstances to them.

David Morton repeated that the petition was legally constructed and circulated and therefore the Selectboard has a legal obligation to present it to the Town, adding that the petition was not a Selectboard initiative. Grant Plummer expressed that the Selectboard had previously voted to not include the current Town Office building as an option for a new Town Office.

Tom Mulkern of Casco, as one of the co-chairs of the project, validated that it was presented as a Fire Department project for Fire Department needs. Holly Hancock added that she was a volunteer who worked on the building with the understanding that it was built specifically as a garage, which is why she voted to not include it as an option for a new Town Office, adding that the petition should be approved.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve the petition for the June Town Meeting: 5 in favor, 0 opposed, 0 abstentions.

Grant Plummer added that although the petition was intended to provide an inexpensive solution for a new Town Office, it would take a considerable amount of money just to bring the current structure up to a standard sufficient to add on too. Grant added that for the sake of a sound investment in a long term solution for the Town, he wanted to build a structure that the Town wouldn’t have to touch for thirty years, and that he doesn’t see the “apples to apples” dollar value in the cost limit attached to the petition.

Tom Peaslee stated that new construction is based on newer design standards, adding that instead of building for a fixed amount of money, design standards must be taken into consideration and cost comparisons must be based on equal design standards. Grant Plummer added that when making a personal investment decision, you have to look hard at what you are buying,

emphasizing that he wanted to make a long term investment in the community. Mary Fernandes added a “sound, long term” investment, Tom added, “Spend our money wisely,” and Grant added, “Spend it once.”

Mary Fernandes commented on recent cost estimates, agreed with Tom Peaslee about the importance of design standards and requirements, and expressed her understanding that the current Town Office was designed for storage. Grant Plummer added that other Town departments have expressed a need for this type of storage facility.

Barbara York expressed that the original plan for the current Town Office was storage for Fire and Rescue, that it was never intended as a Town Office, and that it made no sense to pour more money into a temporary building.

7. Review of meeting schedule conflicts with SAD budget vote May 12 and signing of warrants.

David Morton explained that May 12 is the Town Meeting style vote on the SAD 61 budget, that the Selectboard has a meeting scheduled that evening, and that the warrants are for the subsequent budget ratification vote on May 26.

The Selectboard discussed the scheduling of various items that need to be addressed in time for the June Town Meeting, including obtaining construction plans, costs and a funding plan for the Pleasant Lake/Parker Pond Dam. In response to an inquiry from Mary Fernandes, David Morton stated that he would investigate the possibility of using funds from the Tenney Hill Reparation Fund for the dam project.

After reviewing the calendar, the Selectboard agreed to reschedule its May 12, 2015 meeting for May 19, 2015, and proceeded to sign warrants.

Grant Plummer commented that a School Board seat will be open for election.

8. Review of uncollectable tax write off recommendations.

This agenda item was tabled for the next Selectboard meeting.

9. Review of requests 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 (Plummer), seconded (Fernandes) and voted to adjourn to 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): 5 in favor, 0 opposed, 0 abstentions.

The Selectboard adjourned to executive session at 8:53 p.m.

The Selectboard returned from executive session at 9:48 p.m.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve 42815-A for the entire amount owed plus costs and interest for 2013: 5 in favor, 0 opposed, 0 abstentions.

The Selectboard moved (Plummer), seconded (Peaslee) and voted to approve 42815-B for the entire amount owed plus costs and interest for 2013, and to require the property owner to submit a plan within sixty days for paying property taxes going forward: 5 in favor, 0 opposed, 0 abstentions.

There being no further business, the Selectboard moved (Peaslee), seconded (Fernandes) and voted to adjourn: 5 in favor, 0 opposed, 0 abstentions.

ATTEST:

Robert C. Tooker
Administrative Secretary