

Town of Casco

Minutes of the May 10, 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 May 10, 2016 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

Approval of Warrants:

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

Approval of Minutes: (April 26, 2016)

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

Town Manager's Update: (David Morton)

The School Administration District (SAD) 61 school budget vote will be held on Tuesday, May 17, 2016 at 6:00 p.m. at Lake Region High School. The Casco 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. Ground has been broken for the new Town Office and the foundation will be poured in the next few days.

Code Enforcement Officer Donald Murphy has resigned. The process of searching for a replacement has begun. The Town Manager met with the Maine Department of Environmental Protection (DEP) on May 9, 2016 to begin the process of completing and submitting an NRPA permit application for the Pleasant Lake/Parker Pond dam project. The challenge is that it takes considerable time for the DEP to process the application and it cannot be submitted until a

contractor is selected who must then provide a description of the construction process. Bids for the project are due on May 16, 2015. The Casco and Otisfield Selectboards will hold a joint meeting on May 23, 2016 at the Community Center at 7:00 p.m. to review the bids and select a contractor.

Committee and Staff Reports:

Holly Hancock stated that an addendum to the construction documents for the Pleasant Lake/Parker Pond dam project that includes a fish hatchery imbed pipe has been distributed to all potential bidders. David Morton explained that this would be a backup pipe to feed the fish hatchery from Pleasant Lake in case the current sixty year old cast iron pipe fails due to age or damage during construction. David explained that the pipe is especially important during the anticipated time of construction because the fish are at peak biomass that time of year. In response to an inquiry from Calvin Nutting, Holly stated that there is no need for a dry hydrant at the dam site.

Public Participation:

Jessica Jackson, Animal Control Officer for Casco, Raymond and Naples, spoke on behalf of her mother regarding property taxes owed for 2014. Jessica stated that her mother's property was under foreclosure for unpaid taxes and that her mother had every intention of paying the taxes before learning of a potentially terminal illness and successfully battling it. Jessica requested an opportunity to pay the taxes owed and redeem the property, including paying 2015 taxes before the 2016 taxes are due. In response to an inquiry from Holly Hancock, Jessica stated that the account is in the name of Diane Theriault and the account number is 2793.

The Selectboard moved (Fernandes), seconded (Peaslee) and voted to allow the owners of property at 47 Meadow Road to retain their property provided that payment is made within fourteen business days and 2015 taxes are paid prior to 2016 taxes becoming due: 4 in favor, 0 opposed, 0 abstentions.

David Morton stated and an assistant Animal Control Officer is being interviewed to help Jessica with animal control.

Guest Speaker: (Town Auditor Bruce Nadeau with RHR Smith & Company)

Bruce Nadeau reviewed highlights of RHR Smith & Company's draft of the Town's audited financial statements for the year ending June 30, 2015. Bruce noted that Casco was in a better financial state at the end of fiscal 2015 than it was at the end of fiscal 2014. Bruce reviewed budgeted amounts versus actual amounts spent for the general fund, the balance sheet, revenues, deferred revenues, expenditures, assets, liabilities, receivables, fund balances and other financial details. Bruce stated that 1) the Town made a positive step forward of \$472,000.00; 2) the Town spent 9.7 million dollars of which 69% was twelve checks written to the school district and one

check written to the county; and 3) the operation was well run. Bruce commended the Town for its progress and stated that it is going in the right direction.

Bruce noted that the Town met a goal of unassigned fund balances amounting to nearly two million dollars, which exceeds two months of operational expenses and is available for unforeseen needs. With that goal met, Bruce encouraged the Town to begin to address more of its capital needs such as the Pleasant Lake/Parker Pond dam project, roadwork and a fire truck.

In response to an inquiry from Mary Fernandes regarding the Town not having a policy for interest rate risk, Bruce explained that the Town does not need such a policy because it does not make risky investments. In response to an inquiry from Calvin Nutting about the pros and cons of borrowing for capital projects, Bruce explained that it might be better to borrow when interest rates are low and use fund balances for other capital needs, adding that 1) there is no “silver bullet” formula; 2) it boils down to having a strategy; and 3) it is important to have reserves for emergencies and other unanticipated needs.

Mary Fernandes commented that she was very happy to see a net positive gain and referred to page six in the draft audit report as an “A+ or at least an A.”

The Selectboard moved (Nutting), seconded (Fernandes) and voted to approve the draft audit report: 4 in favor, 0 opposed, 0 abstentions.

The Selectboard moved (Fernandes), seconded (Peaslee) and voted to continue to engage the services of RHR Smith & Company for the 2016 budget year: 4 in favor, 0 opposed, 0 abstentions.

Old Business:

1. Update regarding the process for collecting personal property taxes.

Mary Fernandes thanked Pamela Griffin, Deputy Treasurer and Tax Collector, and Renee Lachapelle, Tax Assessor, for their assistance. Mary stated that Renee requested a motion from the Selectboard to establish a cutoff value for personal property taxation, adding that the current value is \$1,000.00 and that David Morton, Renee and Pamela feel that \$5,000.00 is more reasonable. Mary explained that a personal property valuation of \$2,500.00 with a mill rate of 14.90 would result in a personal property tax of approximately \$38.00 and that it takes at least \$30.00 to file a UCC claim and try to collect the tax if it becomes delinquent. Mary stated that if the cutoff was \$5,000.00, then the personal property tax would be approximately \$75.00 and the cost of trying to collect it would be more practical. In response to an inquiry from Tom Peaslee regarding approaches taken by other towns, Mary stated that a \$5,000.00 cutoff is what Casco’s Tax Assessor is recommending. Mary stated that Pamela recommends that this process begin as a fresh start in May, 2017. Mary stated that although the Tax Assessor stated that the Town could focus on certain accounts, it is important to always be fair.

In response to an inquiry from Calvin Nutting, David Morton explained that a \$5,000.00 cutoff would mean that the Town would not assess an account for personal property if the property was worth less than \$5,000.00. In response to an inquiry from Holly Hancock, David explained that the threshold for creating personal property tax accounts and sending out personal property tax bills would be when the value of the personal property exceeds \$5,000.00, adding that it would eliminate chasing a lot of little accounts. Mary added that small accounts certainly add up, but at what cost?

Calvin Nutting expressed his view that all personal property should be taxed. In response to an inquiry from Calvin, David explained that the current cutoff value is \$1,000.00 and the proposed cutoff value is \$5,000.00. Calvin noted that it wouldn't be fair for someone not to be taxed for \$5,000.00 of personal property when someone else is taxed for \$10,000.00 of personal property without being able to deduct the first \$5,000.00. David noted that that this is what is happening now except that the cutoff value is \$1,000.00, adding that most towns have a cutoff value and the question is what dollar amount of taxes owed would trigger the filing of a \$32.00 UCC claim. Calvin reiterated his concerns about unfair taxation. Mary expressed her concern about the Town spending \$30.00 to collect \$7.00. Calvin expressed that he would be more comfortable if the cutoff applied to the amount of delinquent taxes owed and not the value of the property, adding that he would be more comfortable with an enforcement cutoff than a taxation cutoff.

In response to an inquiry from Holly Hancock, David Morton described the cost of billing as perhaps twice the cost of postage. David summarized Calvin's suggestions as continuing to assess according to the current policy and consider a cutoff for filing UCC claims to avoid spending more on collections than the amounts being collected. Calvin suggested a cutoff value of \$2,000.00 for personal property taxation and a cutoff value of \$5,000.00 for personal property tax enforcement actions.

The Selectboard moved (Nutting), seconded (Peaslee) and voted to establish a cutoff of \$2,000.00 of personal property value for personal property taxation and a cutoff of \$5,000.00 of personal property value for personal property tax enforcement: 4 in favor, 0 opposed, 0 abstentions.

The Selectboard reviewed a list of personal property tax accounts.

New Business:

2. Review and approval of mass gathering permits.

David Morton explained that the application process for mass gathering permits requires signatures from the Town Clerk, Code Enforcement Officer, Fire Chief and Public Works Director, adding that all the Selectboard needs to do is approve the permits. In response to an inquiry from Calvin Nutting, David stated that some applicants request the presence of a rescue unit and that public safety personnel will respond to emergencies.

David stated that Casco Village Church is requesting a mass gathering permit for an annual flea market on July 9, 2016 from 8:00 a.m. to 1:30 p.m. with help from volunteers for traffic control.

The Selectboard moved (Nutting), seconded (Peaslee) and voted to approve the mass gathering permit for Casco Village Church: 4 in favor, 0 opposed, 0 abstentions.

David stated that the Greater Bridgton Lakes Region Chamber of Commerce is requesting a mass gathering permit of its Maine Lakes Brew Fest at Point Sebago on September 24, 2016 from 11:00 a.m. to 5:00 p.m. with no request for standby units.

The Selectboard moved (Nutting), seconded (Peaslee) and voted to approve the mass gathering permit for the Greater Bridgton Lakes Region Chamber of Commerce: 4 in favor, 0 opposed, 0 abstentions.

David stated that Tyler Technologies, Inc. is requesting a mass gathering permit for a company picnic with about five hundred people at Point Sebago on May 22, 2016 from 11:00 a.m. to 3:00 p.m.

The Selectboard moved (Nutting), seconded (Peaslee) and voted to approve the mass gathering permit for Tyler Technologies, Inc.: 4 favor, 0 opposed, 0 abstentions.

David stated that Avenue Media LLC is requesting a mass gathering permit for the Point Sebago Reggae Festival for about three hundred and fifty people at Point Sebago on June 11, 2016.

The Selectboard moved (Peaslee), seconded (Nutting) and voted to approve the mass gathering permit for Avenue Media LLC: 4 in favor, 0 opposed, 0 abstentions.

David stated that the Tri-Maine organization is requesting a mass gathering permit for the Sebago Lake Triathlon at Point Sebago on June 12, 2016 with a rescue vehicle on hand.

The Selectboard moved (Peaslee), seconded (Fernandes) and voted to approve the triathlon at Point Sebago: 4 in favor, 0 opposed, 0 abstentions.

3. Review and approval of games of chance permits.

David Morton explained that the application is for a Camp Sunshine fundraiser called the Friends of Elvis Fundraising Weekend on May 20 and May 22, 2016, adding that it is an indoor event for about fifty people.

The Selectboard moved (Fernandes), seconded (Peaslee) and voted to approve the games of chance for the Friends of Elvis Fundraising Weekend at Camp Sunshine: 4 in favor, 0 opposed, 0 abstentions.

4. Review of the Pappas request to redeem property at 19 Fairfield Road.

David Morton explained that a small amount of money is owed as a result of a miscommunication within the family. The Selectboard reviewed the account and determined that the amount owed is \$87.42.

The Selectboard moved (Peaslee), seconded (Nutting) and voted to allow Ms. Pappas to redeem her property for \$87.42: 4 in favor, 0 opposed, 0 abstentions.

5. Signing of warrants for the School Administration District (SAD) 61 school budget vote.

The Selectboard signed warrants for the School Administration District (SAD) 61 school budget vote.

Selectboard Comments:

Holly Hancock encouraged the Selectboard to review a draft Town Meeting warrant that will be on the agenda for the May 24, 2016 Selectboard meeting.

6. 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 (Hancock), seconded (Peaslee) and voted to adjourn to executive session to review requests for abatement of taxes due to poverty or infirmity 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): 4 in favor, 0 opposed, 0 abstentions.

The Selectboard entered into executive session at 7:55 p.m.

The Selectboard returned from executive session at 8:28 p.m.

The Selectboard moved (Peaslee), seconded (Nutting) and voted to return from executive session: 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