

Town of Casco

Minutes of the June 18, 2019 Selectboard Meeting

Selectboard Members Present:

Holly Hancock, Mary Fernandes, Grant Plummer and Tom Peaslee

Staff Present:

Town Manager David Morton and Administrative Secretary Bob Tooker

Approval of Agenda:

It was moved, seconded and voted to approve the agenda for the June 18, 2019 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

Approval of Warrants:

It was moved, seconded and voted to approve bills and sign open warrants: 4 in favor, 0 opposed, 0 abstentions.

Approval of Minutes: (June 4, 2019)

It was moved, seconded and voted to approve the minutes of the June 4, 2019 Selectboard meeting: 4 in favor, 0 opposed, 0 abstentions.

Town Manager's Update: (David Morton)

None.

Holly Hancock stated that this will be David Morton's last Selectboard meeting as Town Manager. Everyone in attendance acknowledged David's forty-one year tenure as Town Manager and thanked him for his service to the Town and the community.

Committee and Staff Reports:

Ben Thompson, Assessor and Director, Cumberland County Regional Assessing, stated that he has not been sworn in as Casco's Assessor because the new contract has not been signed.

It was moved, seconded and voted to appoint Ben Thompson as Assessor for the Town of Casco effective July 1, 2019: 4 in favor, 0 opposed, 0 abstentions.

Holly Hancock added review and approval of the Cumberland County Contract for Assessing Services to the July 9, 2019 Selectboard meeting agenda.

In response to an inquiry from Grant Plummer, David Morton stated that 1) services provided by Cumberland County Regional Assessing are working very well; 2) even with the increase in the price of the contract, the cost of assessing remains less than it was fifteen years ago; and 3) he would encourage the Selectboard to continue the relationship.

Ben Thompson stated that improvements at Camp Laurel South resulted in a valuation increase of nearly two million dollars that will not be effective until the next Town revaluation. It was noted that assessments for improvements at developments such as Camp Laurel South, Camp Agawam and Point Sebago Resort will not be effective until the next revaluation.

Ben 1) stated that the only changes in the proposed contract are a price increase and an extension of the term from one year to three years; 2) commented on personnel changes at Cumberland County Regional Assessing; and 3) encouraged the Town to begin setting aside funds for the next revaluation in about four years.

Grant Plummer commented on 1) the need to review the types of actions taken by the Town that could affect assessing; and 2) the need for the Code Enforcement Officer to coordinate certain types of inspections with the Assessor.

Public Participation:

Andrew Garcia, a licensed medical marijuana care giver, stated that he and his business partner obtained permission from a landlord to rent a store front on Route 302 in Casco for the purpose of providing medical marijuana services. Andrew stated that he was informed by the Code Enforcement Officer that Casco does not have an ordinance for that type of business and that perhaps he should approach the Selectboard.

David Morton stated that 1) there has not been overwhelming interest for or against such an ordinance; 2) the Town drafted an ordinance based on South Portland's ordinance but has not taken any further action; 3) such an ordinance must be approved by Town Meeting; 4) the Selectboard must approve such an ordinance before it is included in a Town Meeting warrant; and 5) Andrew is taking the right steps. Holly Hancock stated that an opt in ordinance will be discussed at a future Selectboard meeting.

Josh Appleton inquired about what further steps can be taken to speed up Casco's process of adopting an opt in ordinance. Mary Fernandes stated that Craig Patterson, Program Manager for the Maine Medical Use of Marijuana Program, will be sending a liaison to speak to the Selectboard about State marijuana policies and pending laws. Grant Plummer stated that 1) ordinance adoptions are tricky; 2) the Selectboard is depending on the State to provide proper language to protect businesses and citizens; and 3) efforts are proceeding at "municipal pace".

New Business:

1. Discussion regarding results of Town Meeting, Wednesday, June 12, 2019.

Grant Plummer expressed his opinion that in the interest of transparency, fairness and making sure the Town has a clear understanding of the plans, the structure to be built by the Crooked River Snowmobile Club on Town-owned property ought to require a site plan review by the Planning Board. Grant noted that the size of the structure, parking and other considerations were not clearly presented at Town Meeting.

2. Review of request to extend plowing service to Settlers Village based on 1972 road standards.

Brian Chamberlain, on behalf of Settlers Village property owners, requested that the Town provide winter plowing and sanding services for Settlers Village. Brian stated that 1) when the issue of plowing was raised during negotiations to renew the Settlers Village contract zone agreement, Town Planner James Seymour indicated that the issue could be reviewed at a later date; and 2) efforts had been made to ensure that Settlers Village meets the 1972 road standards.

David Morton stated that 1) the old contract zone agreement stated that Settlers Village property owners are responsible for plowing; 2) the new contract zone agreement states that Settlers Village property owners are responsible for road maintenance; 3) Town Ordinance states that any private road added to the Town plowing list must meet 2015 road standards; and 4) the Selectboard has no authority to break a Town Ordinance.

Holly Hancock stated that research needs to be done regarding the new contract zone agreement. Grant Plummer stated that 1) a road that has not been plowed cannot be added to the Town plowing list; and 2) barring clear language from the Planning Board regarding the new contract zone agreement, the answer is going to be no.

3. Review of consent agreement for 243 Coffee Pond Road, Tax Map 36, Lot 8.

It was moved, seconded and voted to approve the consent agreement for 243 Coffee Pond Road, Casco Tax Map 36, Lot 8: 4 in favor, 0 opposed, 0 abstentions.

In response to an inquiry from Grant Plummer, David Morton stated that he will find out from the Code Enforcement Officer whether or not such consent agreements trigger a review of the property by the Assessor. Grant requested that a written history of each property affected by a consent agreement be included in the map and lot file for future reference.

4. Review of proposed assessing services contract with Cumberland County Assessing.

This agenda item was covered during Committee and Staff Reports.

5. Review of applications for mass gathering permits.

It was moved, seconded and voted to approve the mass gathering permit for the Greater Bridgton Lakes Region Chamber of Commerce Maine Lakes Brewfest to be held at Point Sebago on September 28, 2019: 4 in favor, 0 opposed, 0 abstentions.

It was moved, seconded and voted to approve the mass gathering permit for the Casco Village Church Open Air Fair to be held on the Casco Village Green on July 13, 2019: 3 in favor, 0 opposed, 1 abstention.

Old Business:

6. Discussion regarding the safety of the Route 11 and Route 121 intersection.

The Selectboard 1) acknowledged that previous efforts to improve safety at the intersection of Route 11 and Route 121 have not been effective; and 2) discussed additional measures that could be taken. Grant Plummer stated that 1) intersections with a four way stop light are the safest because everyone knows the rules governing who has the right of way; 2) low traffic volume intersections with full traffic lights are dangerous because the lights are often disobeyed; and 3) he would be in favor of taking the next step of approving a four way stop light. Mary Fernandes stated that she would also be in favor of taking the next step of approving a four way stop light.

Holly Hancock added a public hearing about the intersection to the July 9, 2019 Selectboard Meeting agenda.

7. Review of Selectboard schedule.

The Selectboard agreed to meet on July 30 and August 27, 2019, and cancel the previously scheduled August 13 meeting.

8. Selectboard comments.

- In response to an inquiry from Grant Plummer, David Morton stated that changes to ordinances can come about by 1) the Selectboard initiating a change; 2) the Planning Board initiating a change, which must go to the Selectboard to place on a town meeting warrant; or 3) a referendum process driven by a petition signed by ten percent of the voters who voted in last gubernatorial election, which forces the referendum to be included in the next town meeting or special town meeting called by the Selectboard.
- In response to an inquiry from Grant Plummer regarding road standards, David Morton stated that 1) the Selectboard and the Road Commissioner have no authority to wave or override road standards adopted by Town Meeting; and 2) the Planning Board has some flexibility

to override road standards in circumstances involving land use regulations. David advised the Selectboard not to amend the current ordinance in an effort to add Settlers Village to the Town plowing list without a review by legal counsel.

- In response to an inquiry from Grant Plummer, Holly Hancock stated that 1) the new Town Manager will also be the Road Commissioner; and 2) it was discussed that at some point, a new position might be created for someone to pay attention to everything the Town owns, perform certain maintenance, hire appropriate contractors and bring any significant maintenance issues to the attention of the Town Manager and the Selectboard.
- Holly Hancock requested that David Morton follow-up on road sweeping in Casco Village.
- Holly Hancock stated that 1) a public hearing on the Route 11 and Route 121 intersection; and 2) requests for waivers or extensions to the October 31, 2019 deadline for meeting 1972 road standards required for plowing services will be added to the July 9, 2019 Selectboard meeting agenda.

9. Review of applications 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).)*

It was moved, seconded and voted to adjourn to executive session 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 abstentions, 0 opposed.

The Selectboard entered executive session at 7:52 p.m.

The Selectboard returned from executive session at 8:39 p.m.

It was moved, seconded and voted to approve the abatement for application 6-18-19-C in the amount of \$3,637.84 for fiscal year 2018: 4 in favor, 0 abstentions, 0 opposed.

It was moved, seconded and voted to adjourn: 4 in favor, 0 opposed, 0 abstentions.

ATTEST:

Robert Tooker
Administrative Secretary