

Town of Casco

Minutes of the June 28, 2016 Selectboard Meeting

Selectboard Members Present:

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

Staff Present:

Town Manager David Morton and Administrative Secretary Bob Tooker

Approval of Agenda:

Holly Hancock amended the agenda to add the review of an application for a games of chance permit from the Lakes Region ATV Club as agenda item 4-a under New Business.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve the agenda for the June 28, 2016 Selectboard meeting as amended: 5 in favor, 0 opposed, 0 abstentions.

Election of a Selectboard Chair and Vice Chair for the year beginning July 1, 2016:

Grant Plummer nominated Holly Hancock as Selectboard Chair for the year beginning July 1, 2016. Tom Peaslee seconded. A vote was taken: 5 in favor, 0 opposed, 0 abstentions.

Grant Plummer nominated Mary Fernandes as Selectboard Vice Chair for the year beginning July 1, 2016. Tom Peaslee seconded. A vote was taken: 5 in favor, 0 opposed, 0 abstentions.

Approval of Warrants:

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

Approval of Minutes: (June 14, 2016)

The Selectboard moved (Peaslee), seconded (Plummer) and voted to approve the minutes of the June 14, 2016 Selectboard meeting: 5 in favor, 0 opposed, 0 abstentions.

Town Manager's Update: (David Morton)

The new Town Office project is moving forward. The foundation, slab, well, underground utilities and septic system are in place. Erection of the structure should begin on about July 18 and be weather tight by the end of the month. Interior work will be completed through the months of August and September with occupancy expected in October. The project is under budget with a small contingency and is expected to be completed within the budget allotted.

The Towns of Casco and Otisfield have both approved financing for the reconstruction of the Pleasant Lake/Parker Pond dam. T-Buck Construction from Auburn has been selected as the general contractor for the project. The design engineer and I met with the Maine Department of Environmental Protection (DEP) this morning and we are working with them on the required environmental permitting.

There have been some questions regarding notifications for town meetings and scheduled local, state and national elections. The Town posts notices on signs outside of the Community Center and fire stations. Notice is posted on the Town website and legal notices are posted at the Town Office, Community Center, Casco Post Office, South Casco Post Office, Cross Roads store, Bob's Place, Webbs Mills Eats and Chutes Bakery and Café. Town meeting and other election articles appear regularly in the Bridgton News and other local daily papers. The Town posts notices in more places than required and we encourage people to be aware of what is going on in the community and to call the Town Office with any questions regarding elections or town events.

Committee and Staff Reports:

None.

Public Participation:

None.

Old Business:

1. Follow-up to Town Meeting.
 - a. Engaging the services of an Assistant Harbormaster.

Town Manager David Morton stated that a retired code enforcement officer with a background in shore land zoning has offered to take the position. David stated that he decided to change the title of the position from Assistant Harbormaster to Assistant Shore Land Zoning Coordinator, adding that the duties of looking at docks and moorings from the shore will not change. David stated this person will also be looking for shore land zoning violations and reporting them to the Code Enforcement Officer. In response to an inquiry from Holly Hancock, David stated that he

is hoping that the position will be filled by the end of the month.

In response to an inquiry from Calving Nutting, David explained that the Code Enforcement Officer is also the Harbor Master and that this person would be assisting the Code Enforcement Officer. In response to an inquiry from Tom Peaslee, David explained that a boat is not needed because most of the oversight for moorings involves inspecting property lines from land and not necessarily the actual moorings. In response to an inquiry from Grant Plummer, David stated that he would like to hire this person after doing some background work.

b. Jackson property purchase and options with the property.

David Morton stated that not much planning has gone into how the property will be used because of previous uncertainty about Town Meeting authorization to acquire the property, adding that the Town will not take possession of the property until September of this year. David listed options for how the property might be used including the removal of three structures, subdividing and selling structures, senior housing, community gardens, a public beach and open space, adding that the Town has time to do the planning.

David stated that the purchase and sale agreement 1) gives the seller the option to stay in her house for up to eighteen months; and 2) states that the other two structures will be vacated by the tenants. David stated that in the absence of plans for the property, it might be in the Town's interest to keep the other two structures occupied by the tenants on a month to month basis with ninety days' notice to terminate the agreement, adding that 1) it would result in approximately \$1,000 per month income to the Town; and 2) the structures would be occupied and maintained for whatever period of time it takes for the Town to decide what it wants to do.

Holly Hancock suggested that it might be reasonable to have a property manager manage those properties. David agreed that a property manager would be his preference. In response to an inquiry from Tom Peaslee, David stated that the Town does not know what condition the properties are in. In response to an inquiry from Holly, David stated that a property management company might be in the best position to make such an assessment.

The Selectboard discussed authorizing David to check with legal counsel regarding lease agreements, check with several property management companies and report back to the Selectboard at its July 12, 2016 meeting.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to direct the Town Manager to move forward with legal counsel and the review of a property manager type of agreement to see what costs are involved and to see if it is viable for the Town to move forward: 5 in favor, 0 opposed, 0 abstentions.

Eric Dibner, past Chair of the Casco Open Space Commission, stated that the Open Space Commission feels strongly that the Jackson property is a beautiful property and that the Commission would like to see as much of it conserved as possible, adding that he is interested in seeing how the land continues to serve the people of the Town of Casco. Eric suggested that the Town solicit and put in place a group of volunteers who would be the stewards of that property, adding that planning how the property will be used and developed should involve more people than the Selectboard. Mary Fernandes stated that she thought Eric's suggestion is a great idea.

In response to an inquiry from Mary Fernandes, David Morton stated that representatives from the Infantry Readiness Training (IRT) program and military reserves will be looking at the Memorial School field project in August to determine if the project will provide them with the type of training they need.

c. Bonding options and timing of road projects.

David Morton explained a bonding flow chart that listed large financial commitments including the new Town Office, reconstruction of the Pleasant Lake/Parker Pond dam, acquisition of the Jackson property and road reconstruction, adding that the challenge for bonding is that the funds are needed at different times. David explained that short term financing options prior to rolling the costs into one public works bond include Bond Anticipation Notes or borrowing from the undesignated fund balance. David explained that Bond Anticipation Notes can eventually be rolled into the public works bond for roads, adding that the larger the bond, the more attractive it becomes and the higher the likelihood of a lower interest rate. David described the timing and the process of acquiring a bond and the timing of putting roadwork out to bid. David expressed his hope that all of these financial commitments can be wrapped into one bond note, which reduces the interest rate and makes the entire process of long term financing and managing these projects easier and less costly.

In response to an inquiry from Calvin Nutting, David proposed continuing to fund annual road maintenance at the current level and applying annual balances from road maintenance accounts to a reserve for construction in year four, adding that three years of construction with bond money will reduce maintenance costs and add to the reserve. David noted that work on Johnson Hill Road, Edwards Road, Cooks Mills Road, portions of Tenney Hill Road and portions of Point Sebago Road will reduce maintenance costs which will result in more money to spend on other roads in year four.

In response to an inquiry from Calvin regarding not forgetting about other roads, David explained that bids have been coming in lower than expected and hopefully the bond money can go further. David mentioned Raymond Cape Road, Webbs Mills Road and Winslow Road as other possibilities. In response to an inquiry from Tom Peaslee, David explained that the eventual public works bond will be a combination all of these authorizations rolled into one.

Grant Plummer noted the cumulative interest costs of the Bond Anticipation Notes and the public works bond and expressed the need to keep borrowing costs to a minimum by not borrowing the

same money twice, possibly by borrowing from the undesignated fund balance as an alternative to Bond Anticipation Notes.

The Selectboard directed David to see if bonding agents are available to speak with the Selectboard during its August meetings. In response to an inquiry from Mary Fernandes, David stated that he would have the Town's auditor review the plans for the public works bond and speak to the Selectboard about strategic fiscal planning for the Town budget.

In response to Holly Hancock's call for any further discussion about the Town Meeting, David brought to the Selectboard's attention the Joint Solid Waste Management Agreement between the towns of Casco and Naples. David stated that the Agreement needs to be signed by the Selectboard, adding that the Selectboard could take more time to review the document. Holly stated that the Agreement was approved at Town Meeting. David stated that it had been vetted by legal counsel. In response to an inquiry from Tom Peaslee, David noted that one significant change from the previous agreement is that the transfer station operation and the bulky waste operation have been combined into one operation. The Selectboard signed the Joint Solid Waste Management Agreement.

David Morton stated that he received a number of comments at Town Meeting regarding notifications for town meetings and elections that resulted in the comments he made in his Managers Update.

2. Discussion regarding sale of tax acquired properties.

a. Timing.

Holly Hancock proposed that the Selectboard direct the Town Manager to advertise tax acquired properties for sale with bids due before the August 30, 2016 Selectboard meeting.

b. Type of sale, i.e., auction or closed bid.

Holly Hancock stated that there has been a request for the Holden property to be sold by public auction. David Morton stated that he received several inquiries regarding the status of tax acquired properties, adding that an additional property on Crooked River should be considered for possible sale. David stated that the list includes previously unsold properties plus the Holden property and possibly the Crooked River property.

Holly called for an updated list of tax acquired properties for sale and advertising for the sale of those properties. David stated that information packages for each property will be prepared. In response to an inquiry from Calvin Nutting, David stated that some of the properties may not be worth thirty percent of assessed value due to defects such as trash or structures that need to be removed. Grant Plummer reminded the Selectboard that the procedure calls for the Code Enforcement Officer to review each property for any issues that might affect its value, adding

that the Selectboard needs this information to determine whether or not bids are acceptable. Grant cautioned about proceeding with the sale of the Crooked River property before it can be reviewed based its location on a Class A water drinking supply.

The Selectboard moved (Hancock), seconded (Plummer) and voted to offer the Holden property at open auction on August 30, 2016: 5 in favor, 0 opposed, 0 abstentions.

The Selectboard moved (Hancock), seconded (Plummer) and voted to authorize the Town Manager to proceed with advertising all other foreclosed properties except for the Crooked River Property and requesting bids or otherwise seeking methods of disposal of those properties: 5 in favor, 0 opposed, 0 abstentions.

In response to an inquiry from Grant Plummer, David Morton stated that he would provide bidders with further instructions regarding how to justify bids lower than the minimum opening bid.

3. Review of the annual planning matrix.

The Selectboard reviewed and updated its annual planning matrix intended as a tool for the timely scheduling of Selectboard agenda items. Agenda items including committee appointments, the Selectboard Chair and Vice Chair election and contract expiration dates were addressed.

4. Discussion regarding option for collection of property taxes on camper units.

Mary Fernandes stated that she requested this agenda item because she has been involved in these types of personal property tax write-offs for many years and it doesn't make any sense, adding that the Town needs an effective means of collecting these taxes. David Morton stated that options include continuing in the same manner or changing the zoning ordinance to require that all mobile camper units be removed from campsites by the middle of November and not be allowed to return until the 15th of April so that they will not be taxable and not need to be written off. David stated that campground owners do not like this approach because they are concerned that campers will not return resulting a loss of business, adding that the campground owners are doing very little to help the Town collect the taxes. In response to an inquiry from Grant Plummer, David stated that the problem occurs at Point Sebago and the Crooked River Campground.

Grant expressed that the Town needs to have a conversation with those campground owners and they need to be cooperative partners in helping to solve this problem. In response to an inquiry from Holly Hancock, David stated that the state legislature is reluctant to touch, change or address laws regarding taxation. The Selectboard discussed various ways in which the campground owners could help with the problem. In response to an inquiry from Tom Peaslee, David stated that he does not know how much money is involved, adding that it is more an issue

of the aggravation of the process the Town has to go through and that it does not look good to continually request the Selectboard to write off taxes.

The Selectboard directed the Town Manager to draft a letter to the campground owners to be signed by the Selectboard Chair stating that the Town would like to enter into a discussion about how to resolve these problems, adding that the best current alternative is to create a situation where the trailers are not taxable. David suggested starting with a meeting between the campground owners and the Selectboard Chair and Vice Chair.

4-a. Review of an application for a games of chance permit from the Lakes Region ATV Club.

David Morton stated that this is a games of chance permit application from the Lakes Region ATV Club for its poker run on Sunday, July 17 from 9:00 a.m. to 1:00 p.m. in the Jugtown Forrest and trail area. In response to an inquiry from Holly Hancock, Bill Chute of Casco stated that 1) the event was held last year with forty machines; 2) except for a four year gap, the event is held every year; 3) the Club is hoping for seventy-five to eighty machines this year; 4) the Club is also inviting the motorcycles of the Legion in Naples to participate in an on-road ride so that the two groups can split the profits; and 5) the Club is hoping for about eighty motorcycles to participate.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve the games of chance permit for the poker run for the Lakes Region ATV Club: 5 in favor, 0 opposed, 0 abstentions.

New Business:

5. Review application for liquor license for Webbs Mills Eats & Craft Brews located at 455 Poland Spring Road, Casco, Maine 04015.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve the liquor license for Webbs Mills Eats & Craft Brews: 5 in favor, 0 opposed, 0 abstentions.

6. Review of a liquor license for Greater Bridgton Lakes Region Chamber of Commerce for Brew Fest.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve the liquor license for the Greater Bridgton Lakes Region Chamber of Commerce for Brew Fest: 5 in favor, 0 opposed, 0 abstentions.

7. Discussion regarding Sebago Lakes Region Chamber of Commerce regional branding proposal.

David Morton stated that the Sebago Lakes Region Chamber of Commerce is undertaking an initiative to brand the lakes region and give it recognition by creating a twenty-eight minute

professionally produced infomercial entitled “48 Hours in the Sebago Lakes Region” that highlights the communities and the area in general, adding that each community will be given a three minute spotlight. David stated that the organization is looking for \$2,100 from each community, adding that the piece will be aired ninety times between January and June of 2017 on local networks and cable stations, as well as being available for websites, YouTube and social media. David stated that town managers at an earlier presentation felt that it looked great but that it needed to be discussed with the town’s respective Boards. In response to an inquiry from Holly Hancock, David stated that the presentation was attended by managers from Standish, Windham, Gray, Bridgton, Raymond, Casco and possibly New Gloucester.

Calvin Nutting expressed that he might be in favor of the idea if it can come out of the current fiscal year budget, adding that he was skeptical about the likelihood of feedback from such a commercial.

The Selectboard moved (Peaslee), seconded (Fernandes) and voted to approve \$2,100 for the Sebago Lakes Region Chamber of Commerce from the current budget contingency fund: 3 in favor, 2 opposed, 0 abstentions.

8. Review of a permit for a special catering off site liquor license for Migis Lodge.

The Selectboard moved (Plummer), seconded (Fernandes) and voted to approve the catering off site liquor license for Migis Lodge: 5 in favor, 0 opposed, 0 abstentions.

9. Discussion regarding replacement of the septic field at the Community Center and Library.

David Morton stated that the current septic system located under the playground behind the library that serves the Community Center building, the library and what is now a salon is forty years old. David stated the Town has an agreement with the Department of Environmental Protection (DEP) to utilize the groundwater protection funds for a replacement system. In response to an inquiry from Grant Plummer, Holly Hancock clarified that the salon does not have a separate septic system. David stated that an engineering company feels that a separate system for the salon might be the best solution. David stated that the metal septic tank behind the Community Center likely needs to be replaced. David stated that this will be a large, costly and disruptive project for an extended period of time. In response to an inquiry from Holly, David stated that the single well that serves all three buildings is adequate if it is not used for watering the lawns or for Community Center bathrooms during Casco Days.

The Selectboard discussed opportunities to make infrastructure changes during the project including the possibility of permanent outdoor bathrooms, adding a handicap access ramp to the rear library entrance, and the possible relocation of the Historical Society schoolhouse. David stated that Sebago Technics will be delivering a report regarding what is required and estimated costs for the new system.

Selectboard Comments:

CSB 6.28.16

Grant Plummer expressed that it is confusing to have an open space reserve fund and an Open Space Commission because it implies that the fund is reserved for the Open Space Commission, which is not the case. Grant suggested that changing the name of the open space reserve fund to something like a land acquisition fund would help people to understand it better, adding that it is

up to the townspeople and not the Open Space Commission to decide on how the funds are spent. David Morton stated that some people believe the open space fund is set aside for the Open Space Commission and suggested that the best way to proceed would be to propose changing the name of the fund and clarify its purpose via a Town Meeting vote so that everyone is clear about it.

Tom Peaslee thanked the Town for voting him in to another term on the Selectboard.

Mary Fernandes thanked the Selectboard for voting Holly Hancock in to another term as Selectboard Chair and herself in to another term as Selectboard Vice Chair.

Holly Hancock reminded everyone that the new Code Enforcement Officer will be speaking at the July 12, 2016 Selectboard meeting to update the Selectboard on his progress to date.

The Selectboard moved (Peaslee), seconded (Plummer) and voted to adjourn: 5 in favor, 0 opposed, 0 abstentions.

ATTEST:

Robert Tooker
Administrative Secretary