



Town of Casco
Selectboard Minutes
July 30, 2019

Selectboard Members Present:

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

Staff Present:

Town Manager Courtney O'Donnell and Administrative Secretary Bob Tooker

1. Review and approval of the meeting agenda

The agenda was amended to change agenda item 13 to 13-A and to add Request for Extension of Tax Acquired Property Redemption as agenda item 13-B.

It was moved, seconded and voted to approve the agenda for the July 30, 2019 Selectboard meeting as amended: 5 in favor, 0 opposed, 0 abstentions.

2. Approval of bills and signing and approval of all open warrants

It was moved, seconded and voted to approve bills and sign and approve all open warrants: 5 in favor, 0 opposed, 0 abstentions.

3. Approval of Minutes: July 9, 2019

It was moved, seconded and voted to approve the minutes of the July 9, 2019 Selectboard meeting: 4 in favor, 0 opposed, 1 abstention.

4. Managers Update (Courtney O'Donnell)

- Has been working hard to get up to speed.

- Received a card from an appreciative citizen stating that Animal Control Officer Jessica Jackson was courteous and helpful when assisting with the retrieval of a cat that had become trapped in a car.
- Received an email message from the Cumberland County Regional Communications Center commending the Fire Department for its response to a missing toddler. Chief Cole and his department knew exactly what resources were available and deployed those resources within minutes. As a result, the toddler is safe and sound.
- Has better information about the private road plowing issue to present to the Selectboard when it addresses waivers.
- Has done inspections and is working on road inventory to get a better handle on where the Town stands.
- Intends to create a Town Facebook page and potentially a monthly newsletter in an effort to keep citizens better informed.
- Plans for Memorial Park as approved by Town Meeting are moving forward.
- Roadside mowing is set to begin next week. Equipment failures resulted in a delay.
- Will be out of the office but still available on August 7. Will be on vacation from August 14 to September 1.

5. Committee and Staff Reports

None.

6. Public Participation (*limit of two minutes per speaker*)

None.

7. Selection of Board Chair and Vice Chair for FY 20

It was moved and seconded to nominate Tom Peaslee as Selectboard Chair for fiscal year 2020. A vote was taken and the motion passed: 3 in favor, 0 opposed, 2 abstentions.

It was moved and seconded to nominate Mary Fernandes as Selectboard Vice Chair for fiscal year 2020. A vote was taken and the motion passed: 5 in favor, 0 opposed, 0 abstentions.

8. Discussion regarding Rte 11 & 121 Meeting

Courtney O'Donnell stated that 1) a preliminary meeting with the Maine Department of Transportation (MDOT) has been set for August; 2) she will subsequently provide a full summary of that meeting to the Selectboard; and 3) a representative from MDOT could be invited to attend a public meeting to answer any questions the Selectboard may have. Courtney called for any topics, concerns or issues the Selectboard would like for her to bring to the attention of MDOT at the preliminary meeting.

In response to an inquiry from Calvin Nutting, Holly Hancock stated that MDOT determined that the volume of traffic does not justify a full traffic light. Grant Plummer requested that Courtney find out more about MDOT's recommendation in order for the Selectboard to determine what to do with that recommendation. Grant called for the Town to be proactive and alert to any opportunity to acquire property near the intersection. Holly stated that certain action items previously agreed to by MDOT have not been done yet.

Courtney O'Donnell stated that 1) MDOT had previously included a four-way stop light in its one to three year work plan but removed it because the Town was against it; 2) MDOT may potentially require a year or two to complete any improvements; and 3) MDOT is looking for buy-in from the Town before proceeding with any improvements.

Courtney O'Donnell stated that in response to a request for current traffic statistics, the Town radar on Route 11 near the intersection tracked 45,667 vehicles, an average of 2,972 vehicles per day and 2,994 vehicles on weekends with an average speed of forty-two miles per hour between July 15 and July 30, 2019.

James Gary commented on 1) a September 2017 letter from MDOT recommending a four-way stop light that was turned down by the Town; 2) a need for more effective signage near the intersection; and 3) the potential hazards of a planned parking lot expansion at a park near the intersection. Grant Plummer stated that based on its calculations at the time of the letter, MDOT determined that a four-way stop light was the safest solution.

The Selectboard discussed potential traffic safety improvements, potential state and local costs, speed limits and the need for an expeditious solution.

9. Discussion regarding Marijuana Opt In Ordinance (*preliminary*)

CSB 07.30.19

Holly Hancock stated that there have been multiple requests for an opt in ordinance and that such an ordinance would require a Town Meeting vote. Courtney O'Donnell stated that a significant amount of work would be required if the Selectboard chooses to include an article for an opt in ordinance in the next Town Meeting warrant. In response to an inquiry from Tom Peaslee, Mary Fernandes stated that she will 1) update the Selectboard following her attendance at a Maine Municipal Association seminar on the subject in August; and 2) continue her efforts to arrange for an expert from the state to speak at a Selectboard meeting. In response to an inquiry from Calvin Nutting, Courtney explained that opt in ordinances vary significantly in terms of what is allowed and not allowed.

10. Review of Tax Commitment & Overlay

Courtney O'Donnell stated that 1) last year's overlay was .72%, which translates to \$66,052.69; 2) tax abatements come out of the overlay; and 3) any remaining overlay funds are reallocated to the general fund. Courtney commented on an option, which would require a Town Meeting vote, that would reallocate any remaining overlay funds to a fund set aside for revaluation costs. Courtney reviewed overlay options provided by Ben Thompson, the Town's Assessor.

It was moved to set the overlay at the current rate of .72 percent. Following discussion and clarification, the motion was corrected.

It was moved, seconded and voted to correct the motion and stabilize the overlay at .0154 percent: 4 in favor, 1 opposed, 0 abstentions.

11. Application for License Games of Chance

It was moved, seconded and voted to approve the Application for License Games of Chance for the Lakes Region ATV Club for a change of date to September 7, 2019: 5 in favor, 0 opposed, 0 abstentions.

12. Application for Temporary Liquor License

It was moved, seconded and voted to approve the Application for Temporary Liquor License for Loon Echo Land Trust for the Maine Outdoor Film Festival at Hacker's Hill from August 16 to August 18, 2019 from 7:00 p.m. to 10:00 p.m.: 5 in favor, 0 opposed, 0 abstentions.

13-A. Redemption of Foreclosed Property: Map 28, Lot 36

CSB 07.30.19

It was moved, seconded and voted to approve the request for redemption for account 1722, Tax Map 28, Lot 36, contingent upon payment to the current amount owed including interest and associated costs as of the date paid and redeemed: 5 in favor, 0 opposed, 0 abstentions.

Grant Plummer called for a review of the foreclosure redemption process and the development of standard practices for the foreclosure time frame and what happens after the time frame. Grant called for a standard window of opportunity in which to redeem foreclosed property and clarity about what happens after that window of opportunity passes.

13-B. Request for Extension of Tax Acquired Property Redemption

Courtney O'Donnell stated that on May 14, 2019, the Selectboard approved the redemption of 491 Roosevelt Trail, Tax Map 26, Lot 7 within sixty days. Courtney stated that although the property owner may have been able to pay within the sixty-day time limit, the Town failed to inform the property owner of that limit. Courtney stated that as a result of the Town's failure, the Town is requesting a thirty-day extension.

It was moved, seconded and voted to approve the thirty-day extension: 5 in favor, 0 opposed, 0 abstentions.

14. Review of waivers for plowing of private roads with public easements

Courtney O'Donnell stated that she has made great effort to catch herself up on the process. Courtney described confusion surrounding three elements of compliance, which include 1) meeting the 1972 road standards such as road width; 2) regular road maintenance requirements; and 3) sufficient easements. Courtney requested that the Selectboard use a standard form to document any waivers that may be granted, which includes additional language concerning the Selectboard's right to withdraw a waiver in the future. Courtney encouraged the Selectboard to ensure that sufficient easements are in place prior to granting a waiver for a particular road. Courtney stated that she worked out an agreement with David Morton to provide consulting services based on an hourly rate.

Grant Plummer called for a more clearly defined process and criteria for certifying private roads for plowing. Courtney O'Donnell described a more consistent and clearly defined process and stated her intention of following it. Courtney stated that she is in the process of compiling and documenting background information for each private road to be maintained for future reference.

CSB 07.30.19

Bill Fullerton, who maintains O'Connor Road, commented on the manner in which the Town is going about reviewing private roads. Courtney O'Donnell offered to assist representatives of O'Connor Road by helping them prepare their waiver requests for the August 13, 2019 Selectboard meeting.

Grant Plummer suggested that the Town post a list of private roads on the Town website that provides the current status of each private road as it relates to compliance for plowing. In response to an inquiry from James Gary, Courtney O'Donnell stated that it is her understanding that if an access road to a private road is not in compliance for plowing, then the Town is unable to plow the private road.

15. Selectboard Comments

None.

16. Executive Session: Poverty/Infirmary Abatement Request. (Requires executive session subject to Title 1 M.R.S.A. § 405, paragraph 6, part F and pursuant to Title 36 M.R.S.A. § 841 (2).)

It was moved, seconded and voted to adjourn to executive session subject to Title 1 M.R.S.A. § 405, paragraph 6, part F and pursuant to Title 36 M.R.S.A. § 841 (2): 5 in favor, 0 opposed, 0 abstentions.

The Selectboard entered executive session at 8:01 p.m.

It was moved, seconded and voted to come out of executive session: 5 in favor, 0 opposed, 0 abstentions.

The Selectboard returned from executive session at 8:57 p.m.

It was moved, seconded and voted to grant an abatement in the amount of \$5,210.41 pursuant to Title 36 M.R.S.A. § 841 (2) for fiscal year 2018 for case 071719: 5 in favor, 0 opposed, 0 abstentions.

It was moved, seconded and voted to deny an abatement in the amount of \$4,973.03 pursuant to Title 36 M.R.S.A. § 841 (2) for fiscal year 2019 for case 071719: 5 in favor, 0 opposed, 0 abstentions.

It was moved, seconded and voted to deny an abatement in the amount of \$2,306.08 pursuant to Title 36 M.R.S.A. § 841 (2) for fiscal year 2019 for case 072519: 5 in favor, 0 opposed, 0 abstentions.

17. Adjournment

It was moved, seconded and voted to adjourn: 5 in favor, 0 opposed, 0 abstentions.

ATTEST:

Robert Tooker
Deputy Town Clerk