

Town of Casco

Minutes of the August 29, 2017 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:

The Selectboard moved (Plummer), seconded (Peaslee) and voted to approve the agenda for the August 29, 2017 Selectboard meeting: 5 in favor, 0 opposed, 0 abstentions.

Approval of Warrants:

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

Approval of Minutes: (August 15, 2017)

The Selectboard moved (Plummer), seconded (Peaslee) and voted to approve the minutes of the August 15, 2017 Selectboard meeting: 5 in favor, 0 opposed, 0 abstentions.

Town Manager's Update: (David Morton)

- The Town is seeking qualified individuals for the position of Shoreland Zoning Assistant to the Code Enforcement Officer.
- The Edwards Road construction project is nearing completion.
- The Selectboard will be meeting with Maine Department of Transportation (MDOT) officials, State Senator Bill Diamond and State Representative Jessica Fay to discuss problems at the Pikes Corner intersection.
- Removal of the old Route 302 bridge is progressing.

- Road Commissioner David Morton met with several representatives of private roads with public easements that receive Town plowing services to review compliance with 1972 road standards.
- The next Selectboard meeting is scheduled for September 12, 2017.

Committee and Staff Reports:

None.

Public Participation:

David Tiernan commented on a building permit he believes to have been issued in error by the Town and the resulting structure that he objects to.

Martha Maunsell, on behalf of James Edwards, requested an opportunity to redeem a foreclosed property.

The Selectboard moved (Plummer), seconded (Peaslee) and voted to approve the redemption of account 989 to be paid by the end of August, 2017: 5 in favor, 0 opposed, 0 abstentions.

Chris Pond requested an opportunity to discuss a Town snow plowing contract extension with the Selectboard. Holly Hancock tentatively included the discussion as an agenda item for the September 26, 2017 Selectboard meeting.

Stan Buchanan commented on a stretch of Route 302 near the Raymond Town Line where many accidents have occurred. Stan attributed the accidents to a number of factors and called upon the Selectboard to reach out to MDOT to see what can be done to help prevent them.

Old Business:

1. Discussion regarding the disposition of the former Casco Grange Hall building.

David Morton stated that since the property was advertised for sale, he has so far received one sealed proposal that will be opened at the September 26, 2017 Selectboard meeting.

2. Discussion regarding regulation of marijuana related retail business.

David Morton referred to several handouts and stated that 1) a moratorium ordinance may or may not be appropriate; 2) the State of Maine may have guidelines available by February, 2018; 3) State Representative Jessica Fay will discuss the issue with the Selectboard at its September 12, 2017 meeting; 4) legal counsel advises that such establishments should be regulated as a retail business; 5) if the Selectboard wants to take any action, then it should consider doing so at

the January, 2018 Town Meeting; and 6) now is the time for the Selectboard to consider any action it deems necessary.

3. Discussion regarding dangerous road segments in Casco.

David Morton commented on a report prepared by the Greater Portland Council of Governments (GPCOG) in cooperation with MDOT that focuses on three dangerous road segments in Casco. The three segments are the straightaway section on Route 302 coming from Raymond into Casco, the Watkins Flats section of Route 302, and the Pikes Corner intersection. David stated that 1) discussions with MDOT concerning the Pikes Corner intersection will be held next Wednesday; 2) whereas in the past MDOT has been hesitant to make any changes, it now seems willing to enter into discussions; and 3) MDOT bases its decisions on parameters that do not seem to be working in these areas.

4. Appointment of a person to fill an unexpired seat on the Board of Directors of SAD 61 that expires in June of 2018.

David Morton stated that no candidates have been identified and the position remains open. Holly Hancock stated that the open position has been advertised and that it will be an agenda item for the September 12, 2017 Selectboard meeting.

New Business:

5. Discussion with Ray Grant in regards to his proposal for rezoning a section of Route 302 from Village District to Commercial District.

Ray Grant presented his reasons for coming before the Selectboard to request a zoning change and stated that he was encouraged to do so by the Planning Board. The Selectboard agreed that it is a Planning Board decision and that it is not opposed to Ray beginning the process. Grant Plummer noted that the process could be more complicated if it requires a modification to a subdivision.

6. Selectboard comments:

- Holly Hancock stated that the Selectboard has not set a foreclosure redemption period. The Selectboard agreed to include the issue on a list of topics for legal counsel to address at its September 12, 2017 meeting.
- Holly Hancock stated that the Town received a Notice of Caucus for the Cumberland County Finance Committee to be held on Thursday, August 31, 2017 at the Cumberland County Court House. Holly commented on the need to appoint new members to the Committee and stated that she will continue to serve on it.

- Mary Fernandes stated that minutes of the April 11, 2017 Selectboard meeting indicated that the Town Manager was instructed to work with legal counsel to develop a standard form contract for the redemption of foreclosed properties that requires payment of all taxes owed plus one year of taxes within ninety days of signing the contract, and that the Town subsequently received a draft standard for contract from legal counsel.
 - Mary Fernandes clarified that Selectboard members should forward any questions they may have for legal counsel to David Morton so that he can forward them to her prior to her presentation to the Selectboard.
 - Grant Plummer stated that in order to develop a standardized set of procedures, he would like to have a very clear step-by-step understanding of what the Town's responsibilities are going forward from the time a property is foreclosed on.
 - Grant Plummer stated that he is concerned about potential issues related to building permits possibly issued in error by the Town, including the possible involvement of the Department of Environmental Protection (DEP). Holly Hancock stated that both legal counsel and the Code Enforcement Officer will be available to address these concerns at the September 12, 2017 Selectboard meeting.
 - Tom Peaslee noted that certain types of Town building permits issued in the Shoreland Zone also require DEP permits and that any building permits issued in error by the Town could also pose a problem for the DEP.
7. Review of a request 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 (Plummer) and voted to adjourn to executive session to review a request 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): 5 in favor, 0 opposed, 0 abstentions.

The Selectboard entered into executive session at 7:33 p.m.

The Selectboard returned from executive session at 7:54 p.m.

The Selectboard moved (Hancock), seconded (Plummer) and voted to return from executive session: 5 in favor, 0 opposed, 0 abstentions.

The Selectboard moved (Plummer), seconded (Fernandes) and voted for denial of the abatement request due to the property not being in foreclosure: 5 in favor, 0 opposed, 0 abstentions.

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

ATTEST:

Robert Tooker
Administrative Secretary