



**Town of Casco**  
Selectboard Minutes  
September 24, 2019

**Selectboard Members Present:**

Holly Hancock (Vice Chair), Calvin Nutting, Tom Peaslee (Chair) and Grant Plummer

**Staff Present:**

Town Manager Courtney O'Donnell, Code Enforcement Officer Alex Sirois and Administrative Secretary Bob Tooker

1. Review and Approval of the Meeting Agenda

**The Selectboard moved (Hancock), seconded (Nutting) and voted to amend the agenda for the September 24, 2019 Selectboard meeting to include discussion of a memorandum from Courtney O'Donnell regarding Town bank accounts as agenda item thirteen and renumber the remaining agenda items accordingly: 4 in favor, 0 opposed, 0 abstentions.**

**The Selectboard moved (Hancock), seconded (Plummer) and voted to approve the agenda for the September 24, 2019 Selectboard meeting as amended: 4 in favor, 0 opposed, 0 abstentions.**

2. Executive Session 1 M.R.S.A. § 405(6)(E) – Review of Legal Matter: Pending Litigation

**The Selectboard moved (Hancock), seconded (Plummer) and voted to enter into executive session subject to 1 M.R.S.A. § 405(6)(E) to review a legal matter concerning pending litigation: 4 in favor, 0 opposed, 0 abstentions.**

The Selectboard entered into executive session at 6:34 p.m.

The Selectboard returned from executive session at 7:10 p.m.

**The Selectboard moved (Hancock), seconded (Peaslee) and voted to come out of executive session: 3 in favor, 0 opposed, 0 abstentions.**

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### 3. Approval of Bills and Signing and Approval of All Open Warrants

**The Selectboard moved (Hancock), seconded (Plummer) and voted to approve bills and sign and approve all open warrants: 3 in favor, 0 opposed, 0 abstentions.**

### 4. Approval of Minutes (*September 10, 2019*)

**The Selectboard moved (Plummer), seconded (Hancock) and voted to approve the minutes of the September 10, 2019 Selectboard meeting: 3 in favor, 0 opposed, 0 abstentions.**

Calvin Nutting re-joined the Selectboard meeting.

### 5. Manager's Update (*Courtney O'Donnell*)

- Will be attending the Maine Municipal Association Conference on October 2<sup>nd</sup> and 3<sup>rd</sup> in Bangor.
- Has identified a person potentially interested in taking over the General Assistance function.
- Point Sebago Road project is in final stages and coming along nicely.
- Winter sand bid is all set.
- Has sent letters to either the private road association, the private road point person or all residents who own property on the private road informing them about whether or not the Town has received a sufficient number of easements to plow the private road this winter.
- Out of forty-two private roads that receive Town plowing services, twenty-seven have provided a sufficient number of easements and fifteen have not.
- Expects to provide the Selectboard with a list of private roads that have provided a sufficient number of easements to qualify for plowing this winter for its approval.
- Has assured concerned citizens that if a private road is not plowed, then the Town will plow it in the event that an emergency vehicle requires immediate access.

In response to an inquiry from Grant Plummer regarding Town plowing of private roads, Courtney O'Donnell stated that although the requirement to meet the 1972 road standards has

been waived for this year, she is focusing on the requirement that the Town has received a sufficient number of easements from each private road before it can be plowed this winter.

## 6. Committee and Staff Reports

Code Enforcement Officer Alex Sirois reviewed his April – June, 2019 quarterly report. Alex commented on 1) the number of building and plumbing permits issued; and 2) the number of certificates of occupancy, letters of completion and notices of violation issued. Alex commented on Planning Board and Zoning Board of Appeals activity and an increase in inspections resulting from a new procedure for scheduling final inspections necessary to formally close-out building permits.

In response to an inquiry from Calvin Nutting regarding a potential code violation, Alex Sirois commented on a backlog of violation notices and pending complaints. Courtney O'Donnell stated that she will address the backlog of enforcement issues in the fall.

## 7. Public Participation: Agenda Items Only (*limit of two minutes per speaker*)

None.

## 8. Consent Agreement Request: Scott Dyer

Scott Dyer described the circumstances that resulted in a front property line setback violation at 13 Garland Road, Casco Tax Map 22, Lot 26. Scott 1) stated that he obtained a permit based on an existing conditions sketch by a surveyor to demolish and rebuild a structure without encroaching further into the front property line setback; and 2) described the efforts he made to comply with the setback requirement. Scott explained that a subsequent as-built sketch by the surveyor inexplicably showed further encroachment into the setback and the surveyor has not responded to his repeated efforts to contact him.

**The Selectboard moved (Plummer), seconded (Nutting) and voted to approve the consent agreement for 13 Garland Road, Casco Tax Map 22, Lot 26: 4 in favor, 0 opposed, 0 abstentions.**

The Selectboard formally requested that the Planning Board draft a zoning ordinance that requires a survey before a permit involving any alterations to the footprint of an existing non-conforming structure can be issued.

## 9. Grant Award & Acceptance for EMS Equipment: Power Lift System

Fire Chief Brian Cole stated that a regional application made with the Town of Naples for a \$132,000 Assistance for Firefighters grant from the Federal Emergency Management Agency (FEMA) for power lift stretchers for ambulances has been approved. Brian stated that the grant requires that each town provide \$6,285.28 in matching funds. Courtney O'Donnell stated that 1) the matching funds will come out of the fire department budget; and 2) the Selectboard must vote to accept and expend the grant money. Courtney acknowledged Paul Ratigan for his efforts to obtain the grant.

**The Selectboard moved (Plummer), seconded (Nutting) and voted to accept and expend the grant money for emergency medical services equipment: 4 in favor, 0 opposed, 0 abstentions.**

## 10. Presentation by Thompson Lake Environmental Association

Kathy Cain and Marcia Matuska from the Thompson Lake Environmental Association thanked the Selectboard for its support and made a presentation about the Association's success in keeping Thompson Lake among the cleanest lakes in Maine. The presentation covered the Association's efforts to control 1) milfoil and other invasive species; 2) runoff and non-point source pollution; and 3) soil erosion. Kathy and Marcia commented on the poor condition of the Thompson Lake dam and nearby sub-surface debris.

## 11. EMS Collection Policy Review

Courtney O'Donnell presented a draft Collection of Ambulance Fees Policy that would supersede any prior policy related to this subject. Courtney encouraged Selectboard members to review the draft policy in preparation for further discussion and input at future Selectboard meetings.

## 12. Selectboard Meeting Policy Review

Courtney O'Donnell presented a draft Selectboard Meeting Policy intended to streamline what happens at Selectboard meetings. Courtney noted that these draft policies are presented in a format that will eventually be used for all policies in an effort to make them consistent. In response to an inquiry from Tom Peaslee, Courtney encouraged Selectboard members to review the draft policy in preparation for further discussion and input at future Selectboard meetings.

### 13. Discussion of a Memorandum from Courtney O'Donnell Regarding Town Bank Accounts

Courtney O'Donnell reviewed her memorandum to the Selectboard dated September 23, 2019 regarding Town bank accounts, which stated that she has taken steps to correct the process for approving payables and payroll. Courtney stated that as a result of these corrections, Selectboard members will no longer have the authority to sign checks. Courtney explained that because prior approval of a majority of Selectboard members is required before checks can be issued for payables and payroll, she will review and pre-approve them and 1) bring the pre-approved payables and payroll to Selectboard meetings for Selectboard approval; or 2) ask Selectboard members to come into the Town Office to approve them during non-Selectboard meeting weeks.

Courtney O'Donnell stated that this correction will result in payables and payroll becoming available on Thursday of each week instead of Tuesday or Wednesday, adding that notification of this change will be included in the next round of payroll checks. In response to an inquiry from Holly Hancock on behalf of Mary Fernandes and other inquiries from the Selectboard, Courtney explained the reasons for these corrections and discussed the payables and payroll approval process in more detail.

### 14. Appointment to Open Space Commission

Courtney O'Donnell stated that she reviewed the Town ordinance for elected and appointed positions on the Open Space Commission with Commission Chair Barbara York. Courtney stated that an individual recently elected to the Commission remains unsure as to whether or not he wants to serve on the Commission. Courtney stated that Tuan Nguyn expressed an interest in serving on the Commission and recommended that he be appointed to a three-year term from September 24, 2019 to June 30, 2022. Barbara agreed with Courtney and stated that she would also like the Selectboard to appoint Tuan to a three-year term on the Commission.

**The Selectboard moved (Plummer), seconded (Hancock) and voted to appoint Tuan Nguyn to a three-year term on the Open Space Commission from September 24, 2019 to June 30, 2022: 4 in favor, 0 opposed, 0 abstentions.**

### 15. Selectboard Comments

- Holly Hancock stated that the Selectboard listened to Darren Ryan when he addressed the Selectboard during its September 10, 2019 meeting, but did not comment due to pending litigation.

- Holly Hancock stated that the Greater Portland Council of Governments (GPCOG) authorized a company to work with the Town to obtain a quote for converting to LED street lights.
- Holly Hancock described technical problems she was having with the Town's email system. Courtney O'Donnell stated that she would look into it.
- In response to an inquiry from Grant Plummer regarding why agenda item seventeen is being held in executive session, Courtney O'Donnell stated that 1) the executive session was set by the Selectboard Chair and Vice Chair; 2) this executive session is specifically meant for discussions with legal counsel; and 3) going forward, if the full Selectboard feels that executive sessions on this topic are not required, then the topic can be discussed in public session.

16. Public Participation: Any Topic *(limit of two minutes per speaker)*

None.

Tom Peaslee announced that subject to change, Selectboard meetings will be held on October 8, October 29, November 12, November 26 and December 10, 2019.

17. Executive Session 1 M.R.S.A. § 405 (6)(C) – Discussion Related to Real Property: Building on Town Land

**The Selectboard moved (Hancock), seconded (Plummer) and voted to enter into executive session subject to 1 M.R.S.A. § 405(6)(C) to discuss real property concerning building on Town land: 4 in favor, 0 opposed, 0 abstentions.**

The Selectboard entered into executive session at 8:36 p.m.

The Selectboard returned from executive session at 9:06 p.m.

**The Selectboard moved (Hancock), seconded (Peaslee) and voted to come out of executive session: 4 in favor, 0 opposed, 0 abstentions.**

18. Adjournment

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**The Selectboard moved (Hancock), seconded (Peaslee) and voted to adjourn: 4 in favor, 0 opposed, 0 abstentions.**

ATTEST:

Robert Tooker  
Deputy Town Clerk