



Town of Casco
Selectboard Minutes
December 10, 2019

Selectboard Members Present:

Mary Fernandes, 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 Recording Secretary Bob Tooker

1. Review and Approval of the Meeting Agenda

The Selectboard moved (Fernandes), seconded (Hancock) and voted to approve the agenda for the December 10, 2019 Selectboard meeting: 5 in favor, 0 opposed, 0 abstentions.

2. Approval of Bills and Signing and Approval of All Open Warrants

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

3. Approval of Minutes (*November 26, 2019*)

The Selectboard moved (Hancock), seconded (Fernandes) and voted to approve the minutes of the November 26, 2019 Selectboard meeting: 4 in favor, 0 opposed, 1 abstention.

4. Manager's Update (*Courtney O'Donnell*)

- Citizens are reminded to not park on roads during snow storms. Vehicles parked on roads during snow storms may be towed at the owner's expense.

- Be alerted to the fact that enforcement action will be taken for failure to follow Transfer Station/Bulky Waste rules such as properly displaying stickers. An updated operations manual is available on the Town website and at the Town Office.
- The Transfer Station/Bulky Waste facility and the Town Office will be closing early on Christmas Eve, December 24, and closed on Christmas Day, December 25. All will be open on Thursday, December 26.
- A very important position on the Planning Board is open. Alternate positions are also open. Anyone interested in filling one of these positions is highly encouraged to contact Courtney O'Donnell or attend a Planning Board meeting.
- In preparation for the June 2020 Town meeting, the Planning Board will be 1) hiring an expert to assist in overhauling shoreland zoning ordinances; 2) considering an ordinance to require an existing conditions survey before a permit is issued for alterations to the footprint of a non-conforming structure and an as built survey upon completion of such alterations; and 3) considering a reduction in road frontage requirements for lots in the commercial zone. The Selectboard will be reviewing potential ordinances concerning private roads.

The Planning Board and Selectboard will be reviewing ordinances independently in January and February 2020 and will likely request a joint meeting in February with an expert to discuss potential shoreland zoning changes. Public hearings will likely be held in March in an effort to have everything ready by April. The goal is to include proposed ordinances, proposed amendments to ordinances and the June 2020 Town Meeting warrant in the 2019 Annual Report to be distributed in mid-May ahead of the June Town Meeting.

- The budget workshop schedule and priorities will be discussed in January.
- The process for renewing the Town's cable television franchise agreement is moving along. There is no substantial update at this time.

5. Committee and Staff Reports

None.

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

None.

7. 200 Roosevelt Trail Violation Discussion & Possible Action

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Courtney O'Donnell reminded the Selectboard that Mr. Ward was advised to go before the Planning Board to seek an after-the-fact permit for fill in excess of one hundred cubic yards as allowed by ordinance. Courtney stated that the Planning Board deemed Mr. Ward's application incomplete and tabled the matter until it receives a completed application. Courtney stated that although the Selectboard may choose to initiate legal action if it deems it to be appropriate, she feels that legal action is premature. Courtney recommended 1) giving Mr. Ward until February 2020 to submit a completed application to the Planning Board; 2) directing staff to send Mr. Ward a letter notifying him of such; and 3) updating the fee schedule to double the fee for after-the-fact site plan approval.

Mr. Ward thanked the Selectboard for allowing him to speak and commented on a number of reasons as to why he was unable to submit a completed site plan application to the Planning Board.

Grant Plummer 1) expressed his concerns about a "sliding time frame" that could result in the matter extending well past February 2020; and 2) suggested a deadline of June 1, 2020 for the work necessary to resolve the violation to be completed. Courtney O'Donnell stated that 1) by stipulating that Mr. Ward will have submitted a completed application to the Planning Board by February, it implies that the Planning Board will have received everything it needs to act on his application by that time; and 2) a Selectboard motion that includes such a deadline would be outside the protocol the Town must follow to force compliance because any resulting legal action might interfere with the process.

Courtney O'Donnell stated that legal action may be appropriate if Mr. Ward fails to submit a completed application to the Planning Board by February or if his application is approved and he fails to complete the work. Courtney commented on 1) various items needed by Mr. Ward to complete his application; and 2) the Planning Board's submission deadline for its February meeting agenda. In response to an inquiry from Holly Hancock, Code Enforcement Officer Alex Sirois stated that he is working with Town Planner Jim Seymour to provide Mr. Ward with a list of items needed to complete his application.

The Selectboard moved (Hancock), seconded (Fernandes) and voted that Wayne Ward must submit a completed application to the Planning Board for their February 2020 meeting to avoid potential future legal action for the code violation at 200 Roosevelt Trail, and to direct

staff to put notice of this decision in writing to Mr. Ward: 5 in favor, 0 opposed, 0 abstentions.

8. Memorial Field Lighting Purchase Agreement

Courtney O'Donnell stated that 1) she requested that the bid process be waived because Musco is one of the few vendors that manufactures such lighting fixtures; 2) signing the purchase agreement locks in pricing to avoid a three percent price increase in excess of \$5,000; 3) if voters do not approve using the Unassigned Fund Balance for the Memorial Field complex, the fixtures would still be purchased through bonding; and 4) payment will not be due until after the fixtures are delivered next year.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to authorize Town Manager Courtney O'Donnell to sign the purchase agreement with Musco for lighting at the Memorial Field complex: 5 in favor, 0 opposed, 0 abstentions.

9. Greater Portland Council of Governments (GPCOG) General Assembly Appointments

The Selectboard moved (Plummer), seconded (Fernandes) and voted to appoint Mary Fernandes and Holly Hancock to the Greater Portland Council of Governments General Assembly: 5 in favor, 0 opposed, 0 abstentions.

10. Special Town Meeting Warrant Approval

Courtney O'Donnell stated that Article 1 concerns choosing a moderator, Article 2 concerns the Memorial Field complex and Article 3 concerns the purchase of a new ambulance. Courtney stated that the Special Town Meeting is scheduled for January 7, 2020 at 6:00 p.m. at the Casco Community Center prior to a Selectboard meeting scheduled to begin immediately following.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to approve the Special Town Meeting warrant for January 7, 2020: 5 in favor, 0 opposed, 0 abstentions.

11. Selectboard Comments

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For detailed information about Casco Selectboard meetings, please refer to complete audio and video recordings available on the Town of Casco website at www.cascomaine.org.

- Holly Hancock stated that 1) a photograph of former Town Manager David Morton that appears in the 2018 Annual Report will be displayed in the Town Office as a dedication to him; and 2) she is working on language for a plaque to accompany the photograph.
- Holly Hancock stated the Mary Fernandes and herself will be attending a Greater Portland Council of Governments (GPCOG) meeting on solar energy.
- Mary Fernandes stated that she recently attended the first Maine Municipal Association (MMA) diversity emersion workshop facilitated by Susan Gallant. Mary commented on topics covered during the workshop and stated that it was well done and very interesting.

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

None.

13. Executive Session 1 M.R.S.A. § 405(6)(A) – Personnel: Town Manager Evaluation

The Selectboard moved (Hancock), seconded (Fernandes) and voted to enter into executive session subject to 1 M.R.S.A. § 405(6)(A) to discuss the Town Manager evaluation: 5 in favor, 0 opposed, 0 abstentions.

The Selectboard entered into executive session at 7:07 p.m.

The Selectboard returned from executive session at 8:11 p.m.

The Selectboard moved (Hancock), seconded (Fernandes) and voted to come out of executive session: 5 in favor, 0 opposed, 0 abstentions.

The Selectboard moved (Hancock), seconded (Peaslee) and voted to update the Town Manager’s agreement [via addendum] to include full health insurance coverage effective July 8, 2019: 5 in favor, 0 opposed, 0 abstentions.

14. Adjournment

The Selectboard moved (Hancock), seconded (Peaslee) and voted to adjourn at 8:12 p.m.: 5 in favor, 0 opposed, 0 abstentions.

ATTEST:

Robert Tooker
Recording Secretary