

Town of Casco

Minutes of the December 11, 2018 Selectboard Meeting

Selectboard Members Present:

Holly Hancock, Mary Fernandes and Tom Peaslee

Staff Present:

Town Manager David Morton, Code Enforcement Officer Alex Sirois and Administrative Secretary Bob Tooker

Approval of Agenda:

It was moved, seconded and voted to approve the agenda for the December 11, 2018 Selectboard meeting: 3 in favor, 0 opposed, 0 abstentions.

Approval of Warrants:

It was moved, seconded and voted to approve bills and sign open warrants: 3 in favor, 0 opposed, 0 abstentions.

Approval of Minutes: (November 13, 2018)

This agenda item was tabled because only two of the three Selectboard members in attendance were present at the November 13, 2018 Selectboard meeting.

Town Manager's Update: (David Morton)

- The replacement boiler has been installed at the Fire Station.
- Small quantities of winter sand and salt for walkways are available for Casco residents at the kiosk across the street from the bulky waste recycling facility. The general public should not enter the facility through the gates marked "For Authorized Vehicles Only."
- Please do not park on roadways during winter storm events and for a few days thereafter to allow for snow removal.
- Please contact David Morton at 627-4515, ext. 201, with any problems or concerns related to winter plowing or sanding.

Committee and Staff Reports:

None.

Public Participation:

None.

Guest Speaker: S.A.D. (School Administrative District) 61 Superintendent Al Smith

Al Smith, S.A.D. 61 Superintendent, Tuan Nguyen, Casco School Board representative, and Phil Shane, Casco School Board representative, made a presentation entitled “Just the Facts – Crooked River School Additions & Renovation,” which emphasized overcrowded conditions at Songo Locks School. The presentation included:

- revised plans for proposed Crooked River School additions and renovation;
- the high costs and disadvantages of relying upon and maintaining portable classrooms for overcrowded conditions at Songo Locks School;
- rising construction costs;
- a neutral budget for the proposed Crooked River School project;
- additional space needs for new required programs;
- an emphasis on “doing nothing is no longer an option”;
- the costlier option of expanding Songo Locks School, due in part to logistics, disruptions and safety concerns for students while construction necessarily takes place during the school year.

Al Smith invited the public to 1) an open house at Crooked River School on January 24, 2019 from 6:30 p.m. to 8:00 p.m.; and 2) vote on the Crooked River School project at a referendum to be held on March 12, 2019.

New Business:

1. Review and signing of a CMP (Central Maine Power Company) pole location permit for Freeman Road.

It was moved, seconded and voted to approve the CMP pole location permit for 63 Freeman Road: 3 in favor, 0 opposed, 0 abstentions.

2. Review of a consent agreement for setback issues at 122 Acadia Road.

Code Enforcement Officer Alex Sirois stated that 1) a deck built on the shoreline at 122 Acadia Road is in violation of a shoreland zone setback requirement of one hundred feet from the high-water mark; 2) he was unable to determine when the deck was built because he was unable to find a building permit for it; and 3) new property owners were caught off guard because the violation had not been discovered when they purchased the property or during previous changes in ownership. The Selectboard reviewed the proposed consent agreement and agreed that additional information and language was required.

It was moved, seconded and voted to direct the Code Enforcement Officer to include setbacks and deck dimensions on the boundary survey attached to the consent agreement, and to add language to the consent agreement necessary to ensure that future maintenance and repairs to the deck comply with shoreland zoning ordinances, and to return the updated consent agreement to the Selectboard: 3 in favor, 0 opposed, 0 abstentions.

3. Discussion regarding a temporary protection from harassment order issued following confrontations and threats made at the Town Office on November 28, 2018.

David Morton stated that he obtained a temporary protection from harassment order in response to a Casco resident who threatened him and worried Town Office staff members. David stated that a hearing on a permanent restraining order is scheduled for December 12, 2018.

4. Discussion of a Special Town Meeting in January, 2019 to approve the use of bond premium funds in the amount of \$12,000.00 for the purchase of a public safety boat from the Town of Cape Elizabeth, authorized by the Selectboard on November 13, 2018, and to authorize the sale of a fire truck.

David Morton explained that a public safety boat had been purchased for \$12,000.00 from the Town of Cape Elizabeth with funds from the Fire Department capital account and that Town Meeting authorization is required to reimburse the Fire Department capital account from bond premium funds. David stated that Town Meeting authorization is also required to sell a fire truck.

In response to an inquiry from former Fire Chief John Small, David stated that the proposal to sell the fire truck came about because it is viewed as redundant and because maintenance costs exceed its value. John requested that voters be provided with maintenance costs and justification for the proposed sale.

It was moved, seconded and voted to schedule a Special Town Meeting on January 22, 2019: 3 in favor, 0 opposed, 0 abstentions.

5. Review of a request for a negotiated balance for Emergency Medical Services.

It was moved, seconded and voted to settle the account for \$700.00: 3 in favor, 0 opposed, 0 abstentions.

6. Review of bids for removal of buildings from the former Jackson property.

The Selectboard reviewed the results of a public bid opening held on November 28, 2018 for services for the demolition, debris removal and site grade restoration of Town of Casco property located at Casco Tax Map 38, Lots 32 and 32-1. David Morton stated that 1) no one accepted the Town's offer to give any of the structures away for free; 2) the Fire Department decided not to burn one of the structures for a training exercise; and 3) he was comfortable with the qualifications of the low bidder and that the work could be done for the bid amount.

It was moved, seconded and voted to award the bid to Douglas W. Jones, Inc. – Cross Excavation in the amount of \$22,598.00: 3 in favor, 0 opposed, 0 abstentions.

Old Business:

7. Discussions regarding the Town Manager search process.

Holly Hancock stated that David Barrett, Director of Personnel Services and Labor Relations for the Maine Municipal Association (MMA), will attend the January 8, 2019 Selectboard meeting to begin the process of developing a job description for advertising.

8. Review of a request from the Crooked River Snowmobile Club for abatement of property taxes at 447 Poland Spring Road, Tax Map 32, Lot 25.

Holly Hancock stated that this agenda item was included to inform the Selectboard about the request prior to considering it at a Selectboard meeting in January, 2019. David Morton stated that legal advice may be necessary to clarify the extent of the Selectboard's authority to grant such a request.

9. Selectboard Comments.

- Tom Peaslee thanked all the people and volunteers who provide services for the Town of Casco.
- Tom Peaslee thanked the Casco Fire Chief for his plans to reduce costs.
- Tom Peaslee stated that a representative of the food pantry called attention to a need for fuel assistance for those in need.

- In response to an inquiry from Holly Hancock, David Morton stated that Casco Cares is still a functioning entity that can provide limited help with heating fuel costs to those who apply.

10. Executive session with Town legal counsel: (executive session pursuant to title 1 M.R.S.A., section 405(6)(E) to consult with the Town Attorney concerning pending or contemplated litigation or settlement offers, where premature public knowledge would place the Town at a substantial disadvantage, and to invite the Code Enforcement Officer to attend.)

It was moved, seconded and voted that the Casco Selectboard enter into executive session with Town legal counsel: executive session pursuant to title 1 M.R.S.A., section 405(6)(E) to consult with the Town Attorney concerning pending or contemplated litigation or settlement offers, where premature public knowledge would place the Town at a substantial disadvantage, and to invite the Code Enforcement Officer to attend: 3 in favor, 0 opposed, 0 abstentions.

The Selectboard entered into executive session at 8:12 p.m.

The Selectboard returned from executive session at 9:09 p.m.

The Selectboard discussed action regarding land use violations at 46 Parsons Point Road.

It was moved, seconded and voted to direct the Code Enforcement Officer with the assistance of the municipal attorney to give notice that the Town intends to file a Notice of Violation in the registry of deeds against the property at 46 Parsons Point Road, and to file that document after thirty days' notice: 3 in favor, 0 opposed, 0 abstentions.

It was moved, seconded and voted to adjourn: 3 in favor, 0 opposed, 0 abstentions.

ATTEST:

Robert Tooker
Administrative Secretary