

Town of Raymond
401 Webbs Mills Rd
Raymond, Maine 04071

Board of Selectmen Meeting

MINUTES

December 5, 2006

*Amended December 19, 2006

Attendance: Mark Gendron, Chairman; Dana Desjardins; Mike Reynolds; Joe Bruno; Dana Desjardins; and Lonnie Taylor.

Selectmen absent: None

Staff attendance: Don Willard, Town Manager; Hugh Coxe, Planner; Christine McClellan, CPIC Chairman; and Patrick Clark, Planning Board Chairman, and CPIC member.

Others: Tom Carter and Dick Morris, Recycling Committee members.

1) Call to order. Mark Gendron called the meeting to order at 7:00 pm at the Broadcast Studio.

2) Minutes of previous meeting dated November 21, 2006.

MOTION: Mike Reynolds motioned to approve the minutes as written. Seconded by Lonnie Taylor.

AMENDMENTS: Mike Reynolds noted on page 1 under 3a in the Discussion, 4 lines down "with him and John Robertson" which should be "Robinson"; page 2 end of first long paragraph "being a minor" should say "while also being a minor and having a relationship with a minor"; next paragraph, 5 lines down "They must have a passbook" should be a "passport with photo and a \$25.00 fee. Joe Bruno added on page 5 the last paragraph in the motion and amended motion should be "Selectmen sent not send" and on page 7 the spelling of Jim Rier's name should be Rier not Ryer.

VOTE: 4 in favor (Reynolds, Taylor, Gendron, Bruno) 1 abstention (Desjardins)

3) New business.

a) Presentation of Proposed Zoning Map, Ordinance Changes & Revisions – Chris McLellan, Comprehensive Plan Implementation Committee Chair; Pat Clark, Planning Board; and Hugh Coxe, Contract Planner.

DISCUSSION: Mr. Gendron introduced the discussion saying that this committee has been working with Hugh Coxe to bring Raymond's ordinances into compliance with our 2004 Comprehensive Plan. These ordinances will be brought before the annual town meeting in May 2007.

Chris McClellan, Chairman of CPIC, outlined the work of the committee to date. She gave a broad overview of what they want to present to town meeting. She offered a list of priorities from which they have worked for the last two years. She mentioned the work of Kathleen Brown who worked as a planner to help with the study of the commercial zone and the Route 302 corridor in particular. They have worked to bring the zoning map into compliance with the Plan. She envisioned that within the next two years the Plan would be fully implemented.

Hugh Coxe, planner, introduced his work and the work of the CPIC. He noted that a GIS map was necessary for the future in order to make revisions easier. He noted that the non-shoreland zoning would pretty much stay the same. Currently all streams are protected by the LRR1 zone. The Department of Environmental Protection uses the Stream Protection District which can have a setback from 50 to 100 feet. Resource Protection is usually wetlands of 2 acres or more unless it's a part of a great pond. CPIC will work with the DEP to bring Raymond in line with their RP zone. These RP areas are identified by aerial photographs. Ultimately the RP zone will have to be designated from the ground. Mr. Bruno asked if these proposals were stricter than the state's. Mr. Coxe said they come from the state. Our current zone has a setback of 100 feet. There may be some changes to timber harvesting within the Shoreland District as well. He didn't think that our zoning would be any more stringent than it is now. Pat Clerk noted that the state is now 75 feet, and we will be at 100 feet which is more restrictive. This will be a Stream Protection Zone.

Road connectivity was discussed through a proposed subdivision owned by Peter Busque. There are proposed two access points on Route 85 and there was concern that this subdivision would increase traffic on Route 302 as well. CPIC considered connecting other roads in Raymond off of Route 302. There would need to be some further study into this idea. This area is a part of Raymond's growth area (VR1).

The Conservation Commission has been working on open space areas. The GIS maps will be able to overlay these areas which will make a composite map to show where the highest value land is for protection. Their work this year was strictly an inventory of proposed areas. No work has been done so far on the use of those parcels.

Mr. Coxe reported that the proposed ordinances have three levels of change 1) general housekeeping items which need correction; 2) inconsistencies in the ordinance and definitions; and 3) policy issues. They are looking at the number of waiver requests and hopefully ordinance changes can reduce the number of those requests.

Pat Clark, Planning Board Chairman, said his comments would be from the Planning Board view. He felt the number of waivers and incomplete applications are partly to blame from our current ordinance. He gave a list of areas where waivers are requested because the definitions aren't clear and the ordinance is ambiguous. There are some technical changes needed to keep up with the state's requirements as well as Planning Board requirements of the applicant. He wanted: 1) to be more specific on the applications and what they require; 2) to require a written request for a waiver with supporting comment as to why they feel they should receive one; and 3) to work on back lots and upgrade their requirements for review. He felt that it was necessary to designate major and minor subdivisions for review. Open space, timber harvesting etc will be

looked at in the future. There may be some small changes to the Commercial District application i.e. an architectural plan.

Mr. Reynolds said that there were hundreds of changes to the ordinance and asked if it would be ready for town meeting in 2007. Mr. Coxe said the zoning map would be ready as well as ordinance changes associated with that. The simple housekeeping changes will also be ready but not sure about the policy changes because they were still working on them. There was a concern as to how the warrant articles would be presented. Mr. Clark said that the general housekeeping items would stand-alone and other items like policy changes would be within their own articles. Mr. Reynolds noted that there would be public hearings on these before town meeting. Mr. Clark said that they needed to know exactly the timing of the hearings before town meeting. Mr. Gendron felt that traditionally there have been two public hearings prior to town meeting. He felt that the changes would allow the ordinance to flow better and be clearer. Mr. Gendron thanked them for their work on a very important project.

Mrs. McClellan thanked Mr. Clark for his work on CPIC and said that they would miss him.

b) Consideration of Patrick Clark's resignation from Comprehensive Plan Implementation Committee

DISCUSSION: Mr. Gendron said that they reluctantly accepted his resignation from CPIC and thanked him for his service.

MOTION: Mike Reynolds motioned to accept Patrick Clerk's resignation from the Comprehensive Plan Implementation Committee. Seconded by Dana Desjardins.

VOTE: Unanimous 5-0

c) Discussion and approval of request for proposals "RFP" municipal curbside solid waste and recycling – Town Clerk Louise Lester

DISCUSSION: Mr. Gendron thanked Mrs. Lester on her preparation of the RFP for a new solid waste proposal to go out to bid for the next contract. Mr. Willard said that with one more proof reading he would like permission to advertise for request bids. Mr. Gendron said that the town should be working toward more recycling and cutting down on trash to keep the expense to a minimum.

MOTION: Joe Bruno motioned to accept the proposal as written and to send out for RFPs. Seconded by Lonnie Taylor.

DISCUSSION: Mr. Desjardins asked how many bidders are expected. Mr. Willard said that two major bidders were expected but there should be others who we will be sending the RFP's to, plus advertising. He said that they would look to all bidders but cautioned that new or small companies can't always perform which is a gamble. Mr. Bruno felt that since they will be looking at only those companies which can support a performance bond, it should be safe to look at all those who apply.

VOTE: Unanimous 5-0

d) One Raymond Committee Update – Mark Gendron & Dana Desjardins, Co-Chairs

i. Recommendation to undertake feasibility analysis of the 7.84 acre parcel located behind District 2 Fire Station for potential municipal usage.

DISCUSSION: Mr. Gendron noted that the recommendations on the quality/quantity of the buildable land are needed before moving further on the project. The parcel is near the present town office behind the District II Fire Station/School Bus/Public Works Garage. The necessary funds for Sebago Technics' work is \$5,000. He felt it was imperative for the town to find out whether this town owned land would be suitable for a building. Mr. Willard considered that when it is known how much of the land can be used, we can plan accordingly. Mr. Willard explained that the funding could come from the undesignated surplus. Mr. Desjardins asked when the best time to do this study would be. Mr. Gendron said that as long as there isn't a solid snow cover it could be done now.

Mr. Reynolds asked about the ball field next to the middle school. Mr. Gendron said that the Building Committee wanted to look at the Raymond Hill Road property first. If that didn't work out then they might look at the other lot. Mr. Desjardins said that after this work we'll know what the land can be used for and if it's not suitable the town could offer it for sale.

MOTION: Mike Reynolds motioned to allocate \$5,000 from undesignated surplus to pay for Sebago Technics work on the Route 85 and Raymond Hill Road lot. Seconded by Lonnie Taylor.

DISCUSSION: Mr. Desjardins said that if it was not suitable for our use but could be sold as a house lot, that money could be designated for another building lot purchase.

VOTE: Unanimous 5-0

ii. Recommendation to issue RFP for municipal insurance commencing at expiration of existing policies on June 30, 2007.

DISCUSSION: Mr. Gendron noted that currently we are with Maine Municipal Association's Risk Pool and would like to look further to the private insurance market. Mr. Willard wanted to look at the MMA application and add our specific needs. He would like to do an RFP for bids.

MOTION: Dana Desjardins motioned to authorize the town manager to create an RFP for insurance coverage and solicit for RFPs. Seconded by Lonnie Taylor.

DISCUSSION: Mr. Bruno asked if he would solicit bids from various sources. Mr. Willard reported that he had already been contacted by some companies and has talked with others. He felt there would be half a dozen companies interested. He noted that our current policy would be available with the RFP. Mr. Willard felt that Raymond would continue to have high deductibles and not apply for frivolous claims to keep the cost lower. Mr. Taylor felt that companies should be encouraged to give their suggestions for

coverage. Mr. Willard understood, but indicated that there had to be a baseline for comparison. He said that Clark Insurance advised staying independent from the school insurance because the coverage is very different. Mr. Willard felt that One Raymond might suggest to the school that they rebid their insurance if it's been a while since it was last studied. He felt that a schedule to review insurance every three years was prudent. Mr. Desjardins said that possibly the cost would be reduced if both school and town were with the same company.

VOTE: Unanimous 5-0

d) Consideration of abatements – Contract Assessor Michael O'Donnell, O'Donnell & Associates
NONE

f) Executive Session – Personnel Matter as authorized under
1 M.S.R.A. § 405(6)(A) Annual town manager performance review

MOTION: Lonnie Taylor motioned to go into executive session with the town manager for a personnel matter. Seconded by Mike Reynolds

VOTE: Unanimous 5-0

RECESS: Mark Gendron recessed the meeting at 8:22 pm.

MOTION: Joe Bruno motioned to come out of executive session. Seconded by Dana Desjardins.

VOTE: Unanimous 5-0

RE-OPEN MEETING: Mark Gendron re-opened the meeting at 9:08 pm.

MOTION: Joe Bruno motioned to form a 3 Selectman Committee to meet with the town manager to write his contract to meet today's standards. Seconded by Lonnie Taylor.

VOTE: Unanimous 5-0

NOTE: Mark Gendron appointed Lonnie Taylor, Joe Bruno, and Mike Reynolds to work with Don on his *contract using the ICMA model employment agreement as a base.

4) Old (unfinished) business.

a) Sign in front of town office

Mr. Gendron announced that Kyle Woodbrey's Boy Scout Eagle Project is a new reader sign in front of the town office. He said that Kyle would have a presentation at the December 19th meeting. He noted that Kyle has raised all the money from private sources.

5) Town Manager Report and Communications.

a. Reader Sign

Mr. Willard added that if the town office changes locations, the new reader sign would be able to be moved. It will also be able to be retrofitted for an electronic sign when desired.

6)Fiscal Warrants – Payroll and Appropriation Warrants – December 5, 2006.

MOTION: Lonnie Taylor motioned to approve the payroll warrant in the amount of \$53,291.80. Seconded by Mike Reynolds.

VOTE: Unanimous 5-0

MOTION: Lonnie Taylor motioned to approve the treasurer’s warrant in the amount of \$1,535,372.11. He added that \$1.5 million was going into a money market account. Seconded by Mike Reynolds

VOTE: Unanimous 5-0

a. Maine Municipal Association Legislative Policy Committee Report.

Mr. Gendron asked Mr. Bruno to update the meeting on the MMA Legislative Policy work. Mr. Bruno reported that the MMA Legislative Policy Committee is working on five bills two of which: 1) tax reform the “State Chamber Plan”; [He felt the plan was unworkable and won’t be useful.] 2) formulation of a study committee on revenue sharing. [He didn’t feel that tax reform wouldn’t be moving forward in some form.] Mr. Gendron felt on the state level tax reform will be moving forward.

b. 2007-2008 Budget Formation

DISCUSSION: Mr. Gendron reported that at the Budget/Finance meeting this was discussed at length and the Selectmen felt they would submit their limit for a budget increase and the town manager would use that amount to formulate the budget. The Selectmen would give the town manager a priority list of budget items for his use. Mr. Willard said the LD1 increase is 3.47% or \$61,312. He indicated that this would take some creativity to be able to stay within that amount. Mr. Gendron said that the Budget Committee meeting last night discussed the desire to not exceed that maximum percentage and hoped that the school will try to create their budget with the same attention to their EPS number. Mr. Bruno acknowledged that the County Budget would be increased \$25,000 which is almost half of that amount. Mr. Reynolds felt that the town of Raymond voted favorably for TABOR and their desire is to create a budget at the current mil rate. Mr. Bruno felt that roads are one of the most important line items in our budget. We need a road maintenance plan and keep up with that. He felt that trash was second without expecting the taxpayer to pay anything beyond the budget. Mr. Gendron wished to keep the two-barrel limit and encourage recycling. He felt it was necessary to help Raymond Waterways with their work in protecting our lakes and ponds because 50% of our taxes come from those parcels. Mr. Desjardins said that if there have to be overrides those articles should be the least necessary items. Mr. Willard said that in order to keep the increase below 3.47% there will have to be some major changes. He added that dispatch might be a major change if we can cooperate with other communities. He continued that the outside provider agencies would also be looked at. He felt that the town office is only 18% of the budget and the important part will be the school budget. Mr. Bruno noted that last night’s meeting with the Budget Committee let the Budget

Committee know that it was part of their job to try to keep the budgets to a level we can afford. Mr. Willard said that the budget would have to be studied. Mr. Reynolds asked about insurance. Mr. Willard said that he would be going out to RFP on insurance which may help that expense. He noted that Capital Reserve budgeting versus bonding for big expenses was to be discussed. Mr. Desjardins felt that the CIP should be used for purchases like a fire engine. He continued that there should be a definite goal for that kind of funding. Mr. Willard asked about the land reserve. Mr. Bruno didn't feel that was a good use of the tax dollar. Mr. Gendron noted that the existing Capital Reserve Fund for land helped the town pay for the old landfill which we chose to purchase to protect the town from future litigation. Mr. Bruno asked who was managing that land. Mr. Gendron replied the Conservation Commission is charged with that issue. Mr. Reynolds asked if they were willing to cut a program to put money into a land reserve account. Mr. Gendron said that any additional information with the override articles was a good thing. Mr. Desjardins felt that roads should be in the budget possibly with designated funds from our excise tax account. He didn't think that roads should have been an override article. Mr. Bruno felt there would be some one-time articles in the budget which won't be in there this year. Mr. Willard asked that he know more about what they wish to see in the budget – core mission vs. periphery. He said that Raymond's wish was to have a budget that was regulated and still give the citizens good service including the increase in residents from general town growth. Mr. Bruno questioned what the optimum level of undesignated surplus should be. Mr. Willard said that it should be based on what we need for cash flow to run the town. Currently we're at the amount that if something major should happen we would have to have a tax anticipation note and pay interest on it. That could also effect the town's bond rating. Mr. Bruno said that a town, which doesn't borrow money, could sometimes find it's a detriment. Mr. Reynolds noted the amount taken from undesignated surplus to offset taxes was under discussion annually. Mr. Bruno felt that possibly it's better to use surplus to fix the roads and use a tax anticipation note at low short-term interest. Mr. Willard said that he would investigate this.

7)Adjournment.

MOTION: Mike Reynolds motioned to adjourn. Seconded by Lonnie Taylor

VOTE: Unanimous 5-0

ADJOURNMENT: Mark Gendron adjourned the meeting at 9:43 pm.

Lester

Louise H.

Town Clerk