

TOWN OF RAYMOND
401 Webbs Mills Road
Raymond, Maine 04071

MINUTES
Tuesday, May 6, 2008

SELECTMEN ATTENDANCE: Mark Gendron, Chairman; Mike Reynolds; Joe Bruno; Lonnie Taylor; and Dana Desjardins

SELECTMEN ABSENT: None

STAFF ATTENDANCE: Don Willard, Town Manager; Jack Cooper, Code Enforcement Officer.

OTHERS: Pat Clark, Chairman of the Planning Board; Chris Neigel Esq; and David Currier Esq.; Teresa Sadak, Chairman of the School Board; Lisa Friedlander, School Board; Elizabeth Wilson; Rex Lewis; Bonnie Titcomb Lewis; and Jean Labrecque.

1. Call to order. Mark Gendron called the meeting to order at 7:01 pm at the Broadcast Studio.
2. Minutes of previous meeting dates April 8, 2008.

MOTION: Joe Bruno motioned to approve the minutes as written. Seconded by Mike Reynolds.

CORRECTIONS: Lonnie Taylor asked that two errors be corrected: 1) Item #6 the motion and second for the payroll warrant was not seconded by him and under the Treasurer's Warrant "Mile" should be changed to Mike.

MOTION AMENDED: Joe Bruno amended his motion to include the corrections.

VOTE: Unanimous 5-0

3. New business.
 - a. Consideration of Special Town Meeting for Lane Use Ordinance changes – Town Planner Hugh Coxe

DISCUSSION: Pat Clark, Planning Board Chairman, reported about the work of the Planning Board on ordinance updates and changes. He said that their dates for hearings and process were running into the changed dates for town meeting. He asked for a special town meeting date in the near future so that the ordinance changes would be fresh in their minds to be presented to the voters. He said that July 1st would be the first possible date. Mr. Gendron asked about waiting until fall. Mr. Clark said that they could, but he would like to proceed with these so that they can continue with their work. Mr. Clark said that they now have 9 warrants and had hopes that they will have 9 more by next fall. He preferred to take them in steps. Mr. Reynolds suggested waiting until fall to save on cost by combining their completed and new work. He also said that he would consider waiting until the next annual town meeting. Mr. Gendron asked if they shouldn't talk about it again in August. Mr. Reynolds said that the work that CPIC is doing is important and should be well presented to the townspeople.

MOTION Joe Bruno motioned to have a discussion in September about a special town meeting for the ordinance changes. Seconded by Lonnie Taylor.

VOTE: Unanimous 5-0

b. Request for easement over Deep Cove Road (Manor Harbor Road) – Scott and Jane Maxwell

DISCUSSION: Chris Neagel, Scott and Jane Maxwell's attorney, referenced the letter of April 21, 2008 and reviewed their position. He said that Mr. Maxwell is willing to pay the town's legal expense to allow this easement. Mr. Bruno asked why they needed an easement and isn't the Sheehan's Island issue a different question. Mr. Neagel replied that an easement would make it legal for them to use the town property. Mr. Bruno asked why the utility easement was included but taken out by the town's attorney. Mr. Neagel said that it wasn't necessary, and the fact that it was taken out wasn't a problem. Mr. Bruno asked if there was another issue which they had on their agenda. Mr. Neagel assured him that there wasn't anything being kept from the Selectmen. Mr. Gendron said that Chris Vaniotis, Esq., town attorney, said that they have the use of the town land to get to their lot on Manor Harbor but not the Sheehan's Island lot. Mr. Gendron asked why that was important. Mr. Neagel said that if they wanted to put a bridge from Manor Harbor to Sheehan's Island it would be necessary to have an easement. Mr. Gendron felt that the issue of Sheehan's Island is a totally different issue. Mr. Neagel said that the town land is only used by the people on Sheehan's Island, Mrs. Gordon, and anyone on Manor Harbor Road as well as a school bus turnaround. Mr. Neagel said that if they have the easement they could access their Manor Harbor land and possibly the Sheehan's Island lot with or without a bridge. Mr. Gendron questioned why the Maxwell's hadn't tried to make an arrangement for the use of the current Sheehan's Island bridge. Mr. Neagel said there were 7 families who can use the easement, and the Maxwell's would be the eighth. Mr. Desjardins said that he understood that the easement would be just for access from Manor Harbor Road. He didn't think it had anything to do with the current private Sheehan's Island bridge. Mr. Neagel concurred. Mr. Reynolds didn't see any official easement for the other properties which Mr. Neagel said now have easements. If the other properties don't have official easements, then he felt Mr. Maxwell wouldn't need one either. Mr. Neagel said there were easements when the Sheehan Island bridge was built. Mr. Neagel indicated that this was being pursued so that there will be a way to get to Sheehan's Island if necessary. He noted that Mrs. Wilson gave the town the land in 1972 with no compensation for a school bus turnaround. He read from Attorney Vaniotis' letter that the Maxwell's need an easement in order to use it to access Sheehan's Island lot. Mr. Reynolds thought that the interpretation of this letter was that the town couldn't give permission for the Maxwell's to use the existing privately owned Sheehan's Island bridge. Mr. Willard said that there was an issue of overuse of the easement if this easement is granted. Mr. Willard asked why they haven't asked for use of the existing bridge. Mr. Neagel said that their request was denied when they first purchased the Sheehan's Island property. Mr. Bruno asked how this is tied into Mrs. Wilson and the property being sold i.e. if the easement isn't allowed, the property isn't sold. Mr. Neagel replied that the property is sold, but if the easement isn't granted then Mrs. Wilson wouldn't get the full offer for the lot. Mr. Bruno asked how the two easements are necessary: one for Manor Harbor and Mrs. Maxwell, and the second for JRJ Group, LLC for the Sheehan's Island property.

David Currier, Mrs. Wilson's attorney, reiterated that the bus turnaround was a gift from the Gordon's (Elizabeth Wilson) to the town and asked that the town reciprocate by

allowing this easement so that she can get the full purchase price for the Maxwell lot. He said that she has the right to access her land but not that to Sheehan's Island. Mr. Reynolds asked that they might consider two easements for the individual properties.

Bonnie Titcomb Lewis, Sheehan Island resident, felt that there hasn't been any disagreement among the island people. She is also the President of the Sheehan Island Homeowners Association, and represents Priscilla Koleshis who own the tennis court on the mainland. She noted that the Maxwell's could access their lot by boat. The Sheehan Island bridge was built in 1979 and funded by the original four island residents. The limitation for the use of the bridge is only for the original island residents. She didn't believe that a proper request had ever been received from the Maxwell's. They knew when they purchased the lot that they didn't have use of the bridge. She noted that their lot value is less than if they had a bridge for access. They have no problem with the Maxwell's accessing their Manor Harbor property from the water. She felt from her experience another bridge to Sheehan's island would not be allowed by the state. She felt they have designs on the existing bridge. She said that she feels that the Maxwell's have as much right to use the town turnaround as anyone else, so they don't need an official easement to their Manor Harbor lot. She said that they have decided that four residences are the maximum for the use of the bridge. Ms. Lewis asked that the island residents be notified of meetings regarding this issue in the future.

Jean Labrecque, an abutter, asked why the turnaround was not a part of Deep Cove Rd. Mr. Willard said that he wasn't sure why but in 1972 it wasn't made a part of Deep Cove Road. She felt that the Maxwell's were very respectful landowners. She also said that Sheehan Island residents were good people. She felt that Ms. Wilson be given due consideration on this matter.

Mr. Desjardins asked what other means could be used for this solution. He wanted all possibilities explored.

Mr. Neagel said there were deed covenants about the use of the current bridge so there wouldn't be any way that the Maxwell's or JRJ Group, LLC can use the bridge.

There was discussion about how this might go to a town meeting. The Selectmen didn't see that it could come to the annual town meeting May 28, 2008. They wanted to have some answers from the town attorney prior to a decision about whether this will go forward. Mr. Gendron said that this won't be kept waiting until fall.

Mr. Bruno asked whether this easement would increase the value of the JRJ Group, LLC Sheehan Island land, and if so would there be any value given to the town in payment for the easement. Mr. Currier said that any extra expense regarding the easement would come out of Ms. Wilson's money and not the Maxwell's. He added that the full agreement was that there be an easement with the lot.

TIME: 8:38

MOTION: Mike Reynolds motioned to table until their next meeting. Seconded by Dana Desjardins.

VOTE: Unanimous 5-0

c. Policy discussion on editing external communications – Selectman Joe Bruno

TIME: 9:09

DISCUSSION: Mr. Bruno had concern relative to the RoadRunner content i.e. submissions to the RoadRunner being edited by the RoadRunner staff. This question was asked by a staff member concerning candidate letters or profiles.

MOTION: Joe Bruno motioned that anything to do with candidates and candidate's profiles not be edited by RoadRunner staff with the exception of graphic content which would be returned to the sender. Seconded by Lonnie Taylor.

DISCUSSION: Mr. Reynolds asked about other avenues of publication which should be considered as well.

AMENDED MOTION: Joe Bruno amended his motion that candidate submissions/ profiles, and submissions by state legislators will not be edited, but returned for rewrite if necessary.

VOTE: Unanimous 5-0

d. School budget recommendations – Chairman Mark Gendron

DISCUSSION: Mr. Gendron said this was to decide whether they would have a recommendation on the referendum ballot. Discussion of Article 51 ensued with Mr. Bruno saying that the School Board and the Budget Committee recommendations were decreased from their original submitted budget. Ms. Friedlander said that the School Board won't be changing their budget further, but the Budget Committee will have their recommendations on the warrant. Mrs. Sadak said that the School Board's last reduction was a reduction of \$126,000. She asked if the Selectmen would be making a recommendation on each warrant article. Mr. Gendron said that they might not recommend each warrant article, but just look at Articles 50 & 51 which is the whole budget summation. Mr. Desjardins said that he didn't have the knowledge to dictate what the school budget should be, but he had concern about the burden to the taxpayers. Mrs. Friedlander asked why they feel they should have a recommendation in the school budget at all. Mr. Bruno replied that it is a major impact on the tax rate which concerns the Selectmen. Mr. Taylor felt that if the budget were reduced it would create a basis for creative solutions to our programs using less funding. Mrs. Friedlander asked that the Selectmen not take a written position but have a personal opinion at town meeting.

MOTION: Joe Bruno motioned that the Selectmen do not recommend either budget and let town meeting and the referendum answer the question. Seconded by Lonnie Taylor.

DISCUSSION: Mr. Desjardins said the Budget Committee might be disappointed because they did their homework and might expect the Selectmen to have their recommendation published. Mrs. Labrecque said that her taxes are constantly going up but she feels that any cuts to be made should come from the school department. However, she felt that all expenses were increasing and she expected that her taxes would too.

VOTE: Unanimous 5-0

NOTE: Mrs. Friedlander was asked about the new softball league. She said that they had some equipment donations from St. Joe's which was much appreciated. She added that 46 women have signed up but no men. She added that this program was not town sponsored and totally volunteer. Their first game will be at the RES ball field.

e. Consideration of ballot clerk appointments – Town Clerk Louise Lester

MOTION: Mike Reynolds motioned to approve the submitted Ballot Clerks list provided by Town Clerk Louise Lester. Seconded by Joe Bruno.

VOTE: Unanimous 5-0

f. Recommendations for bulky waste coupons for 2008-2009 – Town Clerk Louise Lester

MOTION: Joe Bruno motioned to print 2,000 books at 500 lbs each with resident cost of \$10 per book. He hoped that this would allow every homeowner who wanted a book to purchase one.

VOTE: Unanimous 5-0

g. Decisions on details, and signing of the Annual Town Meeting Warrant Articles – Town Clerk Louise Lester

MOTION: Joe Bruno motioned to approve the town meeting warrant as written. Seconded by Lonnie Taylor. The Selectmen make no recommendation.

VOTE: Unanimous 5-0

MOTION: Joe Bruno motioned to approve Articles 36 & 37 and accept any wording change that the school attorney feels is necessary. Seconded by Lonnie Taylor.

DISCUSSION: Mr. Reynolds felt the acceptance of the wording would be up to whomever makes the motion at town meeting.

VOTE: Unanimous 5-0

h. Signing of Election Warrant – Town Clerk Louise Lester

MOTION: Joe Bruno motioned to approve and sign the Election Warrant as submitted. Seconded by Mike Reynolds.

VOTE: Unanimous 5-0

NOTE: Election Warrant was signed.

i. Cumberland County Sheriff's Office law enforcement staffing discussion – Chairman Mark Gendron

DISCUSSION: Mr. Gendron wanted to ask Cumberland County Sheriff's for another patrolman because of the increase of our County tax assessment. He asked to write a letter of request. Mr. Willard said that Commissioner Shaughessy said there wasn't any danger of losing coverage in the rural area, and there would not be a decrease of service.

MOTION: Lonnie Taylor motioned to have Mr. Willard write a letter from the Selectman to put on an additional sheriff in the Raymond area because of our 7.5% increase in county tax and an increase in crime in the rural area. Seconded by Dana Desjardins.

DISCUSSION: Mr. Gendron asked if the Selectmen would condone his asking the surrounding towns if they would like to request additional coverage as well. The Selectmen were not adverse.

VOTE: Unanimous 5-0

j. Consideration of abatements – Contract Assessor Michael O’Donnell

Map 8, Lot 68B in the amount of \$386.10

MOTION: Joe Bruno motioned to approve the abatement. Seconded by Dana Desjardins.

VOTE: Unanimous 5-0

k. School consolidation information update – Selectman Joe Bruno

DISCUSSION: Mr. Bruno announced that their next meeting would be Monday, May 12th and that they expected their work to end in June with a referendum in September. He said that they are currently negotiating on debt service and are waiting for information.

4. Old (unfinished) business.
 - a. None

5. Town Manager Report and Communications

a. DHS Firefighters Assistance Grant

Mr. Willard reported that they are applying for a grant through the Department of Homeland Security and FEMA for self-contained breathing apparatus (air pacs). This is for an amount of replacements not a cost total. Mr. Willard said he would supply the Selectmen with a dollar value of the request.

b. School choice

Mr. Taylor asked if this is passed will there be a cutoff point for choice. Mr. Bruno said that the consolidation committee’s discussion is for a 5-year phase in period for students to complete their education in their present schools.

6. Fiscal Warrants – Payroll and Appropriation Warrants – May 6, 2008.

MOTION: Lonnie Taylor motioned to approve the Treasurer’s Warrant in the amount of \$79,528.03. Seconded by Mike Reynolds.

VOTE: Unanimous 5-0

MOTION: Lonnie Taylor motioned to approve the Payroll Warrant in the amount of \$53,261.04. Seconded by Mike Reynolds.

VOTE: Unanimous 5-0

7. Adjournment

MOTION: Lonnie Taylor motioned to adjourn. Seconded by Joe Bruno.
VOTE: Unanimous 5-9

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

Louise H. Lester
Town Clerk