

TOWN OF RAYMOND
401 Webbs Mills Road
Raymond, Maine 04071

BOARD OF SELECTMEN
MINUTES
Tuesday, August 11, 2009

SELECTMEN ATTENDANCE: Mike Reynolds, Chairman; Joe Bruno; Mark Gendron; Dana Desjardins, and Lonnie Taylor (arrived 7:17 pm).

SELECTMEN ABSENT: None.

STAFF ATTENDANCE: Don Willard, Town Manager.

OTHERS: None.

1. Call to order. Mike Reynolds called the meeting to order at 7:00 pm at the Broadcast Studio.
2. Minutes of previous meeting July 14, 2009.

MOTION: Joe Bruno motioned to accept the minutes as written. Seconded by Mark Gendron.
VOTE: 3 in favor (Bruno, Gendron, Desjardins), 1 abstention (Reynolds)

3. New business:
 - a. Discussion of policy for election of Selectmen Chairman & Vice Chairman – Selectman Dana Desjardins.

DISCUSSION: Mr. Desjardins asked to change their policy so that when a Selectperson came to his/her third year on the board they would become chairman or vice chairman. Also if they continued to a second term, they should be considered to be the chairman. He said that the School Board has used this policy. Mr. Reynolds noted that for two years there would be two people on their third year of service. Mr. Desjardins said then there might be an election for chairman. Mr. Bruno noted that the School Board didn't have a policy. He felt that the position of chairman should not be used as an entitlement, but a position that should be awarded to the most qualified because it's a leadership position. He added that each Selectman has a big job to do as a Selectman in order to do the job which the residents expect. Mr. Desjardins said that he believed in term limits. Mr. Gendron noted that Lonnie Taylor told him that he didn't want to be chairman because he already had as much as he could do as a Selectman. Mr. Gendron felt that anyone who had served for two years probably would be qualified to be chairman but not everyone wanted to hold that position. Mr. Reynolds indicated that, through his experience on several Raymond committees, a chairman needs to feel that he/she has the experience and time to hold the position.

- b. Execution of Quit Claim deed for property located at Map 76, Lot 12.

MOTION: Joe Bruno motioned to accept the Quit Claim Deed for Map 76, Lot 12 as presented.
Seconded by Dana Desjardins.

VOTE: Unanimous 4-0

NOTE: The Selectmen signed the Quit Claim Deed.

4. Old (unfinished) business.

a. Valuation update discussion – Contract Assessor Michael O'Donnell

DISCUSSION: Mr. Reynolds reported that since their meeting in July their questions have been answered by Mr. O'Donnell. Currently there is \$62,600 yet to be raised to equal the amount needed for a revaluation. This amount could be taken out of Undesignated Fund Balance, but not last year's overlay balance. The question is whether we need raise the funds and proceed with this revaluation at this time. Mr. Bruno said that it would be equalization and not a revaluation. He didn't want to continue to go to the undesignated fund balance for unexpected expenses. He felt that the equalization wasn't needed this year or next year. Mr. Gendron said that there were some inequities from the last revaluation, and he felt there was need to keep all the values even for every lot. He had concern about the values on those lots which are owned by non-residents and wanted to be fair to them. He added that the process of abatements was very daunting to most people so they don't argue their point with the assessor or possibly go through the Assessment Review Board process. Mr. Desjardins argued that there are lots which are under assessed as well. He didn't want to take any funds from undesignated fund balance for this expense. He felt that they should wait a couple of years to consider doing equalization. He wanted to convince the state to change the way that they establish a value for a town. Mr. Gendron said that they would have to have an accurate value for the town before they can argue this point with the state. Mr. Taylor wanted to be ready to have equalization so that we have an accurate total for taxation, but the voters should pass the funding. However, he didn't think that it should wait 10 years between assessing reviews. Mr. Reynolds agreed that it needed to be done at some point and believed that they should vote on a date certain so that they can raise the funds before that date through a vote(s) of the town. In this way the taxpayers and the assessors would know when that would happen. Mr. Bruno said that we were at 93% of the state valuation, and if someone doesn't agree with their assessment, they can argue their point with assessing. Mr. Bruno felt that this large amount of money could be better used for other services of the town. He indicated that our roads needed care more than our valuations at this time. Mr. Desjardins didn't want O'Donnell's to think that Raymond had lost confidence in them but that this work should be presented to and passed by the voters. Mr. Willard asked that they give him a directive as to how they want him to prepare the next budget because this addition would probably not allow a zero balance budget for 2010-2011. Mr. Gendron felt it should be an independent article. Mr. Bruno said that it should be done in two years with \$30,000 per year in the CIP article.

b. Consideration of request from Crown Castle to extend tower leasing contract – Board of Selectmen

DISCUSSION: Mr. Reynolds said that Crown Castle sent back a revised request. Mr. Willard read from the Town Manager's summary for clarification: "The Board of Selectmen considered the issue of a lease modification for the privately owned communications tower located on town land at the top of Patricia Avenue at the May 5, 2009 Selectmen's Meeting. At that time Crown Atlantic Company, LLC, had made an offer that was not financially certain. As a consequence of the ambiguity in the original offer, the Selectmen requested that Crown Castle present a formal written offer for the potential of a tenant requested lease extension for two (2) additional five-year terms for a total lease of twenty-one years, including the one year remaining on the original ten year lease. Currently two(2) five-year terms remain in the existing contract renewal language. The offer made, \$125 additional base payment per month or \$1,500 per year, is identical to the original informal offer. The only financial change in this document is the addition of \$100 as a 'signing' bonus after the execution of the letter of agreement. Given the potential future value of the tower site to Crown Castle, new revenues amounting to an increase of \$1,500 per year, subject to a 5% escalator when compared to the existing \$38,850.48 annually per year, seem rather low. There is an annual escalator

on the entire lease ranging from 3-5% but the real question remains, what will the future value of this site be for the use of cellular technology and/or other technology into the future, versus the time value of money received in return for said lease? Even with the annual CPI escalator adjustment, the growth in revenue will be relatively modest. If the Board of Selectmen wish to extend the lease for an additional ten-year period, staff recommends a counter offer that includes a higher lease escalator and/or consideration of an increase in the base rent offer of \$125 per month. The value of having a secure site for the tower for the next twenty-one years seems quite significant from a business development standpoint.”

Mr. Willard wanted to keep a good relationship with Crown Castle, but he didn't see it as an emergency issue which had to be finalized right now. Mr. Reynolds said that he would look favorably on a one five-year lease extension rather than two. Mr. Gendron wanted to send it back and tell them that we want to wait. Mr. Bruno concurred. Mr. Desjardins wanted to know what would happen if they chose to leave Raymond. Mr. Bruno assumed there would be a suitable warning period for vacating through which they would have to continue paying their rent. He didn't feel that they would be moving quickly because it takes finding a new site, getting it approved through that town, and then building the tower. Mr. Bruno felt they should direct Mr. Willard to tell them that they don't accept their offer and wait for their reply. Mr. Willard indicated that only different technology would make the site obsolete. Mr. Gendron added that they didn't want to loose this lease, but they wanted to have a fair offer made to the town.

MOTION: Mike Reynolds motioned to refuse the offer as presented. Seconded by Lonnie Taylor.
VOTE: 4 in favor (Reynolds, Taylor, Gendron, Bruno), 1 opposed (Desjardins)

- c. Discussion of the proposed policy for use of public property – Town Manager Don Willard.

DISCUSSION: Mr. Reynolds said that the town staff created a policy for the use of public property for which no comment was received from the Selectmen. Mr. Gendron felt it was fine but needed some idea of the impact on traffic. Mr. Willard said he would add that and send it to them for their review. It will be on their next agenda.

5. Town Manager Report and Communications.

- a. Code Enforcement Officer search

Mr. Willard explained that they had a panel who talked to the applicants and now will talk with the two finalists at which time a job offer will be made which will be within the current budget.

- b. Don Willard vacation

Mr. Willard announced that he would be on vacation August 24th –28th.

- c. ICMA Conference

Mr. Willard informed them that he would attend the ICMA Conference September 12th – 15th.

- d. Next Meeting

Tuesday, September 8, 2009.

- b. Nomination papers now available for one seat on the Select Board to begin November 4, 2009 until the Annual Town Election June 8, 2010.

c. Desjardins Anniversary

Mr. Desjardins thanked his wife for 19 years of a wonderful marriage.

d. Raymond Baseball Fields

Mr. Taylor asked that people keep their vehicles and animals off the fields because they have had some destruction by a car getting stuck in the field and the continued problem of animal feces left on the fields.

e. Road Clean Up

Mr. Desjardins noted the roadside cleanup by Cumberland County jail inmates which was appreciated. Mr. Willard explained that Public Works Director Nathan White had arranged for this work, and added that he called the sheriff and thanked him for this service. Mr. Gendron asked that a letter be sent the County Commissioners thanking them.

6. Fiscal Warrants – Payroll and Appropriation Warrants – August 11, 2009.

MOTION: Lonnie Taylor motioned accept the Payroll Warrant in the amount of \$44,586.06.

Seconded by Joe Bruno.

VOTE: Unanimous 5-0

MOTION: Lonnie Taylor motioned to accept the Treasurer's Warrant in the amount of \$1,420,487.99, which includes payments to RSU #14 for July and August 2009 in the amount of \$1,346,345.74. Seconded by Mark Gendron.

VOTE: Unanimous 5-0

7. Adjournment

MOTION: Mark Gendron motioned to adjourn. Seconded by Lonnie Taylor.

VOTE: Unanimous 5-0

ADJOURNED: Mike Reynolds adjourned the meeting at 8:30 pm.

Louise H. Lester
Town Clerk