



BOARD OF SELECTMEN

Minutes*

October 11, 2011

SELECTMEN'S MEETING

Present: Chairman Joe Bruno, Vice-chair Lonnie Taylor, Charly Leavitt, Sam Gifford and Mike Reynolds.

Absent: None

Staff: Nathan White, Public Works Director; Louise Lester, Town Clerk; Chris Hanson, Code Enforcement Officer, and Danielle Loring, Recording Secretary.

Other: Susan Witonis, Wayne Gelton, and Brian Petrovek.

1) Call to order: Chairman Joe Bruno called the meeting to order at 7:03pm and a quorum was declared.

****3) New business.**

**a) Presentation/Discussion of Cumberland County Civic Center Renovation Project
Referendum- Chairman Neal Pratt, Cumberland County Civic Center Trustees**

Chairman Neal Pratt (Cumberland County Board of Trustees) and Director Brian Petrovek (Portland Pirates) gave a presentation about the renovation project for Cumberland County Civic Center. They explained that the goal has been to determine the long range use of the Civic Center because it was 29 years old and it was time to determine its future.

First a blue ribbon panel was engaged with people from all backgrounds and conducted an analysis. They determined that the Cumberland County market would be feasible for constructing a new building. Next, they put out a bid for new land and building but got no response. They felt that was an indicator that their options were going to be limited. Then the panel looked at creating the development of an entertainment and convention center in the downtown district, but that would require an increase in the meal tax, which Augusta was not interested in.

Next, they panel looked at studies to see if the building could withstand renovation and two studies said "yes" and it also indicate that the building could be renovated to be functional and publicly appealing. They felt that it would be self sustaining and began looking into a bond. Economic analysis done to challenge the revenue basis were sound and reasonable. Mr. Neal explained how the bond would be paid for and how other funds were being allocated for that purpose.

Mr. Neal continued that with these proposed renovations there was going to an increased seating and

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**Item taken out of order

more leased seats. The outside is going to be revamped to fit the character of the neighborhood with increased bathroom capacity, increased trucking capacity, increased locker room space, and a club area added on the Spring Street side with an area that can be leased out. He explained that the economic contribution of Civic Center has put 15 million dollars into the economy and that is not just to Portland area and Cumberland County. The Civic Center has over 200 part-time and full-time employees that live outside of Portland and more than just Portland residents buy tickets. He continued by explaining the cost of revenue sharing and what effects the Civic Center would have on the tax base. He felt that with the cost of construction and financing being so low, it would never be cheaper to build.

Mr. Petrovek continued by explaining that the \$33 million in renovations would satisfy the needs of tenant and the community but buying new could be \$100 million and generally, why build new if the structural integrity is good? He explained that \$22 million was generated annually based on Civic Center activities, which could be increased with facility upgrades. He said that jobs would be created with construction and increased events and low cost events ensure that they will be available to future generations without having to go to Boston. He said that a driving factor in their favor was that interest and construction costs were competitive so it just made sense to do the renovation now.

Mr. Leavitt wanted to know if the presentation was from the Political Action Committee (PAC) and Mr. Pratt responded that it was but the renderings were from the architects. Mr. Leavitt wanted to know what the appraised value of the building and land were and Mr. Pratt said that he was not sure.

Mr. Leavitt stated that he did not feel that Cumberland County has exhausted all their ideas. He did not feel that the renovation was a bad idea but it was not the best. He felt that by not knowing the value, the it was evident that no all the options had been explored. Mr. Pratt explained that the value is strictly relative to Cumberland County but the presence of the center adds quality of life, which is not a monetary value. Mr. Bruno added that there were legal issues because the land was gifted and Mr. Pratt agreed and added that there were many legal issues that the legal counsel could not agree on. He also stated that one of the options was to construct a new buildings but they would have to adhere to present day restrictions and doing so would lower the building value.

Mr. Leavitt wanted to know how the quality of life was increased for the average Raymond Resident. Mr. Pratt responded that half a million people visit the Civic Center each year and that studies have shown that it is essential for the county's vitality. Mr. Reynolds wanted to know how taxes would be affected by the renovations and if revenue did not cover the expenses and Mr. Pratt explained the current model and project means of raising funds. Mr. Leavitt was concerned that the model would not work as they were suggesting and that it would be detrimental to already hurting families. Mr. Pratt said he understood his concerns but he saw as it as an opportunity to give back and create jobs.

2) Minutes of previous meeting dated:

- **September 13, 2011**

MOTION: Mike Reynolds motioned to accept the minutes from the September 13, 2011 meeting; seconded by Sam Gifford.

DISCUSSION: None.

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VOTE: UNANIMOUS APPROVAL (5/0)

b) Consideration of Applicant for Appointment (Full Member) to the Board of Assessment Review and Planning Board: Steve Linne- Louise Lester, Town Clerk

Mr. Linne explained that he was an engineer by training and said that he would like to see that his knowledge benefits the town. The Selectmen thanked him for applying and it was not considered a conflict of interest because neither board set property values.

MOTION: Mike Reynolds motioned to approve the Steve Linne for both the Planning Board and the Board of Assessment Review; seconded by Lonnie Taylor.

DISCUSSION: None

VOTE: UNANIMOUS APPROVAL (5/0)

c) Consideration of Beautification Committee new members, Shirley Bloom and Elaine Keith- Sharon Dodson, Chair

MOTION: Lonnie Taylor motioned to bring Shirley Bloom and Elaine Keith into the Beautification Committee as new members; seconded by Sam Gifford.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

d) Review and Consideration of Appointments to Road Improvement Study Committee: Nathan White, Rolf Olsen and Sam Gifford- Louise Lester, Town Clerk

MOTION: Mike Reynolds motioned to accept Nathan White, Rolf Olsen, Sam Gifford and Bob Harmon to the Road Improvement Study Committee; seconded Lonnie Taylor.

DISCUSSION: Mr. Leavitt wanted to know if the Board number was sufficient and Mrs. Lester said that she did not see it as being a big issue. Mr. Willard added that they were looking for more members, in anyone was interested.

VOTE: APPROVED (4/0/1 ab SG)

e) Consideration of Appointment of Laurie Forbes as Election Warden for November 8, 2011 Elections- Louise Lester, Town Clerk

MOTION: Lonnie Taylor motioned to appoint Laurie Forbes as the warden for the November 8, 2011; seconded by Mike Reynolds.

DISCUSSION: None.

VOTE: APPROVED (4/1 [CL])

Mrs. Lester announced that absentee voting had started and that residents could come into the Town office to get ballots or have them mailed to their homes.

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f) Raymond Revitalization Committee Staff Assistance Request- Leader Wayne Holmquist

Mr. Willard explained that Mr. Holmquist could not make it but explained that he was going to make a request for financial support to fund assistance from the Town's Contract Planner, Hugh Coxe, in reviewing the ordinances to help propose ordinance amendments to make them more business friendly and support economic development. Mr. Gifford said that he has already spoken with Mr. Coxe to make sure he had the time and make sure that he did not feel that the work would be in conflict with his current involvement with the town and Mr. Coxe felt like he could manage the work.

Mr. Bruno wanted to know what they would not just send out an RFP to look for their own consultant and Mr. Willard responded that it was because Mr. Coxe was already familiar with the Town. Mr. Leavitt said that he was concerned because he was not sure who were members of the committee and when they were established, it was very clear that they wanted to be separate and distinct. He wanted to know if the structural work had been done to make them a corporation and Mr. Gifford said that he felt that they did not need that level of structure unless they started applying for grants. Mr. Bruno added that the Town did not have an Economic Developer and he felt this sort of work was in the Town's best interest.

Mr. Leavitt said that his primary concern was that this sort of request seemed too premature. Mr. Willard said that Raymond was built on volunteerism and they were asking for such a small amount of money. Mr. Reynolds added that he had served with both Mr. Gifford and Mr. Holmquist of the Comprehensive Planning Implementation Committee and one of the topics that had been brought up was how hard it would be to improve growth in the commercial district. He also agreed that Mr. Coxe was a good choice.

Mr. Bruno suggested that they only fund Mr. Coxe for an additional 10 hours from January to June, a maximum of \$3900, and they would revisit the matter at that point. Mr. Leavitt thanked the Chairman for his compromise, but still felt that they should wait to make it a budget item and allow the Committee to create more structure.

Mr. Hanson spoke and said that the committee had built up momentum and there were many business struggling. He explained that there were grants available and Mr. Coxe would be able to write the applications to apply for them so that they could receive funding to get some of their proposed projects off the ground. With businesses in other town's competing against Raymond, it was a time to react not wait.

Mr. Reynolds said that he was concerned with billing and Mr. Willard said that the town would track and administer funds.

MOTION: Mike Reynolds motioned to start a trial run of funding for an Economic Development position for \$65 an hour for 10 hours a month; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: APPROVED (4/1 CL)

****5) Public Comment** This agenda item is for the public to bring attention to any issues and concerns for future Board of Selectmen meetings.

Wayne Gelton, 46 Ledge Hill Road, said that he had a new neighbor who had 18 roosters and they were causing a lot of noise. He played a recording of the noise from early in the morning. He said that he would like something to be done. Mr. Bruno stated that they only had a barking dog ordinance but not general

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animal noise. Mr. Gifford wanted to know what the neighbor was planning to do with them and Mr. Gelton said he was not sure but they were rescuing the roosters from being killed. Mr. Willard said that they would look at other towns are doing in respect to animal noise.

g) Executive Session pursuant to 1 MRSA § 405(6)(E&H): Meeting with CEO Chris Hanson regarding ongoing legal matters related to land use violations.

MOTION: Mike Reynolds motioned to go into Executive Session pursuant to 1 MRSA § 405(6)(E&H) for a meeting with CEO Chris Hanson regarding ongoing legal matters related to land use violations; seconded by Lonnie Taylor.

DISCUSSION: Mr. Willard added that they would be meeting with the CEO and Town Attorney, Shana Mueller (via telephone).

VOTE: UNANIMOUS APPROVAL

The Board went into Executive Session at 8:36pm.

MOTION: Lonnie Taylor motioned to come out of Executive Session pursuant to 1 MRSA § 405(6)(E&H); seconded by Charly Leavitt.

VOTE: UNANIMOUS APPROVAL (5/o)

The Board came out of Executive Session at 9:14pm

MOTION: Pursuant to the Town of Raymond Shoreland Zoning Provisions section 16H(3), the Board of Selectmen authorizes the Town Manager, as its agent, to enter into a consent order with co-plaintiff the State of Maine, Department of Environmental Protection, and Defendants Paul and Jean Borriello on terms not inconsistent with those determined during a mediation that took place on October 4, 2011. Any inconsistencies between the general terms from the October 4, 2011 mediation and the final consent order would need to be provided to the Board of Selectmen and the Town Manager, as its agent, prior to the signing of that order found; seconded by Lonnie Taylor.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/o)

4) Old (unfinished) business: Mr. Bruno said that in the interest of time these items could be tabled until the next meeting.

- a) Recall Ordinance**
- b) Appointment Ordinance**
- c) Tax Acquired Properties**
- d) Consideration of Sex Offender Ordinance**

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6) Town Manager Report and Communications.

- a) Confirm date for next regular meeting:**
- **November 22, 2011**

7) Selectmen Communications:

a) Update on Fire Rescue Consolidation Study- Mike Reynolds

Mr. Reynolds wanted to know where they stood in terms of this project and Mr. Willard said that they were concerns raised by all parties and they were currently working to address them. He did mention that they should see a final report soon. Mr. Leavitt said that he would like to see an update from Green Print and Project Canopy. Mr. Willard said that Green Print had been ready this month but they were rescheduled due to a packed agenda and he would ask Mr. Foster to join them next month as well.

b) Farwell Bog and Barriers- Charly Leavitt

Mr. Leavitt wanted to look at Farwell Bog looked at and make sure that there were sufficient protective covers in place as well as making sure that they were in compliance. Mr. White said that both the Egypt Road and Patricia Avenue landfills are monitored by DEP and they annually conducted corrections. Mr. Leavitt wanted to know if there were enough barriers in place because he was concerned with activity. Mr. White said that they were going to add more Egypt Road by adding rocks.

c) Recycling Week- Charly Leavitt

Mr. Leavitt reminded everyone that recycling week was November 8-15 and prices were up on plastics and metal. He added that Mrs. Morton's class's entry for the MWAC renaming competition is still in the running.

d) Personnel Policy Request- Charly Leavitt

Mr. Leavitt requested that the Board look into developing policies for employee personal use of Town vehicles, equipment and buildings.

e) Luther Gulick Fund- Charly Leavitt

Mr. Leavitt requested that the Town look into using the funds from the Luther Gulick and Ministerial Funds in order to develop sports and recreation.

f) Get out to Vote November 8, 2011- Joe Bruno

Mr. Bruno reminded residents to get out and vote on November 8, 2011 and that there were 5 referendum questions.

8) Fiscal Warrants – Payroll and Appropriation Warrants – October 11, 2011: None

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9) Adjournment:

MOTION: Lonnie Taylor motioned to adjourn; seconded by Charly Leavitt.

VOTE: UNANIMOUS APPROVAL (5/o)

Chairman Joe Bruno adjourned the meeting at 9:27pm.

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