

MINUTES
Casco Board Of Selectmen
June 22, 2010

Members Present:

Barbara York, Paul Edes, Carroll Morton, Ray Grant and Mary Fernandes

Staff Present:

David Morton and Lucille Griffin

Guests Present:

Sandy Fredricks, John Carrigan, Wayne Ward, Pat Troy, Barbara Thorpe, Ed Glassford, Betty Glassford, Gil Avery, Irene E. Morton, Rick Thorpe, Mike London, Alice Darlington, Calvin Nutting, Pam Deschambault, Dave Deschambeault and Peg Dilley

The Board of Selectmen approved bills and signed warrants.

The Board of Selectmen moved (Edes), seconded (Fernandes) and unanimously voted to approve the minutes of June 15, 2010 as amended. *Amendment: On Page 4 of the June 15, 2010 minutes, under Other Business, the workshop date should read June 29, 2010 not June 20, 2010.*

Old Business:

- Grange Hall Parking Area License:

Mary Fernandes had a question with the liability as the owners didn't want to make it a lease document but just an agreement. Fernandes noted that the license says that the town can only use the land for loading and unloading and can't be used for anything else and then it says others may use the land. Fernandes asked who the others were that could use the property. Town Manager David Morton said he presumed that the Hancock's could allow other people to use the property. It would not be exclusive use for the Town of Casco. There ensued further discussion on this item.

Following discussion, the Board of Selectmen moved (Grant), seconded (Edes) and unanimously voted to accept the contract with the provision that Peoples Regional Opportunity Program (PROP) pay the \$400.00 if they want to use the parking area or reimburse the town \$400.00.

- Thompson Lake Dam:

Town Manager David Morton reviewed information on the meeting at the Thompson Lake Dam in the Town of Oxford. Morton noted that the dam structure itself is in fairly good condition. Immediately in front of the dam there is an iron weir system that catches debris so that it does not plug up the dam and there is a log weir out beyond that. There

not found any money yet. Nutting noted that when the engineers start looking at the dam Oxford will be spending some money quickly.

Wayne Ward asked if there was any fish way that had to be maintained. Town Manager Morton said he did not think that came into play here. Morton said it was his understanding that the weir where the catwalk is that has to be cleaned regularly is actually an impediment to fish to keep them in the lake. There is no fish way in the dam. Morton said that it not the dam structure that we are talking about but just the weir that catches debris before it gets to the dam. Morton said he had no idea if that is a stream where the state has identified the need for a fish way. Ward asked what would be wrong with opening that dam up and not have a dam. Morton said that the riparian owners around the lake would suddenly have no water frontage; they would have meadow.

There was then discussion on the impact on the shorefront property if the dam were removed, the kinds of gates at the dam, what the percentage of landowners on Thompson Lake were in Casco and that funding of any repairs to the dam should come from the Thompson Lake landowners. Town Manager David Morton said that Oxford has the most shore frontage; Otisfield has the next; Casco the next; and Poland the least. Morton said he did not know what the percentages were. Casco has a substantial amount, probably a mile and one-half of shore frontage on Thompson Lake.

Town Manager Morton said he would like to see Thompson Lake Environmental Association (TLEA) participate in this project. Barbara York noted that at that meeting it was suggested that the Town of Oxford get in touch with TLEA.

Rick Thorpe asked if we were going to use that same theory on the Edwards Road repairs. Bev White said that the Town of Raymond has been participating in the Crescent Lake project. Town Manager Morton said that they have already been participating in the engineering costs. There was then more discussion on this issue.

Jeannine Oren said that in the budget this year there was an amount for TLEA. Town Manager Morton said that was for work in the watershed area around the lake. That amount was not for construction on the dam.

Rick Thorpe asked for a recap of the question and if they were looking for a commitment. Town Manager Morton said that Oxford is not looking for anything right now. They were looking for us to be aware of what was going on and show the interest to come up and look and would hope that we would participate with them in the future.

Jeannine Oren asked if the Town of Raymond had been asked to participate in the Crescent Lake issue. Town Manager Morton said they had not as we do not have a program yet. It is a topic for the Board of Selectmen to discuss in a workshop next week, where we go from here and what the Board would like to see the Town of Casco do. We have taken no action to ask Raymond because we are uncertain what the Town of Casco is going to do.

- Community Center Kitchen Project:

Town Manager David Morton read the bids that had been submitted for the Community Center kitchen project, reviewed the scope of work and what had been removed from the original bids. (See bid sheet.) The original bids on the project came back too high. There was then discussion on the kitchen project that included questions on whether we needed a kitchen in the Community Center, the grant money for the kitchen project and whether we needed to provide matching funds, whether to look for used kitchen equipment instead of purchasing new, and if the Friends of the Community Center group had paid anything on their pledges. There was further discussion regarding the grant money being used for something other than the kitchen at the Community Center. Town Manager Morton stated that the grant money is specific to that facility.

Paul Edes moved to go with the low bidder if they have good referrals. There was no second for the motion and Edes withdrew his motion. No action was taken.

Ray Grant said this item should be tabled until the Board reviews the bids. Barbara York said that the Board could review this item at their workshop next week. Grant stated that he was not going to vote on something he has not seen.

The Community Center kitchen project was tabled. The Board will review this at their workshop on June 29, 2010.

- Review Of Liquor License Application:

The Board of Selectmen moved (York), seconded (Fernandes) and unanimously voted to approve an application for an event liquor license for the Sebago Lake Rotary Poker Run at 76 Waldron Point Road on July 17, 2010.

- Camp Sunshine Games Of Chance:

The Board of Selectmen moved (York), seconded (Edes) and unanimously voted to approve the application for Games of Chance by Camp Sunshine for August 5 to August 30, 2010.

Other Business:

- Road Striping:

Town Manager David Morton asked the Board if they wanted to do road striping this year. Morton reviewed information on the cost for the striping and what roads were usually done. The cost for the striping usually runs between \$1,800 and \$2,300 to do approximately 1800' at \$0.06 per lineal foot. Carroll Morton noted that on a wet foggy night it is very helpful to have the striping.

Following discussion on the road striping, the Board tabled this item.

people were too footloose and fancy free with e-mails over all and it is better to have the face to face conversations and discussions.

Jeannine Oren wanted to know if she was hearing that the town attorney has advised either the Town Manager, the staff, the Board of Selectmen and anybody, she would like to know who; that the town attorney, she presumes Bill Dale, has advised people in the Town of Casco to use their e-mails less frequently and to communicate from here on or at some point forward either face to face or on the phone versus e-mail. Oren said that she can only presume because that would be less transparent. As a taxpayer and someone who has been down this road, this very rocky road, Oren suggested that we continue doing as much business as possible by e-mail so the residents would know what exactly is going on. Oren said they found out what was going on because of the e-mail. What we found out was something that we have changed and we don't need to revisit it but she does think that we should not throw out the baby with the bath water here. We need to continue doing as much town business in the most transparent way possible and Oren objects strongly to continuing to work with an attorney who would suggest to the Board and the town staff to do something that would not be in the best interest of the taxpayers or any citizen of this town. Oren said she is offended. Oren said that she thinks that what the MMA meeting was all about.

Carroll Morton said that he is not talking about agendas and stuff like that. He is talking about other stuff. Town Manager Morton responded that the point that the town attorney made very clear was that the Selectmen should not be conducting, discussing or debating any town business by e-mail. They have to do that only here, in person, in public. The use of e-mail to transfer issues like agendas or back up information is acceptable and appropriate. What he strongly said was don't be carrying on conversations between members of the Board of Selectmen by e-mail.

Jeannine Oren asked if that was against the law. Town Manager Morton responded that it was against the law. Oren said that one Selectman could talk to another Selectman legally and safely but is that group of three that you can't have. Town Manager Morton said that was correct. Oren said that two people could communicate in person but it is illegal for two Selectmen to communicate by e-mail. Town Manager Morton said he did not say that. Town Manager Morton said that the town attorney advised against that. More comments from Oren. Town Manager Morton said it is too easy to have that information forwarded to another Selectman and then suddenly you have three involved in the discussion. Town Manager Morton said that Selectmen, in terms of conducting business, need to do it here. If they are going to have some conversation between two of them somewhere else that is something that is both permissible and appropriate. The problem with the e-mail is once they go back and forth that e-mail is always there and if by accident it gets transferred to a third Selectman you suddenly have something that involves three Selectmen, discussion or thought process or whatever that might be, that is not out in public. The attorney has recommended that they do all of their business here in the public and that they not conduct their business by e-mail. Oren said she strongly objects to that and would like that whole issue revisited. Oren thinks that is a really serious problem that we ought to march through very, very carefully and very, very

- Ray Grant said he is very concerned with the Zoning Board of Appeals (ZBA) granting all those variances. Grant said he did not see a hardship for all of the variances granted. Town Manager Morton said that we can set up a training program for the ZBA members.

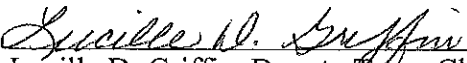
- Jeannine Oren asked about the streets and highways accounts on page five of the FY 2011 budget and about the account numbers in the capital improvements budget. Town Manager David Morton advised that those are all 90 or 95 accounts.

- Ray Grant asked if the Selectmen were all going to be involved in the process of seeing who gets the work. Town Manager Morton said to whatever degree the Board wanted to be involved.

There being no further business to come before this meeting, the Board of Selectmen moved (Edes), seconded (Grant) and unanimously voted to adjourn at 8:57 p.m.

It was noted that there will not be a Board of Selectmen's meeting next week.

ATTEST:



Lucille D. Griffin, Deputy Town Clerk