

**MINUTES**  
**Casco Board Of Selectmen**  
**July 20, 2010**

Members Present:

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

Staff Present:

David Morton and Lucille Griffin

Guests Present:

Sandy Fredricks, Mike London, Walter Hebold, Jenn Murray, Jeannine Oren, Jackie Wurslin, William Strout, Lew Wetzel, Ted Ropple, Ed Glassford, Betty Glassford, Russell Day, Rick Thorpe, Margaret Dilley, Pam Grant, Irene Morton, Ron Hawkes, Gil Avery, Bev White, John Carrigan, Calvin Nutting and Frank Braman

The Board of Selectmen approved bills and signed warrants.

**The Board of Selectmen moved (Edes), seconded (Fernandes) and unanimously voted to approved the minutes of June 22, 2010, as written.**

**The Board of Selectmen moved (Edes), seconded (Grant) and unanimously voted to approved the minutes of July 6, 2010, as written.**

**Old Business:**

- Discussion Of Rules Of Order:

The Board of Selectmen reviewed and discussed the draft Rules of Order for Selectmen's meetings.

Mary Fernandes said that she has an issue with #4 of the draft. Fernandes said that she would like to see two opportunities to speak. Perhaps we could have the second opportunity to speak for one minute. One opportunity does not allow any room for rebuttal.

Ray Grant said he would go for two minutes on the second opportunity.

Paul Edes said that one minute would be enough for a rebuttal.

Carroll Morton said that he did not believe that one minute was enough.

**The Board of Selectmen moved (York), seconded (Grant) and unanimously voted to accept the Managing Public Participation And Selectmen's Meetings - Selectmen's Policy dated July 2010 with the exception of adding to #4 a second opportunity to speak for two minutes.**

Jeannine Oren asked who the timekeeper would be and asked if the audience could have copies of what the Board was looking at. Town Manager David Morton said that the Board of Selectmen would have to assign somebody the responsibility of being the timekeeper.

- Community Center Kitchen Project:

Town Manager David Morton updated the Board of Selectmen on the low bidder for the project and suggested that the Board go with the low bidder and that we do so making sure we have a good performance bond and that we will ask to see all the subcontractor quotes before he starts the project.

Town Manager Morton reviewed the bids that were received for the project:

Hardy Pond Construction bid \$53,310.  
Doten's Construction bid \$43,989.  
DCS Construction bid \$23,455.10.  
Beaulieu Construction bid \$48,249.

There was then extended discussion on how the contractor would be paid, the performance bond, the amount of the bond, asking for a payment from the contractor up front, time frame for the work, where the contractor lived and Carroll Morton going to Fryeburg to check that out, the work that the project would require, the kitchen appliances, the type of dishwasher, the other contractors that would be doing the wiring, heating and fire protection installations. The wiring, heating and fire protection is in addition to the contractor's bid.

Town Manager Morton advised that we will be close to the \$40,000 cost for the project. Town Manager Morton noted that this is a Community Development Block Grant and that they would like to see us use it and not just set on it.

Mary Fernandes said she was not comfortable with this at all.

**The Board of Selectmen moved (Grant), seconded (Edes) and unanimously voted to select the low bidder, DCS Construction, contingent on an interview, review of subcontractor quotes, a review of actual quotes and report back in two weeks, and to pay Carroll Morton's mileage to go to Fryeburg to check on the contractor.**

- Grange Hall Parking Lot License:

The Board of Selectmen reviewed and discussed the Grange Hall parking area proposed license between the Town of Casco and Matt and Tracy Hancock. Town Manager Morton said that the Peoples Regional Opportunity Program (PROP) would entertain the idea of paying the \$400 for the parking lot license.

There ensued discussion on shelving the parking lot license until PROP makes a decision, that the space would be needed for people who might be using the Grange Hall, what Grange Hall

expenses that PROP pays, the term of the license (5 Years), use of the property during Casco Days and that the parking lot is only to be used for loading and unloading.

**The Board of Selectmen moved (York), seconded (Edes) and unanimously voted to go ahead with the parking lot license and to authorize the Town Manager to sign the license agreement.**

- Future Street Lighting Changes:

Town Manager David Morton reviewed information on reducing the number of street lights in Casco. Town Meeting approved the budget for this year and did not reduce the costs at this time. Morton noted that there are some obvious lights that could be removed and noted that in Casco Village we could remove every other light and not cause any public safety problems, the Pikes Corner light has been moved away from the intersection and is not doing any good at that intersection. Central Maine Power Company has provided an inventory of the Casco street lights.

**Ray Grant moved to appoint a small committee to look into street light reductions. Barbara York said that the Board of Selectmen should be the committee to look into it; perhaps in September. There was not second for the motion. No action was taken.**

Mary Fernandes noted that there will be a Greater Portland Council Of Governments workshop on streetlights and other items on August 4, 2010. Fernandes said she plans to attend this workshop.

- Road Striping:

Town Manager David Morton reviewed a list of the roads that the town usually has striped and noted that we have to do a double stripe on these roads. Town Manager Morton said that he was off on his estimate for the road striping and Barbara York asked what our budget was for this year. Town Manager Morton said that there was \$5,000 in the budget for road striping. The cost for the striping is \$0.06 per lineal foot. The road striping bids have been provided by the Greater Portland Council of Governments (GPCOG).

Ray Grant said he is in favor of striping every other year.

Mary Fernandes said that she is in favor of striping every year.

There ensued discussion on whether to do the road striping or not, how often to do it, the paint used for striping and that the GPCOG bids require Maine Department of Transportation regulations.

**The Board of Selectmen moved (York), seconded (Fernandes) and voted to do the road striping on the list of roads as read by the Town Manager. The vote was 3-2-0; Carroll Morton and Ray Grant opposed.**

- Capital Road Projects:

The Board of Selectmen reviewed and discussed capital road projects. Town Manager David Morton noted that he had provided the Board of Selectmen with a capital road projects list. Town Manager Morton said that he has had an opportunity to go over the roads with some of the Board. There are a couple of projects that are outstanding and have already been approved. Town Manager Morton noted that there is \$247,141 available in the capital roads reserve fund.

The projects discussed were the Libby Road reconstruction project, the Mayberry Hill Road/Lilly Brook culvert lining, the Crescent Lake Road (Edwards Road) and the Point Sebago Road/Riggs Road intersection.

**The Board of Selectmen moved (Grant), seconded (Edes) and unanimously voted to go ahead with the Libby Road reconstruction and the Lilly Brook culvert lining. These two projects will be put out to bid.**

There was then discussion on the Point Sebago Road intersection and the Crescent Lake projects.

**The Board of Selectmen moved (Grant), seconded (Fernandes) and voted to do an engineering survey and find out what the costs would be for the Point Sebago project. The vote was 4-0-1; Edes abstained.**

- Disposition Of The Memorial School:

Town Manager David Morton noted that this item has been on the Selectmen's docket for quite a while. If the town wishes to do something with that building we need to do something with the roof. Town Manager Morton referenced an engineering report that the school district had done in 2005. Town Manager Morton said that he had done a recent walk through of the building and there is some water damage.

There was then discussion on the engineering report and the structural issues in the roof, the costs for fixing the building, whether to redo the building or not, getting another engineering report or going with the current engineering report, getting an estimate to repair the building from a company that evaluates old buildings and that the town should not just let the building sit there.

**The Board of Selectmen moved (Grant), seconded (Fernandes) and unanimously voted to put the Memorial School project out to bid with the current engineering report to see what it would cost for repairing the building.**

Carroll Morton asked if the repairs were going to be to a school district or public building standards. C. Morton said that there may not be one standard for buildings. Town Manager David Morton said he did not know but he would find out.

Barbara York said that she is not opposed to getting bids for repairs.

- Thompson Lake Dam Committee Appointments:

The Board of Selectmen discussed appointments to the Thompson Lake Dam Committee. Town Manager David Morton advised that this would be an advisory group and would have no authority. Barbara York suggested asking someone from the Thompson Lake Environmental Association and Ted Ropple volunteered.

**The Board of Selectmen moved (York), seconded (Grant) and unanimously voted to appoint Ted Ropple to the Thompson Lake Dam Committee and to contact Thompson Lake Environmental Association (TLEA) to see if someone in their association might be interested in being on the committee. If no one is interested, the volunteer position will be advertised.**

Bev White asked for a review of the Board's decision on the Crescent Lake project and Ray Grant advised that Crescent Lake is still on the list.

#### **New Business:**

- Discussion Regarding The Town Attorney:

Town Manager David Morton said that this item was requested to be put on the agenda by Ray Grant.

Grant said that he would like to have the town attorney, Bill Dale, replaced as he does not think we should have him representing us. Grant stated that he has no respect for him as an attorney and that he (Attorney Dale) lost control at a meeting when Jeannine Oren got in his face with a camera.

Barbara York said that Oren got in Dale's face and she did the same thing to Dale as she did to York.

Grant said that Oren treated everybody the same.

Bev White said that she did not give Oren permission to take her picture and that no one else gave permission to take their picture. White said that the attorney did not yell at Oren.

Betty Glassford commented on the incident and said that the attorney got in Oren's face and asked if she could hear him now.

Rick Thorpe asked if the Board was asking to replace Mr. Dale or replace the firm. Thorpe noted that the firm, Jensen Baird Gardner and Henry, represents many municipalities in the state.

Barbara York said that was part of her question.

Calvin Nutting said that he was only going to make this comment once. Mr. Dale has always represented us well and he would urge the Board not to get involved in person issues between Oren and Dale.

Jenn Murray commented that Dale bumped her seat on his way by.

Jeannine Oren said that what happened was not a personal matter between her and Mr. Dale. Oren said that she had given sworn statements to the Board of Overseers and said that Mr. Dale had acted aggressively toward her. Oren read Mr. Dale's comments to the Board of Overseers.

There then ensued extended discussion that included whether Mr. Dale should be replaced or not and comments from the audience and the Board on replacing Dale and/or replacing the firm of Jensen Baird Gardner and Henry.

**The Board of Selectmen moved (York), seconded (Edes) and voted to retain Jensen Baird Gardner and Henry as the town's legal counsel and remove Bill Dale as the town's representative. The vote was 2-3-0; York and Edes voted in favor; Grant, C. Morton and Fernandes opposed. The motion was defeated. No action was taken.**

There was then further discussion on this issue.

**The Board of Selectmen then moved (Grant), seconded (C. Morton) and unanimously voted to not longer retain Mr. Dale and to talk with Jensen Baird Gardner and Henry and other firms that practice municipal law to see if they can provide services for the Town of Casco.**

There was then discussion on what firms would be interviewed, how the interview process would be done, the cost of changing law firms, that we are looking at personalities and this is bringing the town into personal disagreements, and keeping all correspondence with any law firm and making it available to the public.

Town Manager David Morton asked Grant to amend the motion to first have the Jensen Baird Gardner and Henry firm come in and talk with the Board and then decide whether the Board will stay with them or seek other options. Grant said he had no problem with that. Town Manager Morton said that would give the Board the option to think it over and make a decision. If we do transition Jensen Baird Gardner and Henry will provide all information to whatever firm is chosen.

Jenn Murray stated that she has some documents that she would like to give to the Board before the interviews with the law firm. Town Manager David Morton advised Murray to get that information to the Board as soon as possible.

Grant stated that he would like to interview numerous firms. Town Manager Morton asked Grant how many firms he wanted to interview and how did he want to short list them. Grant said he wanted to interview three or four firms. Town Manager Morton said that if the town is doing RFP's then we will want to establish criteria. There was discussion on what criteria would be included. The location of the firms will be sorted out during the interview process.

- Bidding Process For Road Work:

Town Manager David Morton reviewed the projects for road work. Morton said that he usually tries to package bids together, i.e. over \$10,000. Town Manager Morton will bring further information on this item back to the Board on a future agenda.

- Concealed Weapons Permit Application (Requires Executive Session):

Town Manager David Morton advised the Board that the applicant was not in attendance this evening. The review of this application will be rescheduled.

**Other Business:**

- Mary Fernandes asked how many dams the town owned and how many private dams there were in Casco.

- Mary Fernandes asked about the Tenney Hill project that the Department of Environmental Protection has been monitoring. This property was the former Portland-Bangor Waste Oil site.

- Mary Fernandes asked Town Manager Morton to look at how the Over 70 Tax Deferment works. There ensued discussion and comments back and forth between members of the audience. Frank Braman asked if this program was designed for people who were going to lose their homes to back taxes. Town Manager Morton responded that the program was broader than that. Town Manager Morton went over further information on the program.

- Frank Braman commented that the State of Maine had no record of a "No Wake Buoy" for Coffee Pond. Braman said that this was supposed to have been done some time ago.

- Frank Braman asked how the Board of Selectmen could reduce the number of their meetings without going back to a Town Meeting. Town Manager David Morton said that the Board had a right to set their own schedule. There was further discussion on this item.

- Jenn Murray said that she would like to clarify something that was printed in the Bridgton New and would like to know who had said that. Murray said that by no means had she been told that it was going to occur.

Paul Edes asked if it was the same thing that certain committee members are using as their letterhead.

Ray Grant said it was a different matter.

Jeannine Oren said that what they were talking about was the Casco Helping Casco audit and that they were coming back to the Board to address that. Oren said they are going to discuss the audit and how much money is left in the Casco Helping Casco fund.

Barbara York asked Oren if they had a company to move the money to.

Oren said that had been discussed previously. Oren said there seems to still be some question regarding the audit.

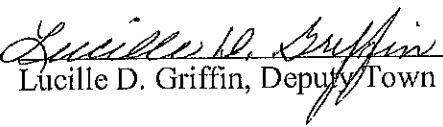
Jenn Murray said that she would like to discuss the nine e-mails that she sent to Purdy Powers regarding the Casco Helping Casco audit there were never answered.

There ensued further discussion on the Casco Helping Casco audit.

Chair Barbara York then called for order. There was then a more orderly continuation of the discussion.

**There being no further business to come before this meeting, the Board of Selectmen moved (Fernandes), seconded (Grant) and unanimously voted to adjourn at 10:47 p.m.**

ATTEST:

  
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Lucille D. Griffin, Deputy Town Clerk