

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, NOVEMBER 10, 2015
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

Chair Olson called the meeting to order and the Pledge of Allegiance was recited.

ROLL CALL

Councilors present: Blanck, Higgins, Nesbitt, Olson, Ordway, Pomerleau and Sargent.

Chair Olson announced that there are two orders that need to be added to the agenda, one is regarding appointment's the other regarding an enforcement action.

Moved by Sargent seconded by Blanck and voted to add the two items to the agenda. (Unanimous)

MINUTES OF PREVIOUS MEETING (S)

Chair Olson noted that on page 2 in the second paragraph the following correction is needed:

.... to a subdivision if it's within 1,000 feet of an existing water main.

Councilor Nesbitt noted that on the same page the following correction is needed:

.... mentioned that there ~~the~~are some quit claim deeds on tonight's agenda as well ...

Moved seconded and voted to approve the minutes with the above noted corrections. (Unanimous)

PETITIONS AND COMMUNICATIONS

The Clerk read a thank-you note from Karen McPhee for the budgetary appropriation the Town of Standish provided to the Therapeutic Recreation Program that she is involved with.

REPORT OF THE TOWN MANAGER

Gordon Billington spoke on the following items:

- The auditors have been here and done their work, they are preparing the draft financial statement and will present their report in January.
- An upgrade to our financial computer software will be done this Friday.
- The sidewalk project in Steep Falls is approximately halfway completed, some have voiced concerns regarding the perception that the sidewalks are too high.

Roger Mosley the Public Works Director, explained that the sidewalks are being constructed based on an upgrade to Route 11 that the state will do next year. He went onto explain the configuration of the sidewalks and where the crossing will be on the road and other details of the project.

Gordon Billington continued with the following:

- He is impressed with the quality of work that the contractor is providing at the Steep Falls project, including the thoughtfulness in working with the residents regarding the connection of their properties to the sidewalk.

Councilor Blanck noted that the residents are already using the sidewalks which has increased safety in the area.

- Mr. Billington reported that recently at the Transfer Station a sticker check was held. He noted that in one day, 599 vehicles were checked, 36 vehicles didn't have stickers, of those 29 purchased stickers, the balance left without dumping their trash.

Frank Holcomb representing the Public Safety Committee reported that the 15th annual fair was held on October 10. The fair boasted record attendance, provided a variety of demonstrations and give-aways to the attendees. He thanked the various participant's and those who donated items to the event. His written report is filed with these minutes.

Council Sargent mentioned that the daylight savings time change should serve as a reminder for residents to check the batteries in their smoke detectors.

Frank Holcomb noted that this year they had a drawing for three home safety kits that included a fire extinguisher, smoke detector, carbon monoxide detector and a flashlight.

Councilor Higgins suggested that future fairs might include a child car seat safety inspection.

Frank Holcomb explained that service has been offered in the past, however, we no longer have a certified inspector on staff.

PUBLIC HEARINGS

81-15 Amendment to Standish Town Code, Chapter 181, Land Use Ordinance; Article III, District Regulations, Regarding Overhead Doors and Article IV, General Standards, Regarding Pedestrians Ways [Blanck]

Moved by Sargent seconded by Blanck and voted to dispense the Clerks reading of the ordinance. (Unanimous)

Councilor Blanck explained that this is a business friendly amendment regarding garage doors for existing buildings. He explained that the business in question received Planning Board approval to make the changes to the building pending the outcome of this vote. He noted that the business in question "jumped the gun" and has already made the changes to the facility.

Chair Olson called for public comments. There were none.
Chair Olson called for Council Comments. There were none.

After a public hearing without additional public or Council discussion the Council voted on the ordinance amendment and the hearing was closed.

VOTE: 7 Yeas

90-15 Amendment to the Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Tables for the Maximum Levels of Assistance as provided as Provided by the Maine Municipal Association [Olson]

Moved by Sargent seconded by Blanck and voted to dispense the Clerks reading of the ordinance.
(Unanimous)

Chair Olson explained that this process is done annually to provide up-to-date benefits to recipients. An emergency ordinance was ratified while this this amendment went through the legislative process.

Chair Olson called for public comments. There were none.
Chair Olson called for Council Comments. There were none.

After a public hearing without additional public or Council discussion the Council voted on the ordinance amendment and the hearing was closed.

VOTE: 7 Yeas

COMMITTEE REPORTS

Councilor Pomerleau representing the Appointments Committee noted that an order will come up later on the agenda to fill a vacancy on the Recreation Committee.

Councilor Sargent announced that he attended the Cumberland County Community Development Oversight Committee where grant availability was discussed.

Councilor Sargent disclosed that the Capital Improvements Committee did not meet this month.

Councilor Nesbitt explained that the Beach Committee met last month starting a dialog regarding operational budget for the facility.

Councilor Nesbitt reported that the Finance Committee finds that the Town's revenues and expenditures are right where they should be. He revealed that the Finance Committee is reviewing the town's fee schedule and have some agenda items on tonight.

Councilor Higgins advised that the recycling numbers are down which in part may be a seasonal issue, still, residents need to be mindful to recycle. She encouraged residents to donate their bottles and cans to the Bottles for Fuel Fund. She noted that the kick off for the recycling calendar will be soon with a December deadline.

Councilor Blanck stated that the Ordinance Committee has met twice since the last Council meeting. The Committee continues to work on a number of items, some of which are on the agenda this evening. He mentioned that future topics include a Recreational Ordinance, Cluster and Conservation Subdivisions, the Sign Ordinance and the definition of medical clinic.

Chair Olson commended the Ordinance Committee on their diligent work on the items before them.

Councilor Blanck thanked the Town Planner Bud Benson for his ongoing support of the Ordinance Committee.

CONSENT CALENDAR

There were no Consent items on the agenda at this meeting.

UNFINISHED BUSINESS

The Clerk noted that the town's attorney had provided a substitute order for this item.

Moved by Sargent seconded by Nesbitt and voted to place the substitute order in place of the original order 61-15. (Unanimous)

61-15 Road Acceptance Request Submitted by JoJo's LLC for a Portion of Nature's Way and Hemlock Drive (Postponed to the November 2015 Council Meeting) [Olson]

Gordon Billington explained that the substitute order has language describing the road and the deed reference.

Roger Mosley the Public Works Director explained that he and the engineer inspected the road yesterday. He said that the road is complete and in excellent condition.

Chair Olson called for public comments.

William Orr of Kerri Farms suggested the Council routinely accepts roads without following the town's code.

Chair Olson called for Council Comments. There were none.

VOTE ON SUBSTITUTE ORDER: 7 Yeas

The Clerk explained that at the October meeting the Council had before them order 101-15. At that meeting the Council voted to bring the orders to this meeting as separate items.

101-15A Authorize Sale of Tax Acquired Property (Postponed to the November 2015 Council Meeting) [Nesbitt]

Councilor Nesbitt explained that this vacant mobile home was being brought forward unanimously by the Finance Committee. He said that the owner passed away in 2013 and the Finance Department has worked diligently to try to find the heirs, however they have been unable to do so. There is more than \$4,800 in back taxes due on this property.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments.

Councilor Blanck recalled that at the October Council meeting he requested that additional information be provided to them regarding the recent change in state law that provides an option to provide the owner with the proceeds from the sale of tax acquired property after the taxes due are paid. He said that the town attorney provided materials that disclosed the pitfalls that may come to the town if an ordinance to allow this process were enacted. It was his opinion that this type of

ordinance is not warranted at this time. He said that he didn't like the idea of the funds going into the general fund after taxes have been satisfied, however there are too many pitfalls.

Councilor Higgins said that they don't want to see this hardship fall on anyone. She said that there is the poverty abatement process that some may be eligible for in certain circumstances that would provide some relief for the tax due. She echoed Councilor Blanck's thoughts on the pitfalls of adopting an ordinance regarding this matter.

Councilor Ordway agreed that adopting an ordinance was not the right thing to do.

VOTE: 7 Yeas

101-15B Authorize Sale of Tax Acquired Property (Postponed to the November 2015 Council Meeting) [Nesbitt]

Councilor Nesbitt said that this is brought forward by the Finance Committee by unanimously. This owner occupied a mobile home on 2.5 acres of land. He explained that the Finance Department has tried to contact and work with this owner at no avail. The last tax payment was received in 2010, approximately \$8,000 in back taxes are due.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments. There were none

VOTE: 7 Yeas

101-15C Authorize Sale of Tax Acquired Property (Postponed to the November 2015 Council Meeting) [Nesbitt]

Councilor Nesbitt said that this is brought forward by the Finance Committee by unanimously. This a small home with a one car garage on .7 acres. He noted that the owners have passed away and an relative is living at the property. The last tax payment of \$100 was received in April of 2015 under an agreed payment plan. There was contact with the relative this past month to continue to pay the \$100 per month, however at that rate they would not catch up on the amount due since over \$16,000 in back taxes are outstanding.

Chair Olson called for public comments. There were none.

Chair Olson called for Council Comments. There were none

VOTE: 7 Yeas

NEW BUSINESS

106-15 Authorize Finance Director to Issue Municipal Quit Claim Deed to Scott Massey [Nesbitt]

Moved by Nesbitt seconded by Sargent and voted to dispense with the Clerks reading of the order. (Unanimous)

Councilor Nesbitt explained that the owner has paid their taxes in full.

VOTE: 7 Yeas

107 -15 Acceptance of Street Name – Edith Marie Way [Olson]

Roger Mosley explained that this is a two lot road, 9-1-1 addressing provides naming of way that service two or more residences.

VOTE: 7 Yeas

108-15 Amendment to Fee Scheduled [Nesbitt]

Chair Olson noted that the fee schedule is not ready for presentation at this time.

Moved by Sargent seconded by Ordway to refer this item back to the Finance Committee to further review town department's recommendations. (Unanimous)

109-15 Amendment to Standish Town Code, Chapter 181, Land Use, Multiple Sections Regarding Public Water Supply (Introduction) [Blanck]

Moved by Sargent seconded by Sargent and voted to dispense with the Clerks reading of the order. (Unanimous)

Councilor Blanck read the following paragraph from the amendment:

181-35.9 It is the policy of the Town of Standish to require the extension of the public water supply system to serve new development to the extent that such extensions are feasible and economically viable. The provisions of this section identify when public water supply must be used and/or the public water system extended to serve the use of land or development activity.

He continued to explain that this provides for a cost analysis to extend a water public water supply versus private water supply. The ordinance provides the formula with an escalator clause to keep it current.

Chair Olson explained the legislative process noting that this was the first step.

Moved seconded and voted to move this to First Reading at the December meeting. (Unanimous)

110-15 Town Council Appointments to Various Boards or Committees [Pomerleau]

Moved by Pomerleau seconded Blanck and voted to add the name of Linda Case to the Recreation Committee through June 2018. (Unanimous)

VOTE ON ORDER AS AMENDED: 7 Yeas

111-15 Authorize the Code Enforcement Officer to Execute a Consent Agreement between Thomas & Karen Hodgson and the Town relating to an Unpermitted Deck in the Shoreland Zone at 79 Hi-Vu Drive (Map 25, Lot 43)

Chair Olson explained that the property owner built a deck in the shoreland zone without obtaining permits. The Code Enforcement Officer alerted them that the deck would have to be removed since it was too close to the shore. The owner complied by removing the deck, however, at a later inspection the deck was back in place. This is the agreement that was drafted by the attorney's involved.

VOTE: 7 Yeas

PUBLIC ITEMS

There were no public items at this meeting.

ANNOUNCEMENTS

Several upcoming meetings were announced.

Councilor Nesbitt noted that there may be an agenda item for the November Council Workshop regarding the PACTS road plan.

Councilor Sargent thanked all those who voted on Election Day.

EXECUTIVE SESSION

An executive session was not needed at this meeting.

ADJOURN

Moved by Sargent seconded by Nesbitt and voted to adjourn. The meeting adjourned at 7:58 p.m. by unanimous consent.

Submitted by: Mary Chapin
Clerk/Secretary

STANDISH PUBLIC HEALTH AND SAFETY COMMITTEE

It is with great pleasure that I submit this report regarding the 15th Annual Standish Safety Fair that was held on Saturday, October 10, 2015 at the Standish Municipal Center in combination with Standish Fire/EMS Open House concluding the end of Fire Prevention Week. Excellent weather provided for indoor/outdoor displays and a large community attendance. The Cumberland County Sheriff's Department Explorer Post #3 opened the Safety Fair by the posting of the colors and recitation of the Pledge of Allegiance.

The Standish Safety Fair was highlighted by the Standish VIP's CHIP (Child ID) program, free Safety Fair T-Shirts and halloween goody bags for children. Ten bicycles were given a door prizes to children ages 2-10. Three home safety kits were door prizes as well. Displays by the Standish FD/EMS (Jaws of Life, Home Grease Fire), Cumberland County Sheriff's Dept. K-9, Standish Animal Control, Standish Public Works, and Standish Recreation were quite popular. A Red Cross Blood Drive and PTO Bake Sale were ongoing throughout the day. Purchased pumpkins were seeded in Phil's Pumpkin Patch next to the front parking lot. Using the Fire Department Kubota RTV and donated trailer, supervised hay rides were given to the Pumpkin Patch where each child could pick out his/her own pumpkin. A very popular ride for all ages, 190 pumpkins were harvested. Children could participate in a pumpkin coloring contest and receive a halloween safety bag. Food and refreshments were provided by the Standish Fire Auxillary. Free bottled water was donated by Poland Springs and ice cream by Sure Winner Foods.

Local business donations to the Safety Fair were made by Domino's Pizza, Standish Trailer Sales, Standish Hardware, Sure Winner Foods, and Poland Springs. Generous donations were made to purchase bicycles by Standish Town Council and Standish Public Health and Safety Committee members. A free brownie and ice cream social was held at the conclusion of the Safety Fair.

This successful Standish Safety Fair 2015 was made possible by the volunteer efforts of our committee members, Standish Fire/EMS, and the exhibitors. Our continued community and Standish Town Council support has us looking forward to our 16th Standish Safety Fair in 2016.

Respectfull submitted,



Franklin J. Holcomb

Chairman, Standish Public Health and Safety Committee