

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, JULY 10, 2018
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

The meeting was called to order by Chair Nesbitt and the Pledge of Allegiance was recited.

ROLL CALL

Councilors present: Delcourt, Higgins, Libby, Nesbitt, Pomerleau, and Sirpis.
Councilor Starostecki was excused.

Chair Nesbitt noted that there is a request to add an order to the agenda.

Moved by Sirpis seconded by Higgins and voted to add order 90-18 Award Bid and Authorize Sale of 1987 Ford Fire Truck [Libby] to the agenda. (Unanimous)

MINUTES OF PREVIOUS MEETING (S)

The minutes from the May 8, June 5, June 7 and June 16 Town Council Meeting Minutes were accepted as presented by unanimous consent.

PETITIONS AND COMMUNICATIONS

There were no petitions or communications at this meeting.

REPORT OF THE TOWN MANAGER

Thomas Bartell – Lake Region Broadband Initiative – Provided an update from the Lakes Region Broadband Group which includes the towns of Gray, Raymond, Standish and Windham, explaining the group's effort to improve and expand broadband in the Lakes Region. He explained that this project will improve high-speed internet in the area by expanding the existing "three-ring binder" which is a statewide fiber-optic program that brings internet to rural communities. The hope of Lakes Region Broadband Group is to provide an additional 40 miles fiber-optic cable to improve internet access for residents, businesses and town governments in the Lakes Region. The program will be done in stages, funding so far, is mostly through grants.

Councilor Sirpis noted that when this first came up local businesses indicated that the existing internet service was adequate and home owners were concerned if they would be offered the same level of service that they currently have. He went on to say that this will be great for our town, but how do we educate the public to the benefits and how do we make it affordable?

Chair Nesbitt said that a lot of progress has been made and it's exciting to see that it may be expanded to additional locations in Standish.

Mr. Bartell noted that each town will have the opportunity to decide where in their town where "hot spots" or expansion or service will be improved.

Councilor Sirpis suggested that the group develop a strategy plan for the towns to educate their residents.

Councilor Higgins applauded the plan. She said that it's her opinion that residents are concerned about accessibility, affordability and more choices.

Kris Tucker said that he supports this effort and it will be a great economic development tool for the area.

Chief Caron – The Steep Falls Fire Station project had been completed and is operational. In addition, the Dispatch Center has been transitioned to Cumberland Council for services. He explained that the two events took place within a day of each other. He noted that the improvements to the fire station have already shown that the response time to outlying areas is reduced. He thanked the Public Works Department, Fire/EMS staff and others for their help in this matter. Chief Caron noted that all of the dispatchers have found employment.

PUBLIC HEARINGS

There were no Public Hearings at the meeting.

COMMITTEE REPORTS

Councilor Sirpis – Economic Development Committee – will meet July 19 at 8 a.m. He invited Mr. Bartell to attend the meeting. He went on to explain that the committee continues to look at ways to get existing/new businesses involved with the work of the committee.

Councilor Delcourt – Personnel Committee - A meeting will be scheduled soon.

Councilor Higgins – Ordinance Committee – Met recently to review the Build Maine Conference's ideas that that many town staff/committee members attended. The committee continues to work on the Sprinkler System Ordinance and to prioritize their work on ordinances before them, noting that the Sidewalk Ordinance is currently on hold. Mrs. Higgins noted, now that we're in the new fiscal year, the rewrite of Form Based Code will continue.

Councilor Higgins – Recycling Committee – Is sponsoring an informational session at the July 24 Town Council Workshop. Ecomaine staff will be in attendance to facilitate the recycling session. Councilor Higgins went on to explain that contamination of the recycled materials in the silver bullets is costing the town additional disposal fees. She highlighted the recent reports from Ecomaine that describe the contamination at each of the recycling locations, she announced that cameras will be installed at the sites.

Councilor Libby – Capital Improvements - Met this evening, the committee has items on this evenings agenda.

Councilor Pomerleau – Appointments Committee - No report this evening.

Councilor Nesbitt – Finance Committee – Met and has reviewed finances from the past fiscal year. The committee is waiting for state revenue sharing numbers. He explained that the state of the town's fiscal condition will be presented when the audit is provided in December. He noted that excise tax collection continues to exceed the budgeted projections. Overall departmental spending is

within the budget, however two departments, General Administration and Employee Benefits are over budget. He noted that both department's overages are due to the Town Manager search and other employee changes.

CONSENT CALENDAR

There were no Consent Calendar items on this agenda.

UNFINISHED BUSINESS

54-18 Amendments to Standish Town Code, Chapter 252, Streets and Sidewalks, Regarding Sidewalk Plans (Sent back to Ordinance Committee 6/5/18) [Higgins]

This ordinance remains in committee.

77-18 Extend Liquor License Authority to Acres of Wildlife Campground for an Additional 90-day Period (Postponed at the June 16 Meeting to obtain additional information from the applicant) [Pomerleau]

Chair Nesbitt explained that at the June 16 meeting the Town Council granted a 30-day extension to facility giving them time to report back progress at this meeting.

A co-owner of Acres of Wildlife, Elaine Baptista, announced that the five goals that they were given to work on have been completed. Three of the items were finished, two items -- the stage and the public restroom were removed.

Chair Nesbitt called for public comments, hearing none he called for Council comments.

Councilor Sirpis said that he didn't have the list, however he recalled that there were more than 5 items on the list.

Ms. Baptista explained that there were three groups of five on the list.

Councilor Sirpis said that he was glad that she attended this meeting to update the Council on the progress that they've accomplished. He said now that the first five items are completed what is their strategy for the remaining items on the list?

Ms. Baptista noted that they continue to meet with the Planning Board to discuss the Contract Zone for the campground.

Councilor Sirpis questioned the length of time to complete the remaining items on the list?

Ms. Baptista said they would need approximately 6-months to complete the list, so that they don't disturb their guests that are vacationing at this time. She explained that her brother is the person that is overseeing the corrections, noting that they will work very aggressively to complete the items.

Chair Nesbitt called for additional Council comments, hearing none he asked the Town Manager if the town departments report that progress is being made at this facility?

Kris Tucker said that town department's indicate that the facility is making a good faith effort to complete items on the list.

Chair Nesbitt noted that he watched the Planning Board meeting where it was announced that the DEP has become involved in the facility's program.

Ms. Baptista said that there was an informational meeting with the DEP.

Councilor Sirpis said as long as they are making a good faith effort the Town Council will support them.

Chair Nesbitt noted at the June 16 Town Council meeting the Council granted a 30-day extension on the liquor license. However, the state extended the license for 90-days, in the future, if needed, the state will grant 30-day extensions.

Kris Tucker explained that towns are given the courtesy of being able to make recommendations in situations such as this, but the state has the final determination. He continued to explain, if needed, after the 90-day period, 30-day extensions are granted.

Moved by Sirpis seconded by Pomerleau to extend the license an additional 60-days.

Ms. Baptista questioned if it will be 60-days after the 90-day period?

The mover and second amended the motion as follows:

Moved by Sirpis seconded by Pomerleau and voted to extend the license to expire at the same time as the established state extension date. (Unanimous)

Chair Nesbitt called for public comments on the order as amended, hearing none, he called for Council comments. Hearing none he called for the vote.

VOTE ON ORDER AS AMENDED: 6 Yeas

PUBLIC ITEMS

Brenda Williams of River Meadows Drive was at the meeting to discuss the Fireworks Ordinance. She noted on July 3 a neighbor set off fireworks that rained debris on her property. She said that the rockets that were set off shook her house. She explained that she was concerned for her property, she approached the neighbor asking that they stop the fireworks. She noted that the neighbor offered to clean the debris the following day. She contacted the Cumberland County Sheriff's Department who were unable to stop the fireworks since it was allowed on the holiday. She said that she was angry having this happen and not being able to do anything about it. She asked that they consider reviewing the ordinance to regulate the size of fireworks that can be used.

Chair Nesbitt thanked Ms. Williams for sharing her information with them. He recalled when the ordinance was initially adopted there was a lot of discussion from both sides of the issue.

Councilor Higgins said that she was sorry that Ms. Williams had this experience.

NEW BUSINESS

78-18 Town Council Appointments to Various Boards and Committees and Announcement of Town Council Chair Committee Appointments and Subcommittee Appointments [Nesbitt]

Chair Nesbitt called for public comments, hearing none, he called for Council comments, hearing none he called for the vote.

VOTE: 6 Yeas

79-18 Cast Ballot for Maine Municipal Association's Legislative Committee [Nesbitt]

Moved by Sirpis seconded by Higgins and voted to waive the reading of the order. (Unanimous)

Chair Nesbitt explained that Louis Stack has held this position for the Town of Standish for a number of years.

Chair Nesbitt called for public comments, hearing none, he called for Council comments, hearing none he called for the vote.

VOTE: 6 Yeas

80-18 Award Bid and Authorize Contract for the Door Widening at Station 1 [Libby]

Moved by Sirpis seconded by Pomerleau and voted to waive the reading of the order. (Unanimous)

Moved by Libby seconded by Sirpis and voted to amend the order as follows:

To Knowles Industrial at a cost not to exceed \$62,175, funding to be taken from the bond account, and (Unanimous)

Chair Nesbitt called for public comments on the amendment, hearing none, he called for Council comments, hearing none he called for the vote.

VOTE ON ORDER AS AMENDED: 6 Yeas

81-18 Award Bid and Authorize Contract for Removal of Clean Wood/Brush Waste and Wood Demolition Debris [Libby]

Moved by Sirpis seconded by Higgins and voted to waive the reading of the order. (Unanimous)

Chair Nesbitt explained that this order will award a 2-year contract for the grinding and removal of wood waste at the Transfer Station. He noted that only one bid was received, and it is not the current vendor.

Chair Nesbitt called for public comments, hearing none, he called for additional Council comments.

Councilor Delcourt questioned the number of tons that is processed annually?

Roger Mosley the Director of Public Works responded approximately 375 tons.

Councilor Sirpis asked if this was cost effective or could it be done in-house less expensively?

Mr. Mosley said that this is definitely cost effective. He explained that the testing is done on the demolition debris prior to final processing, and the testing could not be accomplished by the town.

Chair called for additional Council comments, hearing none he called for the vote.

VOTE: 6 Yeas

82-18 Road Acceptance Request Submitted by Thompson Development, Inc. for a Portion of Lindsey Drive [Nesbitt]

Moved by Sirpis seconded by Pomerleau and voted to waive the reading of the order. (Unanimous)

Chair Nesbitt said that this is the time of year that developers bring forward roads for acceptance by the town.

Roger Mosley the Director of Public Works explained that neither of these roads are ready for acceptance at this time. He continued by saying that the deeds have been reviewed by legal counsel, back-up paperwork is completed, however the developer would like to postpone the acceptance until the final two houses are completed and then put the surface on the road. He said that regarding the second road, the shoulders need to be constructed and they need to wait for the surface of the road to cure. He asked that these orders be extended to complete work that he has noted.

Chair Nesbitt called for public comments.

James Thompson the developer asked that they extend this order for 60-days for time to allow for the completion of the necessary work.

Moved by Higgins seconded by Pomerleau and voted to postpone this order until the September meeting of the Council. (Unanimous)

83-18 Road Acceptance Request Submitted by Shadow Woods, LLC for a Portion of Woodrow Drive [Nesbitt]

Moved by Sirpis seconded by Libby and voted to waive the reading of the order. (Unanimous)

Chair Nesbitt explained that this is regarding the other road and it is not ready for acceptance at this time.

Moved by Sirpis seconded by Higgins and voted to postpone this order until the September meeting of the Council. (Unanimous)

84-18 Set the Date of the Public Hearing on the Proposed Amendments to Sections 701, 703 and 706 of the Town Charter [Nesbitt]

Chair Nesbitt explained that these Charter amendments are necessary due to the recent changes in the voting procedures for the MSAD 6 Board of Directors.

Chair Nesbitt called for public comments, hearing none, he called for additional Council comments, hearing none he called for the vote.

VOTE: 6 Yeas

85-18 Tax Collector's Settlement [Nesbitt]

Chair Nesbitt noted that the balances for these years of taxes is zero, however this order officially releases the Tax Collector from further obligation regarding these taxes.

Finance Director Scott Gesauldi explained that taxes were committed to him from the former Tax Collector and all the taxes have either paid or disposed of.

Chair Nesbitt called for public comments, hearing none, he called for additional Council comments, hearing none he called for the vote.

VOTE: 6 Yeas

86-18 Amendment to Town of Standish Fee Schedule [Nesbitt]

Chair Nesbitt noted that the Fee Schedule is reviewed annually by the Finance Committee.

Chair Nesbitt called for public comments, hearing none, he called for Council comments.

Councilor Sirpis questioned why passport photos were no longer being done?

The Clerk explained that the camera was broken and it's very expensive to replace, noting that photos are available at other locations in the area.

Delcourt asked why the fee for biting dog being reduced?

Chair Nesbitt explained that in review of the Town's ordinance it was found that there was a conflict in the dollar amount.

Chair Nesbitt called for additional comments, hearing none, called for the vote.

VOTE: 6 Yeas

87-18 Waive Bid Process and Authorize Repair of Ladder Truck [Libby]

Moved by Sirpis seconded by Libby and voted to waive the reading of the order. (Unanimous)

Councilor Libby noted that this was on the Capital Improvement Committees agenda and has moved forward due a recent issue.

Chief Caron explained that there was recently catastrophic failure of the waterway that runs through the ladder. In order to fix this issue, the ladder needs to be removed, since the truck is scheduled to be refurbished it is best to make this repair at the same time. This was repair was noticed to other distributors; however, the parts are sourced through the manufacturer of the truck and other vendors can't compete with the price.

Chair Nesbitt said that this problem makes the ladder truck inoperable for its intended use and it makes sense to complete all the repairs at the same time.

Chair Nesbitt called for public comments, hearing none, he called for Council comments.

Councilor Sirpis said that public safety is paramount, and he supports this order.

Councilor Libby explained that the waterway will be repaired, the truck will be returned, and the rehab will be done on the established schedule.

Chair Nesbitt called for additional Council comments, hearing none he called for the vote

VOTE: 6 Yeas

88-18 Emergency Amendments to Standish Town Code, Chapter 263, Vehicles and Traffic. Article 1, Parking and Weight Restrictions [Higgins]

Moved by Sirpis seconded by Pomerleau and voted to waive the reading of the order. (Unanimous)

Councilor Higgins explained that she received a call from Mr. Blanck who lives off Main Street. He told her of the problems that are caused when people enjoying the river, park on Main Street, making it difficult for vehicles to pass down the road making it a public safety hazard. This proposed amendment would extend the no parking area on the easterly side of Main Street.

Moved by Higgins seconded by Pomerleau and voted to amend the order as follows:

Q. On either side of Main Street (Route 11) from Heath Lane to Veterans Memorial Bridge, and from Heath Lane towards Pequawket Trail (Route 113) on the easterly side of Main Street for 500 feet. (Unanimous)

Chair Nesbitt called for public comments.

Michael Blanck provided a history of the earlier no parking ordinance that was established for this area. He explained that now vehicles are being park outside the posted no parking area causing a public safety concern.

Chair Nesbitt called for additional public comments, hearing none, he called for Council comments.

Councilor Higgins explained that she, Mr. Mosley and Mr. Tucker inspected the site today, review of site, confirms that no parking area needs to be extended, based on the amendment to the order presented here tonight.

Chair Nesbitt called for additional Council comments, hearing none he explained that this is an emergency ordinance that becomes effective immediately, and then called for the vote.

VOTE: 6 Yeas

89-18 Amendments to Standish Town Code, Chapter 263, Vehicles and Traffic. Article 1, Parking and Weight Restrictions (Introduction) [Higgins]

Moved by Sirpis seconded by Higgins and voted to waive the reading of the order. (Unanimous)

Moved by Sirpis seconded by Higgins and voted to amend the order as follows:

Q. On either side of Main Street (Route 11) from Heath Lane to Veterans Memorial Bridge, and from Heath Lane towards Pequawket Trail (Route 113) on the easterly side of Main Street for 500 feet. (Unanimous)

Chair Nesbitt called for public comments, hearing none, he called for Council comments on the order as amended.

Councilor Higgins explained that this order will move the ordinance through the Town's legislative process.

VOTE TO MOVE ORDINANCE TO FIRST READING: 6 Yeas

90-18 Award Bid and Authorize Sale of 1987 Ford Fire Truck [Libby]

Moved by Sirpis seconded by Libby and voted to waive the reading of the order. (Unanimous)

Councilor Libby explained that this fire truck was taken out of service due to the age of the vehicle and it has been replaced. He noted that two bids were received.

Moved by Libby second by Pomerleau and voted to amend the order as follows.

ORDERED that the bid for the purchase of the 1987 Ford fire truck, VIN 1FDYD8OU6HVA57905, is hereby accepted with the bid to be awarded as follows:

TO: Scott Efron at a price of \$2,650.00. (Unanimous)

Chair Nesbitt called for public comments, hearing none, he called for Council comments.

Chair Nesbitt explained that this is a lot more money than was expected.

Chief Caron explain that when the truck was originally replaced the town held a bid to sell it and the bids received were not acceptable.

Council Delcourt asked where these funds will go?

Chair Nesbitt said into the general fund.

Chair Nesbitt called for additional Council comments, hearing none, he called for the vote.

VOTE: 6 Yeas

PUBLIC ITEMS

There were no public items.

Councilor Sirpis noted that the Personnel Committee will be reviewing the Personnel Policy.

Councilor Sirpis mentioned at the Town Meeting an issue was raised regarding a contract that had not been fulfilled, he asked for an update on that matter.

Chair Nesbitt noted that the Town Manager and Recreation Director have sent a letter to the vendor and have just received his response which will be discussed at a later time.

ANNOUNCEMENTS

Several meetings were announced.

EXECUTIVE SESSION

Moved by Nesbitt seconded Libby by and voted to move into executive session for consultation with legal counsel as provided under the provisions of M.R.S.A. 405 (6) (E). Kris Tucker, the Town Manager and Pat Dunn, a town attorney will join the Town Council in the executive session, two items will be discussed, no action take place after the executive session. (Unanimous)

ADJOURN

Moved second and voted to arise from the executive session. The Council arose from the executive session at 10:30 p.m. by unanimous consent and the meeting adjourned.

Submitted by: _____
Clerk/Secretary