

## Town Council Meeting Minutes 3/12/2013

**MINUTES  
TOWN COUNCIL MEETING  
STANDISH, MAINE  
TUESDAY, MARCH 12, 2013  
STANDISH MUNICIPAL CENTER  
7:00 P.M.**

### **CALL TO ORDER**

The meeting was called to order by Vice-chair Blanck and the Pledge of Allegiance was recited.

### **ROLL CALL**

Councilors present: Blanck, Olsen, Pomerleau, Sargent, Stack and Thompson.  
Councilor Spencer was excused.

### **MINUTES OF PREVIOUS MEETING (S)**

Councilor Thompson explained that she had called to notify the Council Chair that she would not be at the February meeting, so the minutes should reflect that she was excused not absent.

This correction was made to the minutes which were then approved by unanimous consent.

### **PETITIONS AND COMMUNICATIONS**

There were no petitions or communications at this meeting.

### **REPORT OF THE TOWN MANAGER**

Town Manager Gordon Billington spoke on the following:

The Recreation Department is offering a trip to Indian Head Resort in New Hampshire as a senior trip. On March 23 children can come to the Town Office to join the Easter Bunny for breakfast. In addition, the Recreation Department is still accepting applications for summer recreation counselor positions through March 31. He noted that the field maintenance bid process will start shortly.

The Code Office states that housing starts are up.

From the Public Works Department, the winter has been a long one, with overtime budgets reaching the limit. However, winter salt/sand stockpiles are still plentiful. The equipment has held up well with the exception of frequent replacement of cutting edges on the plows due to repeated scraping of slush off of the roads.

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MDOT just issued their 2014, 2015 and 2016 work plan. Currently they have plans to replace the Route 11 bridge at a cost of \$4.2 million. A highway safety improvement at the intersection of Route 25 and Manchester Road to construct a roundabout at a cost of \$1,235,000, also approximately \$50,000 is earmarked for sidewalks in Standish Village.

Departmental report was presented by Fire Chief, Brent Libby. He presented the departments call statistics for the period ending December 31, 2012: 1,759 total calls, Tuesdays were the busiest day, 3 p.m. to 4 p.m. was the busiest time of day, busiest month was July, the average time out of the station was 1.5 minutes with a average response time from the station to the scene was 12 minutes. Dispatch handled 21,856 encounters which includes any transaction that they have with a person. Animal Control handled 1,150 calls that required a report. He said that the department has realized an increase of 20% in EMS calls; part of this is due to the department handling EMS calls in Baldwin. Since, July they have gone to 98 calls in Baldwin.

He noted that the residents of Baldwin are pleased that the EMS subscription service will be extended to them as well. So far this year they have responded to four fires, two were from improperly discarded wood stove materials. He announced that the crews preformed impeccably due to training they receive during down times. Recently they held cold water rescue classes; classes were held at St. Joseph's College and at a location off White's Bridge Road. He said that it was unfortunate that a truck broke down during a snowstorm and it took several hours for tow truck to arrive. The electrical problem has been repaired under warranty.

He noted that in November the Maine Department of Labor provided their yearly inspection. Annually, after each of their visit the number of items of concern gets reduced. He reminded that clocks were turned back and that's a good time to check your smoke and carbon dioxide detectors. He went on to explain that the Department held their annual inspection of St. Joseph's College; this year inspection was done while the students were there rather than during a school break. He noted that it was an eye-opener for the students being educated regarding extension cord usage and other matters.

Councilor Sargent explained that there was an ad in the Shopping Guide thanking the Public Safety Department for a water rescue of a dog. He said that ties into the water rescue training that he spoke of. Councilor Sargent said that every ice-fisherman knows that if you go in the water this time of year minutes are critical. The skill that the Department has is a big plus.

Gordon Billington said that there recently was a backing-up accident involving one of the trucks, Brent found a solution to the problem by acquiring back-up cameras for the vehicles with part of the fund being provided through a grant.

Councilor Stack asked if the Fire Department has volunteers at the college.

Chief Libby said that there are three students at the college that work with the Department.

Councilor Stack asked if they were part of the inspection process.

Chief Libby said that student members of the Department did participate in the inspection.

## **PUBLIC HEARINGS**

FY 2014 Budget as received by the Town Council

Town Manager, Gordon Billington explained that the Charter requires that the manager develops a budget and presents it to the Council and Budget Committee 14-days prior to the Council meeting in March. Then at the March Council meeting a public hearing is conducted to solicit public input. Mr. Billington announced that the most recent audit noted that the town's fiscal condition is sound at of the close of last year. He noted that property values have increased slightly, but we're still below the state valuation benchmark. He explained that the assessor did review all properties in town. He said in this budget he expects the non-tax revenue to remain

down as in the past few years, the four-day work week remains in place, a 1.71% COLA will be given to employees, spending for capital improvements is restored. He provided a PowerPoint presentation that highlighted the various fund groupings in the budget. He noted that the town's budget is well within the limits set by LD1. He stated that his budget does not include the school budget requirements. He went on to say that the first review of the budget starts this Thursday, all meetings are open to the public and will be televised. He then reviewed the timeline explaining that the town meeting is scheduled in June.

A copy of the budget is available on the Town's website.

After a Public Hearing without public or Council discussion the hearing was closed.

**18-13 Application submitted by James Para dba Standish House of Pizza located at 35 Ossipee Trail West for renewal of a Malt Restaurant License [Spencer]**

Vice-chair Blanck noted that the application was in order.

After a Public Hearing without public or additional Council discussion the Council voted on the application and the hearing was closed.

VOTE: 6 Yeas

**19-13 Application submitted by Michael Baptista and Elaine Baptista Burnham dba Acres of Wildlife Camp Ground located at 60 Acres of Wildlife Road for renewal of a Malt, Spirituous and Vinous Campground License [Spencer]**

Vice-chair Blanck noted that the application was in order.

After a Public Hearing without public or additional Council discussion the Council voted on the application and the hearing was closed.

VOTE: 6 Yeas

**20-13 Application submitted by James Paquette dba Memory Lane Music Hall located at 35 Blake Road for renewal of a Pool Room License [Spencer]**

Vice-chair Blanck noted that the application was in order.

After a Public Hearing without public or additional Council discussion the Council voted on the application and the hearing was closed.

VOTE: 6 Yeas

**COMMITTEE REPORTS**

Councilor Pomerleau announced that the Public Safety Committee has started meeting to plan for this year event though it's six months away. The committee also discussed the potential roundabout on Route 25.

Councilor Sargent said that the Appointments Committee is accepting applications. He said that he received a letter from the Saco River Theater in Bar Mills. They are seeking a letter from the

Council endorsing their group to provide to corporate sponsors. He will share this information more in-depth at the workshop.

Vice-chair Blanck noted that the Ordinance Committee met to discuss Light Manufacturing Ordinance and the Fireworks Ordinance. On Tuesday March 19 the Ordinance Committee will meet with Mark Eyerman regarding the Sebago Lake Master Plan and the steps needed to get it intergraded into the code.

Councilor Tompson said that the Ad-hoc Beach Committee meets the first Thursday of each month. They are working the management plan which should be wrapped up at the April 4 meeting. They continue to work on the lease, design plans and property access regarding the beach plan.

## **CONSENT CALENDAR**

There were no consent calendar items.

## **UNFINISHED BUSINESS**

### **10-13 Amendment to Standish Town Code, add Chapter 144, Fireworks (First Reading) [Blanck]**

Moved by Olson seconded by Sargent and voted to dispense with the Clerk's reading of the ordinance. (Unanimous)

Councilor Blanck said that this will establish local restrictions regarding fireworks. The ordinance restricts the use to certain days, such as the Fourth of July, December 31<sup>st</sup> /January 1<sup>st</sup> and if a New England sports team wins a championship. If these holidays fall on a Friday or Saturday night the fireworks can be used until mid-night, other nights usage is limited until 10 p.m. Also, if the Fire Department is not issuing burn permits the use of fireworks is prohibited. He noted that the state is revising the state law. He went on to explain that the Ordinance Committee met after the February Council meeting to discuss Mr. Cutler's comments. Mr. Cutler suggested that fireworks be allowed for family celebrations. The Committee's recommendation is to leave the ordinance as written.

Dan Kasprzyk recalled the issues regarding revelers that Boston faced when the Red Sox's won. He noted that we're a vacation state visited by people from all around the country; he thought that it would be appropriate that people could celebrate any sports team win.

Jeff Cutler of Dow Road appreciated the Committee's additional review of the ordinance. He said that he wasn't surprised at the Committee's recommendation. He then suggested that the permit process was perhaps a little clumsy, he still took exception that sports team is celebrated, but family milestones are not. Maybe as a compromise fireworks for family celebrations could be limited to a half-hour on Friday and Saturday nights from 8 p.m. to 10 p.m. He also thought that the penalty for the first offence should be a written warning rather than a fine.

Vice-chair Blanck said that the Ordinance Committee compared approximately six model ordinances all of which included a monetary penalty.

Jeff Cutler said that he appreciates the Committee's efforts, but believes that we're a unique town and the ordinance should reflect our needs.

Councilor Pomerleau said that he had received calls on this, but the more he looks at this, it does limit usage to four days a year. He would suggest adding that from July 1<sup>st</sup> to September 1<sup>st</sup> on Friday and Saturday nights until 10 p.m. fireworks would be allowed.

Councilor Sargent said the Councilor Pomerleau is recognizes what is going to happen anyways.

Vice-chair Blanck said that he has no problem with that recommendation.

Moved by Pomerleau seconded Sargent by and voted July 1<sup>st</sup> to September 1<sup>st</sup> on Friday and Saturday nights until 10 p.m.

Councilor Sargent questioned the time.

An audience member suggested that the date in September be Labor Day.

Jeff Cutler said that he would support the 8 p.m. to 10 p.m. timeframe.

Councilor Stack said that he cannot support the amendment, it is his opinion that fireworks should be limited to the Fourth of July holiday. In addition, he cited his concerns with the random use of fireworks and the affect it might have on returning veterans.

Moved by Pomerleau seconded Sargent by and voted to allow fireworks from July 1<sup>st</sup> to Labor Day on Friday and Saturday nights from 8 p.m. to 10 p.m. (5 yeas – 1 Nay, Stack)

The Council then voted to move the item on to public hearing at their April meeting. (5 Yeas – 1 Nay, Stack)

Councilor Stack the called for a point of order. He questioned if the amendment that they just approved was substantive and this order tonight was actually the introduction.

The town manager said that the clerk had earlier sent him a note questioning whether this was a substantive change. It was his opinion that it was not a substantive change; however, the Council should make that determination.

Councilor Pomerleau said that it was his opinion that this should move forward as soon as possible.

Vice-chair Blanck said depending on what the legislature does this might be a moot point. He then called for a vote as to whether the amendment was a substantive change.

VOTE: 3 Yeas – 3 Nays, Olson, Stack, Thompson

Due to the tie vote the motion fails making the ordinance an introduction this evening.

Councilor Olson said that the rational behind her vote was that this action just postpones the ordinance one month, but gives the full opportunity for discussion.

This item moved to first reading at the April meeting of the Council.

Councilor Sargent noted that this tie vote shows the importance of all Councilors being present.

## **NEW BUSINESS**

### **21-13 Emergency Amendment to the Standish Town Code, Chapter 181, Land Use Ordinance, Standish Corner District [Blanck]**

Councilor Olson noted that it was clear during the Master Plan that this type of business is appropriate in the village center zone; because of the immense size of the ordinance this use was inadvertently omitted.

VOTE: 6 Yeas

### **22-13 Amendment to the Standish Town Code, Chapter 181, Land Use Ordinance, Standish Corner District (Introduction) [Blanck]**

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

Vice-chair Blanck said that this is the standard order that will become effective in 90 days if ratified.

## **VOTE TO MOVE TO FIRST READING: 6 Yeas**

### **23-13 Resolution Establishing June 27<sup>th</sup>, 28<sup>th</sup>, and 29<sup>th</sup> as the Standish Summer Spectacular Weekend [Town Council]**

Diana Allen of the Summer Spectacular Committee explained to the Council that the committee is already planning for this year's events. It will begin Thursday night June 27 with the Taste of Maine food sampling stations at the Standish Boat Launch, the Exchange Street Quartet will perform at this event. Other events include Beach Boogie, Chandlers Band, Flamin Raymin and Sizzlin Susin, fireworks, food provided by local non-profits such as sports groups, Standish Market Place, the parade and much more. In addition, this year Johnny the K will perform his music with a message at the Steep Falls Park. Also, they will hold an art contest for the students at the high school to create the art work logo to be used on T-shirts and other program materials. This year's theme is History in the Making, the Standish Historical Society will be the recipient of all donation funds raised at the festival.

Councilor Sargent noted that they should make sure that they make the proper notices at the boat launch for the event that being held there to notify boaters.

Diana Allen announced that last year they did press releases, signs, flyers and the VIPS mobile sign.

Councilor Olson said that nothing breeds success like success. She said they do an awesome job and it's great to live in a community that reaches out to all citizens – young and old. Keep up the good work.

Vice-chair Blanck mentioned that local organizations can donate to the fundraising events.

Diana Allen encouraged any residents that has historical artifacts that they'd like to be used in the festival to contact her.

VOTE: 6 Yeas

**24-13 Waive No Parking Restriction on Saco Road for Bonny Eagle Car Show [Spencer]**

VOTE: 6 Yeas

**25-13 Acceptance of Street Name Changes – Meadowbrook I and Meadowbrook II [Spencer]**

VOTE: 6 Yeas

Moved by Sargent seconded by Olson and voted to add order 26-13 Award Bid and Authorize Contract for Replacement Hot Water Heater to the agenda. (Unanimous)

WHEREAS the hot water heater at the Municipal Center has failed, and

WHEREAS the Town Manager has solicited estimates for the cost to replace the hot water heater from five vendors, now be it

Moved by Pomerleau seconded by Stack and voted to amend the order to add the name of Oil Heat Service of Baldwin, Maine in the amount of \$4,600. (Unanimous)

ORDERED the Town Manager is authorized to execute and award the purchase of a hot water heater to Oil Heat Service of Baldwin, Maine at a cost not to exceed \$ 4,600.

Dan Kasprzyk asked if any of the bidders were from Standish.

Councilor Pomerleau noted that the successful bidder is from the area.

**VOTE ON ORDER AS AMENDED: 6 Yeas**

**PUBLIC ITEMS**

Dan Kasprzyk thanked the Council for the ad for the meeting being placed in the Shopping Guide.

**ANNOUNCEMENTS**

The Clerk announced several upcoming meetings

Appointed board / committee openings were announced.

The nomination paper timeline and openings were announced.

**EXECUTIVE SESSION**

An executive session was not needed at this meeting.

**ADJOURN**

Moved by Sargent seconded by Olson and voted to adjourn. The meeting adjourned at 8:15 p.m. by unanimous consent.

**Submitted by:** \_\_\_\_\_  
**Clerk/Secretary**