

Standish Town Hall

175 Northeast Road [Rte 35], Standish, ME 04084

ph: (207) 642-3461

fx: (207) 642-5181

Town Council Meeting Minutes 4/23/2013

**MINUTES
SPECIAL TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, APRIL 23, 2013
STANDISH MUNICIPAL CENTER
7:00 P.M.**

CALL TO ORDER

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

ROLL CALL

Councilors Present: Blanck, Pomerleau, Sargent, Spencer, Stack and Thompson.
Councilor Olson was excused.

NEW BUSINESS

39-13 Authorize Consent Agreement – Theresa M. Shaw and Peter M. Shaw – Map 19 Lot 54-14 [Spencer]

Councilor Blanck noted that the agenda cited the incorrect sub lot.

Councilor Stack questioned the fee in the order.

Chair Spencer explained that was the cost for recording the agreement at the Registry of Deeds. She questioned the applicant if he purchased the house new.

Peter Shaw explained that he purchased the house a few years ago and it was about 15 years old at that time. He said that this was discovered by his realtor when they put their house on the market.

Moved by Sargent seconded by Blanck to amend the order by establishing the fine amount at \$0.00. (Unanimous)

VOTE ON ORDER AS AMENDED: 6 Yeas

40-13 Call for Annual Municipal Election, Place Referendum Question on the Ballot, Authorize Warrant and Call for Public Hearing for the June 11, 2013 Municipal Election [Spencer]

Carolyn Biegel of 141 Ossipee Trail East said that she appreciated all the work that they had done to prepare the budget. She noted that there was disappointment last year when the referendum questions didn't pass. She recalled the meeting that they held after the election to determine why the questions failed and what she remembers is that the public had not been educated as to what the projects consisted of. She said that that being the case she can understand the reluctance to present the questions separately to the voters. She said that the Charter requires items over \$75,000 in value to be voted on at a referendum. She said that it's the voters prerogative whether to support the items. It then becomes the Council's task to make sure that the public fully understands the issues.

She said that last year's videos of the Public Works Facility showed the condition of the Public Works Facility. The consensus in the room was that that project should have been funded. She said we will be on the hook for \$40,000 if the sidewalk project doesn't move forward. She said that bundling the items makes them choose all or nothing. She noted that all the people that she's spoken with are in favor of voting on the items separately. She said that she would like them to reconsider the presentation of this referendum question.

Wayne Newbegin of 129 Harmon's Beach Road said that he agreed with Carol, that the vote should be on each item

separately.

Pam Slattery-Thomas agreed that the items should be voted on separately. In addition, she questioned the decision process in bundling the items.

Chair Stack said that hadn't been decided yet.

Pam Slattery-Thomas said that's the way that it is written.

Councilor Stack said that the Council hasn't made a decision on this.

Pam Slattery-Thomas said how did you get to this point.

Chair Spencer said that this is just part of the regular process.

Pam Slattery-Thomas said that they were separate last year.

Councilor Pomerleau said for years they bundled the questions, in the past few we're separated. In the past we've bundled them because the items benefit our entire town. It is his belief that separating the questions splits the town. He thinks that the town should vote as one. He cited the recent Standish Village project where the committee met for a couple of years and the sidewalk issue failed last year. When you start breaking it down it splits the town. He agreed that the town's people need to be better educated. He said that the Town has a 10-year capital plan and each year a different part of town reaps the benefits.

Carolyn Biegel reiterated that the feed back that the Council received was that the residents wanted to better understand the referendum questions. She said that she was not opposed to the projects that they have planned, they just want an explanation. She said let the people show their support of the Council and Budget Committee's work by educating them on the items.

Pam Slattery-Thomas said that this is a democracy; by not giving people the opportunity to vote on things separately, that doesn't sound how she understands democracy to work.

Dan Kasprzyk thanked them for their efforts preparing the budget; he went on to say that he disagrees with the way the referendum is proposed. In the past year or so he has been involved in politics. He noted that people that he talks to don't know what's happening. He said he's done research and thanked Councilor Pomerleau for his efforts trying to save the town money. He agreed that things need to be voted separately. He mentioned his disappointment that the meeting wasn't advertised in the Shopping Guide. He noted that in the past several years the town has separated the referendum questions that were presented; he recited the results of the various elections. It was his opinion that it would be a great disservice to the town's people to bundle the items together. He noted if the people were well informed they may vote favorably on the issues.

Chair Spencer noted that there will be a informational public hearing on the referendum question on May 14.

Dan Kasprzyk said that he hoped that he'd see the notice for the hearing in the shopping guide.

The Clerk noted that publishing the notice in the Portland Newspapers met the legal requirements.

Gordon Billington said that the legislature mandates the public notice process which requires notices being posted in papers major newspapers with general circulation.

Dan Kasprzyk suggested that both papers are used. He said that there are more people here tonight than have been here in the last three months. He said that he had told a lot of people about the meeting and more people are here.

The Clerk noted that the Shopping Guide is a great publication that the town uses in certain circumstances; however, it doesn't always meet the needs of the town.

Dan Kasprzyk said if found that odd because it is his understand that it's delivered to each residence in Standish.

Mike Lynch of Eleanor Avenue said that the Council should have it broken down into separate items. He announced

the items that he was in favor of urged them to separate the items.

Carol Billington said that she was conflicted in this matter. She said that she doesn't follow the budget; however, it's her belief that the budget process is long with a lot of public input. She didn't think that a referendum should be passing line by line, our elected officials have reviewed it extensively. She said that we want sidewalks so people get out and walk where it is safe. She participated in all of the village studies to date. She said that it is important to growth and commerce in this town. She that $\frac{3}{4}$ of the funding will be paid through the federal government if this moves forward. She went on to say if it fails will have to pay an amount to back. She said that she dislikes contention, she noted in the years that she's served on various boards she has always been amazed at how open the town is in regards to the public. She said if someone didn't think that this is an open process then they haven't been listening. The residents at Standish Corner want sidewalks, if you put it out to vote separately people will cherry-pick not knowing the time and effort that's gone into the project. She said that it seems like it is a trust issue and the democratic process is to change the people sitting at the table. We don't try to micromanage every decision that is made. She noted that she appreciated what other speakers have said, we do have knowledgeable representatives that have studied the issues and a Budget Committee overseen the issues as well.

Ann Farrar of 15 Ossipee Trail East said that they were between a rock and a hard place because you've put the referendums separately. She questioned that the Council put money up to educate people, how much money is set aside for that.

Councilor Pomerleau said several hundred dollars; he cited the fire truck that's to be replaced had the frame repaired a number of years ago and it worn out. He said that we need to replace that truck. We have a 10-year plan, each year monies are spent.

Ann Farrar said that towns people may disagree with the Council that doesn't mean that they distrust you. She said that's what a democracy is all about, people coming together and hashing out what should be done. She went on to say that years ago the Town put in to place the PAC reporting requirements for referendums, so it was her opinion that money spent by the town could be matched by any PAC.

Councilor Pomerleau said that he didn't have a problem with opposition.

Ann Farrar said that she'd prefer that the questions are voted on separately.

Pam Slattery-Thomas questioned the wording of the referendum questions.

Gordon Billington noted that the town has to wait a year before bringing a failed question back to the voters, these matters were presented last June. The very same question can come back to the voters.

Councilor Tompson said that the residents that she has spoken with want the items voted separately.

Councilor Blanck noted that many of the items on the ballot have a useful life cycle which has come to an end. We have a 10-year plan for the roads, if voter's cherry-pick items our capital plan may fall behind.

Councilor Stack announced that he would be unable to support this order with all the items bundled. He said one of the things that they discovered last year after the vote is that the items all failed by different amounts meaning that people made up their own minds on the matters. He said that he would offer an amendment when the discussion was over.

Councilor Sargent said that the Council started the budget process in February; he cited the budget process in highlighted in a memo from the town manager. He went on to say that we have a flat funded municipal budget but it does restore capital expenditures. He said that we tried to present the items to the voters separately, and the items got defeated. Previous to that we voted the items grouped together. He said that Standish was unique it really had four areas of town. He said that initially wanted the items voted separately, but now he thought that we should vote on the items together as a town. He said that we need these capital items, the fire truck needs to be replaced, the sidewalks will be funded in part by the federal government, he noted that if there are sidewalks people will use them. He said that he'd rather see the items bundled, perhaps in smaller groups.

Councilor Pomerleau noted as Chair of the Capital Improvements Committee he endorses all of these items. He said that there's been some whispering that we were trying to shove a bypass down resident's throats. He explained that a committee worked for a number of years on the roadway plan. He said that he hears a lot, he said that he heard that people were not aware that we would be receiving federal monies for the sidewalk. He said that if we don't get

the sidewalks this year we'll never get them. He said that people like to bike and jog; the sidewalks will make the village a walking designation. He said that the public works facility needs to be improved and the bypass is needed. He said that we needed to do a better job at educating the voters; however, no one let the Council know at the last election that there was a lack of education. He said that all of these items have been studied by committees. In addition, the capital items are brought forward by the departments. He said that he'd like to see the items bundled because they have all come forward through the respective committees. He said we're trying to provide a town that people are proud to live in.

Gordon Billington noted that we are retiring a \$1,666,000 bond and replacing it with a \$1,639,000 if this passes, so it would be a debt reduction.

Councilor Pomerleau noted that the Capital Improvements Committee does take into consideration the debt that is being retired each year. He said that you can pay cash or finance items and so can the Town. He explained that Standish has the fourth lowest mil rate in Cumberland County.

Councilor Thompson said that she believes that there's confidence in the Councilors that want to bundle it, but, so many have spoken to have it broken out individually she's concerned if it's bundled the question will fail.

Moved by Stack seconded by Thompson and voted to amend Question 1 that any item with a value of \$75,000 or more is presented separately, it would include the fire truck, beach, facilities, sidewalk, Oak Hill Road, Shaw's Mill Road Bridge and pavement. There would be another general item to include the rest. 2 Yeas – 4 Nays, Blanck, Pomerleau, Sargent and Spencer Motion failed.

Councilor Sargent questioned if this could be voted on at a later time.

Gordon Billington noted that this needed to be done 45-days before the election.

Moved by Stack seconded by Thompson to break out the Cargill Lot Beach Engineering Services to be voted on separately.

Councilor Stack said that he's served on the Beach Committee the whole time that he's been on the Council and they have never received feed back from the public on the matter. He said that if he was going to spend his time on the issue he wanted to make sure that they should proceed with the beach.

Councilor Pomerleau said that it's important to Standish to have a beach on the lake. It was his opinion that the next step would be to do the engineering study to see if the project is feasible. He said that he supports the beach.

Councilor Blanck said that this is one issue being broken out that he supports.

Councilor Stack said as a member of the Committee he wants to know that he's spending his time effectively; if the items are bundled he won't know how people feel about the beach.

Councilor Thompson said that she was in favor of voting on the separately. It was her opinion that if it was bundled all the items may fail. This will give the voters the choice.

Moved by Stack seconded by Thompson and voted to break out the Cargill Lot Beach Engineering Services to be voted on separately.

VOTE ON AMENDMENT: 6 Yeas

Councilor Sargent said that he was concerned and having some second thoughts. He said that he'd hate to have everything fail because of the bypass or the sidewalks. He said that he's like to see these items voted on separately too. He said that it makes sense to vote on the beach as well.

Councilor Blanck said he thought that the sidewalks were part of the bypass.

Moved by Sargent seconded by Blanck and voted to have the sidewalk and Oak Hill bypass voted each as separate questions and the rest of the items be bundled together.

VOTE ON AMENDMENT: 6 Yeas

VOTE ON ORDER AS AMENDED: 6 Yeas

PUBLIC ITEMS

Councilor Tompson said that not only do the taxpayers that put us in this position have to faith in us we have to have faith in them.

The Clerk noted that the new warrant will have to be signed by the end of the week

Carolyn Biegel of 141 Ossipee Trail East said that it's not a concern of trust. She said now the voter's need to be educated on the items that they'll be voting on.

Dan Kasprzyk thanked them for separating the items. He suggested they could note on the ballot that it's part of a 10-year plan.

Councilor Pomerleau asked if MSAD 6 bundled their items.

Carolyn Biegel said that MSAD 6 breaks it down in eleven articles, there is a budget hearing where voters can come to speak.

Councilor Pomerleau asked if the voted on eleven different ones.

Carolyn Biegel said that at the referendum the voter's vote on the results of the budget hearing.

Councilor Pomerleau asked if we voted on eleven items.

Carolyn Biegel said that residents will vote on May 30 at the budget hearing, then again at the referendum on June 11. The budget hearing is where the voter's can change the school budget.

Councilor Pomerleau questioned by the school budget wasn't voted on separately.

Carolyn Biegel said that the state mandates the school budget process.

Lester Ordway, a school board member encouraged everyone to look at the school budget on their web site. He said that the budget is line for line and the most wide open process that he's ever seen. He said that this budget represents a 4 ¼ percent increase, if the budget didn't include the items the state put back on us it, there would be no increase. He noted that there were a number of years where they held back on items and that can't be done forever. He said that the state has put an awful burden on us.

Councilor Sargent questioned if the state aid was out of the budget.

Lester Ordway said that teacher retirements and curtailments are not added into the state subsidies.

Councilor Stack questioned if the 4 ¼ percent increase took into consideration town valuations.

Lester Ordway said that it did, Standish faired well.

Mike Lynch said the we have a communication problem, he thought that everyone reads the shopping guide and encouraged the town to advertise there.

Councilor Sargent said that he'd like to see the room filled with residents.

ANNOUNCEMENTS

There were no announcements at this meeting.

EXECUTIVE SESSION

An executive session was not needed at this meeting.

ADJOURN

Moved by Stack seconded by Sargent and voted to adjourn. The meeting adjourned at 8:27 p.m. by unanimous consent.

Submitted by: _____

Clerk/Secretary

PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS