

## Town Council Meeting Minutes 8/13/2013

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**MINUTES  
TOWN COUNCIL MEETING  
STANDISH, MAINE  
TUESDAY, AUGUST 13, 2013  
STANDISH MUNICIPAL CENTER  
7:00 P.M.**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilors present: Blanck, Olson, Pomerleau, Sargent, Spencer, Stack and Tompson.

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

It was noted that there were three minor corrections that needed to be made on the July 9 meeting minutes. The minutes were then approved unanimously taking the following changes into consideration:

Pg 5. .... vary from year to year and that the Charter requires a bid process ...

Pg 6. ....we talked to the low bidder and who is honoring the number ...

Pg 7. .... Legislature is ~~tuning~~ turning back to the schools that ....

### **PETITIONS AND COMMUNICATIONS**

Councilor Stack noted that he received a communication from a woman that was considering moving a business into town; it would require an ordinance change to allow the business to operate in town. This request is being reviewed by the Ordinance Committee next week.

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

Gordon Billington spoke on the following:

Job Road has been reconstructed, a base coat of paving has been put down, and the final coat will be put on in the spring. In addition, Chicopee Road has been rebuilt, a low section was raised, base paving was done, and the top coat of paving will be done in the spring. Emery Road will be repaved; also, paving is being done in some subdivisions off White's Bridge Road.

He noted that the Sebago Lake Chamber of Commerce of which we are a member, has facilitated a meeting between local business leaders in Standish to create what is being called the Standish Economic Advisory Group. The group has met and decided to develop the following mission statement:

#### **Mission Statement:**

The Standish Economic Development Advisory Group will work to incite local businesses and foster the creation of a town center for commercial/community activity. Our efforts will focus on enhancing existing business conditions and attracting new and complementary businesses to the area to maintain the existing charm and character of Standish.

#### **Committee Goals:**

To develop municipal initiatives that support existing and future businesses in collaboration with the Economic Development Committee

To develop community education initiatives to increase awareness and support of the municipal downtown/comp plan.

To maintain and leverage the community's inherent character

To strengthen existing business relationships and collaboration

To attract new business that is compatible with the community, meets the needs of residents, and captures lost community revenues

Their meetings are open to the public, interested parties should attend the monthly meetings at here at the Municipal Center.

Mr. Billington announced that he received an email from a representative of Standish Community Forum in the United Kingdom

about the possibility of undertaking a town twinning arrangement. Mr. Billington said that he was uncertain of what the twinning arrangement would entail, however other communities in the area have partner cities or sister cities. He noted that he looks forward to fostering this new relationship.

## **PUBLIC HEARINGS**

There were no public hearings at this meeting.

## **COMMITTEE REPORTS**

**Capital Improvements** – Councilor Pomerleau noted that CIP met to review the crack sealing bids. He went on to say that the Public Works Department has done a great job on the recent road work.

**Appointments Committee** – Councilor Sargent said that the Appointments Committee met to interview an applicant this evening. There is an order on the agenda this evening confirming the appointment to the Public Safety Committee.

**Finance Committee** – Councilor Spencer explained that the Finance Committee met yesterday for the first time in this fiscal year.

**Ad-hoc Beach Committee** – Councilor Thompson reported that they are waiting for the bids to come in for the engineering study.

Gordon Billington explained that the bid opening will be held here at the Municipal Center on August 22.

**Public Safety Committee** – Councilor Pomerleau noted that the committee is ramping up for their annual fair on October 12.

Gordon Billington said that today he received a call from Avesta Housing letting him know that the newly built homes are fully occupied with a waiting list of 80 people. A dedication event will be held on September 27 from noon until two.

**Ordinance Committee** – Councilor Stack explained that the committee continues to review the Master Plan for Sebago Lake Village. They also intend to discuss a constituent matter regarding bringing a business to town.

Gordon Billington noted that the idea of the Town of Standish developing a Facebook page was discussed at a recent workshop. Additional workshop discussions regarding this will take place later this month.

Chair Blanck said that initially it will start as outgoing information only.

Councilor Spencer said that last week Diana Allen did a very good article for the town in the Lakes Region Weekly.

Councilor Blanck explained that Diana was writing a bi-weekly article. Her most recent article focused on the Steep Falls area. News items, fundraising and other items can be sent to Diana Mains Allen at [allenmains@roadrunner.com](mailto:allenmains@roadrunner.com).

Councilor Pomerleau noted that the Windham Independent Newspaper is now being delivered to each residence in Standish. He suggested that we look into using this publication for advertizing.

## **CONSENT CALENDAR**

There were no consent calendar items.

## **UNFINISHED BUSINESS**

**60-13 Execute Revocable License Agreement Regarding Access across Town Owned Property on Oak Hill Road (Referred to Planning Board 6/4/13) [Spencer]**

Councilor Spencer explained that the Planning Board did a site walk of this property and discussed the matter in workshop.

Paul Thompson said that this is a request to cross town property; he owns an adjacent lot on which houses a building which he would like to develop. He noted that this business would bring jobs to town.

Councilor Spencer said that it's been a long process.

Councilor Stack called for a point of order, he questioned it this needed to be taken off the table.

Chair Blanck said it had been referred to the Planning Board and they've completed their review and approved the plan. He went on to say that if the Town puts in the by-pass he would have the curb cut.

Paul Thompson noted that he hoped that the people in Standish realize how important the by-pass is, especially due to the increase in traffic that will be caused due to the Avesta Housing units.

Councilor Pomerleau asked if other abutters asked to use this property?

Councilor Stack said that they would first have to go before the Planning Board.

**VOTE: 7 Yeas**

Mr. Thompson signed the agreement and then thanked the Councilor for executing the agreement.

**66-13 Amendment to the Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Tables for the Maximum Levels of Assistance as Provided by the Maine Municipal Association (First Reading) [Blanck]**

Chair Blanck explained that this is a yearly event to adopt the updated figures provided by the state.

Moved seconded and voted to move this item to Public Hearing at the September meeting of the Council.

**VOTE: 7 Yeas**

**67-13 Amendment to Standish Town Code, Chapter 115, Cable Television, Franchising § 115-3, CATV System Franchise (First Reading) [Blanck]**

Chair Blanck said that this amendment will bring Standish in conformance with the other towns involved in the CATV agreement.

Moved seconded and voted to move this item to Public Hearing at the September meeting of the Council.

**VOTE: 7 Yeas**

**NEW BUSINESS**

**75-13 Award Bid and Authorize Contract for Road Crack Sealing [Pomerleau]**

Councilor Pomerleau explained that three bids were received. He noted that \$20,000 was budgeted for this work; D & D Sealcoat is the lowest price per gallon, which will be the best buy for our money.

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

ORDERED that the attached bid from D & D Sealcoating at a cost of \$ 12.18 per gallon at a cost not to exceed \$ 20,000 for road crack sealing as described in the bid specs, is hereby accepted, and (Unanimous)

Chair Blanck said that D & D Sealcoating has done work for us in the past and we have been very satisfied with their work.

Councilor Stack asked when will this work be done.

Councilor Pomerleau explained that it needed to be done while it's warm, so he expected that it would be done soon.

**VOTE ON ORDER AS AMENDED: 7 Yeas**

**76-13 Cast Ballot for Maine Municipal Association's Annual Election for Vice President and Executive Committee members [Blanck]**

Chair Blanck read the names of and where the candidates come from to the audience.

Councilor Stack said that he didn't know any of the candidates but they were a good cross-section of towns.

**77-13 Town Council Chair Appointment to Public Safety Committee [Sargent]**

Councilor Sargent said that Jennifer Dunfee was interviewed by the Appointments Committee this afternoon. She currently serves on the Recreation Committee. The Committee was unanimous in bringing her name forward.

Chair Blanck said that Jennifer has been helping us with Facebook page discussions. He noted that she works for the Jetport in their public safety department, so she is very qualified.

Moved by Sargent seconded by Pomerleau and voted to add the name of Jennifer Dunfee to the order. (Unanimous)

**VOTE ON ORDER AS AMENDED: 7 Yeas**

**78-13 Approve Warrant for Special Town Meeting [Blanck]**

Gordon Billington explained that the drivers that are causing the need for this Special Meeting is the reduction in our state revenue sharing and the savings that we'll receive due to savings in fuel costs. He pointed out that based on these changes the projected mil rate will be \$11.74, up .14¢ from last year. He noted that the final mil rate may be different based on the Assessor's tax commitment. He noted that the Assessor is considering lowering assessments for properties on Watchic Lake and he recommends decreasing all land value in town by 1%.

Councilor Pomerleau wanted to let the public know that when we purchase fuel we don't pay any taxes, so the amount is lower than is available to the public.

Gordon Billington said that our fuels are bid through Greater Portland Council of Governments, who bids a block for all municipalities so we get a good rate.

**VOTE: 7 Yeas**

**79-13 Town of Standish Orders of Town Council Authorizing Issue of up to \$ 1,030,546 Principal Amount of Bonds and Notes in Anticipation of Such Bonds [Spencer]**

Moved by Pomerleau seconded by Tompson and voted to dispense with the Clerk's reading of the order. (Unanimous)

Finance Director, Scott Gesualdi, explained that at referendum the town voted to bond for capital items. This is a formality for the Maine Bond Bank for authorization of the bonds.

Councilor Stack said that there are items in the bond that won't be purchased until the bond has been floated, so that money won't be borrowed until it's needed.

Scott Gesualdi concurred that that we would only borrow the amount that we'll be needing.

**VOTE: 7 Yeas**

**80-13 Town of Standish Town Council Orders Authorizing Tax Anticipation Borrowing [Spencer]**

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

Finance Director, Scott Gesualdi, explained that we've come to a point where our funds are getting low. He noted that for the past few years we have had to obtain a TAN in the fall and in the spring when our funds are low. He said that in the fall we have county taxes and school payments that are due.

**VOTE: 7 Yeas**

**81-13 Authorize Acceptance of Payment and Issue of Quit Claim Deed of Tax Acquired Property [Spencer]**

Moved by Spencer seconded by Blanck and voted to move into Executive Session for the discussion of a real estate matter as provided under 1 M.R.S.A. §405 (6) (D), in addition the Town Manager and Finance Director will attend the Executive Session. (Unanimous)

Moved by Tompson seconded by Olson and voted to arise from the Executive Session. The Council arose from the Executive Session at 7:50 p.m. by unanimous consent.

Moved by Spencer second by Tompson and voted to amend the order as follows:

WHEREAS, the former owner, Robert F. Hanson Jr., ~~will pay~~ has paid the amount of \$24,917.04 ~~plus sign and pay promissory note of \$2,246.00 for legal and other administrative fees, and now be it~~

~~WHEREAS the Finance Director has received \$24,917.04 and will receive \$2,246.00 by 11/1/13, now be it~~

ORDERED that the Standish Town Council authorizes the sale of this tax acquired property to the above mentioned bidder, and

FURTHER ORDERED that the Finance Director is authorized to issue a municipal quit claim deed upon payment of ~~\$27,163.04~~ \$24,917.04 in full. (Unanimous)

**VOTE ON ORDER AD AMENDED: 7 Yeas**

**82-13 Authorize Acceptance of Payment and Issue of Quit Claim Deed of Tax Acquired Property [Spencer]**

Chair Blanck said this property went out to bid and no bids were received.

Moved by Spencer seconded by Olson and voted to withdraw this order. (Unanimous)

**PUBLIC ITEMS**

Daniel Kasprzyk, MSAD 6 School Board Director explained at the July Council meeting he was asked by Councilor Stack to look into the matter of a windfall of state funding relating to teachers pensions that the District received. He then read Councilor Stack's email and MSAD 6 Business Managers, Bill Brockman's response. A copy of the email is filed with these minutes. He noted if they have more questions about this the MSAD 6 Finance Committee meeting is next Thursday at Central Office at 2 p.m. they should attend the meeting.

Read Copy of Stack/Brockman Email

Councilor Blanck said that if the District does receive the funds, under law they cannot spend them in this fiscal year.

Dan Kasprzyk said that he could not confirm that, however, he knew that the District had their budget which they will adhere to.

Councilor Stack said that there is a difference in the words that are used, School Board spending and sending it back to the towns are the same thing. He said that you're saying the School Board doesn't want to spend any more money but they don't want to give it back to the towns. He said that the legislature's intent of that subsequent legislation was meant to pay for the pensions. He agreed that there is nothing in the law that says what it's to be used for, but that was their intent; they did it to cover the pensions that were laying on the districts. He said that in our budget we're paying \$18,000 a month to cover our portion of the teacher's retirement. That comes to about \$200,000 a year. So, every month we're paying \$18,000 and the state is paying the money to the District too, so the District is being paid twice for the teacher's retirement. He said that the response from Mr. Brockman is denying that this money is intended to cover the pensions. He also questioned the statement that was made that they might not even receive the money. He said that it was his opinion that the School Board saying that they don't want to spend any more money is just that they don't want to give the money back to the towns.

Councilor Pomerleau echoed Councilors Stack's comments regarding double-dipping by keeping the state funding earmarked for teacher's pensions. He also voiced his concerns that nothing was done by the School Board on this matter until Councilor Stack wrote his email.

Gordon Billington said that he has received correspondence from other towns indicating that they were concerned with the District receiving these funds and assessing the municipalities as well. He pointed out that the School Board has not discussed this to date; the only dialogue has been from the administration. It is his opinion that this matter is of such significance that it should be discussed at the School Board level.

Dan Kasprzyk said that he was there tonight to listen and take back information. He said as a citizen of the town, he doesn't like to spend money. He said that he was concerned about the schools budget and that was why he ran for the office. He spoke highly of the School Boards Finance Committees work on this past budget cycle.

Councilor Pomerleau suggested that perhaps the Superintendent should come to discuss this matter with the town.

Dan Kasprzyk said that the District held a Finance /Budget Committee meeting and the only town that wasn't in attendance was Standish.

Chair Blanck questioned if the money coming from the state was allocated after the referendum, how could we have know about it, if it was after the budget process.

Dan Kasprzyk said that he heard about it on the news. He knew that this had not been talked about at the School Board level.

Finance Director, Scott Gesualdi, said that he is not a resident of the District; however, we are also losing a couple hundred-thousand-dollars in revenue sharing. The two items together is a very substantial loss.

Councilor Blanck said that no one is questioning the schools budget process; the Board did a diligent job keeping the budget down. He said all of a sudden this money comes back and he was sure that the taxpayers would want the funds sent back to the towns to reduce the tax rate.

Dan Kasprzyk urged the Councilors to attend the upcoming School Board meetings. He said that the Councilor's hold a lot of weight and the School Board would listen. He mentioned that he was pleased to try to help in this matter and he knows that Councilor Stack is not happy with the response.

Councilor Pomerleau asked Dan Kasprzyk if he was happy with the response.

Dan Kasprzyk said that as School Board member his opinion stops at the board meetings and he can't go any further. He said that he was pleased that he got a response from Mr. Brockman.

Councilor Sargent reiterated the August 15<sup>th</sup> and 19<sup>th</sup> School Board meetings for people's information.

Chair Blanck asked Councilor Stack if he could attend the meetings.

Councilor Stack said that he'd think about it.

Chair Blanck said that we have to be on record regarding our opinion on this matter.

Councilor Pomerleau said he didn't think that that the Councilor held much weight with the School Board.

Dan Kasprzyk said that he would forward the School Board Meetings to the town so that you're aware of their meetings.

Councilor Spencer asked if they have to take a vote to spend these monies.

Chair Blanck said it was his understanding they cant use the money this year.

Dan Kasprzyk said that the District has an approved budget that they have to work within.

Gordon Billington thanked him for coming to the meeting tonight. He said that he was still concerned that the Board hasn't addressed this yet.

Rob Hanson thanked the Council for their vote tonight; he also thanked Scott Gesualdi for his efforts in this matter.

#### **ANNOUNCEMENTS**

Several up coming meetings were announced.

#### **EXECUTIVE SESSION**

An additional Executive Session was not needed at this meeting.

#### **ADJOURN**

Moved by Spencer seconded by Tompson and voted to adjourn. The meeting adjourned at 8:26 p.m. by unanimous consent.

Submitted by: \_\_\_\_\_s/Mary Chapman  
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**