

# Standish Town Hall

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## Town Council Meeting Minutes 3/11/2014

**DRAFT- MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE TOWN COUNCIL - DRAFT**  
**MINUTES**  
**TOWN COUNCIL MEETING**  
**STANDISH, MAINE**  
**TUESDAY, MARCH 11, 2014**  
**STANDISH MUNICIPAL CENTER**  
**7:00 PM**

### CALL TO ORDER

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

### ROLL CALL

Councilors present: Blanck, Olson, Sargent, Stack and Thompson.

Councilors excused: Pomerleau and Spencer.

### MINUTES OF PREVIOUS MEETING (S)

It was noted that on page 5 of January 28 meeting minutes the vote to reconsider should be as follows: ~~7-5~~ Yeas; also the roll call needed to reflect that Councilor Olson was present. In regards to the February 11 meeting on page 7 the following items needed to be corrected: In regard to a TIF District a million dollar would translate to 12.08 in the tax rate, ~~\$1,280~~ \$12,080 is the amount would go into the TIF fund; At this point we'd reduce the mil rate by .01 ¢, but we'd had an additional increase to SAD 6 of \$8,120, an ~~increase~~ decrease for revenue sharing of \$848, and increase of \$592 for county taxes; on page 13, Councilor Sargent noted that residents need to be ~~award~~ aware the Portland Water District has added a number of new trails to the area from the ball field to Route 237; and He noted that Public Works Department has done ~~and~~ an exemplary job keeping the roads cleared this year. Moved seconded and voted to accept the January 28 and February 11 minutes taking these correction into consideration. (Unanimous)

### PETITIONS AND COMMUNICATIONS

There were no petitions or communications at this meeting.

### REPORT OF THE TOWN MANAGER

Gordon Billington spoke on the following items:

From Public Works – our road department has enough road materials (salt and sand) to last the winter season unless there is snowfall into April.

Many may have noticed that the Eel Weir Canal is almost dry. A culvert that was installed around 1902 failed, SAPPI attempted to clear the culvert however damage was done to the cement cover which required them to completely drain the canal to make the repairs.

Councilor Stack questioned if damage had been done to the Middle Jam Road.

Gordon Billington said that water went over the road but no damage was done.

From the Fire Department – Engine 21 has had a failure in the cooling system, due to the design of the engine, when it is idled for extended periods additional water is brought from the pump to help with cooling, the manifold in this area has failed. E1 the company where it was purchased has agreed to have the Engine 21 shipped back to them at their expense and do the necessary repairs. In addition, the new Engine 4 that will be housed at the North Gorham Station will arrive in May. Last month it was reported that the breathing air compressor had failed, an order is on the agenda this evening to replace that equipment, and this expenditure is not in the budget.

From the Planning Board – the board approved the site plan for the Family Dollar Store to be built in town on Route 25. He noted that there was a lively discussion regarding the architectural design, in the end the Planning Board voted to support the form-based-code requirements.

He said that he received notice that the Cumberland County grant that we submitted for sidewalks in Steep Falls Village was partially approved. He explained that we had requested funding of approximately \$317,000 and ultimately they approved \$210,000 to assist us. We may have to review our plan based on the available funds. He thanked Travis Pryor of Wright-Pierce who assisted in the grant writing process.

From the Recreation Department – The Annual Breakfast with the Easter Bunny event will be held on April 12. He noted the Recreation is still accepting applications for summer employment. The middle school dance that was cancelled due to a conflict with scheduling of the school building has been re-scheduled to March 21.

Gordon Billington complimented Scott Gesualdi for the IT support that he provides as well as his finance duties.

Chair Blanck questioned if our contract with MDOT had specific requirements for the sidewalk.

Gordon Billington said that it says that they won't build a sidewalk across the bridge unless we build a sanctuary sidewalk, but it doesn't have specific requirements.

## **PUBLIC HEARINGS**

### **20-14 Application Submitted by James Para dba Standish House of Pizza located at 35 Ossipee Trail West for Renewal of a Malt Restaurant License [Blanck]**

Chair Blanck said that the application was in order.

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

## **VOTE: 5 Yeas**

### **21-14 Application Submitted by Michael Baptista and Elaine Baptista Burnham dba Acres of Wildlife Campground located at 60 Acres of Wildlife Road for Renewal of a Malt, Spirituous and Vinous Restaurant License [Blanck]**

Chair Blanck said that the application was in order.

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

## **VOTE: 5 Yeas**

### **22-14 Application Submitted by James Paquette dba Memory Lane Music Hall located at 35 Blake Road for renewal of a Pool Room License [Blanck]**

Chair Blanck said that the application was in order.

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

## **VOTE: 5 Yeas**

## **FY 2015 Budget as received by the Town Council**

Gordon Billington explained that each year the manager prepares a budget for the Council to review and then it is forwarded to the Budget Committee. He said that tonight's public hearing is to solicit public input, the budget has been published for two weeks and is available on our website. He noted that the most recent audit shows that the town is fiscally sound as of the closing of last year's books. The assessor's records show that there has been a decrease in property valuations and we're still below the state 100% valuation rate. In the FY15 budget, he is

proposing revenues to be similar to last year, continue a four-day work week, 2.5% COLA for employees, capital expenditures to follow replacement schedules. He showed a chart that compared expenditures in FY 13 and FY 14 and the FY 15 projected spending. The budget for next year is projected to be \$7,771,808 which 4.65 below the FY 14 budget. He said that the projected mil rate is \$12.27/thousand and may change based on increase from the school. He then presented a calendar showing the proposed council budget hearings on March 15, March 17 and March 22, these meetings will be televised. The budget will be forwarded to the elected Budget Committee who will have 14-days to act on the budget. Final adoption of the budget will be at the Annual Town Meeting in June. Councilor Stack said that he'd appreciate having a meeting at night to finalize the budget since he can't attend the final Saturday meeting.

Chair Blanck said that we'll wait to see how far we get this Saturday.

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

## **COMMITTEE REPORTS**

Councilor Sargent – The Appointments Committee needs to appoint our representative to GPCOG. Soon we'll be appointing individuals to openings on our boards and committees. Interested parties can contact Mary Chapman for more information.

Councilor Sargent – Finance Committee met yesterday, revenues are coming in better than expected. He said that we are heading into the budget process in good shape.

Councilor Olson – Tomorrow morning the Standish Economic Development Advisory groups meets at 8 a.m. here at the Town Office. Last week they hosted a Standish Business Break that was held at Maine Street Grill, a 50/50 raffle was held and half of the proceeds went to Catherine's Cupboard.

Councilor Olson – The Steep Falls Master Plan Committee continues its work, their next meeting will be held on March 20. She noted that she will be attending the GPCOG meeting tomorrow.

Councilor Stack – The Route 113 Corridor Committee will meet here on March 19 at 6:30 p.m. to discuss news on the corridor.

Councilor Stack – The Ordinance Committee will meet next Tuesday at 7 p.m. to discuss pending changes to the Sebago Lake Ordinance.

Councilor Thompson – The Beach Committee met last Thursday and worked on the draft of the management plan. Several residents from the Route 114/Harmon's Beach area attended the meeting. At the end of the meeting they went over questions and concerns that the residents had about the process. The next meeting will be held the first Thursday in April at 7 p.m.

## **CONSENT CALENDAR**

There were no items on the Consent Calendar.

## **UNFINISHED BUSINESS**

**99-13 Order of the Discontinuance of a Road – A Portion of Emery Road (Postponed at the 11/12/13 meeting for six months) [Blanck]**

This item will remain tabled.

**11-14 Amendment to Standish Town Code, Chapter 181, Land Use; Multiple Sections Regarding Manufacturing (First Reading) [Stack]**

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

Councilor Stack explained that this came forward because of the need of light manufacturing in town. A conforming lot is needed to operate light manufacturing business, the lot cannot be in a cluster subdivision, a conservation subdivision or in shoreland zone. Businesses will be limited to 2,000 sf of gross area, the operation has to be completely inside the structure, and outside storage is not allowed.

Lester Ordway of Richville Road said that he was concerned that medical clinics were allowed and maybe that needs to be spelled-out what kind of medical clinics would be allowed.

Gordon Billington clarified that his question is related to the next ordinance.

Moved seconded and voted to move this item to Public Hearing at the April meeting of the Council. (Unanimous)

**12-14 Amendment to Standish Town Code, Chapter 181, Land Use; § 181-17 Signs, and § 181-10 Industrial Districts, (First Reading) [Stack]**

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

Councilor Stack said that they found that the ordinance was lacking signage provisions; and it will allow medical clinics, restaurants without drive-throughs and colleges in the industrial zone. This was done to accommodate flexibility at the Sensata Plant.

Lester Ordway of Richville Road said that he was concerned that a medical clinic could be a dispensary operation, he said that he was not sure that we would want that in an industrial zone.

Councilor Stack said that would be a substantial change to the ordinance and bring us back to square one. He said that we can look at that matter at a later date.

Councilor Olson said what was intended in this instance was doctor's offices. She said that it was her opinion that a marijuana dispensary would have a very public Planning Board review. She said that it can be better defined in the future.

Moved seconded and voted to move this item to Public Hearing at the April meeting of the Council. (Unanimous)

**14-14 Amendment to Standish Town Code, Chapter 181, Land Use; Article III, District Regulations; § 181-7.1 Standish Corner District (First Reading) [Stack]**

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

Councilor Stack said this change provides the pioneer lot or first lot in a commercial subdivision is no longer required to construct a road fully by the developer. With this change it reduces the requirement and allows the developer to build the road halfway to provide access to the back of the development. When the second business is approved the road will have to be built to access all properties in the development.

Moved seconded and voted to move this item to Public Hearing at the April meeting of the Council. (Unanimous)

**NEW BUSINESS**

**23-14 Award Bid and Authorize Contract for Breathing Air Compressor [Pomerleau]**

Moved by Stack seconded by Sargent and voted to earmark funding for this from the town council contingency account at the end of the fiscal year if it's not used otherwise. (Unanimous)

**VOTE ON ORDER AS AMENDED: 5 Yeas**

**24-14 Authorize Maine Department of Transportation to Exceed Weight Limits on Certain Roads during Construction Project on Limington Bridge [Blanck]**

**VOTE: 5 Yeas**

**25-14 Utility Location Permit – Central Maine Power Company – River Road [Blanck]**

**VOTE: 5 Yeas**

**26-14 Amendment to a Money Purchase Plan [IRS Code Section 457] to Permit Loans [Blanck]**

Chair Blanck explained that the town has two retirement plans for its employees, 401(a) and 457 plans. This resolution allows holders of the 457 plan to take a loan from the plan as is allowed under the 401(a) plan.

**VOTE: 5 Yeas**

**27-14 Authorize Sale of Tax Acquired Property to Previous Owner(s) and Authorize Finance Director to Issue Quit Claim Deeds on Previously Tax Acquired Properties [Spencer]**

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

Finance Director explained that the paperwork is in order.

**VOTE: 5 Yeas**

**28-14 Rename Merrill Isle [Blanck]**

Gordon Billington said that this had previously been named Squaw Island, we were directed by the state to rename based on being politically correct. The owner of the property was contacted and somehow the name Miller got changed to Merrill this order, is to correct the naming.

**VOTE: 5 Yeas**

Chair Blanck explained at this time we have a few items that need to be added to the agenda.

Moved by Sargent seconded by Olson and voted to add order 29-14 to the agenda. (Unanimous)

**29-14 Authorize Sale of Tax Acquired property [Spencer]**

Gordon Billington explained that the town has owned this property for one year. He went on to say that this the Steep Falls Market building is currently closed.

Finance Director, Scott Gesualdi explained that this will allow him to start the bid process that is set forth in the policy. The former owner will have 30-days to pay all taxes, interest, fees and unassessed taxes. If that doesn't happen within 45-days a public sale will take place by sealed bid.

Gordon Billington said that the Finance Committee is recommending a minimum bid of \$100,000, with a 10% refundable deposit to be submitted at the time of the bid. He said that they will evaluate the proposals not only for the bid amount but including potential for job creation and façade improvements.

Chair Blanck said that there has been interest in remodeling and reopening it as a marketplace.

**VOTE: 5 Yeas**

Moved by Sargent seconded by Stack and voted to add order 30-14 to the agenda. (Unanimous)

**30-14 Naming the Cargill Lot Beach and Ice Fishing Facility [Blanck]**

Gordon Billington explained that the access route for the facility will cross the land of John Rich, Jr. whose family founded Richville. The Town wishes to purchase a portion of Mr. Rich's property in return for the rights to name the beach in honor of his family's contributions to the region plus monetary compensation.

Councilor Stack wanted to commend the town manager for coming up with this solution.

**VOTE: 5 Yeas**

Chair Blanck said that there is one other order that needs to be added - to appoint Councilor Olson to the CDBG Municipal Oversight Committee

Moved by Sargent seconded by Stack and voted to add order 31-14 to the agenda. (Unanimous)

### **31-14 Town Council Appointment to CDBG Municipal Oversight Committee [Sargent]**

Ordered that Lynn Olson is appointed to serve on the CDBG Municipal Oversight Committee through June 30, 2014.

**VOTE: 5 Yeas**

#### **PUBLIC ITEMS**

Councilor Sargent asked Chief Libby to update the public regarding recent accidents in the area.

Chief Libby explained that Route 35 was closed twice recently due to events. Once on Wednesday for a fatal car accident where at least one of the occupants was not wearing a seatbelt. He said that brings to light if you have safety equipment available, please use it, in many cases it makes a difference. On Friday, Chadbourne Road was closed due to a structure fire. Unfortunately the home was lost. The fire was the result of an improperly disposed of cigarette. He said if you do smoke make sure that the cigarette is out before you walk away. He went on to say that time has changed and we're in daylight savings time which is a good time to change the batteries in your smoke detectors. He noted that the department responded to a fatal fire in Limington, where the home owner had removed the batteries because they were chirping.

Councilor Stack announced that he would not be seeking re-election to the Council.

Chair Blanck said he was sorry to hear that.

Gordon Billington said that he'll be missed.

Councilor Olson said that Councilor Stack has a mind like a steel trap and his years of service, this will be a loss to the town.

Chair Blanck said who will watch all the money.

Gordon Billington said that he can watch it from the other side of the table.

Gordon Billington explained that nomination papers are available beginning on March 17 and that the town will follow the state law provisions regarding that write-in candidates have to declare their write-in status by the filing deadline for nomination papers.

#### **ANNOUNCEMENTS**

Several upcoming meeting were announced.

Gordon Billington announced that there will be a joint Council/SAD 6 meeting on April 5 to discuss school/town matters.

Chair Blanck noted that an online survey regarding the Steep Falls Village Plan is available the Town's website.

Councilor Sargent said that the SAD6 Budget Advisory Committee cancelled their March 8 meeting because they had not received the numbers from the state. He said that the school has two sources of income – taxes from the member towns and state funds. He said that since the state hasn't given them the numbers it's hard for them to put their budget together.

Lester Ordway said that he heard earlier that the school received preliminary numbers from the state.

#### **EXECUTIVE SESSION**

An executive session was not needed at this meeting.

#### **ADJOURN**

Moved by Sargent seconded by Stack and voted to adjourn. The meeting adjourned at 8:06 p.m. by unanimous consent.

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

