

Town Council Meeting Minutes 9/24/2014

DRAFT--MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE TOWN COUNCIL--DRAFT

**MINUTES
SPECIAL TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, SEPTEMBER 23, 2014
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

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

ROLL CALL

Councilors present: Blanck, Nesbitt, Newbegin, Olson and Sargent.

Excused: Pomerleau and Spencer.

PUBLIC HEARINGS

109-14 Call for Special Town Meeting Referendum Election on November 4, 2014, Place Referendum Question on the Ballot – Charter Amendment – Term Limits for Town Council [Sargent]

Chair Sargent explained that this is a housekeeping matter, because this was a citizen's initiative that needs to move to referendum.

Carol Billington of Chadbourne Road said that she has been following this issue from the beginning. She said that she had questions and meant no disrespect to anyone. She said that of the 488 municipalities in the state of Maine, only nine have any form of term limits. She said although all have different term limit regulations the majority of the towns have a three term limit with varying time limit between terms. She said that this was an unusual thing and not main stream Maine government. She said that this Charter change was the first of Standish in a number of years and she was surprised that legal counsel deemed it an amendment and not a revision. To her recollection the most recent change was to allow Planning Board members to be selected from out of area, if no candidate came forward for the area seat. She was concerned that if this is voted in, five sitting Councilors will be gone in the next two years. She questioned who wrote the question and do the citizens know where it came from? Who decided the mechanics of the term limits, which are strict in her opinion. She questioned the goal of this amendment and where has it been vetted. She said obviously there is not a big forum because there is not an audience here tonight. She said that this will have an impact on the town and there is no one here to argue for or against it. She said that it makes her wonder if there is a hidden agenda and fears that when the vote occurs it won't be made by informed citizens that understand the consequences of this vote. She said that she believes that the Watchdog is the author of this initiative, she said that she thinks that this groups works in the shadows seeing that the names of the petitioners committee has just recently been announced. She cited that the group has said that they have obtained legal advice, however, have not released the name of their attorney or what the opinion was about. She said that we don't know if there was consistency with the circulator's explanation when acquiring signatures. She said that the Watchdog Group is headed by Daniel Kasprzyk who is here tonight, she said that she doesn't know who he is or what he stands for, and he said he wants transparency of government, then, she doesn't understand why the group is working in such a clandestine manner. She touched upon a recent newspaper article in which a Councilor suggested that the term limits amendment was to remove him from office. She questioned why would that would be the case, to get rid of one councilor. She said that Councilors are our friends and our neighbors who are volunteer's, why is this suddenly not good in Standish. She said that all boards in Standish are run by lay people, on the job training is a lengthy process. She said from her personal experience it was more than three years before she was comfortable even making a motion on the Planning Board. She said that our boards and committees are not paid and follow the laws that are on the books.

William Orr said that people initiated this change which is provided for by law. People signed the petition and now will be voted on.

Daniel Kasprzyk said that he is a member of the Watchdog Group and one of the petitioners. He explained that the Standish Watchdog Group was established for the public good, it's there for transparency in governance, teaching, and it's not there for any political activity. He said that the Watchdog Group does not tell anyone how to vote. He said that they provide information to people. He cited a web site where people can obtain information.

Chair Sargent said that this matter will go to vote because they obtained enough signatures.

Daniel Kasprzyk said that the Watchdog Group is a non-profit organization that stands behind what they say. He announced that moving forward they will be holding Meet and Learns, Thursday evenings at the Maine Street Grill. He encouraged all to attend these meetings. He said that he was one of the petitioners, and the rest of the committee includes the following individuals: Gary Lind, the President of Kiwanis; Bill Napolitano, a resident; Louis Stack, former Councilor and committee member; Walter Wasson, a Budget Committee member. He explained that the five of them filed a petition which have been vetted by an attorney, whose name he would not disclose. He continued to explain that they obtained 1,154 signatures of which enough signatures were certified to move this process forward. He said that the petition was brought forward as required by law. He again cited the Watch Dog web site's information. He went on to explain that they collected the required signatures in approximately three-weeks.

Pam Slattery-Thomas said that she was strongly in favor of term limits for Councilors and had no objections with term limits for other elected officials. She said that term limits were pro-democracy which we all pride ourselves in upholding and safeguarding. She said that diversity of all kinds is what keeps a balance of perspective and fresh ideas. She said that when there are routinely unchecked re-election of incumbents things get stale and out of touch with the electorate. She said that it might be reasonable to say why not just voter them out of office, but she saw several un-acknowledged problems with that. She said that senior members would have better contacts and have the advantage of a public platform similar to free political advertising. She said that an unknown has a greater challenge to finance their campaign and it's harder and make the contacts. The other problem that she sees is the assertion that is that there will be a loss of experience if officials are kept to two consecutive terms. She said that when you become insulated it is that much more difficult to listen to your constituents. She added that she would ask those who object to term limits to reflect as to what their purpose is to holding their seat for an unlimited time period. If it's not for the money, which has been said many times, but for the good of the town, wouldn't you agree that others should have the same opportunity. She said that she wanted to underscore that anyone who is elected by the people has received a humbling privilege by those who elected them, and this privilege should never be confused with or be considered a profession.

William Hill of Wildridge Road said that he was against term limits. He said that term limits are an attempt by an outside group to subvert the democratic process. He said that a person with experience is taken away after two short terms and you replace them with someone with a political agenda. He said that it is an insult to the electorate to say that they are unable to discern a candidate.

Councilor Newbegin said that he sits on the board of directors for the Watch Dog Group. He said that since he has been elected to the Council he has been kept out of the loop in regards to the group's activities. He said that he supports term limits.

Councilor Nesbitt said that he did not support term limits for several reasons. He said that he was on the Planning Board for a number of years and chaired the board for two years. During that period the board had two vacancies and they were always concerned if they would have a quorum. He said that this past year they had 6 openings on the 7 member board. He said that there vacancies on many of our boards, he said that when people think about term limits they think about it for state and federal offices not the Town Council. He said that he would have liked to discuss this issue more thoroughly when it was first being developed rather than just prior to the election.

Councilor Sargent said that we all have difference of opinion but need to respect others opinions even though we don't agree with them. He said that there were some citizens that worked hard to get this on the ballot and it will be there in November.

Councilor Olson said that the idea of term limits insults the intelligence of the voters. She said that every election is term limits, you vote for one or another. She said that with our busy lifestyle it is hard for people to step forward to serve on boards and attend the necessary meetings and commitment of time. She noted that during the past three years this Council has held the tax rate. She said that when her term is up she won't have the opportunity to run again, if she wants to do so, if this passes.

Town Manager, Gordon Billington, said that it has been noted that the perception of this amendment is that it is to fire sitting Councilors. He cited that we have term limits in the state due to one man, John Martin, who became very powerful due to his longtime serving.

VOTE: 5 Yeas

Councilor Blanck said that he regretfully voted yes on this order.

110-14 Call for Special Town Meeting Referendum Election on November 4, 2014, Place Referendum Question on the Ballot - Charter Amendment – Term Limits for Town Council, MSAD Directors and Budget Committee Members [Pomerleau]

Chair Sargent said that Councilor Pomerleau the sponsor of this amendment was unable to be here this evening so he will speak to the order. He said that the rationale was that if there were term limits on the Council there should also be term limits on other boards that deal with finances for the Town. He cited that the school budget is about 75% of the Town's budget. He said that Councilor Pomerleau wanted to make sure that there was parity across the boards.

Carol Billington of Chadbourne Road said that staffing these board and committees is difficult. She said that she is against term limits, but especially this amendment.

Pam Slattery-Thomas said that she supported this order, but she was sad about the way it came about, she thought it was a knee jerk reaction rather than something that was thought-out. She said in the original petition a lot of time and people helped, this came about in one night.

Councilor Blanck said in response to Pam's comments, he said what's good for the goose is good for the gander, if you want to clean house with the Town Council, we need to clean house with any committee that has an effect on the mil rate. He said if you want to call it a knee jerk reaction ... it's an add on to the public input petition that was signed. He said until the petition was filed there was no need for this order.

Pam Slattery-Thomas asked if the information in the petition would have been presented to the Council, would they have accepted it.

Councilor Blanck said he did not know, but it would have opened a public discussion.

Chair Sargent said that there would have been workshops and discussions. He said that it might have gone forward. He went on to say that he thought that it would have gone forward with this one, but not the first one.

Pam Slattery-Thomas said that she's glad that it was a petition because she didn't think that it would have moved forward with the Council talking about it.

Chair Sargent said a thing about perception, when people write into a newspaper and say we're not listening, that's a misconception. He said that they take their job very seriously and listen to a lot of interests. If you're not getting the response that you want it's that they don't agree collectively on the matter at that time.

Councilor Blanck cited an incident where he had voted against an order that he had sponsored after hearing the public's opinion, he said so we do listen to the public.

Councilor Olson said that she was concerned that we would not be able to find individuals that will be able to serve, especially on the school board due to the extraordinary amount of time that board requires. She said that any opportunity to limit the citizens from having a choice in the long run will hurt the community. She said that she will be voting for this, but she didn't think that term limits are beneficial to the Town of Standish.

VOTE: 4 Yeas – 1 Nay, Newbegin

NEW BUSINESS

111-14 Approve Warrant for November 4, 2014 Special Town Meeting Referendum Election [Sargent]

The Clerk noted that a word was omitted from the warrant, that word was sidewalk and it was omitted in three places in the Steep Falls sidewalk financial statement. There was a substitute warrant for them this evening.

Moved by Blanck seconded by Olson and voted to replace the warrant with the substitute warrant. (Unanimous)

Chair Sargent said that this divides the sidewalk in vote out so the voters have the option at the ballot box.

VOTE: 5 Yeas

112-14 Waive Bid and Authorize Purchase of a Highway Truck with Plow Equipment [Pomerleau]

Public Works Director, Roger Mosley, explained after the referendum vote a few weeks ago, a search was done to see what vehicles were available for purchase and use this winter. He said that they looked at six different packages with various options. He said that they found a Freightliner vehicle in Westbrook that's due to be delivered in about three weeks. This truck meets what they are looking for, they will put together a plow package with options that will be installed by H.P. Fairfield in Skowhegan. They have received quotes to include price and delivery and are recommending the Western Star from Freightliner and the plow package from H.P. Fairfield. He said that the quote that they have in front of them includes the cab and chassis; the body quote; the truck coming in is red and will be painted blue. The total amount of the quote is \$194,010, there is a 7-year warranty/no deductible for \$5,610, for a grand total of \$199,620.

Councilor Olson questioned the mileage limit of 250,000 in the warranty.

Roger Mosley said that the timeframe is more important than the mileage. He said that they will not put the mileage on the truck, it will be a lot of low speed and hard work.

Moved by Blanck seconded by Sargent and voted to amend the order to award the bid to Freightliner, Inc. of Maine at a cost not to exceed \$199,620. (Unanimous)

William Orr said that there has been a lot of discussion regarding the Charter tonight and it should be taken one step further, he said that there is nothing in the Charter that says that you can waive the bid.

Daniel Kasprzyk of Steep Falls questioned if it was a new truck and the reason the bid process was not being followed.

Roger Mosley said that it is a 2015 model and the waiving of the bid process was due to the having a truck in service this winter. He said that this vehicle meets their needs and is within the budget.

Daniel Kasprzyk asked how many businesses gave them quotes.

Roger Mosely said that four companies submitted quotes.

Daniel Kasprzyk said as much as he love to see Mr. Mosley have this truck because he does a great job, he was opposed to waving the bid process. He cited the section 302 F of the Charter saying that it should be abided by. He said that when he voted for the truck it included a bid process and he encouraged the Council to follow the proper process.

Councilor Olson said that Mr. Mosley has submitted the specs to four firms that have the capacity to service this type of vehicle, he couldn't go any car dealer and ask for this type of vehicle. She questioned if the other vendors submitted a quote.

Roger Mosley said they looked at multiple vehicles and some met their requirements, some had additional unneeded equipment, the one before them met their specs.

Councilor Olson said that they put the bid out to the vendors that were able to fill the bid, so she was pleased with the way the process was run.

Councilor Newbegin questioned Roger, if any of the quotes were lower than this amount.

Roger Mosley said that there was one quote lower, however, it didn't include all the gear. He said that once they put the package together this is the only one that was under budget.

William Hill of Wildridge Road said that what's happening in Washington, D.C. is here now.

William Orr of Kerry Farms said that under a previous Town Manager the bids were put out early and set to buy pending Council to approval.

VOTE: 4 Yeas – 1 Nay, Newbegin

PUBLIC ITEMS

Kaile Warren of Windham announced that he was the republican candidate for the State Senate District 26 seat, opposing Bill Diamond. He said to introduce himself, he that he served on the Board of Voter Registration in the Town of Cumberland, two terms on the Planning Board in the Town of Cumberland, and as Windham Town Councilor serving the North District. He also noted that he has had extraordinary accomplishments as a local business man. He said that he appeared on Oprah show and served as the CBS on-air home improvement host. He said that he was very proud of his accomplishments and experiences that he's had. He said that it's time for a change and Maine needs to do something different to be competitive.

Daniel Kasprzyk a member of the Standish Watch Dog Group said that group wants to see the town prosper and do well. He said that they were a gold sponsor of the Standish Summer Spectacular. He said that they don't tell people how to vote, but encourage people to vote. He said that they have established Meet and Learn Clinics on Thursdays at the Maine Street Grill beginning at 6 p.m. He provided some informational handouts for distribution at the Town Office.

Pam Slattery-Thomas said that on her way to the meeting tonight she saw some people walking on the new sidewalk.

William Hill of Wildridge Road asked Councilor Newbegin if his organization was affiliated with the Heritage Club. Councilor Newbegin said not to his knowledge.

ANNOUNCEMENTS

Several upcoming meetings were announced.

EXECUTIVE SESSION

An executive session was not needed at this meeting.

ADJOURN

Moved by Blanck second by Nesbitt and voted to adjourn. The meeting adjourned at 8:22 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