

Standish Town Hall

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Town Council Meeting Minutes 6/2/2015

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**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, JUNE 2, 2015
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

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

ROLL CALL

Councilors present: Blanck, Nesbitt, Olson, Pomerleau, Sargent and Spencer.

MINUTES OF PREVIOUS MEETING (S)

Moved by Blanck seconded by Olson and voted to amend the minutes as follows:

Page 1 - ...building permit fees are ~~searing~~ soaring in due to ...

Page 7 - ... Scott Gesualdi expounded that there is a fee for ~~filing~~ filing each claim ...

(Unanimous)

PETITIONS AND COMMUNICATIONS

There were no petitions or communications at this meeting.

REPORT OF THE TOWN MANAGER

Gordon Billington said that tonight we would say goodbye to four close friends. He offered a moment of silence in memory of Councilor Wayne Newbegin who recently passed away. He then explained that Wayne served in our military and served our town well in many capacities. While as a member of the Ordinance Committee he took on the daunting task of completing a stem to stern review of the town ordinances. Most recently he worked tirelessly on the Beach Committee to try to obtain a lease for the beach on Sebago Lake on property owned by the Portland Water District. He went on to say that tonight we'll say farewell to Maggie Spencer, who was elected to the Council in 2006 shortly after the loss of her husband Gerry Spencer who was Councilor as well. Mrs. Spencer has steered the Finance Committee and town budget process. He said Philip Pomerleau served on the Planning Board from 1994 to 2000, then on the Town Council from 2000 to the present. He explained that Phil has been instrumental in fundraising for the town including monies for bikes for the Public Safety Fair. He has done a spectacular job on the Capital Improvements Committee seeking bargains for the town. He said that the last person that he wants to say goodbye to is Linda Brooks. Linda Brooks started for the Town in 1994 in a part-time capacity working out of her home. Now, she has an office in this building that is suitable for the department. During her tenure the town has built ice skating rinks, the skating park at Johnson Field, upgrade of tennis courts. He said that she runs a good program that meets the need of the dis-advantaged who otherwise could not afford the programs, this was done by establishing a scholarship program. The scholarships were initially funded by the Gerry Spencer Fund, however, now she's proposing to use excess recreation revenues from fees for the scholarships. He noted that busses were purchased to transport both participants in the senior and summer programs. Mr. Billington closed in saying she would be very hard to replace.

Departmental Report – Linda Brooks – Recreation Department

Linda Brooks noted with summer camp just around the corner she would take the opportunity to showcase the program. She provided a PowerPoint presentation that highlighted the programs varied activities. Linda explained that the slide show had been put together by her assistant Marcy Parmenter.

Gordon Billington thanked Linda for her years of service.

Linda Brooks responded that it had been a pleasure.

Mr. Billington also recognized Ronald Richardson's service to the town as a member of the Budget Committee.

Mr. Billington explained at the May meeting the Council adopted an amendment to the ordinances that provides guidance for medical marijuana dispensary facilities. Currently, state law only allows for eight such facilities, so it is unlikely that any time soon our ordinance will be tested. He continued to explain that state law allows for another category which is called medical caregiver. A medical caregiver can raise plants and sell to five patients, having only six female plants at any time. There is no local jurisdiction over medical caregivers.

PUBLIC HEARINGS

43-15 Application submitted by St. Joseph's College for Renewal of a Malt, Spirituous and Vinous Restaurant License [Sargent]

Chair Sargent noted that this application is a renewal for the applicant.

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

VOTE: 6 Yeas

COMMITTEE REPORTS

Councilor Pomerleau announced that the Route 113 Corridor Committee met with the Greater Portland Council of Governments to discuss future planning for the area. He said that the well attend meeting brought forward the idea that the towns would like to participate and learn about sharing resources and information. The discussion included the suggestion that GCOG would hire a grant writer that could be utilized by the towns.

Gordon Billington concurred the meeting confirmed that neighboring towns share our concerns regarding local issues.

Councilor Blanck said that the Ordinance Committee met last month, he was unable to attend so Councilor Nesbitt will provide the update.

Councilor Nesbitt stated that he and Bud Benson reviewed the Steep Falls Village Plan, more discussion is needed regarding the development plan and on how to integrate the three village plans.

Councilor Olson said that the Finance Committee will meet next Monday.

Councilor Nesbitt noted that the Beach Committee will meet this Thursday with Portland Water District representatives to review the plans.

Chair Sargent explained that the Appointments Committee met earlier and are bringing forward appointment orders on tonight's agenda.

CONSENT CALENDAR

The Clerk explained that Consent Calendar items are read by title only and voted on collectively.

44-15 Town Council Appointments to Various Boards and Committees [Sargent]

45-15 Confirmation of Town Manager's Appointment of the Director of Public Safety [Sargent]

46-15 Confirmation of Town Clerk's Appointment of Election Warden [Spencer]

47-15 Approve Waste Haulers Licenses [Sargent]

VOTE: 6 Yeas

Councilor Pomerleau announced that that he had wanted to abstain from the vote on order 45-15.

Moved by Pomerleau seconded by Blanck and voted to reconsider the vote on order vote on order 45-15.
(Unanimous)

Chair Sargent explained that Councilor Pomerleau has a family relationship with the appointee and would like to abstain from the vote.

45-15 Confirmation of Town Manager's Appointment of the Director of Public Safety [Sargent]

VOTE: 5 Yeas – 1 Abstain, Pomerleau

UNFINISHED BUSINESS

37-15 Revise Outstanding Personal Property Tax Collection Policy (Referred to Workshop at the May 12 Council Meeting) [Spencer]

The Clerk explained that this order had been referred to a Council workshop session for further discussion.

Chari Sargent said that this was discussed at a recent workshop.

There was no public comment on this order.

Councilor Pomerleau said that he was not excited with this policy. He said that not all businesses comply this law and he was unhappy that we're moving forward with this policy. He said that it's called personal property tax but it's a business tax. He said that even the name of the tax is misleading.

Moved by Nesbitt seconded by Blanck and voted to amend the policy as follows:

- A second council order will be generated and brought forth to the June Town Council meeting to authorize the Town Attorney to take all necessary actions, including filing civil lawsuits, to collect ~~any and all~~ as recommended by the Finance Committee delinquent personal property taxes, including interest and costs of suit, for the municipal tax years 20__ through 20__ against those named on the attached list. (5 Yeas – 1 Nay, Pomerleau)

Councilor Olson said that there may be some issues regarding how the state defines this law, the fact is we still need to comply the law. She said that this policy will help the Finance Director in the collection process. The recommendation for a policy came from our auditor.

Councilor Blanck said that the amendment gives the town the option to choose which accounts to take to court.

Chair Sargent explained that the Finance Committee already reviews tax acquired property cases, so this would just be adding to their duties.

Councilor Pomerleau said that some businesses could get a free pass because of the dollar amount.

Finance Director, Scott Gesualdi clarified that it would be at the town's discretion which delinquent taxpayer would be taken to court, the amount due would be just part of the criteria.

Councilor Pomerleau said that he was under the impression that if it was going to cost us more to collect than the tax that was due we would not pursue the account.

Councilor Nesbitt said that a town employee can go to court to file the claim, it doesn't need to be done by an attorney.

VOTE ON ORDER AS AMENDED: 5 Yeas – 1 Nay, Pomerleau

NEW BUSINESS

48-15 Approve Warrant for Annual Town Meeting [Sargent]

Councilor Nesbitt noted that he had discovered that he had some outdated sheets in his budget book and reviewed the information with Finance Director. He said that the warrant is in order.

There was no public or additional council discussion regarding this order.

VOTE: 6 Yeas

49-15 Authorize Standish Lions to Hold Charity Toll on Moody Road [Sargent]

There was no public or council discussion regarding this order.

VOTE: 6 Yeas

ANNOUNCEMENTS

Several upcoming meeting were announced.

PUBLIC ITEMS

Daniel Kasprzyk announced at this week's Standish Watchdog meeting the discussion will relate to the upcoming election. He handed the clerk a copy of the notice regarding this meeting, he requested it be posted to the Town's website.

Ronald Richardson of White's Bridge Road said that the Town should look into the reason that two department heads have left in the last six months. He said that we need to look a hard look at what surrounding towns are offering to employees. He said that we've found someone to fill the shoes of Brent Libby and he hoped that we can find someone to fill the shoes of Linda Brooks. He said that the Recreation Department has come a long way and it will be tough for someone to fill her shoes.

Gordon Billington said the Town doesn't want to see department heads leaving, however, we would never hold someone back from improving their lot in life. He wished them well.

Councilor Olson said that she had spoken with both the department heads and was told by them that they were sorry to move but it was a career progression.

Councilor Pomerleau said that he had spoken with Brent Libby and was told that his move was to go to a larger department.

Councilor Spencer thanked the residents for the privilege of representing them for the past 9 years.

Councilor Pomerleau thanked the residents for allowing him to serve on the council for the past 15 years.

Councilor Spencer encouraged residents to continue to donate to the Bottles for Fuel Program.

Chair Sargent thanked the departing Councilors for their help to him as a new Councilor. He went on to say that Councilor Pomerleau will be missed based on all the work has done on the Capital Improvements Committee.

Councilor Spencer's has been the conscience of the Council through her work helping the less fortunate. He noted that at the MSAD 6 Budget Hearing 43 voters passed the budget which now moves on to referendum vote on June 9. He said that residents should talk to their legislators regarding school funding.

EXECUTIVE SESSION

An Executive Session was not needed at this meeting.

ADJOURN

Moved by Olson seconded by Blanck and Voted to adjourn. The meeting adjourned at 7:55 p.m. by unanimous

consent.

Submitted by: _____

Clerk/secretary