

Standish Town Hall

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Town Council Meeting Minutes 6/5/2012

MINUTES

**TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, JUNE 5, 2012
STANDISH MUNICIPAL CENTER
7:00 P.M.**

CALL TO ORDER

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

ROLL CALL

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

MINUTES OF PREVIOUS MEETING (S)

The minutes from the May 8 meeting were accepted as presented by unanimous consent.

PETITIONS AND COMMUNICATIONS

There were no petitions or communications at this meeting.

REPORT OF THE TOWN MANAGER

Gordon Billington spoke on the following items:

- The Public Works Department has completed the street sweeping process.
- Quite a few road shoulders washed out due to the recent storm.
- Some culverts are scheduled to be replaced, one on Route 35 near the apple orchard will be replaced in the upcoming fiscal year.
- The Fire Department is holding a training drill at the 20 Oak Hill Road property this Saturday. Those interested in seeing how the Fire Department does a controlled burn can see that this Saturday. The garage at the site will be relocated to the Public Works facility.

Gordon Billington introduced Diana Allen who would update the public on the Summer Spectacular.

Diana Allen the Chair of the Summer Spectacular explained that the theme this year is Building Community, keeping with the theme each village will have specific fundraising activities that will be earmarked for that village. The festivities kick-off Thursday, June 21 at the Boat Landing with a "Taste of Maine" food sampling stations. There will be entertainment provided by the Saco River Jazz Ensemble. The proceeds of this event will go to the Johnson Field Playground Committee to meet their goals. The Steep Falls Village Society and Rippling Waters Farms are the other groups that will benefit from the fundraising events. The parade's Grand Marshall this year is Joline Webber who will ride in style in Alan Hawkes' T-Bird convertible. Diana highlighted the events schedule, noted benefactors, and vast variety of raffle prizes. She noted that people can follow them on Facebook.

Chair Olson said that it is amazing to see the momentum growing from year to year.

PUBLIC HEARINGS

31-12 Amendment to Standish Town Code, Chapter 158, Hazardous and Special Wastes; and Chapter 233, Sewers; Multiple Sections Regarding Standish Special Review Board [Blanck]

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

Councilor Blanck explained that this order is regarding the use of residuals and sludge, residuals are a byproduct of a pulp mill. The current regulations provide that whenever one of these products are applied a site specific review process is required to go before the Special Review Board. Maine DEP now provides program license for use of the residual byproduct that meet safety guidelines and they can bypass the site-specific license. If the applicant is applying a residual that falls under the DEP program license it can be applied anywhere in town and they only need to make notification to the Code Enforcement Officer.

Councilor Stack added that dioxins are one of the items that is not allowed in the standards.

Councilor Blanck noted that Portland Water District has no objections to the update to the ordinance.

After a Public Hearing without additional public or Council discussion the Council voted on the ordinance amendment and the hearing was closed.

VOTE: 6 Yeas

51-12 Application Submitted by Patricia M. and Gerard P. Giguere, Jr. dba Wildwood Function Center for Renewal of a Bottle Club Located at 945 Pequawket Trail [Olson]

Chair Olson noted that the application has been signed by all the inspectors.

After a Public Hearing without additional public or Council discussion the Council voted on the ordinance amendment and the hearing was closed.

VOTE: 6 Yeas

COMMITTEE REPORTS

Chair Olson explained that the Sebago Lake Village Master Plan Committee had a public hearing in May. The meeting attendees used keypad polling to rate various aspects of the visionary plan. The final report of the Committee is being drafted.

Chair Olson said that the Economic development Committee met May 21. One of the things that the Committee is doing this upcoming year is to update the brochure that was presented last year as a marketing project. She noted that a reprint is scheduled, so businesses interested in being shown on the brochure should contact the Town Office.

Councilor Sargent said that there is an appointments order on the agenda tonight, but the town is still looking for persons interested in serving on various committees. He noted that individuals should contact Mary Chapman for more information.

Councilor Spencer noted that the Capital Improvements Committee met this afternoon. A report will be given when the item comes up on the agenda.

Councilor Spencer said that the Finance Committee will meet next week.

Councilor Spencer asked that people donate their bottles and cans to the Bottles for Fuel Program.

Councilor Blanck explained that the Ordinance Committee continues to review the Conservation Subdivision Ordinance. He said that they are close to presenting the draft to the Council.

Councilor Thompson said that the PWD Steering Committee will be meeting on the Thursday, June 21 at 7:00 p.m. in the Watchic Lake Room.

CONSENT CALENDAR

Councilor Sargent explained that additional clerks were needed.

52-12 Appointment of Ballot / Election Clerks [Sargent]

VOTE: 6 Yeas

UNFINISHED BUSINESS

29-12 Amendment to Standish Town Code, Chapter 181, Part 1 Zoning, §181-7.1 Standish Corner District (Tabled at the May 8 Meeting) [Stack]

Moved by Stack seconded by Sargent to take this off the table and refer it to the Ordinance Committee.

VOTE: 4 Yeas – 2 Nays, Blanck, Olson

Councilor Spencer strongly urged that members of the Planning Board, Ordinance Committee, the Town Manager, Town Planner and any interested persons to attend a workshop with Kara Wilbur of Urban Planning to go over the plans and ideas that she has in

mind for our ordinance. Councilor Spencer said that it would be good if people heard this information first-hand.

Councilor Blanck said that he fully supports the presentation on this, however, any ordinance that they come up with will not be anywhere near what this order states, it will be much more paperwork.

Town Manager, Gordon Billington clarified that since this ordinance was introduced, there has been a lot of debate regarding the matter, now we're going back to the Ordinance Committee and perhaps something new will be brought forward. He said that we were approached by GrowSmart Maine who has been monitoring what has been going on regarding the form-based code. They have a Planner who has an idea that we should consider in looking into, which is what they call well behaved drive-through's. This method would preserve the street wall effect of the form-based code, but allow drive-through's such as are required by banks or pharmacies. Our Planner has looked at it and thinks that some changes to their plan may be necessary. He said that it will take further discussion and he'd like to have the people in town that developed the new code to hear what Kara Wilbur has to say. He noted that he appreciates GrowSmart Maine's offer of assistance.

NEW BUSINESS

53-12 Approve Warrant for Annual Town Meeting [Olson]

Chair Olson said that the Annual Election will be Tuesday followed by the Town Meeting on Saturday.

VOTE: 6 Yeas

54-12 Approve Renewal of Waste Haulers Licenses [Olson]

Chair Olson said that this is the annual renewal process on these applications.

VOTE: 6 Yeas

55-12 Town Council Appointments to Various Boards and Committees [Sargent]

Carolyn Biegel questioned that someone from PROP used to provide the General Assistance for the Town. What is the reason behind the change?

Chair Olson said that this change will provide a budgetary savings to the town.

Gordon Billington explained that one of the staff members at the town hall will assume the responsibility.

Carolyn Biegel asked what would the savings to the town would be? She went on to say that sometimes it's easier to talk to someone from out of town when you're coming in for assistance.

Gordon Billington said that the staff member is training with the PROP administrator and has taken some applications. His administrative assistant is who will be the new GA Administrator. She has gone to a three-day training session. He noted that General Assistance applications will be taken on Fridays, which is a down day here. Applicants will enter through the Public Safety entrance to meet with the GA Administrator. PROP will still provide emergency support when needed.

Maurie Hill of Wildridge Road asked who would be providing General Assistance?

Gordon Billington said his assistant Ruth LaBrecque will be the General Assistance Administrator. He said that she has been assisting PROP by scheduling their appointments and she has worked with them processing applications.

Maurie Hall asked what will be the evaluation process for this employee?

Gordon Billington said that DHHS will come and do an audit and evaluate us each year.

Councilor Sargent explained that the hourly savings rate is half the rate that PROP charges us.

Councilor Stack said that the monies that we save can be used to help the recipients.

VOTE: 6 Yeas

56-12 Confirmation of Town Manager's Appointment of the Director of Public Safety [Sargent]

VOTE: 6 Yeas

57-12 Confirmation of Town Clerk's Appointment of Election Warden [Sargent]

VOTE: 6 Yeas

58-12 Select Nominee for the Maine Municipal Association Legislative Policy Committee [Olson]

Chair Olson said that Councilor Stack has represented us on this committee previously.

Councilor Stack said that he would like to abstain from voting on this.

Mr. Billington said that he would like to speak in favor of this order. He said that Mr. Stack has been a very effective member of this committee on behalf of the town. He said that Mr. Stack's views are held in high regards with the other members of the committee.

Chair Olson said that it is excellent having a representative of significant experience and well respected up there.

VOTE: 5 Yeas – 1 Abstain, Stack

59-12 Emergency Amendment to Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Tables for the Maximum Levels of Assistance as Provided by the Maine Municipal Association [Blanck]

Councilor Blanck explained that the only change to the table is that the lifetime cap has been reduced by ten percent.

Councilor Sargent said that whoever administers this program has to follow the guidelines setup by the state.

VOTE: 6 Yeas

60-12 Amendment to Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Tables of Maximum Levels of Assistance as Provided by the Maine Municipal Association (Introduction) [Blanck]

Councilor Blanck said that the standard way for adoption of the ordinance.

Moved seconded and voted to move this item to First Reading at the July meeting. (Unanimous)

61-12 Award Bid and Authorize Contract for Services to Construct Expansion to the Public Works Garage [Pomerleau]

Councilor Spencer explained that at the Capital Improvements Meeting today they reviewed the bids, all came in over budget. The Public Works Director will work with the contractor to reduce the cost, bring the revised plan to the Council prior to the workshop on June 26.

Moved by Spencer seconded by Sargent and voted to postpone this item until the July Council meeting. (Unanimous)

62-12 Authorize Finance Director to Execute Municipal Quit Claim Deeds for Formerly Tax Acquired Property [Spencer]

Councilor Stack said that this is what we'd like to see happen to all our tax-acquired properties.

VOTE: 6 Yeas

63-12 Authorize Consent Agreement – Jordan – Map 76 Lot 33 [Olson]

Gordon Billington explained that set back violations are normally detected when a surveyor inspects the property during a sales process. What the consent agreement does is say that the Town will not enforce it's setback ordinances for a particular violation because it is deemed de-minimus. In this case, the construction was done by a contractor that is no recognized by the staff and is no longer in the area.

Chair Stack noted that the was a typo in the setback distance. He also noted that an amount of a fine needed to be filled in on the consent agreement.

Gordon Billington said that this party was not responsible for the violation and will not be assessed a fine.

VOTE: 6 Years

PUBLIC ITEMS

Carolyn Beigel of Ossipee Trail East said that she was not sure that everyone on the Council was truly aware of the work that had been done by the Standish Village Corner Committee. She said that she would provide them with a document that is being used in the Town of Cumberland's ordinance. What it shows is the before and after picture of Standish Corner incorporating the elements that are in our ordinance as a model for their community. Also, she mentioned that her parents volunteer with a group called Encorp and they have been on several training sites throughout the state, at each one of these sites Standish has been brought up as a wonderful example of how community volunteers have worked together and accomplished something so major as the formed based code. She said that she wanted the Council to hear the information that GrowSmart is sharing about the work that we have done. She said that she heard Councilor Sargent say that we need volunteers, but she was fearful that when people work so hard when key elements are so quickly dismissed. She said at the last meeting we had the tabling, the taking off the table and re-tabling strategy as citizens watch this both here and at home it was very troubling. She said that she wanted to go back to Councilor Stack's statement to justify that tabling strategy. She said that this is a quote that she got from viewing the video, "The motion I made tonight to table the order was nothing more than was agreed to at a meeting of the Higgins' and representatives here, so to think that there was something underhanded, it was something that was well known to the Higgins' and the Councilors". Carolyn Beigel said that's quite a statement. She said that it was well known to the Higgins and the Councilors, but it was completely unknown to the rest of the people sitting in the room. She said that we're all familiar the freedom of access law, she'd like to know what promises were made and who was at the meeting. She went on to ask Councilor Stack who was at this meeting?

Councilor Stack said that he'd have to review that and let her know about that later.

Mr. Billington said that the meeting that Mr. Stack was referring to was held in his office. The Higgins', their developer, the town planner, the Chair of the Ordinance Committee and he discussed their desires; and what the town was suggesting for a change to the ordinance. That was the discussion at that meeting where it was decided that the order should be tabled and consider a consent agreement in the future that would address their needs for the property. He pointed out that a consent agreement in this town has standards that would be specific for that district. He noted that he shared the outcome of the meeting with the Council. He said that it was not a meeting of the Council it was a staff meeting.

Chair Olson said that the consent agreement would be the contract zoning agreement.

Mr. Billington said that's correct he misspoke.

Carolyn Beigel asked how was the strategy well know to the Councilors?

Mr. Billington said that he communicated the outcome of the meeting to the Council in his weekly report.

Carolyn Beigel said that wasn't shared when you gave your weekly report.

Mr. Billington said that he told the Council in his weekly written report.

Carolyn Beigel asked what were the promises that were made?

Mr. Billington said that the agreement was that the item would be tabled. He said that the Clerk brought to his attention that the tabling action was inappropriate, the proper terminology was postponed to a time certain. At the meeting with the Higgins' they came to an agreement that the Town would support a contract zone for that property as long as it met the Standish Village Corner Standards, in lieu of a change to the ordinance.

Carolyn Beigel said that it was her understanding that any contract zone agreement would have to go before a public process and it's not automatic.

Mr. Billington said that there would be Planning Board and Council review process, all of which is open to the public.

Carolyn Beigel said that many people from all over are interested in the process. She said that she appreciates GrowSmarts continued involvement. She reminded the Council that we had GrowSmart working on our behalf. She then asked them to start thinking about property comps that are available for researching property values. The Council should take a look at what certain properties sold for and see what the property values are. She said that we all like to think that our property is more valuable, except than at tax time.

Pam Slattery Thomas of Thomas road said that the referendum coming up will include the public works addition, so should they be postponing of the order on the bids, in case the referendum doesn't pass.

Gordon Billington said that the order says that it needs voter approval.

Pam Slattery Thomas questioned the by-pass road on the referendum. So, that's not a final decision at this point.

Chair Olson said that's correct.

Pam Slattery Thomas asked if she was correct in the understanding that they were going to burn the house down this Saturday, which is before the vote.

Chair Olson said that the Town owns the house and the Town is not in the rental business.

Pam Slattery Thomas questioned why did they buy it in the first place.

Chair Olson said to try to make Standish Village Corner intersection with the five streets more safe.

Gordon Billington said that we purchased the property for a future by-pass. If the referendum were to fail, he still believed that it would happen sometime in the future.

Pam Slattery Thomas said that it was a very narrow vote, and you are burning this asset.

Chair Olson said that the building has been gutted.

Pam Slattery Thomas said that it's another old building in Town that has received no respect. She went on to say to burn the building before it's been decided at the referendum is wrong.

Chair Olson said that the building was purchased to build the by-pass.

Councilor Stack asked if there was any reason why the burning can't be delayed until after the vote.

Chair Olson said that it is a planned training session with other Fire Departments joining in the training.

Pam Slattery Thomas said that she would like to see it postponed.

Carolyn Biegel of Ossipee Trail East said that the inside of that home was beautiful. She said that she was surprised that we didn't capitalize on it in some way.

Chair Olson said that another year on this Council has come to an end and she'd like to thank all the Councilors for their hours of service not only at Council meetings and workshops, but all spend hours of their time speaking with citizens on issues. She went on to thank the professionals on the town staff who work as hard as they do.

ANNOUNCEMENTS

Several upcoming meetings were announced.

Councilor Stack said that the Standish Memorial Post 128 will collect unserviceable flags on Election Day and hold a flag disposal ceremony on June 14 at the Kiwanis Building at 7:00 p.m.

Councilor Thompson said that on Thursday, June 21 the PWD Steering Committee will meet.

Councilor Blanck reminded residents that PACE loans are available from Efficiency Maine.

EXECUTIVE SESSION

An executive session was not needed at this meeting.

ADJOURN

Moved by Spencer seconded by Sargent and voted to adjourn. The meeting adjourned at 8:35 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

