**MINUTES**

**TOWN COUNCIL MEETING**

**STANDISH, MAINE**

**TUESDAY, AUGUST 9, 2016**

**STANDISH MUNICIPAL CENTER**

**7:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Councilors present: Blanck, Delcourt, Higgins, Nesbitt, Pomerleau, Sargent and Sirpis.

**MINUTES OF PREVIOUS MEETING (S)**

Moved by Higgins seconded and voted to amend the June 7 minutes as follows:

**Page 3** – He noted that the owner of Papa’s Ice Cream …

**Page 4** – She went on to ~~encouraged~~ encourage residents to recycle …

**Page 8 -** ... in fact she said that she was surprised to hear it had been negotiated with the employees before final Council approval.

After unanimously amending the June 7 minutes as shown above, the minutes from June 7, June 18 and July 12 were approved by unanimous consent.

**PETITIONS AND COMMUNICATIONS**

There were no petitions or communications at this meeting.

**REPORT OF THE TOWN MANAGER**

Mr. Billington spoke on the following topics:

* Planning Board member Alta Harding has resigned, interested persons can apply for this Area-1 seat. Per the provisions for the Charter the Town Council can appoint someone to fill the vacancy until the next municipal election. Priority will be given to Area – 1 residents, however, out of area residents can be considered after 30-days if an area applicant is not found.
* MDOT is seeking the towns input for their upcoming redesign of Route 35 between Routes 114 and 237. It is slated for construction in the summer of 2017. It will built substantially in the current location, it will included wider lanes and paved shoulders. He voiced his concerns with potential traffic issues when this construction is done since this is a main route into Standish. MDOT will hold a public hearing here on September 27 just prior to the Town Council Workshop. He said that the town wants to retain access to the scenic look out at the end of Route 237.
* MDOT will hold public hearing here on September 15 to solicit input on the Route 25/Manchester Road/Saco Road roundabout.
* This Friday, we will hold a small dedication ceremony for the beach. Senator Diamond, Representative Ordway, Representative Kinney, the Marine Capitan who has been here through the summer and others will be speakers. He noted that the beach is being named in honor of John Rich, Jr. and his wife Doris. Mr. Rich was a war correspondent in WWII and also served as a Marine, his son, John Rich, III will also be a speaker at the dedication. He said that the Rich Family have a long history in Standish so it’s fitting that the beach is honoring them. He noted that the dedication was advertised as by invitation only since this is not the grand opening, however, he extended an invitation for anyone to attend the dedication. He highlighted the boardwalk that was built and gave credit to our Public Works Director for solving a lot of engineering challenges related to the boardwalk. He explained that the beach will be opened to the public in the spring, it is hoped that pavement will be laid down on on at least the parking lot if not on the entire access road; and a paved walk to the boardwalk. He explained that they’d like the area to settle one winter before the pavement is put down. He said that in addition, signage will be installed to clearly explain the rules. He noted that the area will be open to ice fishing this year, explaining that the access road will be plowed this winter season.
* Earlier this week twelve members of the National Guard met with him to discuss assisting us with improvements to Standish Memorial Park next year. Improvements include building new fields and parking areas.
* The Maine Municipal Association will hold its annual convention in October. He explained that Councilors who are interested in attending should contact him.

Representative Lester Ordway, explained that there had been a number of calls regarding the discontinuance of the ATV trails in the Nature’s Way neighborhood. That caused the ATV traffic to use the roadway to travel which was upsetting to the residents. He said that the Standish/Gorham ATV Club worked hard to rectify the matter, however, he wanted to acknowledge the work of Warden Pete Herring who went above and beyond to help by working on the trail even on his own time.

Gordon Billington explained that recently there was a water rescue event at 2:30 am on Sebago Lake. He said as luck would have it the fog came rolling in, our Public Safety Departments boat is not equipped with a navigation system, which would be necessary in those weather conditions. He said that the Wardens Service stepped in and assisted by escorting the boats back to the Standish launch.

Councilor Sargent explained that on Monday night a sailboat capsized near the two-mile limit, Raymond and Standish responded to the call, in addition Pete Herring of the Warden Service joined in the call.

**PUBLIC HEARINGS**

There was no public hearing at this meeting.

**COMMITTEE REPORTS**

**Councilor Higgins** said that the Beach Committee met last week, it was decided that there will not be a soft opening for the public. She remarked that super kudos go out to Roger Mosley for all he’s done on this beach project.

**Councilor Higgins** explained that from the Recycling Committee that the recycling numbers are up, and a Hazardous Waste Day will be held on August 27, more information regarding this event is available online.

**Councilor Higgins** reminded the public that the Bottles for Fuel Program still needs their donations to support the effort.

**Councilor Sargent** explained the Capital Improvements Committee received an update on the beach project. He continued to explain that on Sunday while working on the PWD boat he observed Roger Mosley and the Public Works crew working on the beach project to get the job done. He gave kudos to Roger, the crew and to Jen DeRice for their efforts on this project.

**Councilor Blanck** reported that the Ordinance Committee continues to work on the Form Based Code ordinance amendments for all three villages.

**Councilor Pomerleau** said that there were no committee meetings, however, representatives of the Public Safety Committee participated in the event held at the Colonial Marketplace.

**Councilor Sirpis** announced that the Economic Development Committee will kick-off their first meeting on August 18 at 10 am. The committee hopes to engage businesses in town and to investigate improving broadband service as a collaborative effort in the Lakes Region. He encouraged interested individuals to attend their meetings.

**Chair Nesbitt** noted that the Finance Committee met yesterday at 4 pm to review the period 13 reports. He noted that this the last report before the start of the audit and it appears that no departments are over spent. He said that they discussed that status of the personal property tax collection process. He explained that thirteen letters were sent under the provisions of the policy. At this time, six bills have been paid in full and one is making payments. Six accounts will be sent to small claims court. The Finance Committee will reconvene on Monday at 4 pm to discuss tax acquired properties. He noted at the August Council Workshop they will bring forward discussions regarding the potential establishment of a special revenue account for the Recreation Department and revisions to the Fund Balance Policy.

**CONSENT CALENDAR**

There were no consent calendar items on this agenda.

**UNFINISHED BUSINESS**

**85-16 Amendment to Standish Town Code, Chapter 181, Land Use, Multiple Sections Regarding “Define Ground Floor and Eliminate Mixed Use Requirement for Existing Structures on Ground Floor”. (First Reading) [Blanck]**

Moved by Sargent seconded by Blanck and voted to dispense with the Clerk’s reading of the ordinance. (Unanimous)

Councilor Blanck explained that the current provisions of the Form Based Code does not allow residential use on the ground level in a mixed use building. He said that this penalizes property owners that have properties that were built prior to the code being adopted in 2011. This amendment will allow “grandfathered” properties to have residential spaces on the first floor. Any physical additions to existing properties would not fall under the “Grandfathered” provisions of the Formed Based Code ordinance.

Chair Nesbitt called for comments from the public. There were none.

Chair Nesbitt called for comments from the Council.

Councilor Higgins explained that we looked at this because of a problem that was raised in Standish Village, however, this will be applicable in the other villages as well.

Councilor Blanck reiterated this applies to mixed use buildings only.

Chair Nesbitt announced that the Planning Board held their Public Hearing on this issue on August 1 at which time the Planner and members of the board weighed in on the amendment. He went on to explain that the Council will hold their Public Hearing in September.

This amendment moved to public hearing at the September Council meeting by unanimous consent.

**NEW BUSINESS**

**86-16 Cast Ballot for Maine Municipal Association Vice-President and Executive Committee [Nesbitt]**

Mr. Billington explained that Maine Municipal Association provides a slate of candidates to fill their committee requirements.

Chair Nesbitt called for comments from the public. There were none.

Chair Nesbitt called for comments from the Council. There were none.

**VOTE: 7 Yeas**

**87-16 Town of Standish Orders of the Town Council Authorizing Issue of $1,455,395 Principal Amount of Bonds and Notes in Anticipation of Such Bonds [Nesbitt]**

Moved by Sargent seconded by Blanck and voted to dispense with the Clerk’s reading of the ordinance. (Unanimous)

Chair Nesbitt explained that in June the voters approved the acquisition of a number of bond questions, this order is giving us authorization to put the bonds in place.

Chair Nesbitt called for comments from the public. There were none.

Chair Nesbitt called for comments from the Council. There were none.

**VOTE: 7 Yeas**

**88-16 Carry Forward Certain Accounts [Nesbitt]**

Moved by Blanck seconded by Sargent and voted to dispense with the Clerk’s reading of the ordinance. (Unanimous)

Chair Nesbitt noted that the projects on this list have yet to be completed.

Mr. Billington explained that some of the items are items that have been ordered, but not received. Other items are projects that are pending.

Chair Nesbitt called for comments from the public. There were none.

Chair Nesbitt called for comments from the Council.

Councilor Higgins said that a constituent has asked her about striping at Standish Corner, she questioned when that will be done.

Mr. Billington said would be done by us, he said that he would confer with Roger about that project.

Councilor Delcourt questioned the cost of the heavy duty flashlights, how many were being purchased and at what price per unit.

Mr. Billington said that didn’t know the cost per flashlight, but they have been received by the Department. He said that he would find out the cost and report back.

Councilors Sirpis questioned the outdoor freezer expenditure.

Mr. Billington explained that it a freezer that is used Catherine’s Cupboard for food storage. The freezer was purchased by the Cupboard, the town installed the concrete slab, sidewalk and electric power to the freezer.

**VOTE: 7 Yeas**

**89-16 Call for Public Hearing Regarding Charter Amendments – Delete Term Limit Requirements for Town Council, Budget Committee and MSAD 6 Directors [Sirpis]**

Moved by Sargent seconded by Pomerleau and voted to dispense with the Clerk’s reading of the ordinance. (Unanimous)

Councilor Sirpis explained that he was not a supporter of term limits at the local level. He said that the amendments that were adopted have not best served the town. He said that we’ve lost and will continue to lose an incredible amount of talent. He recalled at the election in June there were 12 seats available on various committees. Of that 12, only one race was contested, the other 11 were either unopposed or vacant. He said that he suspected that if term limits was not in place some of the incumbents would still be with us. He then used Councilor Delcourt as an example – he served on the School Board for 21 years gaining tremendous experience. He remarked that if we have people that want to serve he didn’t think they should have to leave the seat that they’re in. He expressed another reason that he was a against term limits is because if he’s not doing his job he’d be voted out of office. It was his opinion that the town would be best served to look at this order, explain to the public that this has not worked for us. He said that he’d like to see the people decide and he hoped that the Council would support this order so we have the opportunity to make our case to the public and ultimately let them decide.

School Board member, Todd Delaney, said that he does not support term limits. He said that he would speak in respect to the term limits impact on the school board. He encouraged them to put this out to vote. He cited that at the June election there were three school board seats open and they were lucky to have three candidates run. He said that he will be the first school board member to fall under the term limits requirements since two other members resigned since its establishment. He explained that the school board budget represents 74% of the town’s budget – the school budget is over $48 million, they negotiate complicated agreements with their trade associations every three years, having a constant turnover of members creates a strain. He advised them that he receives a stipend of $15 per meeting which works out to be about $3.87 per hour--that’s the number hours they put in. He hoped that the Town Council would let the people take a further look at this issue. He said due to the recent resignation of two school board members he has the longest tenure of 5 years, and that should be a concern. He said that the members to a heck of a job and should be allowed to remain if they choose. He said that even if people at the hearing urge them not to bring it to the voters it was his opinion that putting it to vote in November will serve the community. He disclosed that because he is termed out there have been opportunities on the board that he wasn’t considered for due to the term limits. He hoped that they will send this to the voters. In closing, he congratulated the town on the dedication and future opening of the beach.

School board member, Philip Pomerleau recounted that he was a 15-year Councilor and was termed out. He said that he was termed out every three years because he had to run for office. He explained that he was serving on the Budget Committee, however, ran for the School Board in June. He said that there are a number of vacancies on the Budget Committee because people were termed out. He noted that he did not support term limits, this new system hasn’t worked, and new people haven’t stepped forward. He explained that if a person is termed out, the required three years passes, the person has lost interest and moved on. He said that he hoped that they will move this forward and educate the voters on how the limits didn’t work.

Councilor Delcourt commented that he was not forced out of the School Board, he was burned out. He then questioned if he voted for this can they change their minds at a later time.

The Clerk explained that the Town Council has two votes on this matter. First is to vote to call for Public Hearing and hold it; then to call for the question to be placed on the ballot, that order would take place at the September 13 Council meeting.

Councilor Delcourt commented that we’re voting today to talk about the matter.

Councilor Blanck said that Mr. Delaney provide an excellent presentation and asked him to bring those same comments forward on September 13 at the Public Hearing.

Councilor Sargent said that he served five years on the Budget Committee; he’s served on the Town Council for five years noting this will be his last year; he also has served on the Budget Advisory Committee for MSAD 6 for three years. He said that it’s all a learning curve, it takes one to two year to really figure things out and know what’s going on. He stated that last year MSAD 6 had a difficult stretch. He said that we need experienced people that have historical knowledge as to what’s gone on to make good decisions for all of our citizens. He said that Councilor Sirpis made a good point to move this to the voters.

Councilor Higgins said that is a good idea to bring this to the public, however, she’d like to see them presented to the voters separately, as it was originally brought to the voters in 2014. She said that public opinion should rule on this. She noted that term limits allows individuals to serve on other boards. She reiterated that they should be voted on separately.

Councilor Sirpis said that he respectfully disagreed, he thought that it should be voted on as one section. He said that he would not have brought this forward if people had come forward to serve. He said he was very concerned of the number of seats that were unopposed or vacant at the June election.

Councilor Sargent explained for the public that there were two referendum questions in 2014, the first was for Council only, the second included Council, Budget Committee and MSAD 6 Boards members. It was his opinion that all of those boards deal with a lot of money and should be included.

Chair Nesbitt said that he does not support term limits. He said moving this forward it will be voted on at the November election since it needs a certain amount of votes to be cast. He said that he’d prefer to see it presented at the June election where voters will be focused on municipal issues. He agreed this should go to Public Hearing in September.

**VOTE: 7 Yeas**

**PUBLIC ITEMS**

There were no public items.

**ANNOUNCEMENTS**

Several upcoming meetings were announced.

**EXECUTIVE SESSION**

An executive session was not needed at this meeting.

**ADJOURN**

Moved by Sirpis seconded by Higgins and voted to adjourn. The meeting adjourned at 8:05 p.m. by unanimous consent.

Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Clerk/Secretary