

**MINUTES
SPECIAL TOWN COUNCIL MEETING
STANDISH MUNICIPAL CENTER
TOWN COUNCIL CHAMBERS
STANDISH, MAINE
TUESDAY, MARCH 22, 2022
6:00 PM**

CALL TO ORDER

Vice-chair Gaba called the meeting to order and the Pledge of Allegiance was recited.

ROLL CALL

Councilors present: Butler, Delcourt, Gaba, Libby, Marci and Paul.
Councilor LeClerc was excused.

PUBLIC HEARING(S)

17-22 Decision and Order Regarding Dangerous Building at 60 Standish Neck Road (Tax Map 19, Lot 27) [LeClerc]

Town attorney Sally Daggett provided an overview of situation at 60 Standish Neck Road regarding concerns about the roof and whether it's safe for living there. She explained that Town staff has attempted to leverage some resources for the current occupants of the property. She noted it started back a few years ago, the Town Manager has met with Jennifer Libby, he followed up with Jennifer's mother, Gloria regarding issues with the property. The Manager is concerned about their safety and trying to connect the occupants of the property with various social service agencies that might be able to help, including Opportunity Alliance. Sally Daggett explained that the Cumberland County Sheriff lives in town and drives by this property daily, he has made some comments to the Town Manager regarding his concerns for the safety of the occupants. Attorney Daggett stated in January of this year, the Town Manager sent a letter to Gloria Giggey asking her to contact him, the letter expressed the town's concerns regarding the building and indicated that if they were unable to improve the condition of the building the Town would take steps to start the dangerous building procedure. Attorney Daggett explained that Jennifer Libby met with the Town Manager at end of January of 2022, where Jennifer indicated that she and her mother didn't plan on moving. Sally Daggett said that conversation has forced, from the town staff's perspective, to proceed with this dangerous building procedure. Attorney Daggett said it's not a procedure anybody really wants to go through with, but the Town believes that something has to be done for the safety of the occupants of the house. Attorney Daggett noted at the February 8, 2022, Town Council meeting an order was passed to schedule the public hearing, for today, March 22, 2022. Appropriate notices were served on Gloria and Jennifer, and then by statute, the notices were recorded at the Registry of Deeds. Attorney Daggett explained that all has been done, so they are here

tonight to have a public hearing. She explained the task of the Town Council is to determine whether or not the building on the property at 60 Standish Neck Road is a dangerous building within the meaning of state law. Attorney Daggett explained that included in the Town Council packet was a memo from her to them that included a copy of the statute to reference, it's Title 17, section 2851. She continued to say that subsection 2 (A) lays out the standards to a judge a building to be a nuisance or dangerous. Attorney Daggett read the following: the municipal officers, *meaning the town council* must find that the building is structurally unsafe, unstable or sanitary, or constitutes a fire hazard or is unsuitable or improper for use or occupancy to which it is put or constitutes a health hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment, or number five is otherwise dangerous to life or property. Attorney Daggett explained that if any one of those standards is met by the evidence tonight at the public hearing, the Town Council can declare that the building is a dangerous building. She said that the statute provides the property owner/parties in possession will have time to cure the dangerous building situation and if they don't, the town has the authority to go in and fix the situation. She said that testimony tonight from the Code Officer and the Fire Chief who will give their view on whether this building should be razed or if it just is something that can be fixed. Attorney Daggett explained that the public hearing process, the hearing should be opened, noting that the Code Officer and the Fire Chief and other public safety officials who may be in attendance to come forward, present whatever evidence they have about whether this building constitutes a dangerous building, again, within the meaning of the statute. Then, Jennifer or her mom could present information, then the hearing is opened to anybody else from the general public that wants to comment on the situation. Attorney Daggett said along the way, the Council should feel free to ask questions of any of the witnesses. She said that when the Council feels like they've gotten all the information that they need to hear from the various witnesses, the Council will close the public hearing. She explained once the public hearing is closed, there would be no more questions for Code Officer or Fire Chief or anyone else in the audience. Then it's up to the Council to deliberate and decide whether there's enough evidence to declare this building a dangerous building. At that point, once you have deliberated and have a consensus of where you want to go, you can work on adopting the Council order a draft of which was in your packets. She noted that they will develop a *Findings of Facts*. which will be Exhibit. Once that is all worked out, then you take a vote to adopt the order to include exhibit A, and you don't have to make changes. The Council will also have to recognize that the Vice Chair will be authorized to sign the council order because ultimately this Town Council order whatever gets adopted, she said that she didn't want to prejudge anything here, but if it is found by the Council that this building is a dangerous building, you'd have this order recorded at the Registry of Deeds. So that's why there's the signature requirement on the order.

Vice-Chair Gaba asked if there were any questions of the attorney from the Town Council? Hearing none she opened the public hearing.

James Paul the Code Enforcement Officer explained that he would go over the 16 pictures that he has taken of the property, all photographs were taken from the road, copies of the photographs are included at the end of these minutes.

Exhibit 1 – the right side of the roof, it slopes down, pretty considerably down towards the chimney, ridge poles in ridge lines should not sloped down like that. The porch door side of the building is separating from the main structure itself. In this photo, it'll be shown better and some other photos are right above the window on the right, just the left of the door, that window right above that there's a big hole in the roof.

Exhibit 2 - you're looking at the left-hand side roofline that's all wavy. You can tell the trusses aren't where they should be anymore. The ridgeline line is also sagging so that that whole ridge line is in jeopardy as well.

Exhibit 3 – a closer view, you can just see how there's no roof plywood, the roof decking is gone and you can see how wavy it is. Some holes are starting to develop on the on the very front corner of the structure, that dark spot is a hole that's starting on that side as well.

Exhibit 4 - shows a closer picture that same roofline, you can see the ridge pole, from the top left sloping down, there's a bump in the middle with a hole starting. Not quite sure if that's the interior wall holding that up or not, but the roof decking again, all the plywood and stuff has been deteriorating on that roof.

Exhibit 5 – this just re-emphasizing some of the angles and stuff of what's happening but that ridgeline on the right-hand side of the roof should be straight across and not sloping down at that severe of an angle.

Exhibit 6 - just to the right of the tarp on the bottom right there, there's a brown tarp that goes from the chimney down. That area on the bottom is a very large hole. There's no more decking, there's no trusses there. Then near the big tree, is actually kind of hard to see, the valley with that tree there, but to the left of that tree roofline is also wavy, meaning the decking is gone. And some of the trusses are probably not intact anymore. You can see that the porch door is leaning to the right, away from the main structure.

Exhibit 7 - the porch roof that is falling apart. Then you can see that larger hole on the main roof structure.

Exhibit 8 - shows the chimney, you can see the grey brick right there that's where the ridgepole should be, it's dropped away from the chimney, you can see some of the bricks in the chimney are actually gone.

Exhibit 9 - shows the ridgeline drastically sloping/sagging in towards the middle of the structure and you can see that the porch is separating away as well.

Exhibit 10 - a closer view of the roof. You can see the large hole just to the right of the tarp, there's another hole starting right above that. You can see the bricks are missing in the chimney and there's a hole to the right of the chimney starting as well. In that picture a little bit on the left-hand side of the other valley you can see that there's some waviness to the roof, meaning the decking and trusses are compromised.

Exhibit 11 - shows the big hole again and the other hole starting above it.

Exhibit 12 - a closer shot of that so you can see how bad that roof is. Up on the chimney, you can see where the ridgepole should be on that, but it's probably, he couldn't say how many inches below where it should be.

Exhibit 13 - the very right-hand side of the roof that should be a straight line going across to the center of the photo. Obviously, it sags down to the left. You can see the hole starting down near the tree, is that large hole and then up above middle of the roof, despite the tarp there's two holes starting there as well.

Exhibit 14 - shows the chimney where the ridge lines should be and then just the holes again on that main part of the roof.

Exhibit 15 – shows the large holes and the small holes and you can see that the roof is separating up on the top of the porch from the main structure as well.

Exhibit 16 - shows the large holes, and then on the left of the tree. It's hard to get photos of that side of the roof because of that tree.

Code Enforcement Officer, James Paul explained that he was asked to review the Dangerous Building Ordinance from the state, Title 17, Section 2851, Subsection 2 (A). Is a structure unsafe? He said yes, the roof system is failing or has failed and is failing as days go on. Is an unstable? He said yes, the structure is unstable, the roof can collapse at any time with any heavy weight on that. Unsanitary? He said that we haven't been inside, we don't know. We can just assume that there's a lot of water damage and mold inside the house because those holes have been open throughout many rainstorms, snowstorms and loads. Does that constitute a fire hazard? There again, we haven't been able to get inside to look at the utilities. One can only assume that there's water damage going on into the electrical outlets and stuff in the building from the roof getting down into the walls. Unsuitable and proper for use or occupancy? He said he'd have to say yes, the roof system has failed. There are gaping holes allowing moisture to get inside the structure. The porch is the only entrance and exit of that structure, as seen from the road the porch is actually separating away from the building. Is there hazardous to health and safety? He said that there has been a

lack of maintenance. Reviewing the assessing record online it shows that in 2014 a photo was taken; it shows that there was large tarp over the whole roof. He said that has been going on for over seven years almost eight years now. With no maintenance being done on it. Dilapidation? The structure is decaying is falling into itself shown by the photos, I think is obvious, but that's up for you guys to decide. He said that the obsolescence part of it really doesn't fit this situation, nor does the abandonment because there are occupants living in the structure. He said that going over those standards for dangerous buildings, I think we hit more than what we need to do. Do you have any questions?

Councilor Butler said did he understand correctly that the town owns this property now because of a tax lien?

Town Manager, Bill Giroux explained that it is tax acquired, but we haven't taken possession of it. He said that he'd have Sally speak to this, however the last time they paid, was \$60 in 2019. And for a few years before that they paid \$150 a year. The total owed is \$5,331.60. As of today, and we are listed as the property owner, but we have not physically gone and taken possession of the property. So, it's a technical situation. We purposely haven't taken possession.

Sally Daggett explained that it's been tax acquired by the town of standards. The town of Standish is the record owner of the property, but it owns it, but one of the attributes of ownership is possession and the town has not exercised its right to possession of the property. But it owns it.

Vice-Chair Gaba asked James Paul to explain for those of us that are not as familiar with building structures to describe the importance of the structural roof trusses?

Code Enforcement Officer, James Paul explained that there should be a steel plate on the top of the on the wall that goes up to the ridgeline going across. They should be straight, sturdy, intact. He said that both sets of roofs the pictures do it justice, because if you look at the left-hand side of the structure where you can see the roof, it's almost a two-foot bow from the sides of the roof. It should not bow that much.

Vice-Chair Gaba said that you can correct me if I'm wrong, but the purpose of those trusses is to hold all that weight of the roof. She said so at this point, is that concern that there are no trusses, is that your determination?

James Paul said that they're not where they should be.

Councilor Macri questioned if the town owns the property, if something happens, and that roof collapses and somebody gets hurt, is the town liable?

Attorney Sally Daggett said that the Town hasn't taken possession of the property yet. So, under the Maine Tort Claims Act, the town would not be liable. She said that's the whole reason we're here, is we don't want to be in a situation of figuring out who's liable for what, we think it's an unsafe situation.

Councilor Macri said by that you're saying we would not be liable because we have not taken possession.

Attorney Dagget said that if it came down it, the Town has not taken possession, so we would not be liable.

Town Manager, Bill Giroux explained that this was already pending when he started working for the Town. He said that the previous Town Manager, Gordy Billington had written at least one letter, but he was not sure on how in depth that process got. He said that a short time after he started working here, he became concerned about the property. He explained we reached out to the owners, a couple of letters were sent in which we asked the two occupants to come in and discuss possible help that we could get for them. He noted that he was not sure we could get any help for then because they've never they haven't applied for any help. He said that Jennifer did come in, Jennifer is the daughter that lives there, she's here tonight. She did come in and we met. He said at that meeting he expressed his concerns. This meeting took place probably two years ago, two and a half years ago. He said that at that time he became aware that the mother, Mrs. Giggey has lived there all her life and it means a lot to her. Also, at that time, the daughter Jennifer felt that the building was safe. He said that he was for them concerned through the winters. He noted that he'd dealt with dangerous buildings before, but never when they were this bad and occupied. He said that in Maine, and he's a believer, that you can live in a shack, people complain, but that's their problem. He said that this is quite a bit different when people are living in a building that the municipal officials might deem that it's not safe for human occupancy anymore. He said that this law is in place, the legislature did this, decades ago, because I've dealt with it a few times, they did it so that there was some remedy if the municipal officials felt that there was an unsafe situation, they could take action. He said at some point, about six months ago, he started to get more serious about the matter. He said that he's received emails and calls from people who are concerned and say we ought to do something about this. He explained that the Fuller Center, which is a national organization, that fixes up buildings like this, were contacted. They wanted to look at it and they did look at it. He said that the Fuller Center informed him that this was not a project that they felt was possible for assistance because they thought the building was too far gone to rehab. Eventually, after the last few months, when he geared this up, Jennifer did come in and we discussed it again. At that time, Jennifer indicated that at our suggestion she had contacted Habitat for Humanity with regards to their possible interest in fixing it up and if she wants, she can clarify, but my understanding of that answer was that Habitat had said that this is not anything that they could take on. He said that even before the Fuller Center, there was a church that

was trying to help. He said that all these organizations get to the point, they quickly realize this is a bigger project than they can take on, he said that basically, if someone were going to live there, there needs to be a new residential structure placed on the lot. He said that he would imagine that the septic system and the well are still viable, but in his opinion, and in the Code Officers opinion, the building is not viable now. He said we haven't been in it, we haven't been behind it, because we don't own that property. We took the pictures you see from the road. He said it brings it to this point and he thought that is the reason the law is set up. He said that you have a difficult decision to make, but there's some way to solve it. He said it lies in your hands, unfortunately, it's not in his.

Councilor Macri questioned in your opinion that this house, from what you've seen, there is anything that is salvageable? So, putting a new roof is not going to fix it because there's not the support from what you've seen in the walls and stuff like that?

James Paul said from the road, only. He said that he has not been in this structure to look at the walls. He said that he really doesn't know, but he can just assume that with all the water damage over the years, that the walls, the sill plates and the supporting bearing walls aren't going to be salvageable. But I can't answer that 100% because he's has never been in the building itself.

Councilor Delcourt asked why can't you go in it?

James Paul said because we haven't taken possession of it.

Vice-Chair Gaba said from her day job, she knows that you have to go through a big process as far as serving folks to notifying them to be able to, to go in. She said if that were to have happened, we may have taken possession of it.

Sally Daggett said, right, in effect to take possession if the occupants are not willing to go voluntarily, the Town would have to bring an eviction proceeding in court.

Bill Giroux said in order for us to do that, it's taking possession of it, and we would have to begin in an eviction proceeding in court in order to get the right to go in. At that point, they would be evicted. And then we would go in. And I think that's a natural evolution if the Council passes this tonight.

Councilor Paul asked for an explanation for the difference between acquired and possession?

Attorney Dagget said one of the attributes of real property ownership is the right possess the property. She said in this case, the Town of Standish owns the property, it's the record owner, because it went through the tax lien mortgage foreclosure process, gave all the right notices and taxes didn't get paid. That's takes about, it's almost a

two-year process to go through that. She said that it was her understanding that the taxes have been outstanding since about 2012. It became tax acquired property in 2015. She noted that Jennifer and her mother have been living there, throughout this time, and the town owns the property, but it has the right to possession, but because there are occupants of the property, the town would have to go to District Court, bring an eviction proceeding and prove that the town has the right of possession that's superior to Jennifer and her mother. She said that if the town went to District Court got a judgement in its favor, saying yes, the town has a superior right to possession of this property, then at that point, what's called a writ of possession would be issued and that would get served by Deputy Sheriff on the occupants of the property and occupants would then have 48 hours to vacate the property, if they don't, they're trespassers, and then Cumberland County Sheriff's Office would forcibly remove them from the property at that point. That's what the eviction process entails. At this point, the town owns it, but it doesn't yet have the right or has an exercised the right of possession because it's being occupied Mrs. Giggey and her daughter.

Vice-Chair Gaba asked Attorney Dagget to describe the eviction process to them and were the residents aware of the process?

Attorney Daggett said that they were absolutely aware. She said first of all, there was a letter that the Town Manager sent in January, which asked it was as addressed to both Gloria Giffey and her daughter. The letter asked that one or both of them to come in and meet with the manager. Jennifer did come in and meet with a manager, so, we know they got that letter from January of 2022. At the meeting Jennifer indicated that she and her mother were not planning to move, that's what then started this process of going down the dangerous building route. Attorney Daggett explained after the Council met on February 8, and adopted an order to schedule this public hearing, then individual notices of tonight's public hearing were both served in hand on Gloria Giggey and her daughter, they each got a notice addressed to them individually, one to Gloria, one to Jennifer, those were served in hand by the Cumberland County Sheriff's Office on February 17. She noted that copies of those notices are in the Council packet. Then additionally, as required by statute, the copies of those two notices of public hearing, they got served on Jennifer Libby and Gloria Giggey were also recorded at the Cumberland County Registry of Deeds. So, this town has, in fact, provided notice to both Gloria Giggey and Jennifer Libby, as required by the statute, but we know they receive these notices they are fully aware of this process. She said as the Manager has indicated this isn't the route we would have preferred to take, but we feel that this is the best way to try and ensure their safety in the long run.

Vice-Chair Gaba asked James Paul, that previously to the Council scheduling the hearing, what was your process to notify the homeowners that you felt their place was unsafe?

James Paul said that can't remember the exact date but last summer he sent them a letter when Habitat for Humanity the other company was involved. So, this has been going on for over a year. The Town Manager contacted them and they came in to discuss the two non-profits and who can help them. He said that he knew for a fact that when the house down the street was built a mobile home on the property was offered to them, but they refused it. Also, when he worked as the fire inspector, local contractors had offered to fix the roof, but they refused. He said that this has been an ongoing process. He said that February wasn't the first time they were notified.

Vice-Chair Gaba called for additional questions of Mr. Paul, hearing none, she asked that the Fire Chief present his testimony.

Rob Caron, Public Safety Director and Fire Chief in town said he said that he really understands and respects the fact of the sentimental value of the residence. He said that looking at these pictures, he can sum it up with pictures 8, 9, 10 and 16. He said really from the department standpoint, what's going to happen, is if we have a fire at this residence, risk a lot to save a lot, every time we go to somebody's house that's on fire. To save a human life, or whatever the case may be this building; knowing we're not going to send anybody in there. He said that picture 8 shows the porch is falling and it's the only entrance into the building. It's just it's a disaster written all over it for us. He said for us to risk losing two guys or three guys, whatever we send in there is it just unfortunately, we can't risk one. He said in picture 9 if there was a fire in there between the hole the roof acting as a chimney, bringing the fire right up through there, that's going to make that Gable and fall right in and to take the chimney along with it with the bricks already missing, that's going to fall in on somebody as well. He said that just these pictures, as horrible as it sounds, unfortunately, we would be on the outside of this building, putting water in from the outside, we do have several of these buildings in town that are unoccupied. This is the first time we've had to deal with, an occupied building. He said that we know they're dangerous building so we wouldn't send somebody in. He said if you take a straight-line ruler and go across the ridge peaks you can see the difference and it looks like two and a half feet. He said that's an unfortunate thing for me to say this from our standpoint, but there's a lot of risk for us.. He said that he didn't know maybe there's something holding it structurally, I'm not sure but from the outside looking in, this is one building, we will not send anybody in. He said that for an EMS call if somebody was down we're going to work our hardest to try and get them to come outside to us. If we have to go in, we're probably going to be shoring up the building with something or at least trying to do a visual inspection of what we can see before we enter that building for a medical goal. At the end of the day, it's not about what the house looks like, it's life safety. It's all about life safety with this, their lives or our lives. So that's kind of why we're here to just speak about.

Vice-Chair Gaba questions from the Council for Mr. Caron?

Councilor Delcourt said that he didn't hear a lot of what you said. However, is it dangerous for you to go in that building if there is a fire?

Chief Caron said that we will not go in that building if there's a fire because what we see from the outside. He said that the holes in the roof will act like a chimney effect and the roof will burn quicker. He noted that if there was a fire by the time that they arrived, obviously it has to get reported, it looks like a tinderbox from the outside, it's going to burn pretty quick and rapidly. So, therefore we just would not go in the building. In addition, the only entryway we can see is already falling off the building.

Vice-Chair Gaba asked Chief Caron to clarify that this is the only structure that is occupied that your department will not go into?

Chief Caron said that this is the first since he'd seen since he's been the chief that we've had to deal with.

Councilor Macri asked if there are other buildings like this but unoccupied, why is this one?

Chief Caron said that the Fire Department's consideration of a dangerous building is a little different than what is before them tonight. He said that he was referring to more like some of the buildings that like auto body repairs or something like that has a lot of chemicals that's completely on fire, we're not going to go in and risk ourselves for something like that. The only other buildings are peoples sheds or barns. He said we've dealt with it on other structures, like old barns, garages, that type of thing that needed to be cleaned up or taken care of, just never a residence that's been occupied.

Councilor Delcourt said if there's a person in there, and it's burning, you're going in anyways, because that's the way you people are, it's very, very dangerous situation.

Chief Caron said that typically, yes, but this right now he couldn't honestly stand here and tell you that he would send somebody into that building that was completely on fire. He said that we do have a verbal standing order with the department that, we're not going to put somebody in that building. He said that being said, there's differences in a small little fire on the stove, or, whatever, it's just an unsafe building, if it's on fire for us to put somebody in there, because if there was somebody in there, we may end up with more victims when it collapses.

Vice-Chair Gaba asked him to describe other sort of instances of enforcement of fire safety on homeowners, she said that this is new for her, she's familiar with, with apartment buildings, with regular inspections there. She said as a homeowner, she has never gotten a regular fire inspection.

Chief Caron said that they typically don't do it, it's not a requirement. He said by code and in law, we do the three units and above apartment buildings, we inspect those more or less for egress and wiring that those type of things. At any time, there has been a violation, they are written up and the landlord has had to correct the problem. We just make recommendations to give that to landlord. The landlord submits a plan of action from him as far as correcting the matters.

Vice-Chair Gaba asked are there instances that you can point to, as far as fire safety for homeowners in town when the town intervenes and says that it's time to correct issues?

Chief Caron if in general home it falls back on the homeowner. But as it was stated, in the past, we've received numerous calls from people in the town, different agencies, people trying to help, so this has been brought to our attention by many other people. He said if we ignored it and something happened, he didn't know where we'd be. So, we've always tried to act on it, whether it be through code enforcement, or the Town Manager intervening in this it's just at the point now. He said it's pretty dangerous looking.

James Paul said being a certified fire inspector to NFPA, Maine has adopted life safety 101, in NFPA. He explained that one and two-family homes are exempt from the codes. If someone calls us and asks for us to look at this, say can you come and look at our building and see what we need to do. But Maine has not adopted requirements that one and two family dwellings have to be inspected.

Vice-Chair Gaba said so if you see something unsafe it's generally risen to the level that it's from the road like we're doing tonight?

James Paul said yes.

Vice-chair Gaba asked if there were any other questions from the council? Questions from the public?

Attorney Daggett asked if Jennifer Libby wanted to speak?

Jennifer Libby said that she is one of the occupants at 60 Standish Neck Road. She said that she's been working with Peter Adams through Pine Tree Legal and a person named Suzy from Community Concepts. She said that they are in the approval process so they should be hearing more from Community Concepts because they now have funding. She said that they have heat, hot water, cold water, sewer all works. She said that she has not noticed any mold, there is some water damage. She said yes and admitted that the roof leaks. She said that they plan on tearing off the porch. We just haven't got there yet where it's been cold. She noted that they were concerned of where it's falling

off, we plan on ripping the surrounding structure off since it's not completely attached to the house itself.

Councilor Delcourt asked what do you want us to do?

Jennifer Libby said that they'd like to be left in the home to be able to complete this process with Community Concepts, since they can provide up to \$30,000 worth of funding to fix the structure of the home.

Vice-chair Gaba asked if she has gotten an estimate on what it would cost to fix your home?

Jennifer Libby said that last time she got an estimate it was around \$20,000 to fix all the structure in the roof.

Vice-chair Gaba asked when was that?

Jennifer Libby said that it was about five-years ago, so, with the price of lumber and stuff, probably closer to \$30,000 now.

Vice-Chair Gaba asked you anticipate that Community Concepts is going to be able to assist you with this entire plan?

Jennifer Libby said where it was pre-approval, they weren't able to write a letter yet. But they do have the email that from Peter that he wrote me this afternoon explaining that he had talked to Suzy about it and how that process works and whatnot. But it was a matter of them getting funding for us to move forward into the that next stage of the approvals to get the official letter.

Vice-Chair Gaba asked what do you anticipate that the process will be, do you know that you're going to move on a five-year-old estimate? Do you have someone lined up to be able to assist you?

Jennifer Libby said that Community Concepts has all that in line, or they'll be able to direct me to someone that has that knowledge or who they work with.

Vice-Chair Gaba asked have they done a review of your home?

Jennifer Libby said when you submit the application, you submit what's wrong with it and she told them that had structure and roof issues.

Vice-Chair Gaba said that she was assuming that you told them that you needed a completely new roof. Vice-chair Gaba asked if there any questions from the from the Council.

Councilor Delcourt said she said it would be \$20,000 to fix it? Then he asked how are going to pay your taxes of \$5,000?

Jennifer Libby said because the tax is coming out of our monthly thing that we'll be paying on starting again next month.

Councilor Paul asked if anyone from the organization been out to look at the house?

Jennifer Libby said not yet. I'm assuming that probably Peter talked in depth about it because we had quite a conversation.

Councilor Macri asked if they do come out and look at it and determine that it there is not enough to be able to save the structure that it does completely have to be rebuilt. What happens then?

Jennifer Libby said that she didn't know, since we have nowhere to go. She said that she lives on disability and her mother lives on Social Security so it's not like they have excess money to afford rent somewhere.

Councilor Macri said that there was mention of a possible trailer and other stuff like that. Why didn't that happen?

Jennifer Libby said that she was working with Dan Hopkins at that point, and he went to look at the trailer. She said that the trailer was basically all gutted. There was nothing really salvageable in it.

Councilor Macri asked if you and your mom were presented with an opportunity of a decent mobile home or something. You guys would be open to that?

Jennifer Libby said yeah, that's not a problem at all. It's just, you know, we've always lived there. She noted that whole side of the road was Libby property at one time.

Councilor Macri said that's what he didn't know. He said he knows that sometimes there's sentimental value, absolutely, in a building. And you don't want to let that go. I didn't know if that was the case.

Jennifer Libby said that no, if a trailer was presented to us to put on there, that would be fine. She said that's always where we've lived, on the that property. She said that the building is seventy years old. Yeah, that's where we grew up and stuff. But if a trailer was presented, we'd be fine with that.

Councilor Macri asked, are you to the only people that live in the house?

Jennifer Libby said yes, mom turns 70 tomorrow. That's how we keep track of how old the houses is, it was built when she was a baby.

Vice-Chair Gaba questioned that about two years ago, the Town Manager had reached out to me to see if there was anything that I could do to help you. She said at the time she worked for a low-income housing developer. At that time, we were opening a building that was offering subsidy and the town office had reached out to you to obtain a release of information. She noted that it was her understanding that you didn't return that call or you didn't respond.

Jennifer Libby said that she didn't remember ever receiving that information. She said like the Code Enforcement saying that they had offered to help. I don't know what he's talking about.

Bill Giroux said that he didn't want to say begged, but we implored you to get help. He said that we gave you the phone numbers and the names of people to call, Mr. Giroux said that you were called you every time there was housing. He said that your answer to me was that you didn't want to live anywhere else that you were staying.

Jennifer Libby said that she did leave a message for Mary or Vicki or whatever her name was, but she never heard back from Opportunity Alliance. She said that she did call and leave a message.

Bill Giroux said that it would be a good idea to hear from the Code Officer Code Officer about the potential cost of restoring the structure. He said in his mind, and he was a Code Enforcement officer many years ago, this is not a repair at this point. This is a knock down and build new or replaced with a different structure. He said that we ought to hear from the CEO because he issues the permits all has estimated values, he issues permits every day. And he's constantly involved in considering estimates of these kinds of buildings.

James Paul said that five-years ago maybe it would have cost \$20,00 to \$30,000 to fix the roof. Since that time, it has gotten worse. He said an estimate right now you're going to be up to \$80 to \$90,000 for brand new roof system. The sheathing alone is \$100 or \$102 for a 4' X 8' sheet. To get manufactured trusses there is a nine month wait. He said that he can't give you a figure, but \$20,000 to \$30,000 is very low. He said that once they see the structure, they're not going to put the money into the structure because the rest of the building won't sustain that amount of new construction weight. He said everything else has been damaged along the walls. If you look at the pitches, the gable ends are leaning in, the walls below are going to have to be replaced as well, you're looking probably going to be like in your brand-new house. He said he would be very surprised, we've gotten letters from one of the companies that said that was way beyond their scope, and that was over the summer and it's gotten worse since then. So, he said good luck to her if that's the case, but \$20,000 is

an estimate. They haven't even seen it. So, they're looking at maybe they're going to replace a hole in a room for a leak, some shingles, and some sheathing decking, maybe a truss here or there, but you're talking a whole new roof system. Basically, if you're looking at the road, it goes from right to left, and you got that valley goes from the front of the back, you got two brand new roofs you need to put on that house. He didn't have a figure to give them but he knew that \$20,000 is not even an option nowadays. He continued to say that maybe they could do the porch. He said that he was astonished at what some of the decks are going for right now, to take the take the porch off, maybe they can replace that porch for \$20,000. But the whole new roof system across the whole main the all the building is not going to be done for \$ 20,000.

Vice Chair Gaba asked Jennifer Libby how did she feel and her understanding that if you need emergency services in this town right now if something were to happen to your to your mother or you, or if there were a fire in your structure that that they would not go in? She asked does it give you pause to want to be able to stay there at this point? Are you feeling unsafe?

Jennifer Libby said nope. She said that emergency services are too busy across the street to worry about us.

Councilor Paul asked if Community Concepts are loaning you \$30,000?

Jennifer Libby said that some is grants and part is a low percentage loan.

Vice-Chair Gaba asked if she was granted an approval letter from them for that? Is that what you have?

Jennifer Libby said that she had an email from Peter. She noted that they are still in the pre-approval process. They could not issue a letter at that point.

Vice-Chair Gaba asked when did you start this process?

Jennifer Libby respond February 17. It was pre-approved February 22.

Councilor Delcourt said if the house caves in what are you going to do? Don't you think you should have some kind of a plan which is going to cave in eventually. Have you looked into the town's low-income apartments?

Jennifer Libby said she thought they looked at one point. But think there was waiting list at that point.

Councilor Delcourt asked is there any way that the town could help you get through that waiting list? Would that help you?

Jennifer Libby said she didn't know but probably not.

Bill Giroux said that he didn't think that we'd be able to help with the wait list, he said that there was more housing pre-Covid. He said that it still would have been a year or so.

Vice-Chair Gaba said that generally most low-income weight housing waitlists and Section Eight wait lists are for apartments are probably a year, for a section eight voucher, maybe 10. She said to prioritize folks on a waitlist violates fair housing laws.

Councilor Macri asked Jennifer Libby if she was willing to take responsibility for any damages or issues to yourself or your mother that happened because of the roof caving in?

Jennifer Libby said yep.

Councilor Macri continued to say any other things, you know, the condition of this building, you are fully taking responsibility for anything that happens within that building.

Jennifer Libby said yes.

Chief Caron said that the decision that he's made for this is not something that he's taken lightly. It's something he's thought about a lot, he never thought he'd be in this position. He said any loss of life would be tragic, but if he knew he sent two guys in to save somebody and the roof collapses and they all ended up in the basement. Any loss of life would be tragic. That would be terrible add two more to that because of the condition of somebody's residence. He said that he wasn't trying to come across that it was a bad decision, hastily quick decision, something we've been dealing with this for a long time, it's thought about and it was asked for to give his opinion. And that's a decision that didn't come lightly. So that just wanted to make sure everybody, everybody knew that.

Vice-Chair Gaba said that she understands a couple years back that the City of Portland had that Noyes Street fire where the landlord was at fault. But, also, where there are regular inspections and many people died. She said that she thought that we're, we're looking at a safety issue. She said it sounds like from these gentlemen, that it's not if the roof caves in, it's when it caves in. And when it caves in, it's her right to be there in there when that happens, that is something that we will discuss as a Council. But she said that she thinks that when we have the responsibility to sit here and make decisions that can either save people's lives, or let them languish, we have some hard choices to make.

Councilor Macri asked the Town Manager, why did we go this process? If technically we own the building? Why have we not gone the route of eviction?

Bill Giroux said as you know, these are discussions we have amongst us as we're trying to solve problems like this. And we thought, in our opinion, clearly a dangerous building that met the law, and that was the right avenue to pursue.

Attorney Daggett said to be honest, she said that we were trying to incentivize, Jen and her mother, to voluntarily come to the realization that they needed to make a change, and they have not come to that realization yet, obviously.

Bill Giroux said that we've had discussions for two years. When it got to the point where he started thinking, jeez, you know, this may have to go through dangerous building, then Sally and he, again, Sally actually didn't want to move it forward a year, year and a half ago, because she wanted to make sure that we'd made every effort possible to get them to voluntarily leave and he thought that Sally became convinced this early winter that it was time to move it forward. He said that he also saw his exit coming and he didn't think that this is something that should just left for the next group to deal with. It's a difficult decision for you and he was I'm sorry that it had to come to this point. He said that he didn't see any other way.

Councilor Macri said if this is declared a dangerous building, how do we see this playing out next? He said doesn't sound like the tenants are going to leave. At that point, will the Cumberland County Sheriff's get involved and forcibly removing the residents?

Bill Giroux said the Sheriff's Department isn't involved until we go through the eviction process. He said that is what he would recommend but understands their situation that you declared a dangerous building, that the tenants the occupants leave within 48 hours. He explained if they don't, then we'll pursue the eviction process. He said that he has told the staff that he would expect that they would pursue it diligently because of the dangerous situation. He said that after that writ is issued, if it is, then the Cumberland County Sheriff's would cause them to leave. That's how he sees it. I would prefer they left.

Vice-Chair Gaba explained that the eviction process is not a short, instantaneous process. She said that it would probably start with a 30-day notice. She said that she would assume that Ms. Giggey would probably push that to court, which would add extra couple of weeks to the process. Vice-Chair Gaba said that if that is the direction this Council goes, she hoped occupants use whatever time that have to find somewhere safe to go and that they reach out to anyone that can help them.

Councilor Delcourt said that if we evict them, we're going to look terrible. He said that if we evict them and they have no place to go and that's a problem. He said that there

has been no effort on their part to find another place. He said that he would vote for the eviction.

Vice-Chair Gaba called for additional Council questions before they move on. She then called for public comments, hearing no public comments, the public hearing was closed and the Town Council deliberated the matter.

Councilor Macri said that he found it hard for them to kick somebody out of their own home. He said that knows that technically the town owns this house now. He said that finds it very hard to say that the house is dangerous even though it clearly is. He said that it clearly could collapse at any time. He then questioned, what happens next? If they get kicked out, where do they go? He said they may have options and they just don't want to pursue them. He said that his preference would be let the house fall apart. He said that at some point it is going to get bad enough that they're not going to want to live there anymore. He said that is going to force their hand, now if that causes them to get injured, that is not on us. He said that they've clearly taken responsibility for that they clearly see that, they understand that.

Vice-Chair Gaba said that she believed that the goal here, as was laid out by the town attorney, is not to make a determine if we want somebody to continue to live in their home, but if the home is safe or not. She stated that that his first comment was that the home is not safe.

Councilor Macri said that there are a lot of other homes in Standish that are not safe. He recalled stories told by his father-in-law who knew people that grew up in the homes that did not have heat and had dirt floors. He said there's a lot of conditions that people live in this world right now, that we would probably say are dangerous. He said what is the alternative? What is the next step? He said that he has a difficulty with that.

Vice-Chair Gaba said to be fair, we all have difficulty with it. She said that she has 21-years of experience in social services and helping people in homelessness. She said that she didn't like the answers that are before the occupants, she said that she didn't think there were a lot of options out there that will please anyone. Vice-Chair Gaba said that she hoped that there are options available for the occupants, but that being said, how do you help someone that that isn't willing to be helped? She said that she respected that she's gone to Community Concepts. But, but she did it, on the day after that she was served the notice, when Bill has been trying to reach out to her for years, about this issue.

A person in the audience spoke their seat, the Vice-Chair noted that the public comment period had closed.

Vice-Chair Gaba said that her opinion is that the Town of Standish has done as much as they possibly could to offer the services and to offer a path forward without getting to

this spot. She said that in her experience this effort exceeds what she's seen other small towns do.

Councilor Delcourt said that he feels that we should help people that help themselves, but they're not helping themselves. He said that he can't fathom living there. He mentioned the concerns described by the Fire Department.

Councilor Butler said that the order before us is not to evict anyone, the order before us is just to make a determination if it is unsafe? He said that it's hard to say that it's not. He said that we're all good hearted and we think about the future and what comes next but let that be a vote on another day. He said let's focus on is this a safe structure or not and make a determination.

Vice-Chair Gaba agreed with Counselor Butler's comments and continued to say that they've received some testimony from our experts in our town. She said as much as we want, to make decisions based our hearts and feelings or empathy for what the household is going through. We're received testimony from the professionals that we hire, to make the determination.

Councilor Butler said that their actions today start the process. He said that Community Concepts could come forward fix it for \$30,000, it'll be done and the eviction stops. He said that we're just saying it's unsafe.

Vice-Chair Gaba explained that Community Concepts is offering a loan.

Councilor Butler said that's in the future and not before us. We're just determining is it unsafe today. This will start the process, maybe Community Concepts will provide more money, because it's unsafe as determined by the council.

Vice-Chair Gaba explained that another part of the process is that we're the time-period to correct the situation. She said that of the things that we are also deciding to is if there's a period of time that we want to give them for correction, is that did I read that in our materials? Sally, there's that question. If we are, if we determine that there is that the building is unsafe? She questioned if there was a timeframe involved?

Attorney Sally Daggett said that the occupants have 30-days to fix it themselves. Daggett said in the in the draft Council order provides them 45-days, because that would also run out the time-period on an appeal.

Bill Giroux said that the Council could change the time-period when they do findings of fact, not to reduce but to increase.

Sally Daggett said that the time-period could be lowered to 30-days. She explained that the reason it was drafted as 45-days was to let the appeal period expire and know where you are and give them a little wiggle room.

Vice-Chair Gaba said if the time-period was extended to 60-days would the building need to be in complete repair at that point or could she provide evidence that Community Concept has reviewed the property made a real recent determination?

Attorney Daggett for purposes of what spoke for you tonight, the Council needs to make a determination about whether this is a dangerous building. She said that she heard no testimony tonight that this building is sort of fixable. She said that the testimony was presented is that the building should be torn down. She said that is the way Council order has been drafted, it's ordering the parties in possession within 45-days to raze the building. If they don't, it authorizes the Town through the Town Manager to cause the removal of the structure, this is the typical process when it when it's a building that is not salvageable.

Councilor Paul said that this is a tough decision to make for all of us. He said from looking at the photos and actually driving by the building, he'd have to say that it's a dangerous building and we need to do something. He questioned if we could say it's a dangerous building, but postpone this for two months to see if Community Concepts comes back with \$30,000, they can fix it and give us an exact date when they're going to fix it?

Vice-Chair Gaba said her understanding of what attorney Daggett was saying that if we move forward with this order, we're essentially moving forward with raising of the building.

Councilor Daggett said that they should be given at least 30-days to do it themselves. She said that you could make the time-period longer, but from the testimony you've the situation is not getting better, it's getting worse.

Moved by Delcourt seconded by Butler and voted to declare that this is a dangerous building. (5 Yeas – 1 Nay, Macri)

Attorney Daggett said they should discuss what the remedy is here, then work through the time-periods periods. Attorney Daggett said in addition you're going to have to work on exhibit A, which is your findings of fact and conclusions that ultimately become a part of the town council order. She said that focusing on what the remedy is will help us work through the final form of the Town Council order that you need to adopt.

Bill Giroux said that the talking about whether so what timeframe would you be give them?

Attorney Daggett explained that the proposed order in front of you, is subject to change based upon a finding that the building is dangerous under Title 17, section 2851, that the parties in possession must cause the structure located on the property to be razed and the debris removed in a lawful and environmentally appropriate manner within 45-days from the date of the order. She said if the order is not complied with, the Town Manager is then authorized to cause the removal of the structure and to bill the parties in possession for the costs and expense incurred by the town to remove the structure. Attorney Daggett said again that's proposed in the order, to give Gloria Giggey and Jennifer Libby as the parties in possession, 45-days to have the building razed and the debris removed on their own accord. If they don't, then it was back on the town. She said that while the Council proposed order talks about the manager if the parties in possession don't raze the building, the town will then move forward. I think at that point, the town is likely going to have to do a little bit of a side proceeding relating to some sort of eviction proceeding.

Bill Giroux questioned if the Council would be involved in that proceeding?

Attorney Daggett said the Council will need to authorize that proceeding, as town attorney she would not initiate that on her own. She said that she would confer with them and get their authorization to proceed. Before starting that, they need to decide how much time do you want to give Gloria Giggey and her daughter to try and resolve this situation on their own i.e. 45-days to raze the building and move remove the debris. If that isn't done, whether that's 30-days, 45-days or 60-days, then there will become another decision point for the Town Council.

Bill Giroux said to prompt that discussion about the 45-days or 60-days a Councilor could make a motion to discuss how long they would have to raze the building at their own expense.

Councilor Decourt questioned how do you find out how much it costs, if you can't go inside?

Bill Giroux said that they are required to remove the building. If they, if they don't remove the building, and we're probably going to be back here to talk about eviction and potentially removing it ourselves, but that's down the road.

Moved by Butler seconded Delcourt to accept the 45-day period that is in the proposed order.

Councilor Paul said what happens if Community Concepts comes back tomorrow and says that they're going to fix the building, what happens then since we've already said it needs to be razed?

Attorney Daggett said that there is the ability for the parties in possession to challenge the Town Council's decision, which may lead to some discussions about settlement. She continued to explain if there's a Council order to for the building to be razed within 45-days, and it isn't razed in 45-days, then the Town Council moves on to the next step.

Vice-Chair Gaba said that for clarification, Community Concepts would just be the funding, the parties would still have to hire a contractor, then schedule contractor.

Vice-chair Gaba called for the vote on the motion.

Moved by Butler seconded Delcourt and voted to accept the 45-day period that is in the proposed order. (5 Yeas – 1 Nay, Macri)

Attorney Daggett explained there are a couple of housekeeping matters that have to be completed on is to review the finding of facts and ultimately adopt, they will get typed up and attached to the order. In addition, the Council has to authorize Vice-Chair Gaba to sign the order once it ultimately gets adopted and is then recorded at the Registry of Deeds

Bill Giroux said that it does not come back to the Council, they'll discuss the framework, you'll finalize the finding of fact, the Vice-Chair will sign the document and it will get recorded.

Attorney Daggett said that she will read a proposed set of finding to serve as Exhibit A. she said that they can jump in if there is an issue. She said that when they agree to the information in Exhibit A the order will need to be amended to incorporate it into the order. She said that then you will need to amend the order to authorize Vice-Chair Gabe to sign the order as amended.

Attorney Daggett presented the proposed draft of the finding of fact conclusions of the dangerous building public hearing for 60 Standish Neck Road, held on March 22, 2022:

Paragraph one - on February 8, 2022, the Standish Town Council voted to set a public hearing under the dangerous building Statute, title 17. M.R.S. Section 2851 to 2859 for March 22, 2022 to determine whether the building located at 60 Standish Neck Road and Standish was dangerous or nuisance within the meaning of title 17 section 2851.

Paragraph two - the property is described as Lot 27 on Tax Map 19 , a copy of which is on file at the Standish Municipal Building, 175 Northeast Road, Standish, Maine and more particularly described in the deed of distribution by personal representative of Gloria J. Giggey as personal representative of the estate of Elise Libby to Gloria J. Giggey dated January 5, 1998, and recorded in the Cumberland County Registry of Deeds, Book 13548 Page 114.

Paragraph three - Jennifer Libby and Gloria J. Giggey are the parties in possession of the property. The property became tax acquired by the Town of Standish through the foreclosure of the town's tax lien mortgage on April 2, 2015.

Paragraph four - An attested copy of the march 22, 2022 public hearing notices one address to Gloria Giggey and one address to Jennifer Libby. Each served on Gloria Giggey and Jennifer Libby respectively, by the Cumberland County Sheriff's Office on February 17, 2022, as required by 17 M.R.S. Section 2851, Subsection 3.

Paragraph five - An attested copy of the two public hearing notices one to Gloria Giggey and one to Jennifer Libby were recorded in the Cumberland County Registry of Deeds in Book 39179 Page 174 and Book 39179 Page 176 as required by 17 M.R.S. Section 2857.

Paragraph six – On March 22, 2022. The town council held the public hearing provided for in title 17 section 2851.

Paragraph seven - During the public hearing, the Town Council heard testimony from James Paul, the Town's Code Enforcement Officer and Robert Caron, the Town's Fire Chief and Jennifer Libby, one of the occupants of the property are concerning the condition of the property.

Paragraph eight – Mr. Paul testified that the property is improved with a single-family home that single-family home was extremely rundown. The roof has deteriorated to the point of imminent collapse. Mr. Paul provided photographs of the current condition of the property marked as Exhibits 1 through 16. Based on the photographic provided by Mr. Paul and his testimony regarding the dangerous building standards, Mr. Paul testified that the building is unsafe because the roof system has failed. He testified that the building is unstable because the roof can collapse at any time. Mr. Paul testified that the building may be unsanitary because you can assume that water and mold has likely infiltrated the building. There was also testimony from Jennifer Libby that there has been water intrusion into the building. Mr. Paul also testified that the property may be a fire hazard because you need to look at the utilities, but one might assume that it is a fire hazard due to the water that has seeped into the building. As far as whether their property can be used for occupancy. It has been testified that the roof has failed and that the porch is the only entrance and exit to the property and it is separating from the rest of the building. Mr. Paul also testified to the building being a hazard to occupants and testified that there was a 2014 photo in the Town's assessing records that shows that even in 2014 there was a large tarp over the entire roof, and that things have deteriorated since that day. As far as the building unsafe building standard of dilapidation Mr. Paul testified that the structure is falling into itself.

Mr. Paul agreed that the information that Attorney Daggett announced was correct.

Paragraph nine - Mr. Caron, highlighted Exhibits 8, 9, 10 and 16 and indicated that because the porch is off the floor, particularly in exactly the years the fire chief will not send fire department personnel into the building. As far as Exhibit 9, Mr. Caron testified that if there is a fire in the chimney, it's possible that Gable will fall in including bricks, which again would be dangerous to occupants, as well as any firefighters or emergency personnel that might be in the building. Mr. Caron further testified that there is a standing verbal order of the Standish Fire Department that fire department emergency services personnel are not to be sent into this building. He testified further that occupying the structure is a hazard to the occupants as well as to perspective emergency personnel.

Mr. Caron clarified that they would not send anyone in the building if it was on fire. Before EMS staff could enter the building, they would evaluate from outside.

Attorney Daggett said yes, you did make that clarification, sorry. When you testified that it was an EMS call, you would try to get the occupants to come out of the house and then otherwise further assess the situation.

Paragraph 10 - Based upon the CEOs and the Fire Chiefs testimony and the photographs presented, the Town Council determines that the single-family homes roof is at the point of near collapse because of inadequate maintenance dilapidation, and or obsolescence presenting an imminent public safety hazard and that subpart to that finding is that the single-family house unsuitable and improper for use as a residential dwelling unit. It constitutes a hazard to health and safety of both occupants in any first responders who may be called to provide service to the occupants of the property or the property itself.

Conclusions. Based upon the above findings the Town Council concludes that the structure located on the property is structurally unsafe unstable, constitutes a fire hazard, unsuitable and proper for use or occupancy to which has been put constitutes a hazard to health and safety because of inadequate maintenance dilapidation or obsolescence and is otherwise dangerous to life and property within the meaning of title 17 Section 2851 and is beyond repair.

Sally Daggett said that's the would be the final conclusion, the findings and conclusions shall be attached to the Town Council order number 17-22.

Moved by Butler seconded by Paul and voted to add the as Exhibit A as developed orally tonight to order 17-22. (Unanimous)

Moved by Libby seconded by Butler and voted to amend the order to authorize the Vice-Chair to sign the document. (Unanimous)

Moved by Libby seconded by Paul and voted to approve order 17-22 as amended and authorize the Town Council Vice-chair to sign the order once it gets typed up.
(Unanimous)

WHEREAS, notice having been given to GLORIA J. GIGGEY and JENNIFER LIBBY, parties in possession, and all other persons and entities having an interest in the premises situated at 60 Standish Neck Road in Standish, Maine, a parcel of land with a building or structure located thereon, described as Lot 27 on Tax Map 19, a copy of which is on file at the Standish Municipal Building, 175 Northeast Road, Standish, Maine, and more particularly described in the Deed of Distribution by Personal Representative from Gloria J. Giggey, as Personal Representative of the Estate of Elise Libby, to Gloria J. Giggey, dated January 5, 1998 and recorded in the Cumberland County Registry of Deeds at Book 13548, Page 114 (hereinafter, the "Property"); and

WHEREAS, a public hearing having been duly held by the Town Council, acting as the municipal officers for the Town of Standish, on March 22, 2022 at 6 p.m. at the Standish Municipal Building, 175 Northeast Road, Standish, Maine to determine whether the structure on the Property constitutes a so-called "dangerous building" within the meaning of the applicable Maine statute, 17 M.R.S. § 2851, and, if so, what the disposition of the same should be; and

WHEREAS, the findings and conclusions attached hereto and incorporated herein as **Exhibit A** were adopted by the Town Council at the conclusion of the public hearing; and

WHEREAS, the structure located on the Property having been adjudged to be structurally unsafe; unstable; constituting a fire hazard; unsuitable and improper for the use or occupancy to which they have been put; constituting a hazard to health and safety because of inadequate maintenance, dilapidation, or obsolescence; and otherwise dangerous to life and property within the meaning of 17 M.R.S. § 2851 and beyond repair, for the reasons set forth in the attached findings and conclusions;

NOW, THEREFORE, BE IT ORDERED that the parties in possession cause the structure located on the Property to be razed and the debris disposed of in a lawful and environmentally appropriate manner within 45 days from the date of this Order;

BE IT FURTHER ORDERED, that, if this Order is not complied with, then the Town Manager is authorized to cause the removal of the said structure described herein and to bill the parties in possession for the cost of all expenses incurred by the Town, which bill must be paid within 30 days after demand; and

BE IT FURTHER ORDERED, that, in the event the parties in possession do not pay the Town for its expenses within 30 days after demand, a special tax shall be assessed for all expenses, as defined in 17 M.R.S. § 2853, incurred by the Town in connection with the removal of the said structure; and

BE IT FURTHER ORDERED, that the Town Council Chair be authorized to sign this Decision and Order on the Town Council's behalf; and

BE IT FURTHER ORDERED, that the Town Clerk shall cause attested copies of this Decision and Order to be served upon the two parties-in-possession at 60 Standish Neck Road as required by law and to be recorded at the Cumberland County Registry of Deeds as required by law. Any appeal from this decision must be made to the Maine Superior Court (Cumberland County) pursuant to Rule 80B of the Maine Rules of Civil Procedure within 30 days after the date of this Decision and Order.

After the vote on the order as amended Vice-Chair Gaba closed the public hearing.

NEW BUSINESS

18-22 Forward FY23 Municipal Operating and Capital Budgets to the Budget Committee [Libby]

Councilor Libby explained that this is required by the just the procedures. He said that the Council went through the budget and now we're handing it officially over to the Budget Committee for review.

ORDERED that the proposed Town of Standish FY23 municipal operating and capital budgets are hereby forwarded to the Budget Committee on March 22, 2022. The Budget Committee will have 14 days to review the budgets and return them to the Council by April 5, 2022 pursuant to the requirements of the Standish Charter.

Vice-Chair Gaba called for Council discussion, hearing none, she called for public discussion, hearing none, she called for the roll call vote.

VOTE: 7 Yeas

19-22 Waive Bid Process and Authorize Use of Town Council Contingency for Purchase of a used Boat for the Public Safety Department [Paul]

Moved by Gaba second by Butler and voted to dispense with the reading of the order. (Unanimous)

Bill Giroux provided a brief description explaining that the boat that we have for rescue right now is good for the smaller ponds and rivers since it's 17-feet long. He said the size of the boat has always been an issue because when we do get called out on Sebago Lake and a 17-foot boat is really not the craft for us to be trying to rescue people we put our own people in danger. We found out that the Water District had bought a new boat and was going to send theirs to auction. He explained that the Chief had had his eye on their boat. Bill Giroux said that he made a call to the Water District at the Chief's request. The Water District is interested and they'd like to sell it to Standish. PWD said that the asking price was \$10,000. But they made it clear that was the asking price. We're bringing forward this order for \$10,000 which is the asking price. The Chief's going to try to buy it for less and any money he would have leftover would go to equipping the boat.

WHEREAS, Section 302(f) of the Standish Charter requires a competitive bid process for transactions exceeding \$3,500 in value, unless so waived by the Town Council, and

WHEREAS, the Public Safety Department has determined that the current rescue boat needs to be replaced with a larger boat to ensure the safety of both Fire/EMS staff and passengers, and

WHEREAS, the Portland Water District has a 2001 MetalCraft, King Fisher 22 for sale that meets the Public Safety Department's needs, and

ORDERED, that the bidding requirement regarding the purchase of this boat is hereby the waived, and

FURTHER ORDERED, that the 2001 MetalCraft, King Fisher 22 boat shall be purchased from the Portland Water District at an amount not to exceed \$10,000 which includes the purchase price of the boat and additional equipment needed to outfit the boat to meet Public Safety Department's needs, and

FURTHER ORDERED, that the Town Manager is authorized, on behalf of the Town, to execute related contract documents.

Moved by Butler seconded and vote to approve the order.

VOTE: 7 Yeas

PUBLIC ITEMS

There were no public items discussed at this meeting.
Several meetings were announced.

ADJOURN

Moved by Libby seconded Butler and voted to adjourn. The meeting adjourned at 7:48 p.m.

Submitted by:
Clerk/Secretary


