

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, JUNE 2, 2020
STANDISH MUNICIPAL CENTER
6:00 PM**

CALL TO ORDER

Pledge of Allegiance

ROLL CALL

Councilors present: Delcourt, Gaba, LeClerc, Libby, Nesbitt, Paul and Pomerleau.

MINUTES OF PREVIOUS MEETING (S)

The minutes of the April 21 and May 12 Town Council meetings were approved by unanimous consent including the following amendment to the May 12 minutes:

....Mr. Giroux said that the referendum vote has already been scheduled for July with the bonding monies and he didn't believe that process can be changed at this point. He said that those particular projects would not affect the mil rate too much because they are bonded over 10-years. Reducing the transfer station paving would take approximately a penny off of the mil rate. He said to reduce the mil rate the operating budget would have to be cut and he said that he thought he had made those cuts with the plan to push back projects. He noted that putting off items or not to do them do them all is an option. He explained that there is one vacant position that will not be filled during the year saving \$40,000, the Comprehensive Plan is delayed until the end of the year, 2 new positions in the budget will be would not be filled until later, push back raises until later in the year, postpone the village traffic studies and several more things have been considered to include the computer redundancy software and Code Enforcement Department permit software, retirement vacation/sick-time account will not be funded this year. He went on to say if things got really bad, they could establish furlough days as a savings measure of position cuts as a last resort.

Councilor Paul was able re-join the Zoom meeting at this time.

.....Councilor LeClerc said that the Manager and Finance Committee did a good job reviewing and suggesting potential ideas for finding savings in the budget.

PETITIONS AND COMMUNICATIONS

There were petitions or communications at this meeting.

REPORT OF THE TOWN MANAGER

Mr. Giroux noted that it was good to be back in the Council Chambers practicing social distancing, remarking that Zoom meetings may used in the future. In regard to the Scenic Overlook, Mr. Giroux reported that recently it has become a gathering place in the evening, however it's more than people enjoying the view. He explained travelling home after the May 12 meeting he observed approximately 60 vehicles at the overlook. It has been brought to Town's attention that some that are gathering there, are peeling out and speeding. When they are turning their wheels to peel out, they are damaging the asphalt at the overlook. He said that both he and Portland Water District officials are concerned with this type of activity. Due to this, contact has been made with the Cumberland County Sheriff's Department to patrol the Scenic Overlook. Recently, Mr. Giroux requested that a detail be assigned there in the evening. He suggested that they visit the Overlook to see first-hand what he has described to them but cautioned them not to challenge anybody. He said as they can, deputies will patrol the location. He announced that signage will be posted at the Scenic Overlook announcing that the facility will be closed from dusk until dawn. He then asked for their approval to install gates at the facility, a deputy will lock in the evening/unlock in the morning.

Councilor Nesbitt noted that he has seen the Facebook posts and agrees with the protective provisions that Mr. Giroux has explained. He proposed that some policy changes be developed, such as time limits of visits to the area, like is done at the Boat Launch for viewing the lake.

Mr. Giroux suggested that the Public Safety Committee could monitor this issue and present their recommends to the Council for controls for the Scenic Overlook that are to our other parks. He explained that many people have contacted him to say that they don't feel safe going there. He said that it is our responsibility to ensure that everyone that wants to enjoy the overlook is able to do so.

PUBLIC HEARINGS

Informational Hearing for upcoming July 14, 2020 Municipal Referendum Questions

Question 1. To see if the Town will vote to approve a capital expenditure from the Public Safety account by the Municipal Officers of up to \$560,586 for the addition of sleeping quarters to the EMS facility, the acquisition of self-contained breathing apparatus ("SCBA") equipment, and an upgrade to the Town's radio tower equipment, and to authorize the issuance of general obligation bonds and/or bond anticipation notes to include the principal amount of up to \$560,586 for the purpose of financing such expenditures from the proceeds thereof, plus an amount sufficient to refund the interest payments on any bond anticipation notes issued for said purpose, with the dates, maturities, denominations, interest rate(s) and other details of such borrowing to be determined by the Municipal Officers?

Question 2. To see if the Town will vote to approve a capital expenditure from the General Administration account by the Municipal Officers of up to \$50,000 for the acquisition of a 1,000 gallon fuel tank, and to authorize the issuance of general obligation bonds and/or bond anticipation notes to include the principal amount of up to \$50,000 for the purpose of financing such expenditures from the proceeds thereof, plus an amount sufficient to refund the interest payments on any bond anticipation notes issued for said purpose, with the dates, maturities, denominations, interest rate(s) and other details of such borrowing to be determined by the Municipal Officers?

Question 3. To see if the Town will vote to approve a capital expenditure from the Public Works account by the Municipal Officers of up to \$229,500 for the purchase of a pick-up truck with plow gear, purchase of an excavator, expansion of the parking lot at the Moody Road facility, and the purchase of a 50-yard rolloff container for single-sort recycling, and to authorize the issuance of general obligation bonds and/or bond anticipation notes to include the principal amount of up to \$229,500 for the purpose of financing such expenditures from the proceeds thereof, plus an amount sufficient to refund the interest payments on any bond anticipation notes issued for said purpose, with the dates, maturities, denominations, interest rate(s) and other details of such borrowing to be determined by the Municipal Officers?

Question 4. To see if the Town will vote to approve a capital expenditure from the Highway Road Improvements account by the Municipal Officers of up to \$815,000 for paving and maintenance to Boundary Road, Harmon's Hill Road, Harmony Drive, Moody Road, Shaws Mill Road, and Thomas Road, and to authorize the issuance of general obligation bonds and/or bond anticipation notes to include the principal amount of up to \$815,000 for the purpose of financing such expenditures from the proceeds thereof, plus an amount sufficient to refund the interest payments on any bond anticipation notes issued for said purpose, with the dates, maturities, denominations, interest rate(s) and other details of such borrowing to be determined by the Municipal Officers?

Chair Libby called for public discussion regarding the referendum questions, hearing none he called for Council comments.

Councilor LeClerc questioned if this is exactly how the questions are going to look, will there be an itemization of the costs?

The Clerk explained that the bond indebtedness statement will be a separate form that will be posted at the polls.

Councilor Delcourt recommended with the economy the way it is, we should not do these referendum questions. He said that people can't pay their taxes and we don't know what's going to happen, excise tax collection is down, state funding will be lower. He said that we should look ahead.

Chair Libby called for additional comments, hearing none, the hearing was closed.

41-20 Application Submitted by Country Pubs of Maine, LLP dba Two Black Dogs Country Pub for a New Special Amusement Permit Located at 1 Ossipee Trail East [Libby]

ORDERED that the application submitted by Country Pubs of Maine, LLP for a new Special Amusement Permit located at 1 Ossipee Trail East, upon approval of the Code Enforcement Officer, Health Officer and Town Manager, is approved by Council and will expire the same time as the applicant's 2020/2021 liquor license.

Chair Libby called for public discussion regarding the liquor license application, hearing none he called for Council comments.

Councilor Delcourt questioned if the neighbors had been notified about possible noise?

Mr. Giroux said that is not required that abutters are specifically notified.

Mr. William Haines the applicant explained that his intent is to have an acoustical guitar player on Friday and Saturday nights until 9 pm, in the fall through the winter, to help boost patronage at the restaurant. He said that he would be considerate of the neighbors.

Chair Libby called for additional comments, hearing none, he called for the roll call vote and the hearing was closed.

VOTE: 7 Yeas

COMMITTEE REPORTS

Chair Libby noted that committees have not been meeting.

Mr. Giroux noted that the Finance Committee will meet next Monday.

CONSENT CALENDAR

There were no consent calendar items at this meeting.

UNFINISHED BUSINESS

37-20 Award Bid for Winter Sand Storage Building (Postponed at the May 12, 2020 meeting to the June 2, 2020 meeting) [Pomerleau]

The Clerk explained that this order had been postponed to the June meeting.

Mr. Giroux announced that this matter is still being reviewed and should be postponed until the July 15th meeting.

Councilor LeClerc questioned if this matter could be postponed indefinitely based on the economy?

Mr. Giroux said that this money has been borrowed based on voter approval at a referendum. We borrowed the money and bid the job. At this time, we are negotiating the contract details, at this point in the process it would be unusual for the Council to stop the project.

Councilor Nesbitt said if we don't move forward on this project, we can't use the funds on something else. In addition, will still have to pay the interest on the bond, so there would not be a savings.

Mr. Giroux said that this is a long-term project that will provide savings to the Town due to the ability to store the materials.

Councilor Delcourt asked if management had already negotiated the contract for this?

Mr. Giroux said that the voters approved this project at referendum.

Councilor Delcourt said that he cannot support this project.

Moved by Nesbitt seconded by LeClerc and voted to the July meeting. (6 Yeas – 1 Nay, Pomerleau)

NEW BUSINESS

42-20 Application Submitted Country Pubs of Maine, LLP dba Two Black Dogs Country Pub for renewal of a Malt, Vinous and Spirituous Restaurant License Located at 1 Ossipee Trail East [Libby]

ORDERED that the application submitted by Country Pubs of Maine, LLP for renewal of a Malt, Spirituous and Vinous Restaurant License is approved by Council located at 1 Ossipee Trail East, is approved by the Town Council, to expire as determined by the Department of Public Safety.

Chair Libby called for public comments, hearing none he called for Council comments.

The Clerk brought to their attention that this is an expansion of the existing license allowing outside seating.

Mr. Giroux noted that many towns are trying to help restaurants to get up and running.

Chair Libby called for additional Council comments, hearing none he called for the roll call vote

VOTE: 7 Yeas

43-20 Application Submitted by St. Joseph's College for Renewal of a Malt, Spirituous and Vinous Restaurant License and a Qualified Catering License [Libby]

ORDERED that the application submitted by St. Joseph's College for a renewal of a Malt, Spirituous and Vinous Restaurant License and a Qualified Catering License is approved by Council, to expire as determined by the Department of Public Safety.

Chair Libby called for public comments, hearing none he called for Council comments.

Councilor Leclerc questioned the applicant's response to question 17, it was answered both yes and no.

Richard Fields representing St. Joseph's College note that this was the first-time he had completed the application and had made an error on that question. He clarified he is not the owner.

Chair Libby called for additional Council comments, hearing none he called for the roll call vote

VOTE: 7 Yeas

44-20 Approve Warrant for Annual Town Meeting [Libby]

ORDERED that the warrant for the Annual Town Meeting is approved by the Town Council, said meeting will be held on June 13, 2020 beginning at 9:00 am at the Standish Municipal Center.

Chair Libby called for public comments, hearing none he called for Council comments.

Councilor Nesbitt noted that an updated version of the warrant was presented to them this evening. While reviewing the warrant he discovered that the article for capital outlay had not been included, it is included in the updated version. Updated copies are available for signing at the end of the meeting.

Chair Libby called for additional Council comments, hearing none he called for the roll call vote.

VOTE: 7 Yeas

45-20 Change Date of Regular Town Council Meeting in July to Wednesday, July 15, 2020 [Libby]

WHEREAS the regular meeting of the Standish Town Council in July is scheduled to be held on July 14, 2020, the same day as Election Day, and

WHEREAS the Council *Rules of Procedure* allow for the date of the meeting to be changed upon vote of the Council, now be it

ORDERED that the regular meeting of the Standish Town Council be changed to Wednesday, July 15, 2020 to be held at Council Chambers at the Standish Municipal Center beginning at 6:00 p.m.

Chair Libby called for public comments, hearing none he called for Council comments, hearing none he called for the roll call vote.

VOTE: 7 Yeas

46-20 Authorize Use of Town Council Contingency Funds for Donation to Steep Falls Farmers' Market [Nesbitt]

WHEREAS the Steep Falls Farmers' Market serves our community and is in need of financial support to maintain its operations, and

WHEREAS the Town has contingency funds available; now be it

ORDERED that the Town is authorized to donate Town Council Contingency funds in the amount of \$1,000, to assist the Steep Falls Farmers' Market.

NOTE: FY 2020 Town Council Contingency Appropriation \$5,000

Chair Libby called for public comments, hearing none he called for Council comments.

Councilor Nesbitt explained that he had spoken with Julee Applegarth at the Farmers Market where she notified him that they had been unable to submit a formal request for funding due to the corona virus. He noted that the group needs support, however the funding request should be for \$500. Chair Libby called for additional Council comments.

Councilor Pomerleau said that she cannot support this due to the fact that anyone in their line of business is doing very well. In addition, she thought that their insurance was paid by the Village Improvements group.

Councilor Nesbitt said that they pay their own insurance and pay rent to use the area.

Moved by Nesbitt seconded by LeClerc reduce the appropriation from \$1,000 to \$500.

Chair Libby called for discussion on the amendment.

Councilor Paul said that it was his understanding that the Village Improvements Society pays for insurance on the park and the vendors must carry their own liability insurance.

Leo Robichaud asked what was the Town Council Contingency annual amount?

The Clerk said that the FY 2020 appropriation was \$5,000 of which \$1,500 had been expended thus far.

Mr. Robichaud asked if there are other businesses in town that we support in this manner with the contingency fund.

Councilor Nesbitt said that the Steep Falls Library received funding from this account.

Mr. Giroux explained that Council contingency funds are typically used for unexpected expenses that come up during the year. He explained that this year the Steep Falls Library didn't get funded, however the Council voted to allot them \$1,500 to help them. He said that it's not typical to use contingency in this manner, but it's not unusual.

Moved by Nesbitt seconded by LeClerc and voted to reduce the appropriation from \$1,000 to \$500. (5 Yeas – 2 Nays, Delcourt and Pomerleau)

Chair Libby called for discussion on the order as amended, hearing none, he called for the roll call vote.

VOTE ON ORDER AS AMENDED: 4 Yeas – 3 Nays, Delcourt, Paul and Pomerleau

47-20 Resolution Regarding MMA Workers' Compensation Safety Incentive Program [Libby]

WHEREAS the Town of Standish is a member of the Maine Municipal Association Workers' Compensation Fund (hereinafter "WC Fund"); and

WHEREAS the Maine Municipal Association (hereinafter "MMA") provides risk management services and workers' compensation coverage, and

WHEREAS MMA developed the Workers' Compensation Safety Incentive Program (hereinafter "the Program") to help reduce the incidents and impact of workplace injuries by implementing WC claim best practices; and

WHEREAS MMA will provide necessary written program information, and offer assistance to participants; and

WHEREAS WC Fund members that participate in the program and complete the required activities, will have the opportunity to earn a credit to their annual contribution, and

WHEREAS the Town of Standish is committed to providing a safe environment for its employees, citizens, and visiting public; and

WHEREAS the Program will help enhance such an environment and promote a self-sustaining culture of safety with participating members,

NOW THEREFORE BE IT RESOLVED BY THE Standish Town Council to elect to participate in the MMA Workers' Compensation Safety Incentive Program.

Mr. Giroux noted that the Town has been involved in a similar program for years under a different name. This could potentially reduce insurance costs for the town.

Chair Libby called for public comments, hearing none he called for Council comments, hearing none he called for the roll call vote.

VOTE: 7 Yeas

48-20 Town Council Appointments to Various Boards and Committees [Gaba]

ORDERED that the following Town Council Appointments are made through the dates given:

SEAT	CANDIDATE	
APPEALS BOARD	Terence Christy	Jun-23
APPEALS BOARD	Michael Blanck	Jun-23
ASSESSMENT REVIEW BOARD	Vacant	Jun-23
ASSESSMENT REVIEW BOARD	Louis Stack	Jun-23
ASSESSOR	Joseph Merry	Jun-21
CATERING FUNCTION AUTHORITY	Mary Chapman	Jun-21
CATERING FUNCTION AUTHORITY – Alt	William Giroux	Jun-21
CDBG MUNICIPAL OVERSIGHT COMMITTEE	TBD by New Council	Jun-21
CEMETERY EXPLORATORY COMMITTEE (Ad-Hoc) 2 Members	TBD by New Council	Jun-21
EMERGENCY MANAGEMENT DIRECTOR	Robert Caron	Jun-21
FAIR HEARING AUTHORITY	Terence Christy	Jun-21
FINANCE DIRECTOR - Tax Collector / Treasurer	Scott Gesualdi	Jun-21
GPCOG	William Giroux	Jun-21
HISTORIC PRESERVATION COMMISSION	Vacant	Jun-23
HISTORIC PRESERVATION COMMISSION	Vacant	Jun-23
HISTORIC PRESERVATION COMMISSION	Vacant	Jun-22
HISTORIC PRESERVATION COMMISSION	Vacant	Jun-22
HISTORIC PRESERVATION COMMISSION-Alternate Mbr	Vacant	Jun-21
HISTORIC PRESERVATION COMMISSION	Vacant	Jun-21
HISTORIC PRESERVATION COMMISSION-Alternate Mbr	Vacant	Jun-21
LEGISLATIVE LIAISON	Louis Stack	Jun-21
OLD RED CHURCH LIAISON	TBD by New Council	Jun-21
PUBLIC ACCESS OFFICER	Mary Chapman	Jun-21
PUBLIC ACCESS OFFICER-alt	Ruth LaBrecque	Jun-21
PUBLIC SAFETY COMMITTEE	TBD-Council Rep	Jun-21
PUBLIC SAFETY COMMITTEE	Kathleen Schofield- Community Member	Jun-21
PUBLIC SAFETY COMMITTEE	Ian Moriarty -Community Member	Jun 21
PUBLIC SAFETY COMMITTEE	Vacant-Community Member	Jun-21
PUBLIC SAFETY COMMITTEE	Vacant-Community Member	Jun-21
RECREATION COMMITTEE	Joanne Majka	Jun-23
RECREATION COMMITTEE	Tina Steichen-Smith	Jun-23
RECREATION COMMITTEE	Vacant	Jun-23
RECYCLING COMMITTEE	Isabel Higgins	Jun-23
RECYCLING COMMITTEE	Robert Kearney	Jun-23
RECYCLING COMMITTEE	Vacant	Jun-21
SACO RIVER CABLE COMMITTEE	Tony Vigue	Jun-21
SACO RIVER COMMUNITY TV BOARD OF DIRECTORS	Maurie Hill	Jun-21
SACO RIVER COMMUNITY TV BOARD OF DIRECTORS	Deborah Boxer - Alt Member	Jun-21
TOWN AUDITOR	Berry Talbot Royer	Jun-21
WATCHIC LAKE LIAISON	TBD by New Council	Jun-21
WELFARE DIRECTOR	William Giroux	Jun-21

Note: Appointments made by the Council Chair will take place when the new Council is seated.

Chair Libby called for public comments, hearing none he called for Council comments.

Councilor Gaba explained that this is the standard order.

Chair Libby called for additional Council discussion, hearing none he called for the roll call vote.

VOTE: 7 Yeas

49-20 Confirmation of Town Manager's Appointments to Various Town Positions [Gaba]

Robert Caron	Director of Public Safety (Fire Chief and EMS Chief)	June 30, 2021
James Paul	Code Enforcement Officer	June 30, 2021
James Paul	Building Inspector	June 30, 2021
James Paul	Local Plumbing Inspector	June 30, 2021
James Paul	Electrical Inspector	June 30, 2021
Jacklyn Dyer	Code Enforcement Officer-Alt	June 30, 2021

FURTHER ORDERED that the following Fire Chief nominations are confirmed by the Town Manager:

Brandon Ruel	Animal Control Officer	June 30, 2021
Edward Potter	Animal Control Officer-Alt	June 30, 2021
William Watson	Animal Control Officer-Alt	June 30, 2021
Robert Caron	Harbor Master	June 30, 2021

Chair Libby called for public comments, hearing none he called for Council comments.

Councilor Gaba explained that this is the standard order.

Chair Libby called for additional Council discussion, hearing none he called for the roll call vote.

VOTE: 7 Yeas

50-20 Confirmation of Town Clerk's Appointment of Election Warden [Gaba]

ORDERED that the Town Clerk's appointment of Cheryl Allen to serve as Election Warden through June 30, 2021, is confirmed by Council.

Chair Libby called for public comments, hearing none he called for Council comments.

Moved by Gaba seconded by Nesbitt and voted to amend the order, explaining that Cheryl Allen is unable to serve at this time, the order should now reflect the name of Sandra Osterrieder as election warden.
(Unanimous)

Chair Libby called for discussion on the order as amended, hearing none, he called for the roll call vote.

VOTE ON ORDER AS AMENDED: 7 Yeas

51-20 Utility Location Permit– Private Power Services, LLC – Boundary Road [Libby]

ORDERED that the application by Private Power Services, LLC to install and maintain poles on Boundary Road accordance with the attached application is approved by the Town Council and that the Town will collect the \$25 permit fee.

Chair Libby called for public comments, hearing none he called for Council comments.

Councilor Nesbitt noted that the pole has already been installed.

Chair Libby called for additional Council comments, hearing none he called for the roll call vote.

VOTE: 7 Yeas

52-20 Approve Renewal of Waste of Hauler Licenses [Libby]

ORDERED that the following Waste Hauler License application renewals, upon approval of the Director of Public Works are approved by Council to expire June 30, 2021:

Casella Waste
RW Herrick
Troiano Waste Services, Inc
Waste Management - Portland

Chair Libby called for public comments, hearing none he called for Council comments, hearing none he called for the roll call vote.

VOTE: 7 Yeas

53-20 Order Temporarily Delegating Authority to the Town Clerk to Review and Approve Applications Filed by Persons Holding Existing Liquor Licenses Who Wish to Expand their Licensed Premises [Libby]

WHEREAS, it is recognized that SARS-CoV-2, the virus that causes the disease known as COVID-19, presents a public health crisis requiring unprecedented protective measures and vigilance;

WHEREAS, the Town and the State of Maine have responded to this public health crisis with protective measures in an effort to prevent the spread of the disease;

WHEREAS, many of those protective measures have forced the closure, suspension, or limitation of restaurants and bars;

WHEREAS, in an effort to protect customers and employees, owners and operators of restaurants and bars that are open to the public may only operate in accordance with federal and Maine Center for Disease Control and Prevention (CDC) guidance that involves increased physical distancing between and among customers and employees, maximum occupancy rates, and compliance with certain sanitation measures;

WHEREAS, during the public health crisis known as COVID-19, certain business activities are better suited to the outdoors, in an open-air setting, to protect the health, safety and welfare the public; and

WHEREAS, to stimulate the recovery of restaurants and bars in the Town and to support local businesses, the Town Council has determined that expedited review of extension of licensed premises applications filed by persons holding existing liquor licenses is appropriate during this public health crisis;

NOW, THEREFORE, BE IT ORDERED, that the authority to review and approve requests, pursuant to 28-A M.R.S. § 653, from persons already licensed by the State of Maine and the Town to sell alcoholic beverages on premises but who wish to extend their licensed premises area is hereby delegated to the Town Clerk;

BE IT FURTHER ORDERED, that no extension of licensed premises application shall be approved by the Town Clerk unless and until the Code Enforcement Officer first reviews the premises to ensure that (i) there is a stanchion or fence completely enclosing the extended premises; (ii) signs will be posted at exit points, stating "NO ALCOHOL BEYOND THIS POINT"; and (iii) there will be sufficient employees at the licensed premises who are able to control and monitor the extended premises;

BE IT FURTHER ORDERED, that this delegated authority shall expire on November 1, 2020.

Mr. Giroux explained this temporary change will allow the applicant a quicker opportunity to change their liquor license provision to allow outside seating during this time of the corona virus epidemic.

Councilor Nesbitt asked what opportunities do restaurants that don't have liquor licenses have for outside seating?

Mr. Giroux said that the Code Enforcement Officer is working with the restaurants regarding outside seating.

Chair Libby called for additional comments, hearing none he called for the roll call vote.

VOTE: 7 Yeas

PUBLIC ITEMS

Leo Robichaud commended Bill Giroux for his management of the issues regarding the Scenic Overlook.

ANNOUNCEMENTS

There were no announcements at this meeting.

EXECUTIVE SESSION

An executive session was not held at this meeting.

ADJOURN

Moved by Nesbitt seconded by Paul and voted to adjourn the meeting. The meeting adjourned at 6:52 p.m. by unanimous consent.

Submitted by: _____
Clerk/Secretary

Mary Chapin