

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, FEBRUARY 12, 2019
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

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

ROLL CALL

Councilors present: Delcourt, LeClerc, Libby, Nesbitt and Starostecki.
Councilors Pomerleau and Sirpis were excused.

MINUTES OF PREVIOUS MEETING (S)

Moved by Libby seconded by Leclerc and voted to approve the minutes of the January 8th and 22nd meetings. (Unanimous)

Chair Nesbitt noted that the Appointments Committee met earlier this evening, the committee would like to appoint a person to serve on the Planning Board, noting the order for that appointment would need unanimous consent to be added to the agenda.

Moved by Starostecki seconded by Libby and voted to add order 14-19 Town Council Appointment to Planning Board At-Large Seat to the agenda. (Unanimous)

PETITIONS AND COMMUNICATIONS

The Clerk read a note from the Steep Falls Improvement Society thanking the Town of Standish for the monetary donation to their group.

REPORT OF THE TOWN MANAGER

Departmental Report was to be given by Fire Chief, Robert Caron, however he was on a rescue call at this time. His report will be presented at a later date.

PUBLIC HEARINGS

8-19 Application Submitted by Catherine Hynes dba Lotus Massage Studio for a new Combined Massage Establishment/Therapist located at 1 Northeast Road [Nesbitt]

The Clerk noted that the office copy of application had been signed by all the inspectors.

Chair Nesbitt called for public discussion, hearing none, he called for Council discussion, hearing none, he closed the Public Hearing and called for the vote:

ORDERED that the application submitted by Catherine Hynes dba Lotus Massage Studio for a new Combined Massage Establishment/Therapist License at located at 1 Northeast Road, upon the recommendation of the Code Enforcement Officer, Fire Chief, Health Officer and Town Manager, is approved by Council, to expire December 31, 2019.

VOTE: 5 Yeas

COMMITTEE REPORTS

Councilor Delcourt – Ad Hoc Dog Park Committee – no report.

Councilor Delcourt – Personnel Committee – the committee has met; their recommendations will be forwarded by email tomorrow. He then asked if the information should be sent to the entire Council?

Chair Nesbitt said that the information could be sent to the entire Council, however there should not be any discussions between the Councilors regarding emailed information.

Chair Nesbitt – Appointments Committee – the committee met earlier this evening, that's the reason for adding an order to the agenda for a Planning Board appointment.

Chair Nesbitt – Finance Committee – the met yesterday to review the town's finances through January. He noted that revenues and expenditures are as expected at this time of year noting that the employee benefits line may go over due to the retirement of long-term employees that were paid for unused vacation time that had been accrued. He noted that the vacation accrual procedure is being reviewed.

Councilor Libby – Ordinance Committee – a legal opinion has been received regarding the food vendor trucks. Next week's Ordinance Committee meeting will be rescheduled due to a conflict with the Planners continued Planning Board meeting.

Councilor Starostecki – PWD Steering Committee – no report.

Councilor Leclerc – Recycling Committee – noted that the silver-bullet recycling container at Patches Store continues to have contaminated loads due to non-recyclable materials being disposed of in the silver-bullet. He noted that the committee recently discussed ways to educate residents of recycling procedures including food waste disposal and recycling processes through informational updates through ads and displays.

CONSENT CALENDAR

There were no Consent Calendar items on this agenda.

UNFINISHED BUSINESS

147-18 Amendments to Standish Town Code, Chapter 181, Land Use, Regarding Dwelling Units (First Reading) [Libby]

Moved by Libby seconded by Starostecki and voted to dispense with the Clerks reading of the ordinance. (Unanimous)

Councilor Libby explained that this amendment better defines the types of dwelling units throughout the ordinance.

The Clerk announced that Planning Board held their Public Hearing on this ordinance on February 4.

Chair Nesbitt called for public discussion, hearing none, he called for additional Council discussion, hearing none, he called for the vote to move this item to public hearing at the March 12 Council meeting:

VOTE TO MOVE TO PUBLIC HEARING: 5 Yeas

NEW BUSINESS

9-19 Call for Public Hearing for the FY 2020 Municipal Budget [Nesbitt]

Moved by Starostecki seconded by Leclerc and voted to dispense with the Clerks reading of the order.
(Unanimous)

Chair Nesbitt noted that this is a standard order done each year to call for the budget Public Hearing.

Chair Nesbitt called for public discussion, hearing none, he called for Council discussion, hearing none, he called for the vote:

ORDERED that a Public Hearing will be held on Tuesday, March 12, 2019 at the Standish Municipal Center during the regularly scheduled meeting of the Standish Town Council for the purpose of soliciting discussion of the fiscal year 2020 budget as received by the Council.

VOTE: 5 Yeas

10-19 Authorized Standish Memorial Post 128 of the American Legion to hold Charity Toll on Moody Road in May [Nesbitt]

Chair Nesbitt said that this is an annual event and a big fundraiser for the American Legion. He hoped that residents can go the Transfer Station on May 4th and 5th to support this cause.

Chair Nesbitt called for public discussion, hearing none, he called for Council discussion, hearing none, he called for the vote:

WHEREAS the Standish Memorial Post 128 is a non-profit organization whose fundraising efforts serve the residents of Standish, and

WHEREAS the Standish Memorial Post 128 desires to hold a charity toll on Moody Road as a fundraiser for their organization, and now be it

ORDERED that the Standish Town Council authorizes the Standish Memorial Post 128 to hold a charity toll on the Moody Road on May 4th and 5th, and

FURTHER ORDERED that the Director of Public Works will direct the Legion members where they can set up in the area of the Transfer Station.

VOTE: 5 Yeas

11-19 Town of Standish Town Council Orders Authorizing Tax Anticipation Borrowing [Nesbitt]

Moved by Starostecki seconded by Leclerc and voted to dispense with the Clerks reading of the order.
(Unanimous)

Chair Nesbitt noted that this matter was discussed by the Finance Committee, noting that typically twice a year the Town issues a TAN to cover expenses while we wait for tax payments to come in. He noted that the Finance Director only borrows the amount that is necessary cover the Town financial needs.

Chair Nesbitt called for public discussion, hearing none, he called for Council discussion.

Councilor Leclerc asked what was the interest rate for this borrowing?

Finance Director, Scott Gesauldi said that it is 3.25%.

Chair Nesbitt said that that rate is slightly higher than what was expected.

Chair Nesbitt called for additional council discussion, hearing none, he called for the vote:

Ordered that, pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended, the Treasurer of the Town is hereby authorized and empowered to borrow money from time to time during the fiscal year ending June 30, 2019 in the principal amount or amounts not exceeding \$2,150,000 at any one time outstanding, in anticipation of the collections or receipts from taxes, by the issuance of tax anticipation notes of the Town, each of which notes shall be designated "Town of Standish 2019 Tax Anticipation Notes." All of such tax anticipation notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by the Chair or the Vice Chair of the Town Council, shall be payable on such date as determined by the Town Treasurer, out of money raised by taxation during the fiscal year ending June 30, 2019, shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof, and

Be It Further Ordered that the Treasurer of the Town is hereby authorized to award the notes to such person or entity as he deems appropriate, and

Be It Further Ordered that the notes authorized by the foregoing are hereby designated as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, and

Be It Further Ordered that the Treasurer of the Town be authorized to covenant with the purchasers of the notes on behalf of the Town and for the benefit of the holders of the notes, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes will remain free from federal income taxes, including without limitation, the filing of information returns and reports with the Internal Revenue Service and the payment of any rebate due to the United States of America.

VOTE: 5 Yeas

12-19 Annual Recommendation to Adopt 10-year Capital Plan [Pomerleau]

In Councilor Pomerleau's absence Town Manager Bill Giroux spoke on the 10-year Capital Plan. He explained that yesterday they learned that the Town's ladder truck's pump is in bad shape. He noted that it was discovered that the inside of the pump is corroded, and they are afraid that it may fail soon. He said that they would like for the Council to consider adding a \$25,000 place holder in the Capital Plan to cover the cost of the pump repair. Mr. Giroux explained that the repairs need to be made soon. He said that an emergency repair can be made, the Council would need to ratify expenditure within 60-days, then it would be added to the bond in June.

Scott Gesauldi said that through discussions it was found that it would be less expensive to rehab the pump than to replace it.

Chair Nesbitt suggested that the \$25,000 could be reduced by using Town Council Contingency Funds. He then asked for an explanation of the line SCBA for \$142,000.

Mr. Giroux explained that the SCBA is breathing apparatus for the firefighters. He noted that awhile back the Town received a grant to purchase this equipment and what happens is all of those units go out of date at the same time and need to be replaced. He said that firefighters can't use uncertified equipment, this amount is to buy half of what is needed, half with be in next year's budget.

Chair Nesbitt noted that this amount is higher than what was expected, is that because of additional staff?

Mr. Giroux said that the cost of the equipment has increased. He continued to highlight the CIP funds for the Recreation Department including the Community Center Study and vehicle replacement, suggesting the current vehicle would be used by the Public Works Department.

Councilor LeClerc expressed that \$70,000 was a lot money for a feasibility study.

Mr. Giroux explained that those funds are for land studies and engineering for a Community Center.

Chair Nesbitt noted that the UNH study is to determine if the residents want a community center in town. He explained that this CIP funding is to execute the project if it moves forward. He announced that at the February 26 Town Council Workshop UNH will present the plan.

Chair Nesbitt said the \$567,765 is for pavement maintenance.

Mr. Giroux said that Standish has a lot of miles of road to maintain and monies for road improvement have to be funded annually. He mentioned that the CIP you'll see funding for a sand and salt shed.

Councilor Leclerc voiced concerns about the sand and salt leaching into adjacent land.

Mr. Giroux said that it's always been stored out in the open and that's when the leaching happens.

Chair Nesbitt noted that the liquid calcium is mixed once the sand/salt is in the truck.

Mr. Giroux said that it is his opinion that Standish needs a storage shed. He said that when salt is stored outside materials are lost. He said that it would be the Council's decision move forward.

Chair Nesbitt explained that the CIP plan is a guide for them, noting that the FY 2020 items will most likely be included in the Managers budget. This gives the Council an idea of long-term needs.

Councilor Libby noted that this CIP Plan is always changing.

WHEREAS the Standish Charter requires annual revision and adoption of a Capital Plan for the Town of Standish, now be it

ORDERED that the attached Capital Plan including the 10-year road plan is hereby adopted.

Chair Nesbitt called for public discussion, hearing none, he called for additional Council discussion, hearing none, he called for the vote:

Note –Copy of Plan is attached to the end of these minutes.

VOTE: 5 Yeas

13-19 Utility Location Permit – RTO Wireless and QSF – Oakridge Drive [Nesbitt]

Chair Nesbitt explained that the Public Works Director has inspected the location and reports that the location is acceptable and consistent with existing poles.

ORDERED that the application by RTO Wireless and SQF to install and maintain a pole on Oak Ridge Drive in accordance with the attached application is approved by the Town Council.

Chair Nesbitt called for public discussion, hearing none, he called for additional council discussion, hearing none, he called for the vote:

VOTE: 5 Yeas

14-19 Town Council Appointment to Planning Board At-Large Seat [Nesbitt]

Moved by Nesbitt seconded Libby and voted to add the name of Alberta Byrnes to the order. (Unanimous)

ORDERED that Alberta Byrnes is appointed to serve on the Planning Board At-Large Seat through the June 2019 Annual Municipal Election.

Note: Per the provisions of the Town Charter the Town Council can appoint to elected seats on the Planning Board until the next municipal election.

Chair Nesbitt called for public discussion, hearing none, he called for Council discussion, hearing none, he called for the vote:

VOTE ON ORDER AS AMENDED: 5 Yeas

PUBLIC ITEMS

There were no public or Council comments.

ANNOUNCEMENTS

Upcoming meetings were announced.

EXECUTIVE SESSION

Moved by Libby seconded by Leclerc and voted to move into Executive Sessions for the purpose of discussions on the following matters:

Personnel matters pursuant to 1 M.R.S.A. §405(6)(A)

Real estate matters pursuant to 1 M.R.S.A. §405(6)(C)

The Town Manager, Bill Giroux and Finance Director Scott Gesauldi will attend the executive sessions. Chair Nesbitt noted that no further business will take place after the executive sessions. (Unanimous)

Moved seconded and voted to arise from the Executive Sessions. The Town Council arose from the Executive Sessions at 8:44 pm by unanimous consent and the meeting adjourned.

Submitted by: s/Mary Chapman
Clerk/Secretary