

**MINUTES
TOWN COUNCIL MEETING
STANDISH MUNICIPAL CENTER
TOWN COUNCIL CHAMBERS
STANDISH, MAINE
TUESDAY, MAY 10, 2022
6:00 PM**

CALL TO ORDER

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

ROLL CALL

Councilors present: Delcourt, Gaba, Leclerc, Libby, Macri and Paul.
Councilor Butler was excused.

MINUTES OF PREVIOUS MEETING (S)

Moved by Leclerc seconded by Libby and voted to approve the minutes from the March 15th, March 22, April 5th, April 11th, and April 22nd meetings. (Unanimous)

PETITIONS AND COMMUNICATIONS

- The Clerk noted that Timothy Vacchiano the principal at Edna Libby School has announced that the school will hold a fun walk/run on Thursday, June 9, 2022 with a rain date of June 10. Cumberland County Sheriff's Department and the State Police will provide road crossing assistance for the participants.
- The clerk reported that the Standish Summer Spectacular kicks off on August 5, 2022 with fireworks display at Standish Memorial Park. A parade on Saturday morning starts at 10:00 a.m. beginning at Randall Road and traveling to the Oak Hill Road Connector. Free registration is required to participate in the parade. FMI regarding the Standish Summer Spectacular – contact the Recreation Department.

REPORT OF THE TOWN MANAGER

No Report.

PUBLIC HEARINGS

**15-22 Amendments to Standish Town Code, Chapter 3, Administration of Government
[LeClerc]**

Chair LeClerc said that these amendments will provide flexibility in the bidding and purchasing process.

Chair Leclerc called for Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote and the hearing was closed.

AMENDMENTS TO STANDISH TOWN CODE, CHAPTER 3, ADMINISTRATION OF GOVERNMENT

(Additions are underlined; deletions are ~~struck-out~~.)

CHAPTER 3 – ADMINISTRATION OF GOVERNMENT

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ARTICLE VI Department of Finance

§ 3-25. Establishment; department head; enumeration of divisions.

- A. There shall be a Department of Finance, the head of which shall be the Finance Director, who shall be the Tax Collector-Treasurer and be appointed by the Town Council, until such time, if any, as the Charter is amended, in which case appointment shall be made by the Manager. In either case, tenure shall be at the pleasure of the appointing authority.
- B. Within the Department of Finance there shall be the Division of Accounting and Control, the head of which shall be the Finance Director, who shall also serve as Deputy Purchasing Agent; and a Division of Treasury, the head of which shall be the Deputy Tax Collector-Treasurer.

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§ 3-29. Purchase and sale of property.

- A. Limitation. No purchase of supplies, material and equipment shall be made unless appropriated for by the Town Council, except as otherwise provided in the Town Charter, or in the event of an emergency, the Town Manager shall authorize such appropriation.
- B. Written requisition and purchase order required. Purchases shall be initiated only on written requisition, on such forms as the Deputy Purchasing Agent with the approval of the Town Manager may require. All such requisitions shall state the quantity, quality, description and other specifications of the item or items desired, the line item account number and estimated price, which estimated price shall not be less than 20% of the final price, and shall be signed by the head of the department, office or agency against whose appropriation is to be charged such expenditure. Following verification of available funds, a purchase order will

be generated and submitted to the Deputy Purchasing Agent and/or the Town Manager for final authorization.

- C. Purchases to \$5,0003,500. Purchases involving up to \$5,0003,500 may be made in the open market by the Deputy Purchasing Agent without competitive bids or solicitations, ~~but any requisition involving the expenditure of \$100 or more shall bear the written approval of the Town Manager.~~ In the absence of the ~~Deputy Purchasing Agent~~ Town Manager due to vacation or sick leave, the ~~Deputy Tax Collector/Treasurer~~ Purchasing Agent shall have the authority to approve expenditure requisitions of over \$100 and up to \$5,0003,500 with the advice of the Finance Committee Chair.
- D. Purchases over \$5,0003,500. ~~On All purchases involving an expenditure of more than \$5,0003,500, shall require documentation that at least three price quotes have been obtained (written, oral, telephone and/or catalog methods are acceptable). Such documentation shall be forwarded to the Deputy Purchasing Agent as an attachment to the purchase order being submitted for approval. Verbal quotations shall be solicited from a minimum of three qualified bidders, if available. The quotes must be documented and attached to the purchase order. A purchase order signed by the Deputy Purchasing Agent is required, competitive bids shall be sought by the posting of a notice on the Town bulletin board, which notice shall identify the item to be purchased and the time bids shall be opened and awarded, and disseminated in a manner to reach a widespread number of competing vendors and by the publication of a similarly worded notice in the Portland newspapers and/or other newspapers deemed appropriate by the Town Manager. All notices are to be dated or posted or published at least five days prior to the date set for the closing of bids, and the procedure for handling of bids shall be as outlined in Subsection E.~~
- E. Competitive bid procedure. All bids shall be in writing, sealed, with outside envelope or wrapper plainly marked "Bid, not to be opened until (with appropriate date inserted)" and mailed to or filed with the Deputy Purchasing Agent. No official or employee of the Town shall open such a bid until the appointed time. At the time and place stated in the public notice, all bids shall be opened publicly by the Town Deputy Purchasing Agent. In the instance of bids in excess of \$25,0007,500, the Capital Improvements Committee shall meet within seven days of bid opening to review bids in order to recommend an appropriate course of action. Bid openings shall be open to the public. If any citizens who are not Town officials or employees or if any representative of the press are present, such bids shall at that time either be made available for examination by such citizens or press representatives or shall be read aloud in a manner to be heard plainly by those in attendance.
- F. Awards. Awards up to \$5,0004,500 shall be made by the Deputy Purchasing Agent to the best vendor with price, quality and service considered, subject to the right to reject any and all bids. Awards ranging from \$5,0004,500 to

\$25,000~~7,500~~ shall be approved by the Deputy Purchasing Agent and Town Manager, subject to conditions outlined above. Awards of more than \$25,000~~7,500~~ shall be made subject to the aforementioned conditions and with the approval by the Town Council, upon approval and recommendation of the Capital Improvements Committee, Town Manager and Deputy Purchasing Agent.

- G. Purchase record. The Deputy Purchasing Agent shall keep a record of all properly submitted bids and all purchases made, and such record shall be open to proper inspection by any interested person.
- H. Emergency purchases. The regulations provided by this Article shall not be applicable to any specific case determined by the Town Council to be an emergency; in such cases the Town Manager may make such immediate purchases as the Council may authorize, in such manner as the Council may authorize.
- I. Sales of surplus stock under \$1,000. The Deputy Purchasing Agent shall conduct the sale of any municipal supplies, materials and equipment no longer used or required by the Town or that have become obsolete, worn out or scrapped and having a value of less than \$1,000 on request of the proper department head, bearing the written approval of the Town Manager. The method of sale shall be determined by the Deputy Purchasing Agent, with the approval of the Town Manager.
- J. Sales of surplus stock of \$1,000 or more. No municipal property, supplies, materials and equipment no longer used or required by the Town or that have become obsolete, worn out or scrapped and having a value of \$1,000 or more, and no real estate regardless of value, shall be offered for sale unless and until the Town Council so orders. If such sale is authorized, it shall be advertised in the same manner and be subject to the same requirements as hereinbefore required for purchases in amounts in excess of \$7,500, except that in case of property taken on a tax lien, the property may be deeded to the person from whom taken, or his or her heirs or devisees, for a sum equal to the full amount of taxes due thereon, together with interest at the applicable rate annually approved by the Council to the date of such deed, and all legal costs in connection therewith. The method of sale shall be determined by the Town Council and may include competitive bidding, open sales or auction. Following approval of the method of sale by the Town Council, the Deputy Purchasing Agent is authorized to complete the sale. Open sales and auctions may be electronic, and the Deputy Purchasing Agent may create a continuous electronic auction to which new supplies and equipment are added as deemed appropriate. Supplies or equipment not sold within sixty (60) days of being offered may be deemed by the Deputy Purchasing Agent to have no value and be disposed of in an appropriate manner. A report of all sales and the disposition of all unsold supplies and equipment shall be made to the Town Council.

- (i) Competitive bidding. Sales under the competitive bidding procedure shall be made to the highest responsive, responsible bidder and in conformance with § 3-29(E); provided, however, that the Capital Improvements Committee does not have a role in the bid process. The Deputy Purchasing Agent shall have the authority to award bids, provided that all awards of bid of \$20,000 or more shall be approved by the Town Council.
- (ii) Open sale. The Deputy Purchasing Agent may periodically conduct an open sale of surplus supplies and equipment. The date and location of such sales shall be publicized in a newspaper of general circulation and shall be publicized in any other manner which will be likely to inform the public of the pending sale.
- (iii) Auction. The Deputy Purchasing Agent may periodically conduct an auction of surplus supplies and equipment. The date and location of such auctions shall be published in a newspaper of general circulation and shall be publicized in any other manner which will be likely to inform the public of the pending auction.
- K. Sale of real property – tax acquired. Tax acquired property shall be disposed of pursuant to Chapter 70 of the Code.
- L. Sale of real property – non-tax acquired. If a non-tax acquired property is to be offered for sale, the Town Council shall determine the method of sale. Methods may include, but are not limited to, brokerage sale, negotiated sale or public bid process. The Town reserves the right to establish such conditions or restrictions on the subsequent use of the property as it deems in the best interest of the Town. If the property is put out to public bid for sale to the highest bidder, the Town shall reserve the right to establish a minimum bid, to reject any bid less than the stated minimum bid, and to establish such other conditions or restrictions on the bid it deems in the best interest of the Town. Following approval of the method of sale by the Town Council, the Town Manager is authorized to complete the sale, including execution and delivery of the deed and such other paperwork reasonably incident to the sale. The proceeds of the sale shall be distributed as determined by the Town Council, subject to appropriation by Town Meeting.

§ 3-30. (Reserved)

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VOTE: 6 Yeas

16-22 Amendments to Standish Town Code, Chapter 181, Land Use, Caregiver Retail Stores LeClerc]

Chair LeClerc explained that in regard to marijuana, there's the adult side there's the medical side. Currently, medical non-profit dispensaries are allowed in the Industrial Zoned area in town. What this order will do is allowing for the language for retail caregiver retail store. He said that the retail caregiver retail stores would be for profit, but in large part they would act much like a dispensary. He

said that these amendments would allow language retail caregivers in the Industrial Zone, stating that they will have to abide by the same standards that exist for dispensaries in the Industrial Zone.

Chair Leclerc called for Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote and the hearing was closed.

AMENDMENTS TO STANDISH TOWN CODE, CHAPTER 181, LAND USE, CAREGIVER RETAIL STORES

(Additions are underlined; deletions are ~~struck-out~~.)

CHAPTER 181 – LAND USE

PART 1 ZONING

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ARTICLE II Definitions

§ 181-3. Terms defined.

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MEDICAL MARIJUANA CAREGIVER RETAIL STORE – A “caregiver retail store” as that term is defined in 22 M.R.S.A. § 2422(1-F), as may be amended.

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ARTICLE III District Regulations

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§ 181-10. Industrial Districts.

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D. Permitted uses requiring site plan review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 of this chapter.

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(14) Medical marijuana caregiver retail store.

~~(14)~~(15) Medical marijuana dispensary. [Added 6-1-2021]

~~(15)~~(16) Medical marijuana registered caregiver. [Added 6-1-2021 by Order No. 28-21]

~~(16)~~(17) Meteorological tower and small wind energy systems, as defined in § 181-49.21. [Added 5-11-2010 by Order No. 23-10]

~~(17)~~(18) Municipal uses.

~~(18)~~(19) Public utilities.

~~(19)~~(20) Recycling center.

~~(20)~~(21) Restaurant without drive through. [Added 4-8-2014 by Order No. 12-14]

~~(21)~~(22) Retail business less than 10,000 square feet.

~~(22)~~(23) School. [Added 4-8-2014 by Order No. 12-14]

~~(23)~~(24) Solar energy system, medium-scale. [Added 2-11-2020 by Order No. 116-19]

~~(24)~~(25) Solar energy system, large-scale. [Added 2-11-2020 by Order No. 116-19]

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ARTICLE IV General Standards

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§ 181-19.2. Performance standards for medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers.

[Added 5-12-2015 by Order No. 17-15; amended 6-1-2021 by Order No. 28-21]

Notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, the amendments to this chapter evidenced by Order No. 28-21, when enacted, shall govern any proposed medical marijuana dispensary or medical marijuana registered caregiver for which an application has not been submitted and acted on by the Planning Board prior to January 27, 2021.

The following standards apply to all medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers: All medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers are principal uses regardless of the amount of space they may occupy within a building. All medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers require site plan review and approval from the Planning Board prior to the issuance of any building permit or certificate of occupancy. In addition to the site plan review standards set forth in Article XI of this chapter, the following performance standards are to be used by the Planning Board in reviewing site plan applications and compliance with the same shall serve as requirements for approval of any such site plans.

A. Separation from schools.

- (1) No medical marijuana dispensary, no medical marijuana caregiver retail store, and no medical marijuana registered caregiver shall be sited within 500 feet of the lot lines of a school. No sign or other advertisement may be displayed within 500 feet of

the lot lines of a preexisting school. The distance cited in this subsection shall be measured between the lot line of the proposed site for the medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver and the lot line of the site of the school at their closest points. For purposes of this measurement, if a medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver is to be located on a site that is leased from an unrelated third party, such as an establishment's lot line, shall be determined as follows:

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- (2) Any applicant for a building permit, land use approval and/or certificate of occupancy involving a medical marijuana dispensary, medical marijuana caregiver retail store, or a medical marijuana registered caregiver shall submit with the application a map of properties within 500 feet of the proposed use and a list of the uses of those surrounding properties, each in such format as may be required by the Town Planner. The Town will only verify distance of the proposed premises from a school; once all of the Town-required licenses, permits and approvals are issued, the Town will not preclude a school from opening at a location within the buffer zone.
- (3) A medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver may continue to operate in its present location as a preexisting use if a school later locates within the buffer zone; however, the medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver does so at his/her/its own risk, and Town-issued licenses, permits or approvals provide no protection or indemnification against enforcement of federal or other applicable laws that may prohibit operation of a medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver near a school.
- (4) Any medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver that wants to change to another type of establishment or add an additional use, other than the one for which it initially sought and obtained Planning Board site plan approval may do so, but it must first seek and obtain site plan approval for the new use and must comply with the then-current separation distances for schools. Any medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver that has any permit, approval or license necessary to operate as such an establishment either lapse or be finally adjudicated as revoked must, prior to recommencing operations: (a) seek and obtain Planning Board site plan approval for the medical marijuana use; and (b) comply with the then-current separation distances for schools.

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- (6) For purposes of this section, the term "advertisement" means publicizing the trade name of a medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver together with words or symbols referring to marijuana or publicizing the brand name of marijuana items.

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C. Hours of operation. Medical marijuana dispensaries and medical marijuana caregiver retail stores may be open for business only between the hours of 7:00 a.m. and 10:00 p.m., locally prevailing time. When there is a conflict between state laws and regulations and local zoning, the more restrictive hours of operation shall apply.

D. Area of activities. All activities of medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers, including, without limitation, cultivating, growing, processing, manufacturing, displaying, selling and storage, shall be conducted indoors and not in any building that also contains a dwelling unit or other residential use. Medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers are not permitted to conduct outdoor sales or services of any kind. Any common areas, including, but not limited to storage areas and building facilities, shared with another use must be clearly identified as such on the site plan application.

E. Odor Management

- (1) For medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers, the odor of marijuana must not be detected off site, i.e., must not be detected at premises that are not under the custody or control of the establishment. To prevent and control marijuana odors, an odor control plan prepared by a Maine licensed air-handling engineer shall be submitted as part of the site plan application describing the odor(s) originating or anticipated to originate at the premises and the control technologies to be used to prevent such odor(s) from leaving the premises while reducing the risk of fire or respiratory harm within the facility. The odor control plan shall, at a minimum, include the following:

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- (2) While the Town does not mandate any particular equipment specifications with regard to filtration or ventilation, all medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers are strongly encouraged to adopt best management practices with regard to implementing state-of-the-art technologies in mitigating marijuana odor, such as air scrubbers and charcoal filtration systems.

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G. Other emissions. Sufficient measures and means of preventing smoke, debris, dust, fluids and other substances from exiting the premises of a medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver must be provided at all times.

H. Waste disposal. All medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers shall have in place an operational plan for proper disposal of marijuana and related by-products/waste products in a safe, sanitary and secure manner and in accordance with all applicable federal, state and local laws and regulations. Dumpsters and trash containers must not be overflowing, and the surrounding area must be kept free of litter and trash. All dumpsters and containers shall be screened from public view. All trash receptacles on the premises used to discard marijuana products must have a metal cover or lid that is locked at all times when the receptacle is unattended and security cameras must be installed to record activities in the area of such trash receptacles.

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Security

- (2) All security recordings shall be preserved for at least 45 days. All medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers shall provide the Town Manager or his/her designee with the name and functioning telephone number of a twenty-four-hour on-call staff person to whom the Town may provide notice of any operating problems associated with the establishment.
- L. Fire safety. All medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregiver facilities shall comply with National Fire Protection Association (NFPA) 1 Fire Code, Chapter 38, Standards for Marijuana Growing, Processing, or Extraction Facilities (most recent edition), and these standards shall be used by the Fire Department during its inspections of each facility. All buildings associated with a medical marijuana dispensary, medical marijuana caregiver retail store, and/or medical marijuana registered caregiver shall be protected by use of fire suppression sprinkler systems or such other effective fire suppression system as may be approved by the Fire Chief. ~~A-M~~medical marijuana dispensaries and medical marijuana caregiver retail stores shall have a Knox-Box® or shall provide the Fire Department with the necessary information to allow entry by Fire Department personnel in the event of an emergency at the location.
- M. Sale of edible products. No food products shall be sold, prepared, produced or assembled by a medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver except in compliance with all operating and other requirements of state and local law and regulation, including, without limitation, food establishment licensing requirements. Any goods containing marijuana for human consumption shall be stored in a secure area.
- N. Drive-through and home delivery. Medical marijuana dispensaries are prohibited from having drive-through pickup facilities or home delivery services. Medical marijuana caregiver retail stores are prohibited from having drive-through pickup facilities.
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P. Inspections. The Code Enforcement Officer or his/her designee shall inspect all medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers prior to issuance of a certificate of occupancy, to verify that the facilities are constructed and can be operated in accordance with the application submitted, the land use approval(s) issued and the requirements of this chapter, local and state building codes and electrical codes. The Fire Chief or his/her designee shall inspect all medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregiver prior to issuance of a certificate of occupancy, to verify that the facilities are constructed and can be operated in accordance with all applicable fire codes. The initial inspection shall occur after the establishment is ready for operation. No marijuana or marijuana products will be allowed on the premises until the inspection is complete and a certificate of occupancy has been issued. Nothing herein shall prevent the Code Enforcement Officer, Fire Chief, or his/her respective designee from inspecting medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers at random intervals and without advance notice, provided that the inspection is during normal business hours of the establishment.
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R. Change of use/addition of use. If a medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver wants to change to another type of medical marijuana use or add a use, such change or addition of use must be reviewed and approved by the Planning Board for compliance with this chapter.
- S. Other approvals. No medical marijuana dispensary, medical marijuana caregiver retail store, or medical marijuana registered caregiver shall conduct any activity for which he/she/it has not received the required State of Maine license, certification or registration, as applicable.
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U. Nonconforming uses. Nonconforming medical marijuana registered caregivers lawfully existing as of the date of adoption of the amendments to this chapter evidenced by Order No. 28-21 are subject to the standards of Article V, Nonconforming Uses, and the local registration requirement of §181-19.3. When site plan review is triggered by a proposed change in use and/or structure, the use and/or structure shall comply with these performance standards to the greatest extent practicable as determined by the Planning Board. The addition of a medical marijuana caregiver retail store to an existing nonconforming medical marijuana registered caregiver is considered a change in use and shall comply with these performance standards to the greatest extent practicable as determined by the Planning Board.
- V. Other laws remain applicable. ~~A-m~~Medical marijuana dispensaries, medical marijuana caregiver retail stores, and medical marijuana registered caregivers shall meet all operating and other requirements of state and local law and regulation. To the extent the State of Maine has adopted or adopts in the future any stricter law or regulation governing medical marijuana dispensaries, medical marijuana caregiver retail stores, or medical marijuana registered caregivers, the stricter law or regulation shall control.

VOTE: 5 Yeas – 1 Nay, Delcourt

40-22 Application Submitted by Katelyn Cates – Cates Management, LLC - dba the Outpost Bar & Grill for a new Class A Restaurant/Lounge(Class XI) at 380 Pequawket Trail [LeClerc]

Chair Leclerc explained this is a new applicant for this location, the applicant was present. Chair Leclerc called for Council Comments.

Councilor Paul questioned the outside dining, and thought it was only allowed due to covid provisions.

The clerk noted that what shows on the diagram in the application is what is covered under the provisions of the application. The clerk noted that she had asked the Code Enforcement Officer if there were any changes regarding outside dining and was told there were no changes.

Chair Leclerc called for additional Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote and the hearing was closed.

ORDERED that the application submitted by Katelyn Cates – Cates Management, LLC – dba the Outpost Bar & Grill for a new Class A Restaurant/Lounge (Class XI) serving malt liquor (Beer), wine and spirits located at 380 Pequawket Trail, is approved by the Town Council, to expire as determined by the Maine Division of Liquor Licensing and Enforcement.

VOTE: 6 Yeas

41-22 Application Submitted by Katelyn Cates dba the Outpost Bar & Grill for a new Special Amusement Permit at 380 Pequawket Trail [LeClerc]

Chair LeClerc explained that this will allow the applicant to have entertainment.

Chair Leclerc called for additional Council Comments.

Councilor Macri questioned if the entertainment would be allowed inside and outside?

The applicant said that there is the possibility of both indoor and outdoor entertainment.

Chair Leclerc called for additional Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote and the hearing was closed.

ORDERED that the application submitted by Katelyn Cates dba the Outpost Bar & Grill for a new Special Amusement Permit located at 380 Pequawket Trail, 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 liquor license.

VOTE: 6 Yeas

42-22 Application Submitted by Michael Duncanson – Percy's Table Corp. dba Percy's Table Corp. for Renewal of a Restaurant License (Class I, II, III, IV) at 111 Ossipee Trail East – Unit #11 [LeClerc]

Chair LeClerc announced that this is a renewal application.

Chair Leclerc called for Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote and the hearing was closed.

ORDERED that the application submitted by Michael Duncanson - Percy's Table, Corp. - dba Percy's Table Corp. located at 111 Ossipee Trail East for renewal of Restaurant License (Class I, II, III, IV) serving malt liquor (beer)

and wine is approved by Council, to expire as determined by the Maine Division of Liquor Licensing and Enforcement.

VOTE: 6 Yeas

**** Public Hearing for upcoming June 14, 2022 Municipal Referendum Questions**

The clerk read a summarized version each of the referendum questions including an explanation of the bond indebtedness.

Chair Leclerc called for Council Comments

Councilor Delcourt voiced his concern regarding the revaluation referendum question, if it was voted down would the other questions fail?

The clerk noted that the referendum questions stand on their own.

Councilor Gaba said that the revaluation question is going referendum allowing the public to vote on the matter.

Chair Leclerc called for additional Council Comments, hearing none he called for public comments, hearing none, the hearing was closed.

**** American Rescue Plan Act Funds Public Hearing to solicit public input for allocation of the use of ARPA funds in part of the Public Safety Department 2022-2023 FY budget to provide funds for the salaries**

Chair LeClerc said that it is his understanding that the town was allocated from the federal funds about approximately 1.1 million, he said that approximately \$400,000 is to be allocated towards the EMS and firefighter salaries. He explained that ARPA funds cannot directly assist tax relief. He said what we can do is we can put it towards EMS and firefighter salaries, what that does, is it frees up potentially some general revenue to put towards tax relief.

Chair Leclerc called for Council Comments.

Councilor Gaba said that this is a nice way to provide ARPA funds to everyone.

Chair Leclerc called for additional Council Comments, hearing none he called for public comments, hearing none, the hearing was closed.

COMMITTEE REPORTS

Councilor Delcourt – no report

Councilor LeClerc – Ordinance Committee – met to discuss food truck regulations; reviewed letter that was received regarding gun ranges and sound, including a review of a sample ordinance from Lisbon.

Councilor Libby – Finance Committee - met yesterday, he announced that revenues are ahead of the expected amount.

Councilor Macri – Public Safety – met yesterday and were introduced to the CCSD new patrol K-9. The tracking K-9 will also be trained for drug detection. He said that the committee also discussed fire equipment noting if purchased today, delivery of the unit would be about 2-year out. He noted that there is new hand-held equipment available that provides search for objects in the water. This equipment costs approximately \$5,000.

Councilor Macri – Appointments Committee – met today to review pending applications.

Councilor Paul – Capital Improvements Committee – no report.

CONSENT CALENDAR

There were no items on the consent calendar at this meeting.

UNFINISHED BUSINESS

32-22 Amendments to Standish Town Code, Chapter 181, Land Use, Adult Use Marijuana Cultivation (First Reading) [LeClerc]

Chair LeClerc noted for people that are unfamiliar with the laws and regulations and ordinances that relates to marijuana, there are laws, regulations, ordinances related to on the medical side and then there are regulations on the on the adult side. He explained on the adult side, there are four uses: testing, manufacturing, cultivation, and storefronts. What this particular amendment will allow is cultivation, there will be no storefront, testing or manufacturing. In addition, there are extensive in regulations related to the cultivation in terms of odor management, setbacks, security, he noted it's quite comprehensive.

Chair Leclerc called for Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote to move the item to Public Hearing at the June 7, 2022 Town Council meeting.

VOTE TO MOVE TO PUBLIC HEARING: 5 Yeas – 1 Nay, Delcourt

Chair LeClerc noted that the provisions of 32-22 would be allowed only in the Industrial Districts.

33-22 Amendments to Standish Town Code, Chapter 220, Retail Marijuana Establishments and Retail Social Clubs (First Reading) [LeClerc]

Chair LeClerc said that this is a companion order to the previous order before the council. He said ad of right now, on the adult side as it relates to adult marijuana, there's a blanket prohibition. What this amendment is doing is it's partially lifting the blanket prohibition just to allow the cultivation is still leaves in place, no store friends, no testing and no manufacturing.

Chair Leclerc called for Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote to move the item to Public Hearing at the June 7, 2022 Town Council meeting.

VOTE TO MOVE TO PUBLIC HEARING: 5 Yeas – 1 Nay, Delcourt

MOVED by Libby seconded by Leclerc to add order 46-22 Accept Maine Department of Environmental Protection Stream Crossing Grant Funds to the agenda (Unanimous)

NEW BUSINESS

43-22 Change Date of Regular Town Council Meeting in June to June 7, 2022 [LeClerc]

Chair LeClerc noted that this is standard housekeeping order.

Chair Leclerc called for Council Comments.

Councilor Macri asked if there was a way that this could be done for every June election?

Chair LeClerc noted that the date of the Town Council meeting is established by the Charter. The clerk added that the Town Council Rules provide the ability to change the date of the regular meeting. The Rules could be amended to provide that the June meeting is always on a different date.

Chair Leclerc called for additional Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote to move the item to Public Hearing at the June 7, 2022 Town Council meeting.

WHEREAS, the regular meeting of the Standish Town Council in June is scheduled to be held on June 14, 2022, which is 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 Tuesday, June 7, 2022 beginning at 6:00 p.m. as not to conflict with the polling hours on Election Day.

VOTE: 6 Yeas

44-22 Amendments to Standish Town Code, Chapter 206, Noise, Multiple Sections (Introduction) [LeClerc]

Chair LeClerc these amendments in large part this is a housekeeping to update the reference standards.

Chair Leclerc called for Council Comments.

Chair LeClerc said that it was his understanding that the ordinance referenced old standard from 1983. He described the way it was explained to him that by updating the ordinance there will be more of a focus on higher pitched decibel sound. He noted that there are A, B and C waves; and C waves are lower in sound. This amendment would provide easier determination of people breaking the rules in the on the higher pitch.

Councilor Gaba referred to an email that was received today from a concerned citizen.

Chair LeClerc explained that Deborah Boxer sent an email to him and Councilor Gaba voicing her concerns as these amendments relate to gun ranges, he said Ms. Boxer opinion was that by updating Town Council Minutes

the standard, are basically we will not be going to be able to regulate gun range noise, because that might be potential if you lower decibel, more like a bass sound.

Chair LeClerc said as he touched upon in his committee report the Ordinance Committee is reviewing sound as it relates to gun ranges. This ordinance is a general sound ordinance.

Chair LeClerc called for additional Council Comments.

Councilor Macri asked where this idea for the amendment came from?

Chair LeClerc explained that former Councilor Michael Blanck brought forward to him that the current ordinance was out of date. Mr. Blanck is an engineer having expertise in the area.

Councilor questioned if these amendments are similar to other town's noise ordinances?

Chair LeClerc said that he was not aware of other towns ordinances.

Chair LeClerc called for additional Council Comments, hearing none he called for public comments.

Anthony Folsom said that the C waves are commonly used to classify gun noise. He said at a recent Planning Board meeting a wedding venue was not approved due to potential music noise, yet tonight the Out Post was approved for outside entertainment. His concern is that the boards don't know that the other is doing. He said that this is very confusing.

The Director of Planning, Zach Mosher said that it was his understanding that the A level was staying the same, and we don't have the instrumentation to measure the C level.

Councilor Gaba noted that in the order the amendment deletes the timeframe and doesn't reestablish a new timeframe.

Tony Folsom, a resident, voiced this concern that there is no one available to enforce the ordinance after regular business hours.

Chair LeClerc noted that the committee briefly discussed that issue and thanked him for bringing it forward.

Moved by Paul seconded by LeClerc and voted to send this ordinance amendment back to the Ordinance Committee. (Unanimous)

45-22 Resolution Establishing August 5th & 6th as the "Standish Summer Spectacular" Weekend [LeClerc]

Chair LeClerc said that all will agree that this is an awesome event.

WHEREAS the Standish Parks & Recreation Department is committed to improving the quality of life in Standish by providing exceptional community experiences through diverse recreation programs, events, and parks for people of all ages, and has held a family festival since 2003 with the primary intent being to foster a sense of community, and

WHEREAS the Standish Summer Spectacular Committee has been established to support this annual event, with its primary mission being to honor and celebrate, on an annual basis, the rich history of the villages that make up the Town of Standish including Steep Falls, Standish Corner and Sebago Lake Station, and

WHEREAS the theme of this year's parade to be - "Better Together."

WHEREAS the Parks & Recreation Department has partnered with a variety of civic organizations, and volunteers and has received much support from many community businesses and the Town of Standish to provide this opportunity to the community, now be it

RESOLVED that the Standish Town Council establishes August 5 & 6, 2022 as the Standish Summer Spectacular Weekend.

Chair Leclerc called for additional Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote.

VOTE: 6 Yeas

46-22 Accept Maine Department of Environmental Protection Stream Crossing Grant Funds [Libby]

Roger Mosley explained that for the past several years the Maine DEP has provided a program called the Stream Smart Grant to communities. He explained that in the past we applied for a grant for Shaw's Mill Road, Blake Road and most recently for Moody Road. The first two awards were \$95,000 each and the Moody Road was awarded \$125,000 which is the current disbursement amount. He noted that there are matching funds required.

Councilor Delcourt questioned the location on the project on the Moody Road.

Roger Mosey said it is on the unpaved section after the Public Works Facility.

Councilor Macri asked if this will reduce the amount of the referendum question?

Mr. Mosley said that it does not

Chair Leclerc called for additional Council Comments, hearing none he called for public comments, hearing none the called for the roll call vote.

ORDERED that the Town Council on behalf of the residents of Standish accepts grant funds from the Maine DEP in the amount of \$95,000 to assist the Town for improvements to the stream crossing on Blake Road, and

ORDERED that the Town Council on behalf of the residents of Standish accepts grant funds from the Maine DEP in the amount of \$125,000 to assist the Town for improvements to the stream crossing on Moody Road, and

FURTHER ORDERED that Roger Mosley, Public Works Director, is authorized on behalf of the Town to execute related contract documents.

VOTE: 6 Yeas

PUBLIC ITEMS

There were no public items brought forward at this meeting.

ANNOUNCEMENTS

The clerk presented information regarding the June 14, 2022 elections.

EXECUTIVE SESSION

An executive session was not held during this meeting.

ADJOURN

Moved by LeClerc seconded by Libby and voted to adjourn. The Meeting adjourned at 6:58 p.m. by unanimous consent.

Submitted by: _____

A handwritten signature in cursive script, appearing to read "May LeClerc", is written over a horizontal line.

Clerk/Secretary