

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, AUGUST 9, 2022
STANDISH MUNICIPAL CENTER
6:00 PM**

CALL TO ORDER

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

Vice-chair said that recently there have been some tragedies in our community, he called for a moment of silence for Hallie Oldham and Harrison Gauld who both recently passed away in our community. LeClerc also thanked the Public Safety staff for all they do and encouraged the public to reach out to Public Safety staff and thank them for their service.

ROLL CALL

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

MINUTES OF PREVIOUS MEETING (S)

Moved by Butler seconded by LeClerc and voted to approve the of the minutes from the July 12, 2022 meeting. (Unanimous)

PETITIONS AND COMMUNICATIONS

The Clerk noted that the Town has received of correspondence from a number of people regarding an item on tonight's agenda.

Moved by Leclerc seconded by Libby and voted to read the names of the authors and summarize their correspondence.

VOTE 5 Yeas – 1 Nay, Watson

The Clerk asked to read the correspondence aloud so the author's thoughts would be conveyed appropriately.

The correspondence was read regarding the Moratorium Ordinance on Shooting Ranges. Copies of the correspondence from the following individuals is available at the Town Clerk's Office:

- Greg Sirpis
- Steve Lajoie
- Kim Lajoie
- Patricia Frechette
- Robert Brisk

- Monica Mahoney
- Lance DeRoche
- Rebecca DeRoche
- Alec Kindred

REPORT OF THE TOWN MANAGER

Tashia Pinkham's reported on the following departmental items:

- The Planning Department is working on an RFP for use of grant funding that was received for the Schoolhouse Arts Center; staff is working on posting interactive maps on the town website; it is anticipated that updates to the Form Based Code will be discussed at the September Council workshop as well as the traffic study for the interception of Routes 114 and 35
- The Code Enforcement Department has been working on dock and subdivision matters
- The Public Works Department has been cleaning up brush from recent storms, the public is encouraged to sign up for email updates on the Town website for roadwork/traffic information
- The Public Safety Department including the Sheriff's Department were provided with a meeting with a chaplain after the recent tragedies
- The Finance Department is preparing for the annual audit
- The Recreation Department had 194 campers during the summer program
- The Assessing Department is preparing for the tax commitment
- The Clerk's Department is working on issues related to the Runoff election
- The HR Department received a \$10,000 check from our insurance company due to our safety record
- A brochure rack will be placed in the lobby so local companies can highlight their business
- The Finance Committee discussed options for generating more funding for the Town
- Speeding and traffic issues are being reviewed
- The Sheriff's Department is training K9's in town on a weekly basis

Vice-chair Leclerc noted that the Town Council Rules of Procedure provide those speakers addressing the Town Council, have a five-minutes of time to speak to an agenda item.

PUBLIC HEARINGS

62-22 Application Submitted by St. Joseph's College for Renewal of a Malt, Spirituous and Vinous Restaurant License and a Qualified Catering License [Gaba]

Vice-Chair Leclerc noted that this is an annual renewal and the application appears to be in order.

Councilor Butler questioned if the Sheriff's Department had any issues with this application?

Both the Clerk and Town Manager noted that they were not aware of any issues with the application.

Vice-Chair LeClerc called for additional Council comments, hearing none he called for public comments, hearing none, he called for the roll call vote and the hearing was closed.

VOTE: 6 YEAS

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.

COMMITTEE REPORTS

Councilor Butler – Economic Development Committee – discussed the collaboration with neighboring town for the expansion of broadband service

Councilor Watson – Personnel Committee - no report

Councilor LeClerc – Ordinance Committee – discussed self-storage provisions included in the Form Based Code which will include Appeals Board approval; overall updates to the Form Based Code; investigating funding to support a sound engineer; met with Old Red Church Trustees to discuss grant opportunities

Councilor Libby – Finance Committee – met to review the end of the year financials

Councilor Macri – Appointments Committee – no report

Councilor Macri – Public Safety Committee – The Public Safety Fair is scheduled on October 15 from 10:00 a.m. till 2:00 p.m.

Councilor Paul – Capital Improvement Committee – discussed an item for tonight's agenda

CONSENT CALENDAR

There were no Consent Calendar items at this meeting.

UNFINISHED BUSINESS

Minutes

Standish Town Council

August 9, 2022

There were no items of Unfinished Business items at this meeting.

NEW BUSINESS

63-22 Town of Standish Moratorium on Shooting Ranges [LeClerc]

Vice-Chair LeClerc said that there may be a conflict of interest regarding one of the Town Councilors concerning this item. LeClerc said that the Councilor could recuse themselves from participating item, if the Councilor does not recuse themselves, then the Council would vote as to whether the Councilor can participate in the discussion of the item. The town attorney has provided an opinion and protocol on this matter in the past. Vice-Chair Leclerc explained that that since the Councilor is not going to recuse themselves, the Councilor will proceed with the first step of the protocol which requires that the Councilor makes a public disclosure.

Councilor Libby explained that he is a member of the club, he noted that this ordinance is does not name a particular organization, and he stated that he can make a rational decision regarding this matter.

Vice-Chair LeClerc said that the next step then is for the Council, excluding Councilor Libby, to vote as to whether Councilor Libby can participate in this matter.

Moved by LeClerc seconded by Butler to declare that Council Libby has a conflict of interest regarding this matter.

Councilor Macri said that Councilor Libby is a member of the club and presented the plan to the Planning Board, however the club is not specifically mentioned in this moratorium ordinance.

Councilor Watson echoed Councilor Macri's thoughts.

Councilor Butler withdrew his second, noting that he mis-understood the motion.

Moved by LeClerc to declare that Council Libby has a conflict of interest regarding this matter. There was no second on the motion. The motion failed.

Councilor Butler as a member of the Ordinance Committee explained that during the past several months the committee has received a number of complaints regarding sound issues, the committee invited Michael Blanck to present the committee a presentation that would give them more knowledge regarding sound issues. The Council learned that additional funding for training and equipment is needed to be able to manage the ordinances that deal with sound matters that are currently in the code.

Vice-Chair Leclerc called for public comments, reminding the public that comments are limited to five-minutes.

Jeffrey Dolloff, resident – concerned with lack of definitions in ordinance, noted that the club has abided by the provisions that were established by the Planning Board.

Anthony Folsom, resident – concerned that Councilor Libby did not recuse himself, concerned the quality and safety in our neighborhoods.

Brad Currie, resident – believes that ranges may make the community safer based on his military training.

Jamie Fickett, resident – supports the club, concerned with the lack of definitions in the ordinance.

Cynthia Hopkins, resident – concerned with the lack of definition in the ordinance regarding shorting range. Brought up the conflict-of-interest matter in regard to all Councilors.

Andie Reardon, resident – support a range to provide firearms usage. Concerned with lack of definitions in ordinance.

Attorney Ben Hartwell – represents neighbors of the proposed range. He questioned the legislative process regarding the Planning Board public hearing notice.

Joe Bellwood - concerned lack of definition and extra time needed to review the ordinances.

Deborah Boxer, resident – clarified that the Planning Board did not table this item, she noted that the club asked for additional time to complete the application. She noted that there are no ordinances at this time to deal with shooting ranges, the moratorium will allow time for ordinance to be developed.

Ben Cutter, resident – supports the moratorium. Concerned with the impact on the community.

Daniel Dyer, resident – against moratorium supports the club.

Michael Blanck, resident – regarding the sound ordinance, a shooting range would require special equipment for sound the measuring.

Sandy Fecteau – support the efforts of the club.

Beth Brown - President of the Club, concerned with the lack of definition in moratorium. Noted that the club is transparent.

William Moore – offered his expertise in range engineering to the town.

Dave Fecteau – opposes the moratorium. Ask that they vote moratorium down so the club can complete the application before the Planning Board.

Brian Leavitt, resident – questioned the decibel level regarding shooting ranges. Supported the moratorium to provide more time for the town to develop ordinances.

Julie Perron, resident – concerned about the noise impact on birding.

Peter Mailia – Club member noted that Planning Board did request additional information from the club. Noted the training and community efforts of the club that support the community. Asked that they vote no on the moratorium.

Dan Hawxwell, resident – noted that he can hear shots from that area. He supports the moratorium due to land that he recently purchased in the vicinity to the proposed range.

Sandra Thurston read an email from Brenda Glasgow, resident – who supports the moratorium.

Sandra Thurston, resident – she hears shooting all the time from that direction. Concerned about noise and safety.

Derek Hartwell, resident – supports the moratorium due to noise issues.

Paul Thompson, resident – questioned if the vote to not allow Councilor Libby to discuss this issue should have been opened to public discussion? He was concerned with the residential growth in that area. He said that indoor ranges is the only way it should be allowed.

Cynthia Shaw, resident – opposes the moratorium, believe it will impact every resident in town.

Chris Davis, resident – opposes the moratorium.

Matt Peterson, resident – opposed the moratorium and noted it should be rewritten.

Elmer Farley, resident - opposed the moratorium since it is written vaguely.

James Fickett – supports the club and their efforts. The club has done a number of studies regarding their project.

Gemma Long, resident – supports the club for a place to learn hunter safety.

Vice-Chair Leclerc called for additional public comments, hearing none, closed the public comment portion and called for Council comments.

Councilor Paul said that moratorium is a strong word and may have been called something else. He said that he was the one the wanted more information on the noise ordinance. He has nothing against the club, but he also hears the concerns of neighbors. He also questioned the hours of operation of the club.

Councilor Butler noted that he is on the Ordinance Committee and did vote on bringing the moratorium Ordinance forward since we don't have a sound ordinance or the tools needed to measure sound from a shooting range.

Moved by Butler seconded by Libby to table this to the September Council meeting.

Councilor Watson said that tabling this would be a waste of a lot of people's time.

Councilor Libby said that whoever the applicant might be there is a new ordinance they would have to meet that noise level.

Councilor Paul questioned of a workshop could be held on August 30th?

Councilor Macri noted that this moratorium will still have to go through the legislation process.

Vice-Chair Leclerc noted that he would be in favor of tabling this to get additional information regarding definitions and sound matters.

Moved by Butler seconded by Libby to postpone this to the September Council meeting and hold a workshop on August 30 to discuss the sound issues.

VOTE ON MOTION TO POSTPONE UNTIL THE SEPTEMBER COUNCIL MEETING AND HOLD A WORKSHOP ON AUGUST 30th: 5 YEAS – 1 Nay, WATSON

64-22 Authorize Utility Location Permit – Private Power Services - Moody Road [Gaba]

Vice-Chair Leclerc noted that this is a housekeeping order.

Councilor Macri questioned who was the applicant?

Councilor Butler noted that all the properties on that side of the road were residential properties.

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

VOTE: 6 Yeas

ORDERED that the application by Private Power Services to install and maintain poles on the Moody Road in accordance with the attached application (#10300907628), is approved by the Town Council, and

FURTHER ORDERED that the Town will collect a \$25 excavation permit fee from the applicant.

65-22 Award Bid and Authorize Contract for Purchase of Winter Sand [Paul]

Moved by Paul seconded by Libby and voted to amend the order to add the name of L.P. Murray & Son's in the amount of 9.70 per cubic yard to the bid. (Unanimous)

Councilor Paul noted that we have purchased from this company previously and sand will be delivered in two shipments.

Councilor Butler questioned if this was a sand and salt mixture? And, are we obligated to purchase all the weight?

Moved by Libby seconded by Butler to add that the amount of winter sand purchased will not exceed 8,000 cubic yards. (Unanimous)

VOTE ON ORDER AS AMENDED: 6 YEAS

WHEREAS a bid process has been conducted for the purchase of winter sand in accordance with section 302 (f) of the Standish Charter, now be it

ORDERED that the bid from L.P. Murray & Son's, in the amount of \$ 9.70 per cubic yard, with the amount of sand purchased not to exceed 8,000 cubic yards, as recommended by the Capital Improvements Committee for the procurement of winter sand is hereby accepted, and

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

66-22 Authorize Standish Food Pantry to Hold Charity Toll on Moody Road [Gaba]

Councilor Leclerc noted that he is on the board of the Food Pantry and serves as the treasurer, so he will abstain from voting on this order.

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

VOTE: 5 YEAS – 1 ABSTAIN, LECLERC

WHEREAS the Standish Food Pantry is a non-profit organization that serves the residents of Standish, and

WHEREAS the Standish Food Pantry desires to hold a charity toll on Moody Road as a fundraiser for their organization, and

WHEREAS September is Hunger Action Month, now be it

ORDERED that the Standish Town Council authorizes the Standish Food Pantry to hold a charity toll on the Moody Road on September 23rd and September 24th, 2022, and

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

67-22 Cast Ballot for Maine Municipal Association Vice President and Executive Committee [Gaba]

Moved by Libby seconded by Macri that the Town Council will vote for the slate of candidates presented on the MMA voting ballot. (Unanimous)

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

VOTE ON ORDER AS AMENDED: 6 YEAS

ORDERED that the Standish Town Council hereby cast their vote of the Maine Municipal Association (MMA) Vice President and Executive Committee Members by selecting the slate of candidates presented on the voting ballot submitted by the Maine Municipal Association, and

FURTHER ORDERED that the Town Council designates Councilor LeClerc to sign the MMA voting ballot on their behalf.

PUBLIC ITEMS

Elmer Farley asked that the hours of the town office are changed to offer evening hours.

Elmer Farley questioned the number of plants that the Portland Water District (PWD) were intending to plant at the boat launch. He noted that PWD does not maintain the plantings at the end of Maple Street, he did not think that the PWD would maintain the plantings at the boat launch.

Tashia Pinkham said that the plants were planted at the end of Maple Steet were intended for erosion control. The access to the fishing pier has been trimmed to provide better access.

Brad Currie suggested that the fish and game club could do some efforts for veterans.

Brad Currie asked who was his Town Councilor? He then voiced his concern of the crack sealing that was done on Route 113.

William Moore offered his expertise on sound matters to the town.

Councilor Watson asked Mr. Moore if he remembered the reading that they took relating to the range.

Mr. Moore noted that the readings were all within the acceptable limits except those taken on the middle of the Middle Road.

ANNOUNCEMENTS

Several meetings were announced.

EXECUTIVE SESSION

Moved by LeClerc seconded Libby and voted to move into executive session(s) will be held for the discussion of real estate matters pursuant to. 1 M.R.S.A. § 405(6)(C) and personnel matters pursuant to. 1 M.R.S.A. § 405(6)(A), the Town Manager Tashia Pinkham will join them in the executive sessions.

Moved seconded and voted to arise from the executive sessions. The Council arose from the executive sessions at 9:30 p.m. by unanimous consent and the meeting adjourned.

Submitted by: _____
Clerk/Secretary

