

**MINUTES  
TOWN COUNCIL MEETING  
STANDISH, MAINE  
TUESDAY, APRIL 9, 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**

Councilor present: Leclerc, Libby, Nesbitt, Pomerleau, Sirpis and Starostecki.  
Councilor Delcourt was excused.

**MINUTES OF PREVIOUS MEETING (S)**

Moved by Sirpis seconded by Libby and voted to approve the minutes from the March 12<sup>th</sup> and 26<sup>th</sup> meetings, the minutes were approved by unanimous consent.

**PETITIONS AND COMMUNICATIONS**

There were no petitions or communications presented at this meeting.

**REPORT OF THE TOWN MANAGER**

Roger Mosley of the Recycling Committee provided a PowerPoint presentation to update the community on the Silver Bullet Recycling Program. Mr. Mosley explained that the Recycling Committee continues to explore recycling opportunities for Standish. The Committee recently added food scrap recycling totes at the Transfer Station; and ecomaine offers educational programs at local schools; the annual calendar program; and ongoing educational programs regarding acceptable disposal of recycling materials into the silver bullets. Since the world recyclable market changed, ecomaine has instituted a fee schedule for contaminated recyclable containers. Due to the additional costs incurred by the Town caused by contaminated materials, the Committee thought the best interest of the Town at this time would be to remove the silver bullets. The Committee is recommending that the recycling containers located at Patches Store, the George E. Jack Elementary School and the Steep Falls baseball field be removed. Mr. Mosley highlighted each of the recycling sites tonnage, rate of contamination and costs. He reported that if the satellite recycling container were removed, and town continues to provide recycling at the Transfer Station, the annual net savings to the Town will be approximately \$25,000. He said that Committee's recommendation to remove the satellite containers was a difficult decision. In closing, Mr. Mosley showed photos of the recycling sites depicting the debris that the Public Works Department has to pick up on a weekly basis.

Joseph Merry – Departmental Report was postponed until next month.

MSAD 6 – Budget Presentation by School Superintendent and Business Manager – Business Manager, William Brockman referred to an informational hand-out as he explained the MSAD 6 budget. He noted that this is the budget as it stands now, noting further review is scheduled. He reviewed the estimated revenue and anticipated state subsidy. He noted that the carry forward amount this year is less than in the past, and revenues will be slightly higher in some categories. He noted that the upcoming budget is \$248,650 more than the current year which relates to half a percent. He noted to keep the salary line

like last year's some cuts were made in personnel – 20 positions were cut. He continued to explain proposed budget announcing that there is an increase over last year's budget of 3.5%.

Superintendent, Paul Penna said that they want the communities to know that they are working hard ensure that the kids have the best education at a reasonable cost. He touched on the positions that are being cut noting the impact that it will have on the schools. He talked about the recommended class size and worked the budget around a class size of an average class size of 19 students. He mentioned that the cut of personnel should not have an impact on the students because they eliminated duplicated positions and change in the delivery of services across the district. In addition, Mr. Penna highlighted the restructuring of administration personnel throughout the district. He explained that there are increases in the budget, they are adding an ELA position and continue to enhance the Alternative Education Program.

Councilor Leclerc thanked them for their efforts, then voiced his concerns with the reduction in staff especially with the positions that assist at-risk students.

Mr. Penna said that Councilor Leclerc's comments are being heard and they won't lose track of that idea.

Chair Nesbitt questioned the recent discussions regarding the potential closing of the Steep Falls Elementary School, what is the future of that idea?

Mr. Penna that idea will be discussed in the future as they weigh the options regarding the school district's needs.

Councilor Pomerleau questioned what will the children do since the summer school program has been discontinued?

Mr. Penna said that portions of the program have been discontinued due to enrollment numbers for summer school going down. He suggested that recreation programs may be available for some students.

Councilor Sirpis said that one of the issues that he struggles with relating to the potential closure of the Steep Falls Elementary School is the construction boom that Standish is having now and the future needs to have that school. He asked that they have the vision to look forward for future needs.

Mr. Penna noted that they do use population projections in their future planning, explaining that past projections have been accurate. He said as they plan for the future, they will consider the district as a whole in their decision making.

Chair Nesbitt asked when will be Budget Hearing be held?

It was announced that the Budget Hearing will be held at the Bonny Eagle Middle School on Thursday, May 30, 2019 beginning at 7:00 p.m.

## **PUBLIC HEARINGS**

There were no Public Hearings at this meeting.

## COMMITTEE REPORTS

Councilor Sirpis – Economic Development Committee – No report.

Councilor Pomerleau – Capital Improvements Committee – No Report.

Councilor Libby – Ordinance Committee – The committee is working on a number of items, tonight they are bringing forward an ordinance amendment.

Councilor Starostecki – PWD Steering Committee – No Report.

Councilor LeClerc – Recycling Committee – Echoed Roger Mosley's comments regarding recycling contamination and the committee's recommendation to remove the containers from the satellite locations. He announced the Garbage to Gardens group will make a presentation at the May 28, 2019 Town Council Workshop. He mentioned that on May 11, 2019 ecomaine will present their recycling program area students.

Councilor LeClerc – MSAD 6 BAC – Tonight's Superintendent's presentation covered the budget information.

Councilor LeClerc – Finance Committee – Recently chaired the committee noting that finances are where they should be this time of year. The committee reviewed the tax acquired properties and have selected several of them to bring forward for sale.

Chair Nesbitt – Finance Committee – Noted that the tax acquired properties will be brought forward at the May Town Council meeting. Tonight, a step in the process of personal property tax policy is on the agenda.

Chair Nesbitt – Appointments Committee – No report.

## CONSENT CALENDAR

The clerk noted that Consent Calendar items are read by title only and voted on collectively:

### **20-19 Town Council Appointment of Ballot/Election Clerks and Election Warden for the June 11, 2019 Elections [Nesbitt]**

ORDERED that the following individuals are appointed to serve as election/ballot clerks at the June 11, 2019 elections:

**Democratic Ballot Clerk**  
Betty King

**Republican Ballot Clerk**  
Glenna Jamison

ORDERED that Cheryl Allen is appointed to serve as election warden, and

FURTHER ORDERED that the Town Clerk is authorized to select additional ballot clerks as necessary to provide adequate staffing.

### **21-19 Town Council Confirmation of Nominations to the Registration Appeals Board [Nesbitt]**

ORDERED that the following political party nominations are confirmed, and the appointments are made to the Registration Appeals Board through the dates given:

Bette King ..... Democratic Nominee ..... April 2022  
Karen McNutt ..... Republican Nominee ..... April 2022

## **2-19 Establish Hours for Voter Registration Prior to the June 11, 2019 Elections [Nesbitt]**

ORDERED that the Registrar of Voters will hold office hours from 7:30 a.m. to 4:30 p.m. at the Town Clerk's Office during the week beginning June 3, 2019, and

FURTHER ORDERED that the registration enrollment period prior to the June 11, 2019 elections will be Monday, June 10, 2018 at 4:30 p.m., and

FURTHER ORDERED that the Town Clerk's Office will remain open until 7:00 pm on Thursday June 6, 2019 for absentee voting and voter registration prior to the June 11, elections.

## **23-19 Waive No Parking Restriction on Saco Road for Bonny Eagle Car Show [Nesbitt]**

ORDERED that the 'no parking' restriction on the north and south sides of Saco Road between the Standish town line and Cape Road (Route 35 A), shall be waived for a period two hours before the opening of the Bonny Eagle Car Show held by the Athletic Boosters until two hours after the close of the show to be held on May 19, 2019 at the Bonny Eagle High School, and

FURTHER ORDERED that the coordinators of the event shall provide traffic control beginning one hour before and during the hours of the show.

## **VOTE ON CONSENT CALENDAR ITEMS: 6 Yeas**

### **UNFINISHED BUSINESS**

There are no items of unfinished business at this meeting.

### **NEW BUSINESS**

## **24-19 Remove Silver Bullet Recycling Containers from Satellite Locations in Standish [Leclerc]**

Councilor Leclerc explained that there has been a substantial cost incurred by the Town due to the contaminated materials that are disposed of in the recycling containers. He touched on the additional work that the Public Works Department has to do when persons leave trash near the silver bullets. He explained that the Recycling Committee discussed various options regarding retaining the satellite containers, after discussion the Recycling Committee supported the removal of the containers

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

Councilor Sirpis recalled a discussion regarding this matter six to eight months ago, noting the amount of money being spent on this program.

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

WHEREAS the global market for recyclable materials has changed, and

WHEREAS the Town of Standish continues to receive contaminated materials being disposed of in the Silver Bullet containers, causing the Town to be assessed fees for the disposal of the contaminated recyclables, and

Whereas, The Town has adequate facilities located at the Town's existing Transfer Station, and

WHEREAS the Recycling Committee Recommends that the satellite silver bullet containers be removed, now be it

ORDERED that the silver bullets located at the George E. Jack Elementary School, Steep Falls Fire Station and Patches Store be removed prior to June 30, 2019.

## **VOTE: 6 Yeas**

### **25-19 Resolution Proclaiming May 18, 2019 as Blue Star Salute Day [Nesbitt]**

Chair Nesbitt explained that this is a well-deserved resolution that is brought forward every year.

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

WHEREAS throughout the history of the United States of America, the sacrifices necessary to maintain our liberty and freedom have consistently been borne by citizen soldiers, and

WHEREAS countless men and women of our great town have proudly worn the uniform of the United States Armed Forces, and

WHEREAS many of our fellow citizens are serving today in the war on terror as members of the active military, National Guard or Reserves, and

WHEREAS on Armed Forces Day 2019, it is appropriate as individuals and families to reflect upon the sacrifices of our fellow citizens and to celebrate their dedication, and

WHEREAS the citizens of Standish desire to honor and acknowledge those who serve in uniform for their sacrifice and preservation of our American way of life, now

THEREFORE, We as the Town Council for Town of Standish, do hereby proclaim Saturday, May 18, 2019, as

#### **STANDISH BLUE STAR SALUTE DAY**

And we urge all residents of this community to honor our citizens who are serving today by joining in the festivities of the day at the Kiwanis facility on Route 25. The day's festivities will run from 9 a.m. until 2:30 p.m.

## **VOTE: 6 Yeas**

### **26-19 Forward FY20 Municipal Budget to Budget Committee [Nesbitt]**

Chair Nesbitt explained that for the past several weeks the Town Council has reviewed the budget and now it's time to forward the budget to the Budget Committee for their deliberations. He noted that they just made changes to the budget due to the removal of the silver bullets. He asked if Roger had a recommendation for the reduction.

Roger Mosely said that he would recommend a \$25,000 in the solid waste – special waste disposal line.

Bill Giroux noted that the new budget pages have been prepared and are available this evening.

Moved by Chair Nesbitt seconded by Sirpis and voted to replace the budget pages with the new pages reflecting the decrease due to the removal of the silver bullets. (Unanimous)

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

ORDERED that the proposed Town of Standish FY20 municipal budget is hereby forwarded to the Budget Committee.

## **VOTE ON ORDER AS AMENDED: 6 Yeas**

## **27-19 Receive List of Personal Property Accounts with Outstanding Balances [Nesbitt]**

Chair Nesbitt said that this is a step in the policy that the Town Council needs to take with personal property accounts that have outstanding balances. He went on to explain that collection of personal property taxes is a difficult task because the lien process isn't available to protect the Town's interest. He noted that part of the process is to publicly name the taxpayer, then on to the next step which is generally small claims court or a collection agency.

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

Councilor Sirpis thought that going forward there should be a consequence to the taxpayer for this to work.

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

WHEREAS the Outstanding Personal Property Tax Collection Policy requires that the Tax Collector prepares a list showing the names of the taxpayers with outstanding personal property tax balances to be presented to the Town Council, now be it

ORDERED that the Town Council receives the FY 17 Outstanding Personal Property List from the Tax Collector including the following accounts:

Davis, Robyn ..... \$76.29

Maine Street Grill ..... \$265.48

Sawyer, Brian ..... \$45.93

## **VOTE: 4 Yeas – 2 Nays, LeClerc and Starostecki**

## **28-19 Call for Annual Municipal and Town Meeting Referendum Election, Place Referendum Questions on Ballot, Authorize Warrant and Call for Public Hearing for the June 11, 2019 Annual Municipal Election [Nesbitt]**

Moved by Sirpis seconded by Leclerc and voted to dispense with the Clerk's reading of the order.  
(Unanimous)

Chair Nesbitt explained that the capital portion of the budget has been approved, the budget has been forward on to the Budget Committee and now this will order will be sending the capital items to the voters at June referendum. He noted that there are five questions: Public Safety, General Administration, Parks and Recreation, Public Works, and Road Improvements. This order will approve the warrant and allow for the ballots to be printed. Next month there will be public hearing on the referendum questions.

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

ORDERED that the Standish Town Council call that the Annual Municipal and Town Meeting Referendum Election be held on Tuesday, June 11, 2019, and

FURTHER ORDERED that the Financial Statement and referendum questions 1, 2, 3, 4 and 5, copies of which are attached hereto, be placed on the ballot; and

FURTHER ORDERED that the attached warrant is approved by the Standish Town Council and that an informational public hearing on these referendum questions will be held on Tuesday, May 14, 2019 during the regularly scheduled monthly council meeting which begins at 7:00

## **VOTE: 6 Yeas**

## **29-19 Authorize Standish Food Pantry to Hold Charity Toll on Moody Road [Leclerc]**

Moved by Sirpis seconded by Libby and voted to dispense with the Clerk's reading of the order.  
(Unanimous)

Councilor Leclerc announced that he is on the Board of Directors for the Food Pantry and said that he needs to recuse himself from voting on this order.

Chair Nesbitt said that they were all in agreement to allow Mr. LeClerc to recuse himself from this vote.

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

WHEREAS the Standish Food Pantry 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 now be it

ORDERED that the Standish Town Council authorizes the Standish Food Pantry to hold a charity toll on the Moody Road on July 6<sup>th</sup> and 7<sup>th</sup>, 2019, 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.

**VOTE: 5 Yeas – 1 Abstain, Leclerc**

## **30-19 Amendment to Standish Town Code, Chapter 187, Licenses and Permits, Add Section 187.25 Mobile Food Services (Introduction) [Libby]**

Moved by Libby seconded by Sirpis and voted to dispense with the Clerk's reading of the order.  
(Unanimous)

Councilor Libby said that the Town wants to be business friendly, a gentleman wants to operate a mobile food truck that sells popcorn in town. This ordinance will facilitate that, noting that they tried to keep it simple. The vendor will need written approval from the property owner where they'll be setting up their food truck.

Chair Nesbitt said that this is the Introduction, then there will be the First Reading, then the Public Hearing in June.

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

Councilor Sirpis said that he was on the fence regarding this ordinance. He said that as much as he wanted to welcome businesses, he was concerned with the established businesses that are paying taxes and utilities. He said that he would do some research with local business and residents and get their thoughts on this matter.

Councilor LeClerc while reviewing the ordinance he noted the following item - there is no appeals process if the application is denied. He said that he is in favor of the ordinance.

Councilor Libby explained that this ordinance has gone through legal review however can be amended at any time if adopted.

Councilor Sirpis noted the Code Enforcement Officer will be inspecting the food truck, but will they also fall under the inspection of the state?

Council Libby said that they will have to meet all state requirements. He explained that the vendor that is interested in having a food truck will be set up on Patches property.

Chair Nesbitt said that he too was on the fence regarding this ordinance, he voiced his concern with future applicants.

Council Libby reiterated that the vendor will have to have the property written permission to set up on the property.

Councilor Sirpis questioned if the land owner could charge the vendor rent for use of the property?

Councilor Libby said that would be between the two parties.

Chair Nesbitt noted that he is struggling with the matter that if a competing type of business is brought in on an adjacent property, the abutter of the property has no input on the matter.

Councilor Sirpis said that it will probably never happen, but what if it does?

Councilor Leclerc said that he's looking forward to having more options for food offerings with the food trucks.

Councilor Sirpis questioned how ice cream trucks are licensed?

Councilor Libby said that to his knowledge they are regulated separately.

Councilor Sirpis asked if ice cream trucks are regulated in town?

Councilor Starostecki said that ice cream trucks can go anywhere.

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

### **VOTE TO MOVE THE ORDINANCE TO FIRST READING: 6 Yeas**

Moved by Nesbitt second by Sirpis and voted to move into an Executive Session for the discussion of personnel matters pursuant to 1 M.R.S.A. Section 405 (6) (A), the Town manager and Town Clerk. Additional business will take place after the Executive Session.

Moved seconded and voted to arise from the Executive Session. The Town Council arose from the Executive Session by unanimous at 8:23 p.m. and continued with the regular meeting.

### **31-19 Accept Recreation Committee Resignations [Nesbitt]**

Moved by Nesbitt seconded by Sirpis and voted to add the resignation of Councilor Peter Starostecki to the order, the resignation is effective at the adjournment of this meeting. Councilor Starostecki shall be able to abstain from voting on this order. (Unanimous)

ORDERED that the Town Council accepts resignations from the following Recreation Committee members:

Susan Folley

Jeanine Dalton

Councilor Peter Starostecki



Chair Nesbitt thanked Councilor Starostecki for this time serving the Town of Standish and wished him well.

**NOTE ON ORDER AS AMENDED: 5 Yeas – 1 Abstain, Starostecki**

Chair Nesbitt noted that the next order will have to be added by unanimous consent and will be provided for the length of time for nomination papers to be shortened thus allowing the Area 2 Town Council Seat to appear on the ballot in June.

Moved by Nesbitt seconded by Libby to add the following order:

**32-19 Shorten Time Period for Nomination Papers to be Available [Nesbitt] (Unanimous)**

Chair Nesbitt said that the Town Council would prefer that a candidate is elected to the Area 2 Council Seat rather than an appointment.

WHEREAS the Town Council has received and accepted the resignation from the Town Council Area 2 Representative Peter Starostecki, and

WHEREAS Title 30-A M.R.S.A. § 2528(4)(E) authorizes the shortening of the nomination process, allowing for both the length of time for circulation of the nomination papers and the filing deadline to be shortened, and

WHEREAS the Town Council desires to have the voters of Standish fill this vacancy at the next Annual Municipal Election, now be it

ORDERED that nomination papers for the Town Council Area 2 seat vacated by Peter Starostecki be available beginning Wednesday April 10, 2019 with a filing deadline of April 22, 2019 at 4:30 p.m.

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

**OTE: 6 Yeas**

**PUBLIC ITEMS**

There were no public items presented at this meeting.

**ANNOUNCEMENTS**

Several upcoming meetings were announced.

**EXECUTIVE SESSION**

An additional Executive Session was not needed at his meeting.

**ADJOURN**

Moved by Sirpis seconded by Starostecki and voted to adjourn. The meeting adjourned at 8:26 p.m. by unanimous consent.

Submitted by: Mary Chapin  
Clerk/Secretary