

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, OCTOBER 11, 2022
STANDISH MUNICIPAL CENTER
TOWN COUNCIL CHAMBERS
STANDISH, MAINE
5:00 PM**

CALL TO ORDER

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

ROLL CALL

Councilor's present: Gaba, Leclerc, Macri, Paul and Watson.

Councilor's excused: Butler and Libby.

Chair Gaba explained that there is an executive session scheduled, however the attorney has not arrived yet. Chair Gaba suggested that they move forward on the agenda. After this announcement the attorney arrived at the meeting.

Moved by LeClerc seconded by Paul and voted to move into an executive session for consultation with the Town Attorney pursuant to 1 M.R.S. § 405(6)(E) regarding a pending tax abatement appeal, *Brookfield White Pine Hydro, LLC v. Town of Standish*, Maine State Board of Property Tax Review, Docket No. 2022-01. Chair Gaba announced that the Town Attorney, Joseph Merry the Town Assessor and Tashia Pinkham the Town Manager will join the Town Council in the executive session at 5:05 p.m. (Unanimous)

The Town Council arose from the executive session at 6:10 p.m. by unanimous consent and Chair Gaba called the regular meeting to order.

MINUTES OF PREVIOUS MEETING (S)

Moved by LeClerc second by Watson and voted to approve minutes from the August 9th and September 13th Town Council meetings. (Unanimous)

PETITIONS AND COMMUNICATIONS

There were no petitions or communications at this meeting.

REPORT OF THE TOWN MANAGER

Tashia Pinkham the following departmental reports:

Town Clerks Department – absentee ballots for the November 8 election are available, in-person absentee voting is available at the Clerk's Office now. Electronic absentee ballot applications are available on the website or voters can call the Clerk's Office. Early processing of absentee ballots will start on November 1. Extended hours for voter registration and absentee voting will be held on from 6 a.m. – 7 p.m. on both October 26 and November 2.

Recreation Department – a new storage unit has arrived and hopefully will be constructed before winter. Wi-Fi ability and cameras have been installed at our parks. The dog park will be opening in a few weeks. The department is looking for help with fall related projects. The annual Spooktacular will be held at the that George E. Jack School on Saturday November 29. This week. Parks and Rec took 42 adults on a trip to Niagara Falls. Rich Memorial Beach is closed for the summer, and it will reopen for ice fishing. The Standish Seniors enjoy the monthly luncheon here at the Sebago Lake Room. The Before and After School Program is still looking for part-time employees over age 18.

Fire Department - reminds everyone that the safety Fair's this Saturday from 10 a.m. till 1 p.m. Donations are still being accepted for bikes. The department notes that their calls are running about 17% higher.

Public Works Department - has their stockpiled of salt and sand for winter. They have the first of the two new trucks have been completed and expect delivery any day. The boat docks at Sebago Lake boat launch will be taking out the first week of November.

Code Enforcement Department – the CEO is working part-time in the office due to an injury,

Assessing Department – working on sales analysis reports and notes that they’ve received over 400 applications for the senior tax stabilization program.

Finance Department – the auditors were recently here and will return with a full report to the Council. The Finance Director is coordinating the relocation of the town clerk's technology to their office.

General Assistance - the program is picking up.

Managers Office:

- MMA annual insurance inspections will be conducted, allows us to keep discounts on workers compensation
- Applied for grants for safety cones, other safety items
- Attended MMA workshop which highlighted available grants and training
- We received five AED’s, one will be installed in the Town Office main lobby

Planning and Development - shared that there are two new businesses in town, a Jujitsu Studio at 131 Ossipee Trail West and a redemption business at 905 Ossipee Trail West. The department submitted a grant for the Routes 114/35 intersection. There are two ordinance amendments, one is regarding storage facility and the other is bringing the Dogs and Other Animals Ordinance current with state law.

Mrs. Pinkham noted that the Town Offices will be closed on Election Day. She also noted that there will be no workshop held on October 25.

PUBLIC HEARINGS

There were no Public Hearings at this meeting.

COMMITTEE REPORTS

Councilor LeClerc – Ordinance Committee – recently reviewed storage facility amendments and the Dogs and Other Animals Ordinance bringing up to date with state requirements. They will be working on noise regulations relating to outdoor/indoor shooting ranges.

Councilor LeClerc – Economic Development Committee – discussed goals in the program, they discussed adding lights to the holiday decorations, utilization of public space for food trucks, and expanding broadband throughout the town.

Councilor Watson – Personnel Committee – will meet on October 13 to discuss Town Office hours and other items.

Councilor Macri – Appointments Committee – no report.

Councilor Macri – Public Safety Committee – the Public Safety Fair will be held on October 15 from 10 a.m. till 2 p.m. The Committee also discussed parking on Route 35 at Standish Corner relating to outdoor sales events that are being held at a business there, some are parking in the turning lane.

Councilor Paul – Capital Improvements Committee – met earlier to discuss an agenda item.

CONSENT CALENDAR

There are no Consent Calendar items at this meeting.

UNFINISHED BUSINESS

75-22 Amendments to Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Appendices for the Maximum Levels of Assistance as provided by the Maine Department of Health and Human Services (First Reading) [LeClerc]

Councilor LeClerc explained that this is a housekeeping ordinance that is annually adopted.

Chair Gaba called for Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote.

The Clerk noted that this vote moves the ordinance to Public Hearing at the November Council meeting.

VOTE: 5 YEAS

NEW BUSINESS

78-22 Change Date of Regular Council Meeting in November to November 1, 2022 [Gaba]

Chair Gaba noted that the November Town Council meeting falls on Election Day and this order changes the meeting date as not to conflict with polling hours.

Chair Gaba called for Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote.

VOTE: 5 YEAS

WHEREAS, the regular meeting of the Standish Town Council in November is scheduled to be held on November 8, 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, November 1, 2022 beginning at 6:00 p.m. as not to conflict with the polling hours on Election Day.

79-22 Waive No-parking Restriction on Saco Road for the Annual Craft Fair held by the Trustees of the Old Red Church [LeCLerc]

Chair Gaba explained that this is the biggest fundraiser that the Old Red Church holds.

Chair Gaba called for Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote.

VOTE: 5 YEAS

ORDERED that the "No Parking" restriction on the north and south sides of Saco Road, between the Standish town line and Cape Road (Route 35A), shall be waived for a period two hours before the opening of the annual craft fair held by the Trustees of the Old Red Church until two hours after the close of the fair to held on November 25th and 26th, 2022 at the Bonny Eagle High School, and

FURTHER ORDERED that the coordinators of the event shall provide traffic control beginning one hour prior to the opening of the fair and during the hours of the fair.

80-22 Carry Forward Certain Accounts [Libby]

Chair Gaba explained that this is an annual order that is done to carry forward funds that were not extended, however service or product is still needed.

Councilor Macri said that it surprises him that we have not spend monies from 2014.

Finance Director, Scott Gesualdi explained that much of those funds have now been expended.

Chair Gaba called for Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote.

VOTE: 5 YEAS

WHEREAS several accounts from the fiscal year 2022 budget have unexpended balances, and

WHEREAS these balances were not expended in the past 12 months due to operational delays, and

WHEREAS there is still a need to procure these certain services and products as originally intended, now be it

ORDERED that the fiscal year 2022 account balances listed below are carried forward to the fiscal year 2023 or as determined available in the 2022 Audit and with the intent expressed by this Council Order.

TOWN OF STANDISH



FY2022 to FY2023 - CARRY FORWARD ACCOUNTS AND AMOUNTS

ORG	OBJ	DEPT	PO	ACCT	DESCRIPTION	AMOUNT	ADJUSTMENTS	BALANCE
130	52030	General Admin	Y	Travel Expenditures	HR Watch Training	\$ 2,723.40		\$ 2,723.40
130	52100	General Admin	Y	Training	HR Watch Training	\$ 1,586.00		\$ 1,586.00
130	53070	General Admin	Y	Other Commodities	Supplies	\$ 2,000.00		\$ 2,000.00
155	52090	Finance	Y	Contractual	Office equipment setup	\$ 4,000.00		\$ 4,000.00
170	52090	Building Maint.	Y	Contractual	Office equipment setup	\$ 3,000.00		\$ 3,000.00
TOTAL GENERAL FUND CARRYOVER OR (ASSIGNED FUND BALANCE) TO FY 2023						\$13,309.40		\$13,309.40

NOTE: Capital Projects Funds are not carry forwards. Amounts are listed for informational purposes only.

YEAR	PO	DESCRIPTION	AMOUNT	ADJUSTMENTS	BALANCE
2014	N	various	\$86,923.79		\$ 86,923.79
2018	N	various	\$4,476.70		\$ 4,476.70
2019	N	various	\$129,899.33		\$ 129,899.33
2020	N	various	\$28,862.48		\$ 28,862.48
2021	N	various	\$237,694.87		\$ 237,694.87
2022	N	various	\$1,310,977.70		\$ 1,310,977.70
TOTAL CAPITAL FUND CARRYOVER OR (ASSIGNED FUND BALANCE) TO FY 2023			\$1,796,834.87		\$ 1,796,834.87

81-22 Award Bid for Ambulance [Paul]

Moved by Paul seconded by Macri to amend the order as follow:

ORDERED the attached bid from PL Custom for this ambulance in the amount not to exceed \$292,620, is hereby accepted, and

The motion to amend the order was approved unanimously.

The Fire Chief presented the bid sheet and explained that the prices have increased drastically since the last Capital Improvements meeting.

Councilor LeClerc said then it would be fair to we should move on this process since the prices may go up again.

Chief Caron said that all the ambulance manufacturers have locked-in their prices. But, anything to do with the chassis is out of their control. He said that we'll be on the hook for anything beyond what they're quoting us. He said that this one here, if we get it now, they'll be able to hold the price for a few months. He said that they planned on \$272,000 and bids came in at 292,000. He noted we also are getting a fire truck as well. So, we didn't really mention what how much for each one. He said we were predicting \$275,000, so we're actually a little over our prediction, but believes we should still be okay when we come back to order the firetruck. He explained that the department goal is to buy these trucks every four to five years, change up the chassis and keep the body for 10 years. So, once we replace this truck and one other one, we should be probably at least 15 years before we have to get a whole complete ambulance again, hoping by just the chassis having then swapped the body. This will be done as an effort keep costs down.

Chair Gaba called for Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote.

VOTE ON ORDER AS AMENDED: 5 YEARS

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

ORDERED the attached bid from PL Custom for this ambulance in the amount not to exceed \$292,620, is hereby accepted, and

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

82-22 Authorize Utility Location Permit – Private Powers Services – Middle Road [Gaba]

Chair Gaba called for Council comments, hearing none she called for public comment.

Lance DeRoche, Arthur Drive resident, voiced his concerns regarding the chemicals that the poles are treated with. He has researched this matter worries how the chemicals may affect resident's wells.

The Town Manager said that she will speak with the Public Works Department about this tomorrow.

Chair Gaba called for additional Council comments.

Councilor LeClerc said given this new information, it might be prudent to table this until the next Council meeting to get additional information.

Chair Gaba said that there must be some guidelines from CMP that companies use regarding pole installation.

Councilor Watson questioned if there was a diagram of where the wetlands were, in relation to this application? He continued to say that he agreed with Councilor LeClerc that we should get more information regarding this matter.

Councilor LeClerc agreed with the Chairs' assumption that there must be guidance regarding the poles from CMP.

Council Macri said that it's just a few weeks until the next Council meeting, he like to postpone this until we have more information.

Moved by Macri seconded by Watson and voted to postpone this order until the November Town Council meeting.
(Unanimous)

83-22 Emergency Amendments to Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Ordinance as provided by the Maine Department of Health and Human Services [LeClerc]

Counselor LeClerc said that this is a housekeeping ordinance for the General Assistance Program.

Chair Gaba called for Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote.

VOTE: 5 YEAS

WHEREAS a new General Assistance Ordinance has been provided by the Maine Department of Human Services, and

WHEREAS the certain benefits become effective as of October 1, 2022 and a delay in adoption could affect the recipients of these benefits, now be it

ORDERED that the Town of Standish hereby ordains the following emergency amendments to the General Assistance Ordinance, effective immediately and stand automatically repealed as of the 91st day following adoption:

ORDERED that the model ordinance as provided by the Maine Department of Human Services, is hereby adopted.

84-22 Amendments to Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Ordinance as provided by the Maine Department of Health and Human Services (Introduction) [LeClerc]

Chair Gaba said that this is another housekeeping ordinance relating to general assistance.

Chair Gaba called for Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote.

VOTE TO MOVE ORDINANCE TO FIRST READING: 5 YEAS

85-22 Amendments to Standish Town Code, Chapter 181, Land Use, FBCVD SCD TA, Allowed Uses (Introduction) [LeClerc]

Councilor LeClerc explained that there is a local businessperson had submitted a request that this added usage be added to the form base code for the village district, he noted what's being proposed is a middle ground approach. In one approach maybe contract zoning was discussed, which we've done in the past for other proposed projects. He said that we want to promote business in the village district, but at the same time, we wanted to have some oversight. It is thought that this is a good way, a good middle ground approach, where there is a board's appeal approval required for a proposed storage facility in the village district, to see if it was a good fit in terms of size and aesthetics.

Councilor Macri asked where in the Village Center was this proposed storage facility going to be built?

Councilor LeClerc said that this amendment would encompass the whole district, noting that businessperson is considering a parcel near Hannaford.

Councilor Macri questioned that this would give approval for anywhere in the Village Center with Appeals Board approval?

Councilor LeClerc said that the application would have Planning Board review with the additional step of an Appeals Board application.

Councilor Macri said that he didn't understand why we would want a storage facility in the Village District. He said that he would be opposed to this.

Tashia Pinkham said per the Director of Planning, if approved this would be allowed use in *Town Avenue* use of the Standish Corner District to allow storage facilities as a special exception use in the district which means it is subject to board of appeal, then Planning Board approval.

Councilor Macri said that they might have a nice place, but we'd be opening up too much.

Chair Gaba said that it was her understand that this is adding an additional layer of review on applications into our code.

Councilor LeClerc said that stage facilities would only be allowed in a limited area.

Chair Gaba questioned where storage facilities are allowed now?

Councilor Paul said that they will only be allowed on Town Avenues.

Chair Gaba called for additional Council comments, hearing none she called for public comments.

Dana Lampron, the developer, said that the special exception will be another layer of oversight. He noted the particular piece of land that is being considered for development is going to have an avenue on it. He said that if this doesn't work, doesn't work. He said that it's not like it's the end of the world. But if you guys recognize your village district, it goes a long way, it's from here all the way to Two Trails. There are all kinds of places within that district that you could put things in and not see them.

Councilor LeClerc said that given the work that has been done in the Ordinance Committee, he's like to postpone this until the next Council meeting to have the Planner here to answer questions and the fact that two Councilors are excused this evening.

Moved by LeClerc seconded by Paul to postpone this ordinance amendment until the November Council meeting.

Tony Folsom, resident was concerned that this wouldn't be fair to all property owners in the district.

Moved by LeClerc seconded by Paul and voted to postpone this ordinance amendment until the November Council meeting.
(Unanimous)

86-22 Amendments to Standish Town Code, Chapter 123, Dogs and Other Animals (Introduction) [LeClerc]

Chair Gaba explained that this is a housekeeping ordinance to keep in line with state law.

Chair Gaba called for Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote to move this to First Reading at the November Council meeting.

VOTE TO MOVE ORDINANCE TO FIRST READING: 5 YEAS

87-22 Town of Standish Town Council Orders Authorizing Tax Anticipation Borrowing [Libby]

Moved by Gaba seconded by LeClerc and voted to waive the reading of the order. (Unanimous)

Finance Director, Scott Gesualdi explained that this process is done twice a year to have money to pad our expenses until the taxes start coming in.

Chair Gaba called for Council comments.

Councilor Macri asked how much does this cost the taxpayers?

Scott Gesualdi estimated perhaps \$1,000.

Chair Gaba called for additional Council comments, hearing none she called for public comments, hearing none, she called for the roll call vote.

VOTE: 5 YEAS

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, 2023 in the principal amount or amounts not exceeding \$2,550,000 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 Fall 2022 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, 2023, 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.

Adopted this 11th day of October 2022 by the Municipal Officers of Standish, Maine:

/s/ Sarah Gaba, Chair

/s/ Gregory LeClerc, Vice Chair

/s/ Brandon Watson

/s/ Benjamin Macri

/s/ Brian Libby

/s/ Walter Butler

/s/ Joseph Paul

PUBLIC ITEMS

There were no public items at this meeting.

ANNOUNCEMENTS

Upcoming meetings were announced.

EXECUTIVE SESSION

An additional executive session was not held.

ADJOURN

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

Submitted by:
Cle/Secretary

