

**MINUTES  
TOWN COUNCIL MEETING  
STANDISH, MAINE  
TUESDAY, MAY 14, 2019  
STANDISH MUNICIPAL CENTER  
7:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Councilors present: Delcourt, Leclerc, Libby, Nesbitt, Pomerleau and Sirpis.

**MINUTES OF PREVIOUS MEETING (S)**

Moved by Libby seconded Sirpis and voted to approve of the minutes from the September 18, 2018; September 25, 2018; October 2, 2018; October 22, 2018; December 11, 2018; April 9, 2019; and April 23, 2019 Town Council meetings. (Unanimous)

**PETITIONS AND COMMUNICATIONS**

There were no petitions or communications presented at this meeting.

**REPORT OF THE TOWN MANAGER**

The Manager announced that his report will be provided as a PowerPoint presentation by the Public Works Director during the referendum public hearing.

**PUBLIC HEARINGS**

**Informational Hearing for upcoming June 11, 2019 Municipal Referendum Questions**

The referendum questions were read by the Clerk followed by a PowerPoint presentation provided by Roger Mosley the Public Works Director regarding Question 4 the Sand/Salt Storage Shed that will be presented to the voters on June 11. The presentation highlighted the benefits of an enclosed storage facility including: environmental protection; better quality sand; less frozen sand which provides better use and less screening to remove frozen chunks; reduction of wet sand later in the season, less waste from loss if the materials need screening; maintains a higher quality of sand/salt which reduces the amount that is used. Mr. Mosley provided photos of area salt/sand storage sheds and described the proposed Standish facility. He then explained the savings that the Town from better product and less manpower that a storage shed would provide. Mr. Mosely explained that today he visited the sand/salt storage facility in South Portland that was built in 2017. The South Portland Director praised the facility touting the improvements in their operations since the construction of their facility.

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

**34-19 Application Submitted by St. Joseph's College for Renewal of a Malt, Spirituous and Vinous Restaurant License and a Qualified Catering License [Nesbitt]**

Chair Nesbitt explained that this is the annual renewal of the license for St. Joseph's College.

Chair Nesbitt called for public discussion, hearing none, he called for Council discussion, hearing none, he called for the vote and the then hearing was closed.

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.

### **VOTE: 6 Yeas**

### **35-19 Application Submitted by Elaine Burnham and Michael Baptista dba Acres of Wildlife Campground for a New Special Amusement Permit [Nesbitt]**

Chair Nesbitt noted that this is a new license for the applicant.

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

Councilor Sirpis asked what does this license allow?

Mr. Giroux explained that they offer live entertainment such as bands at their facility.

Councilor Sirpis said that his is an advocate for this applicant, they have shown great progress in their efforts in the past few years.

Chair Nesbitt called for additional Council discussion, hearing none, he called for the vote and the then hearing was closed.

ORDERED that the application submitted by Elaine Burnham and Michael Baptista for a new Special Amusement Permit is approved by Council and will expire the same time as the applicant's liquor license.

### **VOTE: 6 Yeas**

### **COMMITTEE REPORTS**

Councilor Leclerc – Recycling Committee - the Garbage to Gardens group will be providing a presentation at the May Council Workshop. He announced that the silver-bullet recycling containers will be removed around May 20<sup>th</sup>.

Councilor Leclerc – MSAD # 6 BAC – no report.

Councilor Libby – Ordinance Committee – did not meet last month, they have been gathering information on upcoming matters.

Councilor Pomerleau – Capital Improvements Committee – met to discuss the possible acquisition of property on the Moody Road for the Town.

Councilor Delcourt – Ad-hoc Dog Park Committee – the committee is holding a fundraising walk on June 1<sup>st</sup> in Steep Falls.

Councilor Delcourt – Personnel Committee – a meeting will be scheduled to discuss the policy once the needed information is available.

Councilor Sirpis – Economic Development – no report.

Councilor Nesbitt – Finance Committee – met yesterday, at ten months into the year, we are where we should be noting that excise tax collection is strong. He announced that a few departments are close to their budgetary allocation and are being closely watched. He explained that there items on the agenda tonight from the committee regarding the sale of tax acquired property.

## **CONSENT CALENDAR**

The Clerk explained that there are three items on the Consent Calendar noting that the items are read by title and voted on collectively.

Chair Nesbitt noted that additional ballot/election clerks have come forward and need to be added to the order.

Moved by Nesbitt seconded by Sirpis and voted to amend order 50-19 by adding the following individuals as democratic ballot/election clerks; Kristine Zuidema, Robert Zuidema and Sibil Shiland. (Unanimous)

### **36-19 Change Date of Regular Council Meeting in June to June 4, 2019 [Nesbitt]**

WHEREAS the regular meeting of the Standish Town Council in June is scheduled to be held on June 11, 2019 the 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 4, 2019 to be held at Council Chambers at the Standish Municipal Center beginning at 7:00 p.m.

### **37-19 Countersign the Warrants for the MSAD No. 6 District Election and the MSAD No. 6 Budget Validation Referendum Election [Pomerleau]**

WHEREAS MSAD No. 6 has delivered the election warrants for the MSAD No.6 District Election and the MSAD No. 6 Budget Validation Referendum Election, and

WHEREAS by law the warrants must be counter-signed by the municipal officers where the election is held, now be it

ORDERED that the Town Council will countersign the MSAD 6 warrants for the June 11, 2019 District and Budget Validation Elections.

### **50-19 Appointment of Ballot/Election Clerks and Ballot Counters [Nesbitt]**

ORDERED that the following individuals are appointed as ballot/election clerks and ballot counters through April 30, 2020:

#### **Democratic**

Janis Cohen  
Marie Estes  
Nancy Hudak  
Kristine Zuidema  
Robert Zuidema  
Sibil Shiland

#### **Republican**

Paula Christensen  
John Giberson

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

## **VOTE ON CONSENT CALENDAR AS AMENDED: 6 Yeas**

### **UNFINISHED BUSINESS**

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

Councilor Libby explained that questions came up at the last meeting that he investigated and found that both Windham and Gorham have similar ordinances. In Gorham, there is one mobile food vender and in Windham there are two or three. In these towns the trucks have not been an impact to the existing retail area.

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

Councilor Sirpis questioned under Section A, if a mobile food unit could be a hotdog cart that's being towed?

Councilor Libby said that the unit could be trailered.

Councilor Sirpis then asked if under Section D (2), could a unit setup on public property? Such as setting at the new scenic overlook, would that be allowed?

Councilor Libby said no, they are allowed only on private property with written permission.

Chair Nesbitt called for additional Council discussion, hearing none, he called for the vote to move the ordinance to Public Hearing at the June 4, 2019 Town Council meeting.

## **VOTE TO MOVE TO PUBLIC HEARING: 6 Yeas**

### **NEW BUSINESS**

#### **38-19 Receive Budget Committees Recommendation for FY 2020 Municipal Budget [Nesbitt]**

Chair Nesbitt explained that with this step completed the budget will be presented to the voters at the Annual Town Meeting on June 15. Chair Nesbitt thanked the members of the Budget Committee for their thoughtful review and comments on the budget.

WHEREAS the 2020 FY Town of Standish Municipal Budget was forwarded by Order 26-19 to the Budget Committee pursuant to the requirements of the Standish Charter, and

WHEREAS the Budget Committee does not have a quorum, and

WHEREAS the Budget Committee has returned written comments on the budget under their letter of transmittal, and

WHEREAS the Standish Town Council has reviewed and considered the comments from the Budget Committee, now therefore be it

ORDERED that the Budget Committee's budget suggestions are hereby received, and the proposed FY 2020 Town of Standish Municipal Budget is reaffirmed as originally presented to the Budget Committee.

Chair Nesbitt called for public discussion.

Budget Committee member Todd Delaney urged residents to apply to the Town Council to fill the vacant seats on the committee so it will have a quorum.

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

Councilor Sirpis thanked the committee for their work and great suggestions.

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

**VOTE: 6 Yeas**

Moved by Sirpis seconded by Libby and voted to move into an Executive Session for the discussion of a personnel matter as provided under M.R.S.A. Section 405(6)(A), the Town Manager, Bill Giroux and James Paul will join the Town Council in the Executive Session, noting that after the Executive Session the regular meeting will continue. (Unanimous)

Moved by Libby seconded by Sirpis and voted to arise from the Executive Session. The Town Council arose from the Executive Session at 7:36 p.m. and resumed the regular Town Council meeting. (Unanimous)

**39-19 Confirmation of Town Manager's Appointment of the Code Enforcement Officer, Building Inspector, Local Plumbing Inspector and Electrical Inspector [Nesbitt]**

Chair Nesbitt explained that the Town Manager conducted the hiring process and has selected a well-qualified candidate. The Town Council has had the opportunity to meet the candidate to discuss his qualifications and future training.

ORDERED that the following Town Manager's appointments are confirmed by the Town Council, effective May 14, 2019 through the dates given:

James Paul	Code Enforcement Officer	June 30, 2019
James Paul	Building Inspector	June 30, 2019
James Paul	Local Plumbing Inspector	June 30, 2019
James Paul	Electrical Inspector	June 30, 2019

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

**VOTE: 6 Yeas**

**40-19 Resolution Establishing August 2<sup>nd</sup> and 3<sup>rd</sup> as the "Standish Summer Spectacular" Weekend [Nesbitt]**

Parks and Recreation Director, Jen DeRice highlighted the events of the upcoming Summer Spectacular noting that the two-day event will be held in August. Many of this year's Spectacular will

be held at Standish Memorial Field. The Spectacular kicks off Friday night fireworks at SMF including food and music and a lot of activities. The parade is on Saturday followed by events at SMF, she encourage people to have a float in the parade.

Jen DeRice announced the summer concert series that will be held this summer at the Steep Falls gazebo. She recognized the members of the Summer Spectacular Committees efforts.

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

Councilor LeClerc thanked the Summer Spectacular Committee for their work on this event.

WHEREAS the Standish Parks & Recreation Department has worked hard in their efforts to build a recreation program that reaches all segments of the community, and has held a family festival for the past nineteen years with the primary intent being to foster a sense of community, and

WHEREAS the Standish Summer Spectacular Committee has been established to coordinate 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 Committee has chosen the theme of this year's parade to be - "Explore the Outdoors"

WHEREAS the committee has partnered with a variety of civic organizations and has received much support from many community businesses to provide this opportunity to the community, now be it

RESOLVED that the Standish Town Council establishes August 2<sup>nd</sup> and 3<sup>rd</sup> as the Standish Summer Spectacular Weekend.

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

**VOTE: 6 Yeas**

#### **41-19 Accept Donation from Standish Little League of a Storage Shed to be Constructed at Standish Memorial Park [Nesbitt]**

Chair Nesbitt said that this order speaks for itself and he was glad to see the collaboration of this project.

Chair Nesbitt called for public discussion.

Randi Weeks representing Standish Little League explained how having a storage shed at the field would enhance their program and help the participants by having their equipment readily available for all participants to access.

WHEREAS the Standish Little League requires secure storage for equipment and field supplies, and

WHEREAS the Standish Parks and Recreation Department also requires additional storage for maintenance equipment and field supplies, and

WHEREAS Standish Little League has made a proposal to the Standish Parks and Recreation Department to construct a storage shed at Standish Memorial Park and share the use of the shed with the Recreation Department with the ownership of the shed to be Town of Standish, now be it

ORDERED that the Standish Little League's donation of a shared storage shed to be constructed Standish Memorial Park is hereby accepted.

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

## **VOTE: 6 Yeas**

### **42-19 Authorize Sale of Tax Acquired Property – 2 Alder Lane [Nesbitt]**

Chair Nesbitt explained that there are four properties that the Finance Committee has discussed to move forward with the sale process. He recognized that this is serious move for the Town to take, however in the past it has prompted the former owner to come forward and pay the taxes up to date so that a quit claim deed can be issued to them.

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

Councilor Pomerleau questioned if people still live at this location?

Chair Nesbitt said that he did not believe that there was someone living at this location, although he was not positive about that.

Councilor Pomerleau questioned what is the process if someone lives at the property that for sale?

Chair Nesbitt said that after the property is sold they would have to move. He explained that they would have first refusal to purchase the property, also, there is a timeline for the sale process that would give ample opportunity to vacate the property.

Finance Director, Scott Gesualdi explained that the former owner has a period to redeem the property, in addition they have received correspondence regarding this matter a number of times.

Chair Nesbitt noted if the former owner initiates a good faith effort to pay the back taxes the Town can consider removing their property from being sold.

Councilor Sirpis asked for clarification on the timeline.

Scott Gesualdi explained that if this is approved, a letter will be sent giving the former owner 30-days to pay the taxes/fees due. Then after 15 more days if the taxes are not paid the property can be put out for sale.

Councilor Sirpis said that he didn't like doing this, however every time it's been done it's worked out well. He said that even though he didn't like doing this, he will support the order.

Chair Nesbitt called for additional Council discussion.

Councilor LeClerc asked the Finance Director if the former owners had received the correspondence by certified mailing.

Scott Gesualdi explained that they receive notice if the certified mailing is refused or delivered. If refused, a follow-up letter is mailed by regular mail.

Councilor LeClerc asked if the recipients had responded to the Town.

Scott Gesualdi said that he would have to check on the status of the returned notices.

Councilor Delcourt said that he was in favor of this order because people need to pay their taxes.

WHEREAS the municipal officers have determined that the selected property shall be disposed of per the requirements of Chapter 70, now be it

ORDERED that the following tax-acquired property shall be disposed of in accordance with the Town's tax-acquired property policy:

2 Alder Lane further described as Map 64, Lot 23

Chair Nesbitt called for the vote.

**VOTE: 6 Yeas**

Moved by Sirpis seconded by Libby and voted to take order 43-19 through 45-19 collectively.  
(Unanimous)

Chair Nesbitt directed the Clerk to read the orders by title only. Chair Nesbitt then noted the taxes due on each property.

**43-19 Authorize Sale of Tax Acquired Property – 4 Dennis Woods [Nesbitt]**

WHEREAS Chapter 70, Tax Acquired Property, of the Standish Town Code, provides for the sale of tax-acquired properties, and

WHEREAS the municipal officers have determined that the selected property shall be disposed of per the requirements of Chapter 70, now be it

ORDERED that the following tax-acquired property shall be disposed of in accordance with the Town's tax-acquired property policy:

4 Dennis Woods further described as Map 3, Lot 74, Sub 2

**44-19 Authorize Sale of Tax Acquired Property – 5 Carroll Avenue [Nesbitt]**

WHEREAS Chapter 70, Tax Acquired Property, of the Standish Town Code, provides for the sale of tax-acquired properties, and

WHEREAS the municipal officers have determined that the selected property shall be disposed of per the requirements of Chapter 70, now be it

ORDERED that the following tax-acquired property shall be disposed of in accordance with the Town's tax-acquired property policy:

5 Carroll Avenue further described as Map 13, Lot 25, Sub 36

**45-19 Authorize Sale of Tax Acquired Property – 593 Bonny Eagle Road [Nesbitt]**

WHEREAS Chapter 70, Tax Acquired Property, of the Standish Town Code, provides for the sale of tax-acquired properties, and

WHEREAS the municipal officers have determined that the selected property shall be disposed of per the requirements of Chapter 70, now be it

ORDERED that the following tax-acquired property shall be disposed of in accordance with the Town's tax-acquired property policy:

593 Bonny Eagle Road further described as Map 3, Lot 68

Chair Nesbitt called for additional Council discussion.

Councilor Sirpis questioned if these properties followed the 45-day timeline?

Chair Nesbitt said that they did.



Bill Giroux noted that it has been a two-and-a-half-year process to get to this point.

Chair Nesbitt called for the vote.

**VOTE ON ORDERS 43-19 THROUGH 45-19: 6 Yeas**

**PUBLIC ITEMS**

- Standish Fish and Game – will attend a future meeting.

**ANNOUNCEMENTS**

Upcoming meetings were announced

Chair Nesbitt noted the upcoming workshop agenda items

**EXECUTIVE SESSION**

An additional Executive Session was not held at this meeting.

**ADJOURN**

Move by Sirpis Seconded by Libby and voted to adjourn. The meeting adjourned at 7:56 p.m. by unanimous consent.

Submitted by:  
Clerk/secretary

Mary Culp