

**MINUTES  
TOWN COUNCIL MEETING  
STANDISH, MAINE  
TUESDAY, SEPTEMBER 12, 2023  
STANDISH MUNICIPAL CENTER  
6:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Councilors present: Deakin, LeClerc, Macri, Pomerleau and Watson

Councilors excused: Gaba and Gardner

Chair Deakin announced that an order regarding a new Massage Therapist License application needs to be added to the agenda by unanimous consent.

Moved by Leclerc seconded by Pomerleau and voted to add order *85-23 Application Submitted by Jillene Jones for a New Massage Therapist License at Sebago Lake Wellness Located at 15 Ossipee Trail West* to the agenda. (Unanimous)

**MINUTES OF PREVIOUS MEETING (S)**

Moved by Leclerc seconded by Watson and voted to approve of the minutes from the August 8, 2023 Town Council Meeting. (Unanimous)

**PETITIONS AND COMMUNICATIONS**

There were no petitions or communications presented at this meeting.

**REPORT OF THE TOWN MANAGER**

Tashia Pinkham reported on the following:

- Fire/Rescue- used the boat to rescue those on a sinking one on Sebago, lots of call for service. Public safety Fair 10/14 @ town hall.
- HR/GA- several resident requests, working on interviewing appraiser.
- PW- new culvert being put in on Moody Rd, tree work, including in kind donation to the center health clinic, culverts, Saco Rd was paved. Recycling committee met, Eco Maine coming for a review. Working with PW and a resident to inventory 60 cemeteries, making a spreadsheet to clarify.
- Rec- Summer camp and concert series went well. After school program starting and soccer season. 1-5 on 9/16 pups in the park.
- Finance- Preparing for audit and training this week.
- Clerk- Staff have been enjoying vacation, busy with registrations.
- Code- consistently busy with permits and inspections.
- Assessing- residents should be aware that the State's "Tax Stabilization Program for Seniors" was recently repealed by the State Legislature, while two existing tax relief programs were expanded. They are "Property Tax Fairness Credit" and the "Property Tax Deferral Program". Both programs are administered by Maine Revenue Services. For more information, please visit the Town of Standish

Assessing Department website page and click on “State Property Tax Stabilization Program”. A poster board with this information is also available in the Town Hall lobby.

- Planning- bid went out for comprehensive planning. Awarded grant to extend dock/concrete blocks. Meeting with engineers & water district regarding intersection, will get out of bid in the next few months.
- TM- We are having a Munis upgrade as the old version is expiring. The clerks’ office needs to be closed on 9/28 from 11:30-4:30. Again on election day.

Within the next few months Directors will be attending meetings to introduce themselves and what they are working on in the next year. We do have mold from leaking roof, serve pro and contractor have been in.

Chair Deakin offered an amendment to suspend the Rules of procedure regarding the length of time that members of the audience could speak at this meeting. No second, the motion failed.

## **PUBLIC HEARINGS**

### **61-23 Amendments to Standish Town Code, Chapter 187, Licenses and Permits, §187-25, Regarding Mobile Food Services [LeClerc]**

Moved by Leclerc seconded by Pomerleau and voted to dispense with the reading of the ordinance. (Unanimous)

Councilor LeClerc explained that these amendments will make it more accessible for food trucks in certain locations in town, particularly it adds the ability to utilize select town properties, noting that hours of operation are expanded as well. He recalled that some Councilors voiced their concerns that these amendments may have an effect on brick-and-mortar businesses. He said that he sees these amendments as a catalyst for economic development.

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

Councilor Pomerleau noted his concerns for the business that the food trucks will take away from established businesses who pay taxes. Also, he had concerns that they would be using town-owned property which in some cases are near existing businesses. He questioned food trucks versus Mobile Food Service Units.

Councilor LeClerc said that units are captured under the umbrella of food trucks.

Councilor Pomerleau said that he was concerned regarding the use of town property and the number of units at any one location at a time and the number of parking spots that would be used.

Councilor LeClerc noted that the ordinance allows the MFSU’s to use two parking spaces and limits the number of MFSU’s at any location to one at a time. He continued to explain that the CEO and Recreation Director have the authority to relocate MFSU’s if necessary.

Councilor Pomerleau said that he didn’t mind giving this a try but was concerned how it would affect the established businesses in town.

Councilor Macri disclosed that he had spoken to two of the businesses that would be affected by allowing MFSU's on town-owned property and both businesses were concerned that food trucks would be allowed on town-owned property. He went on to say he supported some of the details of the amendments such as the provisions for private events. However, he was not in favor of the MFSU's being on town-owned property whenever they wanted to be, he suggested that they would have to get permission by the Council to be located in one of those locations. He said that he would be a no vote unless some of this is changed.

Chair Deakin said if the word "any" was inserted before "town-owned" would that accomplish what he was looking for?

Councilor Macri said possibly but he was sure if that would complicate things, but he would be in favor of adding that and deleting the locations noted under section "H" of the ordinance amendment.

Councilor Watson explained that he too had spoken with local businesses and heard the same concerns that Councilor Macri noted. He also questioned if the MFSU'S did a banner business what would make them want a brick-and-mortar business?

Chair Deakin said that this has been discussed before couldn't an existing business have a food truck too if they chose to?

Councilor LeClerc said that he didn't believe that there is any prohibition on an existing business having a food truck.

Chair Deakin questioned if there are any tax incentives or programs that could help businesses expand their business by adding a food truck?

Councilor LeClerc said that is an idea that can be investigated. Councilor LeClerc said that based on the discussion he would suggest to send this back to the Ordinance Committee for further review.

Chair Deakin questioned the Town Manager if there are loan availability through the TIF district?

Town Manager, Tashia Pinkham said that loans are not available through the TIF district.

Chair Deakin asked if there were any other loan opportunities available to businesses?

Tashia Pinkham suggested that there are special events that may be able to support local businesses.

Councilor Pomerleau said that a struggling business in town would probably not invest in purchasing a food truck. He noted that under the existing ordinance a food truck can be located anywhere in town with written permission of the landowner.

Councilor Watson said that one of the businesses that he spoke with mentioned that the Town of Gorham offers a food truck day.

Moved by LeClerc seconded Pomerleau and voted to send this would back to the Ordinance Committee. (Unanimous)

**62-23 Amendments to Standish Town Code, Chapter 181, Land Use, Multiple Sections, Regarding Indoor Shooting Ranges [LeClerc]**

Moved by Watson seconded by LeClerc and voted to dispense with the reading of the ordinance. (Unanimous)

Councilor Leclerc explained that is a “sister” ordinance to the Outdoor Shooting Range Ordinance. He said that this was developed with input from stakeholders, an indoor range would be a safe place to shoot and alleviate noise concerns.

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

**CHAPTER 181 – LAND USE  
PART 1  
ZONING**

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**ARTICLE II  
Definitions**

**§ 181-3. Terms defined.**

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FIREARM – A “firearm” as that term is defined in 12 M.R.S. § 10001(21), as may be amended.

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INDOOR SHOOTING RANGE – See SHOOTING RANGE, INDOOR.

• • •

SHOOTING RANGE, INDOOR – An area that is designed for, and intended to, provide a location for the discharge of various types of firearms, including, but not limited to, handguns, rifles, shotguns, and black powder weapons, and where shooting stations, firing lines and/or lanes, target areas, and all other related components of the shooting range are fully and entirely enclosed within a building or structure.

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**ARTICLE III  
District Regulations**

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**§ 181-5. RU-Rural Districts.**

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D. Uses listed below shall first require approval from the Board of Appeals as a special exception, in accordance with standards set forth in this Part 1. Such uses shall also require site plan review and approval from the Planning Board.

• • •

(12) Shooting range, indoor.

• • •

**§ 181-7. VC-Village Center Districts.**

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D. Uses listed below shall first require approval from the Board of Appeals as a special exception, in accordance with standards set forth in this Part 1. Such uses shall also require site plan review and approval from the Planning Board.

• • •

(14) Shooting range, indoor.

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**§ 181-7.1. Form Based Code Village Districts (FBCVD).**

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E. Standish Corner District Standards.

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(4) Town Gateway (TG) standards

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(g) Town Gateway (TG) Zone allowed land uses and permit requirements (TG).

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[5] Permitted uses requiring special exception review shall be as follows. Such uses shall require Board of Appeals approval, in accordance standards set forth in this Part 1. Such uses shall also require site plan or subdivision approval from the Planning Board in accordance with § 181-7.1 and Part 2 and Part 3 of this chapter:

[a] Shooting range, indoor.

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**§ 181-8. BC-Business Commercial Districts.**

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D. Uses listed below shall first require approval from the Board of Appeals as a special exception, in accordance with standards set forth in this Part 1. Such uses shall also require site plan review and approval from the Planning Board.

• • •

(11) Shooting range, indoor.

(11)(12) Warehouse/outdoor storage over 10,000 square feet.

(12)(13) Wholesale business over 10,000 square feet.

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**§ 181-10. Industrial Districts**

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E. Uses listed below shall first require approval from the Board of Appeals as a special exception, in accordance with standards set forth in this Part 1. Such uses shall also require site plan review and approval from the Planning Board.

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- (7) Shooting range, indoor.
- ~~(7)~~(8) Retail business over 10,000 square feet.
- ~~(8)~~(9) Wholesale business over 10,000 square feet.

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#### ARTICLE IV General Standards

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##### § 181-19.5. Performance standards for Indoor Shooting Ranges.

All indoor shooting ranges require special exception review and approval from the Board of Appeals and 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. Any application to the Planning Board for site plan review of an indoor shooting range shall include the following materials in addition to those required per § 181-69 through § 181-73:
- (1) A map of all properties within 500 feet of the property line including land ownership and any structures within 300 feet.
  - (2) The site plan must include complete design of the indoor shooting range, to scale, including existing and proposed structures, firing positions, firing lines, target areas, surface safety zones, berms, baffles and other significant elements of the range. Plans presented with applications for new indoor shooting ranges shall have a Maine-licensed professional engineer's stamp. Plans for expansions or modifications to an existing indoor shooting range shall have a Maine-licensed professional engineer's stamp, unless the Planning Board or CEO, as applicable, determines that the modification does not impact the original engineering design approval.
  - (3) An environmental stewardship plan documenting environmental action to be completed on the range. This plan shall include, but is not limited to:
    - (a) A plan describing how all bullets, shot or other projectiles or any other debris shall be contained within the shooting range.
    - (b) Evaluation and prioritization of appropriate actions to manage lead issues, meeting or exceeding OSHA regulations regarding lead.
    - (c) Procedures for safe disposal or recycling of all lead impacted waste and any other hazardous wastes.
    - (d) Description of existing environmental conditions, including any known environmental concerns at the property.
    - (e) Provisions for periodic evaluation of progress toward environmental stewardship goals and appropriate revisions of plans.
    - (f) Description and evaluation of air filtration system showing that exhaust air will not degrade air quality of the surrounding area.
  - (4) Narrative explaining the operations of the facility, to include, but not limited to: hours of operation, ownership and management structure, types of firearms to be allowed to be fired, whether there will be retail or service businesses associated with the range, and if there will be any storage of firearms or ammunition on site.
  - (5) Safety plan. This plan shall include, but is not limited to, a detailed description of how the proposed facility compares to the NRA Range Source Book and the Federal Office of Health, Safety, and Security Range Design Criteria. If firearms are to be stored on site, the plan shall include a plan for how they will be secured.
  - (6) Range rules.
  - (7) A report from a Maine-licensed professional engineer detailing how the indoor shooting range will operate within the noise regulations of Chapter 206, Noise. This shall include a plan of the range showing the projected dBA levels at the property lines.

- (8) A description of the filtration system to be implemented to protect air and surfaces for the prevention of the spread of hazardous substances to clean areas, such as food concession areas, and protection of participants. Includes pre-, secondary and final-filters; filter disposal; and filter handling.
- (9) Documentation of the property, casualty and liability insurance coverage of the indoor shooting range.
- B. Public Hearing and Notice to Abutters. The Planning Board site plan review of all indoor shooting range applications shall include the conduct of a public hearing on the application. Notice of this public hearing shall be sent to all property owners within 500 feet of the proposed facility's property line. For the purposes of this subsection, property owners shall be considered to be the parties listed by the Assessor for the Town as those against whom taxes are assessed. Failure of any property owner to receive a notice of public hearing shall not necessitate another hearing or invalidate any action by the Planning Board.
- C. Setbacks and buffers.
- (1) All buildings in which shooting will be conducted must be a minimum of 50 feet from any property line.  
(2) All buildings in which shooting will be conducted must be a minimum of 100 feet from any building on an abutting property. If a building on an abutting property is constructed within 100 feet of an indoor shooting range, after its establishment, the indoor shooting range shall not be allowed to further encroach into this buffer.
- D. Minimum design requirements. Where not otherwise specified within this chapter, new indoor shooting ranges shall meet or exceed the design standards for indoor ranges specified by the NRA Range Source Book.
- E. Prohibited firearms and operations.
- (1) No fully automatic firearms.  
(2) No exploding targets, tracers, or incendiary ammunition.  
(3) All firearms used in the facility must be covered by the safety, environmental, and noise compliance materials submitted to the Planning Board. If those materials are limited in their review based on certain calibers, types of firearms, or any other criteria, then any firearms not covered by those materials are prohibited at the indoor shooting range.
- F. Shot Containment. Indoor shooting ranges shall be designed and operated to contain all bullets, shot, and other projectiles and debris within the indoor shooting range.
- G. Access to indoor shooting range. Access to all indoor shooting ranges shall be secured and controlled. All firearms must be unloaded and in a case unless within the controlled area of the facility.
- H. Proper supervision. There shall be a certified range master, certified firearms instructor, or certified range safety officer on site, actively in control of the indoor shooting range, whenever the range is in use, and whose certification includes all types of firearms currently in use at the range.
- I. Insurance. The indoor shooting range shall be covered by a minimum one million dollar (\$1,000,000) per occurrence of liability insurance. Such insurance shall name the Town as an additional insured and shall indemnify and hold harmless the Town, its agents, officers and employees, from and against all claims, damages, losses, and expenses, just or unjust, including, but not limited to, the costs of defense and reasonable attorney's fees arising out of or resulting from action of the owner or operator of the indoor shooting range, their officers, agents, employees, provided that any such claim, damage, loss or expense (1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including the loss of use therefrom, and (2) is caused in whole or in part by any negligent act or omission of the indoor shooting range owner or operator, anyone directly or indirectly employed by them, or anyone for whose act they may be liable. Such obligation of indemnification shall not be construed to negate or abridge any other obligation of indemnification running to the Town that otherwise exists. The extent of the indemnification provision shall not be limited by the provision for insurance in this chapter. The Town shall be notified of any policy changes or lapses in coverage.
- J. Nonconforming uses. Nonconforming shooting ranges lawfully permitted as of the date of adoption of this § 181-19.5 evidenced by Order No.62-23 are subject to the standards of Article V, Nonconforming Uses. 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.

K. The Code Enforcement Officer or his/her designee shall inspect all indoor shooting ranges prior to issuance of a certificate of occupancy, to verify that the ranges are constructed and can be operated in accordance with the application submitted, the land use approval(s) issued and the requirements of this chapter and local and state laws, regulations, and building codes as applicable. The Fire Chief or his/her designee shall inspect all indoor shooting ranges prior to issuance of a certificate of occupancy, to verify that the ranges are constructed and can be operated in accordance with all applicable fire codes. These inspection(s) shall occur after the establishment is ready for operation. No discharge of firearms, except that needed to test that the facility is operating as expected, shall be allowed until the inspection is complete and a certificate of occupancy has been issued. Nothing herein shall prevent the Code Enforcement Officer, Fire Chief, or their respective designees from inspecting indoor shooting ranges as needed to enforce applicable laws and regulations.

L. Local Registration: All indoor shooting ranges must register with the Code Enforcement Officer and may not operate without a current local registration. Local registration forms and preregistration inspection checklists shall be available in the Code Enforcement Office.

- (1) Nonrefundable fees for a local registration shall be as set forth in the Schedule of License, Permit, Inspection and Application Fees established by Town Council order, and such fee must be submitted with the local registration form at the time of registration or renewal.
- (2) An indoor shooting range shall not be considered registered until all information and fees are provided to the satisfaction of the Code Enforcement Officer and a local annual registration number has been assigned to the indoor shooting range. The Code Enforcement Officer or his/her designee and the Fire Chief or his/her designee shall inspect an indoor shooting range prior to the issuance of a local annual registration number, to verify that the ranges are being maintained appropriately and can be operated in accordance the requirements of this chapter, conditions of approval from the Planning Board, and applicable building, electrical and fire safety codes.
- (3) Local registrations are valid for 12 months from the date of issuance of the registration number unless sooner suspended or revoked and must be renewed on an annual basis. Local registrations are not transferable to another location.
- (4) A local registration may be revoked or suspended for violation of any of the provisions of this chapter. If a violation is found to exist by the Code Enforcement Officer, the Code Enforcement Officer may suspend or revoke the then-current local registration after first providing written notice of the violation and allowing the violator an opportunity to respond in writing to the violation with 5 business days.

M. Other laws remain applicable. Indoor shooting ranges 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 indoor shooting ranges, the stricter law or regulation shall control.

## **VOTE: 5 YEAS**

### **COMMITTEE REPORTS**

Councilor Pomerleau – PWD Steering Committee – Did not meet.

Councilor LeClerc – Appointments Committee - Did not meet.

Councilor Watson – Finance Committee – Meets on September 18.

Councilor Deakin – Ordinance Committee – Meets later in the month to discuss the Land Use Ordinance regarding mobile home parks.

Councilor Macri – Capital Improvements Committee – Met earlier today to discuss two agenda items.

### **CONSENT CALENDAR**



Chair Deakin encouraged the residents to vote.

**72-23 Establish Voter Registration Hours Prior to the November 7, 2023 State Referendum Election, Announce Hours for In-Person Absentee Voting and Early Processing of Absentee Ballots [Deakin]**

WHEREAS the Registrar of Voters holds office hours during the regular hours of the Town Clerk's Office, which are Monday through Thursday 7:30 a.m. through 4:30 p.m., now be it

ORDERED that the Registrar of Voters will hold additional office hours for voter registration prior to the November 7, 2023 election as follows:

Wednesday, October 25, 2023 from 7:30 a.m. to 7:00 p.m.

Wednesday, November 1, 2023 from 7:30 a.m. to 7:00 p.m., and

FURTHER ORDERED that once absentee ballots are received, in-person absentee voting will be available during the hours that the Town Clerk's Office is opened, and

FURTHER ORDERED, that regular absentee voting ends on Thursday, November 2, 2023 at 4:30 p.m. after which time only special circumstance absentee voting is in available, and

FURTHER ORDERED that the in-person voter registration period prior to the November 7, 2023 State Referendum Election will close on Monday, November 6, 2023 at 4:30 p.m., and

FURTHER ORDERED that that notice is given that town staff will process absentee ballots that have been received as provided under state law on October 31, November 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup> and 6<sup>th</sup>.

**73-23 Appoint Election Warden, Deputy Election Wardens, Election Clerks and Town Clerk and Deputy Clerk to Serve at the November 7, 2023 State Referendum Election [LeClerc]**

ORDERED that the following individuals are appointed to serve as Election Clerks at the November 7, 2023 State Referendum Election:

**Democratic Election Clerks**

Kristina Zuidema  
Jean Webber  
Nancy Hudak  
Sybil Shiland  
Suzanne Lacroix  
Marianne Smith  
Carl Booth  
Valerie Tartt  
Alicia Wilkinson

**Republican Election Clerks**

Beverly Miner  
James Osterrieder  
Sherry Cochran  
Patricia Frechette  
Paul Ainsworth  
Jennifer Carter  
Thomas Biczak

ORDERED that Sandra Osterrieder is appointed to serve as Election Warden, and

FURTHER ORDERED that Esther Libby and Wendy Almeida are appointed to serve as Deputy Wardens, and

ORDERED that Mary Chapman is appointed to serve as Town Clerk and Janet Biczak to serve a Deputy Clerk at the election, and

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

**VOTE ON CONSENT CALENDAR ITEMS: 5 YEARS**

## **UNFINISHED BUSINESS**

There were no items of unfinished business on this agenda.

## **NEW BUSINESS**

### **74-23 Application Submitted by Amy McGarey for a New Combined Massage Establishment/Therapist License at Sebago Lake Wellness Located at 15 Ossipee Trail West [Deakin]**

Moved by Macri Seconded by Pomerleau and voted to discuss and vote on orders 74-23 and 85-23 at the same time. (Unanimous)

ORDERED that the application submitted by Amy McGarey for a new Combined Massage Establishment/Therapist License at Sebago Lake Wellness located at 15 Ossipee Trail West, upon the recommendation of the Code Enforcement Officer, Fire Chief, Health Officer, and Town Manager, is approved by Council, to expire December 31, 2023.

### **85-23 Application Submitted by Jillene Jones for a New Massage Therapist License at Sebago Lake Wellness Located at 15 Ossipee Trail West [Deakin]**

ORDERED that the application submitted by Jillene Jones for a new Massage Therapist License at Sebago Lake Wellness located at 15 Ossipee Trail West, upon the recommendation of the Code Enforcement Officer, Fire Chief, Health Officer, and Town Manager, is approved by Council, to expire December 31, 2023.

Chair Deakin called for public comments, hearing none, he called for Council Comments, hearing none he called for the roll called vote on orders 74-23 and 85-23.

### **VOTE ON ORDERS 74-23 and 85-23. 5 YEARS**

### **75-2 Authorize Boy Scout Troup 874 to Sell Popcorn in the Vicinity of the Transfer Station on September 23<sup>rd</sup> and 24<sup>th</sup>, 2023 [Deakin]**

Councilor LeClerc noted that this is a great cause and he hopes that they make a lot of money. He wondered if the money earned would be used for a specific project.

Councilor Pomerleau said that the Council was honored to have the scouts at the meeting.

The scouts were asked to introduce themselves and explain a badge that they were proud of earning.

Tanning was proud of his Pinewood Derby 5<sup>th</sup> place badge.

Emily was proud of the horseback riding badge that she earned.

Connor was proud of the archery badge he earned.

Chair Deakin thanked the parents for their support.

After this discussion the Chair called for the roll call vote.

WHEREAS, Boy Scout Troop 874 desires to sell Popcorn as a fundraiser for their organization at the vicinity Standish Transfer Station, now be it

ORDERED, that the Standish Town Council authorizes Boy Scout Troop 874 to sell popcorn on Moody Road in the vicinity of the Transfer Station on Saturday, September 23<sup>rd</sup> and Sunday, September 24<sup>th</sup>, and

FURTHER ORDERED, that the Director of Public Works will direct the Boy Scout members where they can set up in the vicinity of the Transfer Station.

**VOTE: 5 YEAS**

**76-23 Resolution to Establish October 14, 2023 as Standish Health and Safety Day [Deakin]**

Chair Deakin said that the day will be filled with a wide variety of events including both fun and educational events and plenty of give-away items such as children's bikes.

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

Councilor Pomerleau said that this is one of the best events that the town holds.

Chair Deakin asked that residents and Councilors to donate to this event.

After this discussion the Chair called for the roll call vote.

WHEREAS the Public Safety Committee was established by order of the Council in January of 2000 to review public safety issues in Standish and the Safe Community Coalition was subsequently established to further these goals, and

WHEREAS the Public Safety Committee has made great strides in discovering the safety concerns of all citizens of Standish, and

WHEREAS the Fire/EMS Department shares these goals and strive to educate the residents of Standish regarding safety issues, and

WHEREAS the Public Safety Committee and the Fire/EMS Department have determined that joining their efforts to promote safety topics will enhance the program and heighten awareness of these issues by educating the citizens which will help reduce injuries and allow for the citizens to make informed decisions regarding these issues, and

WHEREAS the Public Safety Committee and the Fire/EMS Department have selected Saturday, October 14, 2023 as a day to educate the public about home safety injuries and other safety issues in a day long program of educational activities at the Standish Municipal Center, and

WHEREAS the Standish Town Council supports and endorse the public education initiatives of the Public Safety Committee and Fire/EMS Department, now be it

RESOLVED that the Town of Standish establishes Saturday, October 14, 2023 as Standish Health and Safety Day.

**VOTE: 5 YEAS**

**77-23 Carry Forward Certain Accounts [Watson]**

Moved by Pomerleau seconded by Watson and voted to dispense with the reading of the order.  
(Unanimous)

Councilor Watson explained that this is an annual council order to approve amounts for items and services that were started in June but are paid for in July. These amounts are encumbered in order to use prior year budgeted funds. This is a normal practice accepted by accounting standards. It is subject to the audit which fieldwork which will take place the first week of October.

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

WHEREAS several accounts from the fiscal year 2023 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 2023 account balances listed below are carried forward to the fiscal year 2024 or as determined available in the 2023 Audit and with the intent expressed by this Council  
 Order.

TOWN OF STANDISH



FY2023 to FY2024 - CARRY FORWARD ACCOUNTS AND AMOUNTS

ORG	OBJ	DEPT	PO	ACCT	DESCRIPTION	AMOUNT	ADJUSTMENTS	BALANCE
130	52150	General Admin	Y	Audit Services	audit payment	\$ 5,000.00		\$ 5,000.00
140	52050	Council	Y	Dues and Subscriptions	PACTS payment	\$ 6,000.00		\$ 6,000.00
410	52070	Highway	Y	Equipment Maintenance	Loader parts	\$ 8,571.50		\$ 8,571.50
2610	52090	Recreation SRF	Y	Contractual	Conference payment	\$ 1,297.40		\$ 1,297.40
								\$ -
TOTAL GENERAL FUND CARRYOVER OR (ASSIGNED FUND BALANCE) TO FY 2024						\$20,868.90		\$20,868.90

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

YEAR		PO	DESCRIPTION	AMOUNT	ADJUSTMENTS	BALANCE
2019		N	various	\$128,701.00		\$ 128,701.00
2020		N	various	\$28,862.48		\$ 28,862.48
2021		N	various	\$43,345.83		\$ 43,345.83
2022		N	various	\$0.00		\$ -
2023		N	various	\$1,265,563.01		\$ 1,265,563.01
TOTAL CAPITAL FUND CARRYOVER OR (ASSIGNED FUND BALANCE) TO FY 2024				\$1,466,472.32		\$ 1,466,472.32

## CAPITAL PROJECTS

### FY 2023 Carry Over

#### FY 2019 BOND

	Prior Year Carry Forward Amount	G/L account numbers	REMAINING FUNDS
FY19 BOND - OPEN SPACE MIXED USE LAND OPPORTUNITY	\$200,000.00	#3019-52601	\$125,701.00
FY19 BOND - STATION MEMORIAL PARK PLAYGROUND	\$71,600.00	#3019-52602	\$0.00
FY19 BOND - 4WD LOADER	\$80,000.00	#3019-52605	\$3,000.00
TOTAL CAPITAL FY 2019 CARRY FORWARD			\$128,701.00

#### FY 2020 BOND

FY20 BOND - DRY HYDRANTS	\$3,000.00	#3020-52600	\$347.14
FY20 BOND - COMMUNITY CENTER FEASIBILITY STUDY	\$70,000.00	#3020-52602	\$28,515.34
TOTAL CAPITAL FY 2019 CARRY FORWARD			\$28,862.48

#### FY 2021 BOND

FY21 BOND - PICKUP TRUCK 5 W/PLOW GEAR	\$50,000.00	#3021-52605	\$3,557.24
FY21 BOND - USED EXCAVATOR	\$120,000.00	#3021-52605	\$1,000.00
FY21 BOND - PUBLIC WORKS PARKING LOT EXPANSION	\$50,000.00	#3021-52605	\$23,280.17
FY21 BOND - 50 YARD ROLL OFF CONTAINER	\$9,500.00	#3021-52605	(\$1,403.00)
FY21 BOND - PAVEMENT MAINTENANCE	\$815,000.00	#3021-52607	\$16,911.42
TOTAL CAPITAL FY 2020 CARRY FORWARD			\$43,345.83

#### FY 2022 BOND

FY22 BOND - TRUCK 4 W/PLOW	\$230,000.00	#3022-52605	\$5,689.27
FY22 BOND - TRUCK 9 W/PLOW	\$230,000.00	#3022-52605	(\$9,338.00)
FY22 BOND - RESURFACE WINTER SAND/SALT SITE	\$125,000.00	#3022-52605	\$123,043.59
FY22 BOND - PAVEMENT MAINTENANCE	\$575,000.00	#3022-52607	\$495,408.82
FY22 BOND - BLAKE ROAD CULVERT REPLACEMENT	\$180,000.00	#3022-52607	(\$55,171.00)
TOTAL CAPITAL FY 2020 CARRY FORWARD			\$559,632.68

#### FY 2023 BOND

FY23 BOND - RESCUE 3	\$275,000.00	#3023-52600	\$275,000.00
FY23 BOND - TANK 3	\$500,000.00	#3023-52600	\$25,453.30
FY23 BOND - MUNIS SERVER & TECHNOLOGY INSTRUMENTS	\$25,000.00	#3023-52601	\$25,000.00
FY23 BOND - TOWN HALL CLERKS OFFICE RENOVATION	\$15,000.00	#3023-52601	\$7,797.00
FY23 BOND - RECREATION MOWER	\$26,000.00	#3023-52602	\$6,705.36
FY23 BOND - STORAGE SHED/GARAGE	\$25,000.00	#3023-52602	\$489.43
FY23 BOND - FORD F350 W/PLOW	\$8,000.00	#3023-52602	\$275.12
FY23 BOND - TRUCK 1 W/PLOW	\$85,000.00	#3023-52605	\$1,925.00
FY23 BOND - (2) ROLL OFF CONTAINERS	\$18,000.00	#3023-52605	\$18,481.80
FY23 BOND - 4WD LOADER/BACKHOE	\$150,000.00	#3023-52605	\$0.00
FY23 BOND - SAND STORAGE BUNKER	\$20,000.00	#3023-52605	\$20,000.00
FY23 BOND - LED LIGHTING TRANSFER STATION	\$10,000.00	#3023-52605	(\$1,259.00)
FY23 BOND - MOODY ROAD CULVERT REPLACEMENT	\$175,000.00	#3023-52607	\$140,000.00
FY23 BOND - PAVEMENT MAINTENANCE	\$745,695.00	#3023-52607	\$745,695.00
TOTAL CAPITAL FY 2020 CARRY FORWARD			\$1,265,563.01
TOTAL CAPITAL CARRY FORWARD			\$2,026,105.00

## VOTE: 5 YEARS

### 78-23 Town of Standish Orders of Town Council Authorizing Issue of \$3,738,000 Principal Amount of Bonds and Notes in Anticipation of Such Bonds [Watson]

Moved by Leclerc seconded by Pomerleau and voted to dispense with the reading of the order.  
(Unanimous)

Councilor Watson explained this order is to reconsider last month's order passed to borrow in anticipation of the November issuance of bond funds. A transposition error in the amount was noticed and recommended by the town attorney to have it voted on again.

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

WHEREAS, on August 8th, 2023, the Town Council adopted Orders Authorizing the Issue of \$3,378,000 Principal Amount of Bonds and Notes in Anticipation of Such Bonds, and hereby adopts the following orders to supersede said Orders for the purpose of correcting the principal amount of bonds to be authorized as \$3,738,000; and

WHEREAS, the voters of the Town of Standish, Maine (the "Town") approved the expenditure of funds and issuance of Bonds and Notes in an aggregate principal amount of up to \$3,738,000 for the following projects: (a) \$350,000 for public safety capital expenditures; (b) \$100,000 for professional services to prepare phase one of a comprehensive plan; (c) \$150,000 for the construction of tennis courts located at Johnson field; (d) \$260,000 for the purchase of a plow truck with plow gear; (e) \$650,000 for the replacement of the River Road culvert; (f) \$60,000 for planning and engineering of a new public works facility; (g) \$68,000 for garage aerial lifts; (h) \$2,100,000 for the construction of improvements to the intersection of Route 35 and Route 114 at Sebago Lake Village, all as more particularly described in said Town Meeting referendum approvals, dated June 13, 2023 (the "Projects"); and

WHEREAS, the Town Council desires to authorize the issuance of up to \$3,738,000 principal amount of Town's General Obligation Bonds and the issuance of temporary notes in anticipation of and to be refunded by such Bonds through Androscoggin Bank, and to authorize the sale of such Bonds to the Maine Municipal Bond Bank for inclusion in its Fall 2023 or Spring 2024 issue;

NOW, THEREFORE, be it voted, ordered and ordained by the Town Council of the Town as follows:

1. Pursuant to the Town Meeting referendum held on June 13, 2023, the Town Charter, Maine law and all other authority thereto enabling, and to provide funds to finance up to \$3,738,000 of costs of the Projects, and to refund any temporary notes issued pursuant thereto, the Town Treasurer is hereby authorized and empowered in the name and on behalf of the Town to expend and borrow up to \$3,738,000 from the Maine Municipal Bond Bank (the "Bank") pursuant to a Loan Agreement between the Town and the Bank providing for a loan from the Bank in the principal amount not in excess of \$3,738,000, and the Treasurer of the Town be and hereby is authorized and empowered, in the name and on behalf of the Town, to execute and deliver, under the seal of the Town, attested by its Clerk, a Loan Agreement to be in the usual and ordinary form utilized by the Bank, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer may approve, with his approval to be conclusively evidenced by his execution thereof.
2. Pursuant to the Town Meeting referendum held on June 13, 2023, and the provisions of Maine law, the Town Charter and all other authority thereto enabling, and in order to provide funds for the purposes described in the foregoing paragraph, the Town Council of the Town hereby approves and authorizes the issue, sale and delivery to the Bank as evidence of the aforesaid loan of up to \$3,738,000 and against payment therefor, the Bonds of the Town in a principal amount not to exceed \$3,738,000, such Bonds to mature and be payable on such dates and in such amounts as approved by the Treasurer; to bear interest at the rates specified by the Bank for its Fall 2023 or Spring 2024 issue, which rates shall be subject to approval by the Town Treasurer of the Town, such approval to be conclusively evidenced by his execution and delivery of such Bonds, payable semi-annually; to be issued as a single, fully registered Bond in the an amount not to exceed \$3,738,000 maturing and payable in installments as aforesaid; to be signed by the Town Treasurer and countersigned by the Chair of the Town Council of the Town and to be sealed with the seal of the Town and attested by its Clerk; and to be in such form and contain such terms and provisions as the officers executing the same may approve their approval to be conclusively evidenced by their execution thereof.
3. The Treasurer of the Town and other proper officials of the Town be, and hereby are, authorized and empowered in its name and on its behalf, to do or cause to be done all such acts and things as may be deemed necessary or desirable in order to effect the borrowing from said Bank of up to \$3,738,000 and the issue and delivery to said Bank as evidence thereof of a corresponding principal amount of the Bonds of the Town as hereinabove authorized.

4. If the Treasurer of the Town, the Chair of the Town Council or Town Clerk are for any reason unavailable to approve and execute the Bonds or Notes, or any other documents necessary or convenient to the issuance, execution and delivery of the Bonds or Notes, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had performed such act.

5. The Town is hereby authorized to issue General Obligation Bond Anticipation Notes, in anticipation of such Bonds, up to an amount equal to \$3,738,000, such Notes to be signed by the Town Treasurer and countersigned by the Chair of the Town Council of the Town and to be sealed with the seal of the Town and attested by its Clerk; and to be in such form and contain such terms and provisions as the officers executing the same may approve, their approval to be conclusively evidenced by their execution thereof.

6. The Town covenants and certifies that, as to any of the Bonds and Notes that are issued with the intent that interest thereon be exempt from federal income taxation, no part of the proceeds of the issue and sale of such Bonds and Notes authorized to be issued by the foregoing (including any notes and bonds in renewal thereof) shall be used, directly or indirectly, in such manner which would cause such Bonds or Notes of the Town to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended (the "Code").

7. The Town hereby declares its official intent within the meaning of Treasury Regulation 1.150-2 to pay, on an interim basis, costs of the Projects from the General Fund of the Town up to \$3,738,000, which costs the Town reasonably expects to reimburse with proceeds of the Bonds or Notes.

Adopted this 12<sup>th</sup> day of September, 2023 by the Municipal Officers of Standish, Maine:

/s/ \_\_\_\_\_

Robert Deakin, Chair

/s/ \_\_\_\_\_

Benjamin Macri, Vice Chair

/s/ \_\_\_\_\_

John Gardner

/s/ \_\_\_\_\_

Philip Pomerleau

/s/ \_\_\_\_\_

Sarah Gaba

/s/ \_\_\_\_\_

Brandon Watson

/s/ \_\_\_\_\_

Gregory LeClerc

## **VOTE: 5 YEAS**

### **79-23 Award Bid for Purchase of Garage Aerial Lifts [Macri]**

Public Works Director, John Cross explained this acquisition went through a bid process. The lifts will be used while performing maintenance work on town-owned vehicles.

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

WHEREAS a bid process has been conducted for garage aerial lifts through NASPO as required by section 302 (f) of the Standish Charter, now be it

ORDERED that the attached bid from Vehicle Service Group (VSG) with set and up service being done by Automotive Garage Tool (AGT), in the amount not to exceed \$62,296.40 as recommended by the Capital Improvements Committee for the purchase the garage aerial lifts is hereby accepted, and

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

**VOTE: 5 YEAS**

**80-23 Authorize Sale of Surplus Public Works Department Equipment [Macri]**

Public Works Director, John Cross explained upon the sale of this surplus equipment the funds received will be used to off-set the cost of the new plow truck that was approved by order 68-23 on August 8, 2023. He highlighted each piece of equipment being sold.

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

Councilor Pomerleau asked for clarification on what a shoulder machine is.

John Cross explained that it is a piece of equipment that is used after paving a road to make a smooth transition between the pavement and gravel.

Chair Deakin thanked the Public Works Department for their efforts in keeping and maintaining the town's equipment.

Councilor Pomerleau was glad that they are using Keenan Auction.

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

WHEREAS, Chapter 3, Administration of Government, §3-29 J. requires that the sale of surplus stock of \$1,000 or more in value be offered for sale by order of the Town Council including the method of sale, and

WHEREAS, the Public Works Department has equipment that is no longer used or obsolete, now

BE IT ORDERED that this surplus equipment shall be auctioned by Keenan Auction Company at their fall 2023 auction, in the event that it the equipment is not sold at this auction, the Deputy Purchasing Agent is authorized to conduct an open sale on the following equipment:

- 2007 International 7600 SF Plow & Wing with a body Sander
- 2001 Johnson Street Sweeper and a 2001 Johnson parts sweeper
- 2004 Sterling SL 8500 with a Plow and Wing
- Homemade Shoulder Machine

FURTHER ORDERED, that the funds received for the sale of this equipment shall be used to offset the Highway Truck with plow purchase that was approved by Town Council order 68-23 on August 8, 2023 and purchase an extended warranty for the Highway Truck provided by Freightliner & Western Star of Maine, with any excess funds to be deposited into Unassigned Fund Balance account.

**VOTE: 5 YEAS**

**81-23 Utility Location Permit - Central Maine Power Company – Prouty Drive [Deakin]**

Chair Deakin noted that this is a standard order.

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



ORDERED that the application by Central Maine Power Company to install and maintain poles on Prouty Drive in accordance with the attached application (CMP Work Order 801000564791) is approved by the Town Council, and

FURTHER ORDERED that the town will collect a \$25 Street Opening Permit fee.

**VOTE: YEAS**

**82-23 Emergency Amendments to Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Update Appendices for the Maximum Levels of Assistance as provided by the Maine Department of Health and Human Services [Deakin]**

Chair Deakin noted that this is a standard order. He noted that there are other groups in town that can offer assistance to residents such the food pantry.

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

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

WHEREAS the certain benefits become effective as of October 1, 2023 and a delay in adoption could affect the recipients of these benefits, now be it

ORDERED that the Town of Standish hereby ordains the emergency amendments to the General Assistance Ordinance provided by the Maine Department of Human Services, effective October 1, 2023 and stand automatically repealed as of the 91<sup>st</sup> day following adoption.

**VOTE: 5 YEAS**

**83-23 Amendments to Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Appendices for the Maximum Levels of Assistance as provided by the Maine Department of Health and Human Services (Introduction) [Deakin]**

Moved by LeClerc seconded by Pomerleau and voted to correct the spelling of the word ordinance in the title. (Unanimous)

Chair Deakin called for public comments, hearing none, he called for Council Comments, hearing none he called for the roll call vote to move this Ordinance to First Reading.

**VOTE TO MOVE ORDINANCE TO FIRST READING: 5 YEAS**

**84-23 Appoint Town of Standish Voting Delegate and Alternate for the Maine Municipal Association Annual Business Meeting [Deakin]**

Chair Deakin explained that the Maine Municipal Association is an important entity that guides and educates towns regarding the management their municipality.

Chair Deakin said that he would be interested in being the delegate and Councilor LeClerc said that he would be interested in serving as the alternate delegate.

Moved by LeClerc seconded by Pomerleau to amend the order to add the name of Robert Deakin as the voting delegate and Gregory LeClerc as the alternate delegate.

Chair Deakin noted that in past years the positions have been filled by the Town Manager and Finance Director.

Moved by LeClerc withdrew his motion to add the names Robert Deakin and Gregory LeClerc from the order.

Moved by LeClerc seconded by Watson and voted to amend the order to add the name of Tashia Pinkham as the voting delegate and Scott Gesualdi as the alternate delegate. (Unanimous)

ORDERED that Tashia Pinkham is appointed to serve as the official voting delegate and Scott Gesualdi is appointed to serve as the alternate voting delegate for the Town of Standish at the Maine Municipal Association Annual Business Meeting, which is scheduled to be held on Wednesday, October 4, 2023, at the Augusta Civic Center.

### **VOTE ON ORDER AS AMENDED: VOTE: 5 YEAS**

### **PUBLIC ITEMS**

Anthony Folson, resident – suggested that the food trucks should pay a fee to set up in town. He recommended that when groups do fundraising efforts at the Transfer Station they should be located away from the exit. He asked if the vehicle charging station was obtained by a grant, and why the town was paying for people to charge their vehicles, noting that you are not giving gas card to others in town. He said that the taxpayers should not be paying for this.

Councilor Macri said that we provide water for residents, where should the line be drawn?

Councilor Pomerleau said that the Town of Sebago's charging station is available for use only when the vehicle is there for town business and we should look into this matter further.

Chair Deakin asked that the Town Manager research this matter.

### **ANNOUNCEMENTS**

Chair Deakin reminded the residents that the Public Safety Fair will be held on October 14<sup>th</sup>.

### **EXECUTIVE SESSION**

An executive session was not held at this meeting.

### **ADJOURN**

Moved by LeClerc Seconded by Pomerleau and voted to adjourn. The meeting adjourned at 7:31 p.m. by unanimous consent.

Submitted by: Mary Chapman  
Clerk/secretary