

**MINUTES  
TOWN COUNCIL MEETING  
STANDISH, MAINE  
TUESDAY, JANUARY 10, 2017  
STANDISH MUNICIPAL CENTER  
7:00 PM**

**CALL TO ORDER**

The meeting was called to order by Vice-Chair Pomerleau and the Pledge of Allegiance was recited.

**ROLL CALL**

Councilors present: Blanck, Delcourt, Higgins, Pomerleau, Sargent and Sirpis.

Councilor Nesbitt was excused.

**MINUTES OF PREVIOUS MEETING (S)**

***Moved seconded and voted to amend the as follows:***

**Page 3-** The land will be donated by Portland Water District and the town; Standish and MDOT will provide the funding.

**Page 5 -** Councilor Higgins said that Councilor Sargent made a very good point regarding expending- expanding the parking.

**Page 7 -** Chair Nesbitt said that we've gone through several village ~~deign~~ design studies that called for sidewalks.

**Page 8 –** Mr. Billington said that you would miss this year's opportunity to apply, we must notify the ~~country~~ county of our intent in December.

**Page 8 -** Moved by Higgins seconded by Delcourt and voted to remove all verbiage ~~rearing~~ regarding sidewalks from this order.

**Page 9 -** Mr. Billington said that CMP doesn't allow others lights on their ~~poles~~ poles. There is legislation to allow private lights to be installed on electric ~~poles~~ poles.

After approving the above amendments, the December 13 minutes were approved by unanimous consent.

**PETITIONS AND COMMUNICATIONS**

There were no petitions or communications at this meeting.

**REPORT OF THE TOWN MANAGER**

Gordon Billington spoke on the following items:

- Today he spoke with MDOT regarding the improvements to the Route 35 rebuild and our proposal for the scenic turnout. It is anticipated that MDOT would break ground this spring, however there have been some delays due regulations regarding the land transfer. A late summer start date is expected. He noted that the scenic overlook will be partially constructed using recycled fill from the rebuild project.
- Another discussion with MDOT brought attention to the rebuild of the bridge on Richville Road (Route 114) in the vicinity of Mosley Road. The project will last approximately 20-days beginning after Labor Day. Local traffic will be re-routed to Mosley Road, a temporary light will be installed at the narrow Mosley Road Bridge then traffic will empty onto Boundary Road. Commercial traffic will be routed across Route 11 in Sebago.
- The Public Safety Department has announced that they responded to 1,901 calls for service in 2016. He noted that the calls to Baldwin, which is a revenue source, exceeded their projections.
- The Public Safety has assisted the Recreation Department by flooding the ice rinks.
- The snack shack at Memorial Field has been renovated using funds from the Recreation Committee. Improvements include a new roof and siding.
- The Recreation Department is performing a needs assessment to determine what the community wants from the department.
- The Recreation Department is considering moving the fireworks display that is held during the Summer Spectacular to Memorial Park from Kiwanis Beach.

Public Works Director Roger Mosley presented the monthly departmental report. Mr. Mosley explained that the winter is off to a busy start with the recent storms. He commended the staff for their dedication and long hours worked. He explained that the Transfer Station is staffed by two employees, the hours of operation are Friday through Monday from 7:30 am until 4:30 pm. In 2016, the Transfer Station accepted 2,945 tons of waste which was taken to ecomaine's incinerator. Five-hundred forty-five tons of recycling materials were collected which represents approximately a 15.5% recycling rate. Recycling containers are located at Patches Store, the George E. Jack School, the Steep Falls Fire Barn and at the Transfer Station. This past summer a successful Hazardous Waste Collection Day was held, another one will be held in 2018. He noted that the 2017 Recycling Contest calendars are available, this is a program where local elementary school children's art work is submitted to adorn the calendar. He explained that the Highway Department takes care of 120 miles of road in the winter and 96 miles in the summer in addition to 6 parking lots. Street sweeping, crack sealing and road side mowing were accomplished this summer. A number of roads were repaved this year; Moody Road and Standish Neck Road were rehabilitated which includes grinding the existing pavement and putting on about an 8" of new gravel and then a base coat of paving, in the spring they will be surfaced. A partial rehab was done on Old Standish Road. He explained that Varney Road and Milt Brown Road will be paved this spring. Another project that the department accomplished was to install a concrete slab at the town offices that will be the location of the self-standing freezer for Catherine's Cupboard. Mr. Mosley explained that the big project last year was the work that the Department did jointly with the Marine Corps

on the John and Doris Rich Beach project, he noted that this was a very rewarding project to work on.

Councilor Sargent mentioned that he had spoke with his employer the Portland Water District regarding relocating the fencing in the vicinity of the location of the proposed scenic outlook to make the view better.

Mr. Billington questioned if the Water District would be willing to move the fencing down the banking.

Councilor Sargent said that it's an idea that could be suggested and may be a cost savings since it would reduce the height that the overlook would have to be constructed.

## **PUBLIC HEARINGS**

### **1-17 Application Submitted by Daniel Roberts dba The Boat Launch for a new Malt, Vinous and Spirituous Restaurant License [Nesbitt]**

Vice-Chair Pomerleau called for public discussion. There was none.

Vice-Chair Pomerleau called for Council discussion:

Councilor Sargent questioned if the necessary inspections had been done.

The Clerk explained that this license is approved by the municipal officers, the next application is one that is inspected by the departments. Hearing no additional comments Vice-Chair Pomerleau called for the roll and the hearing was closed.

## **VOTE: 6 Yeas**

### **2-17 Application Submitted by Daniel Roberts dba The Boat Launch Located at 450 Northeast Road for a Special Amusement Permit [Nesbitt]**

The Clerk noted that the Fire Department has inspected the facility, the Code Enforcement Office has not.

Councilor Sargent said that this should be conditional pending the CEO's inspecting.

Gordon Billington noted that it order is written to be upon the inspectors approval.

Vice-Chair Pomerleau called for public discussion. There was none.

Vice-Chair Pomerleau called for additional Council discussion. There was none.

Hearing no additional comments Vice-Chair Pomerleau called for the roll and the hearing was closed.

**VOTE: 6 Yeas**

**COMMITTEE REPORTS**

Councilor Sirpis – **Economic Development Committee** – will meet on January 19 at 5 pm here at the Municipal Center.

Councilor Delcourt – **Personnel Committee** – announced that the committee met with the Town Manager and some department heads on January 5. The Personnel Committee's recommendations will be presented to the entire Council at a future meeting.

Councilor Higgins – **Finance Committee** – met yesterday, town finances are on track and all departments are within their budgets. A quit claim deed is on this evening's agenda.

Councilor Higgins – **PWD Steering Committee** – Said that Gordy had touched on the Route 35 project in his report. She announced that one of the PWD trustees recently passed away and a special election will need to be held to fill the seat. This may cause some delays in various projects.

Councilor Higgins – **Recycling Committee** – hasn't met since judging the calendar contest. Calendars are available at the Town Clerk's Office.

Councilor Pomerleau – **Appointments Committee** - has not met recently.

Councilor Pomerleau – **Public Safety Committee** – met last night to review their budget and reviewed the inventory of supplies.

Councilor Sargent – **Capital Improvements** – recently met to discuss a variety of items, none of which are on the agenda this evening.

Councilor Blanck – **Ordinance Committee** – continues work on the incorporation of the Steep Falls Village Form Based Code into the other two village's plans.

**CONSENT CALENDAR**

There were no items on the consent calendar.

**UNFINISHED BUSINESS**

**124-16 Amendment to Standish Town Code, Chapter 263, Vehicles and Traffic, Article I, Parking Weight Restrictions (First Reading) [Blanck]**

Councilor Blanck explained that this past summer a lot of vehicles parked on the side of the road due to the small CMP parking lot near the river. He said that many of the vehicles were parked over the white line causing a traffic hazard.

Vice-Chair Pomerleau called for public discussion. There was none.

Vice-Chair Pomerleau called for additional Council discussion.

Councilor Sargent stated that he was in favor of this but was concerned at that the size of the parking lot. He suggested that we contact CMP to see if additional parking can be provided by expanding the lot.

**VOTE TO MOVE THE ORDINANCE TO PUBLIC HEARING: 6 Yeas**

Councilor Sirpis announced that prior to voting on the next order he wanted to disclose that his employer is a sponsor of the event and will recuse himself from voting on the order if they'd like him to do so.

Councilor Sargent said that he'd like to see Councilor Sirpis vote on the order.

Vice-Chair Pomerleau called for a vote on the matter of Councilor Sirpis being allowed to vote on order 3-17. (Unanimous)

**NEW BUSINESS**

**3-17 Authorize the Rotary Club of Sebago Lake to Utilize Sebago Lake Station Landing Parking Area for Their Annual Ice Fishing Derby [Nesbitt]**

Vice-Chair Pomerleau called for public discussion. There was none.

Vice-Chair Pomerleau called for Council discussion.

Councilor Sargent noted he hoped there would be ice.

Vice-Chair Pomerleau called for the roll.

**VOTE: 6 Yeas**

**4-17 Authorize Finance Director to Issue Municipal Quit Claim Deeds to Burning Rose Land Development/Michael York, Sr. [Nesbitt]**

Moved by Sargent seconded by Blanck and voted to dispense with the Clerk's Reading of the order. (Unanimous)

Councilor Higgins explained that this is what we like to see, the taxes have been brought up-to-date.

Vice-Chair Pomerleau called for public discussion. There was none.

Vice-Chair Pomerleau called for additional Council discussion. There was none.

Hearing no additional comments Vice-Chair Pomerleau called for the roll.

**VOTE: 6 Yeas**

### **5-17 Adopt Cumberland County Hazard Mitigation Plan [Nesbitt]**

Vice-Chair Pomerleau called for public discussion. There was none.

Vice-Chair Pomerleau called for Council discussion.

Councilor Higgins said that she reviewed the materials, however, she questioned if we need to have money in the budget for this program or will we receive funds from the program.

Gordon Billington said that we're all familiar with disaster relief funds that FEMA provides following natural disasters. This is a similar type of program, however, it would be used to mitigate known hazards in a municipality, such as failing culverts. He noted that the town has inventoried town assets that may qualify, if this is endorsed by the Council, it would allow the town to apply for mitigation funds when they become available. He explained that the plan is developed by the county and we participate by inventorying our real estate.

Councilor Sargent said that he would assume that there are more needs than there are funds.

Mr. Billington said that he was not aware of the funds that have been released in the past, he was not aware of the amount of funds or when they would be available.

Roger Mosley stated that funds are typically available right after a disaster. He noted the areas that we have listed are places that have had continual damage from an event. He noted that the damage that has occurred in the past didn't meet the cost/benefit ratio, so it makes it difficult to qualify for the grants.

Mr. Billington noted to receive disaster relief funds there needs to be a declaration of disaster by the state and the event needs to be recognized by FEMA.

Vice-Chair Pomerleau called for the roll.

**VOTE: 6 Yeas**

**6-17 Amendment to Standish Town Code, Chapter 181, Land Use, Section 181.7.1 Form Based Code Village Districts (FBCVD) (Introduction) [Blanck]**

Moved by Sargent seconded by Blanck and voted to dispense with the Clerk's Reading of the order. (Unanimous)

Councilor Blanck reported that this amendment came about from a property owner wanting to open a daycare. The current Form Based Code doesn't allow daycares in village, however, the code can be amended at any time. This type of business would only be allowed in buildings in existence prior to June 7, 2011. If this amendment is approved, applicants would still need to go before the Planning Board for approval.

Vice-Chair Pomerleau called for public discussion. There was none.

Vice-Chair Pomerleau called for additional Council discussion.

Councilor Higgins noting as a member of the Ordinance Committee this is a minor change, yet this allows more flexibility of existing buildings. She echoed Councilor Blanck's statements that applicants will still need Planning Board approval.

Vice-Chair Pomerleau called for the roll.

**VOTE: 6 Yeas**

**7-17 Amendment to Outstanding Personal Property Tax Collection Policy [Nesbitt]**

Moved by Sargent seconded by Blanck and voted to dispense with the Clerk's Reading of the order. (Unanimous)

Councilor Higgins explained that the change to this policy is in the timeline, it rolls back the start time of the process by one month. This change allows staff more time to process the programs requirements.

Vice-Chair Pomerleau called for public discussion. There was none.

Vice-Chair Pomerleau called for additional Council discussion. There was none.

Hearing no additional comments Vice-Chair Pomerleau called for the roll.

**VOTE: 6 Yeas**

**ANNOUNCEMENTS**

Several upcoming meetings were announced.

**PUBLIC ITEMS**

- Deborah Boxer of Cole Hill Road read the following statement into the record.

**Testimony of Deb Boxer before the Standish Town Council    January 10, 2017**

Good Evening ladies and gentlemen and Council Members.

I would like to bring forward my concerns and objections as well as questions about the proposed outdoor gun range on town property.

According to the president of the newly established Standish Fish and Game Club, "they are very close to finalizing the lease agreement with the town".

Is this true? If so I would like to know why this is being done before the stipulations in the MOU have even been met. Because even though the MOU is not a legally binding contract, a lease certainly is. Once that lease is signed the town may have no legal say over this gun range the NRA members will install.

I could say first and foremost there is no way in any shape or form do I want to have my standard of living, peace of mind, and enjoyment of my property destroyed by having to listen to constant gun fire, which is what happens when outdoor gun ranges move into a town.

The town of Standish has existed for the past 232 years without the need of a gun range. My family has been here since the early 1800's . At no time that I am aware of the citizens of this town would be so inconsiderate and thoughtless to even consider imposing their private hobby on other members of the town. In this case the hobby of playing with firearms. I should not need to explain to anyone the loud and intrusive nature of constant gunfire. ~~It~~ apparently this group has no concern for that or their fellow neighbors and members of this community. Hobbies are fine unless they intrude on the peace and quiet and quality of life of others. We all have hobbies- I enjoy biking, hiking, and cross -country skiing. Not one of these hobbies imposes noise or disturbance on my neighbors. Not one can be heard from the proposed site of this gun range. Yet that gun range will be heard by myself every time I engage in my hobbies. It will reach beyond hobbies into daily living activities.

Stacking wood -----gun fire noise

Racking and gardening-----gunfire noise

Sitting in my yard enjoying the natural sounds ---gunfire noise

NO THANK YOU!!!

These are just some of my own personal concerns and I'm certain many others would be concerned if they knew what was going on here.

Then there are the legal ramifications, decline in property values, and the inability to regulate activities at the site do to state laws in the future after this is built. Maine Revised Statute does not limit nuisance actions against ranges established on or after Sept. 1, 2016. A person who owns property in the vicinity of a shooting range that was established after the person acquired the property may maintain a nuisance action including for noise against that shooting range. Is the town prepared and financially capable of defending law suites brought by current property owners?

I would like to know what research the Council has done concerning these issues. I would like to know



if the citizens of the Steep Falls area and eight miles in all directions of the site have been asked their opinion on this? I would like to know how many councilors have looked into these issues in other towns with outdoor gun ranges?

Certainly something so intrusive and destructive to so many should have the input of all the citizens it will impact from here on out. Especially considering they are leasing our town property for basically free in order to create this nuisance. At least all of the people affected should be surveyed to see if they agree with this proposal. And certainly all of this should be done way before any lease is signed.

I know this group came to the town of some pretense of wanting to teach fly fishing, kayaking, land stewardship, and gun safety lessons in the Steep Falls fire barn. But all one needs to do is read the membership requirements to see the real reason for this group. It is a private NRA group. Teaching fly fishing does not require having your application for membership "need to be signed by a sponsor and go to the investigation committee and they will make a recommendation to the membership. If you are not voted in as a member your dues will be refunded."

Then the application itself has the following stipulations: "You affirm you are not in conflict with our core values, which include the Second Amendment rights afforded to all Americans. We do not support any restrictions on firearms, or restrictions for the purpose of hunting, shooting or defense."

This does not sound like an application for learning how to tie flies or learning to kayak or hike or bike or cross country ski or learning how to maintain tails. All of those activities are of course fine and welcomed and would be a benefit to all members of the town. A new NRA private gun club operating a gun range on town property is not welcome nor a benefit to the majority of town residents.

One final point is enough for tonight. People who own land in this town and I would venture to say most people have no objection to hunters using our property to hunt during the proper season. We have hundreds of acres in this town currently open to most hunters with permission. You would be hard pressed to find anyone objecting to hunting or possessing fire arms. Let's not be fooled into the mumbo jumbo lame excuse of not wanting to listen to a gun range because we want to take away anyone's guns or prevent their use for hunting or self protection. This has nothing to do with those accepted policies. This is about an outdoor gun range for people to play in. These people would seem to have zero concern for the lifestyle and peace of mind of their fellow citizens. They are only concerned with themselves and what they want without any regard for others. It is completely obvious.

If they did care they would travel the short distance to one of the 5 or so already established indoor ranges all within a reasonable 20-40 minute drive where their hobby of shooting firearms would disturb no one else.

This is not a case of a long established gun range being in a town for 75 years and the town growing up around it like in my sister's town of Mahopac, NY. People there have had the choice of whether or not they want to move into a town with an established range. This is a case of a town which has been in existence for over 200 years without a gun range. We do not need one now and all of the people who live here for the enjoyment of peace and quiet should now not be subjected to the destruction of that way of life for a comparable handful of gun enthusiasts.

I will conclude with asking the council members<sup>†</sup> to please consider all of these factors before making this awful and irreversible mistake of even considering allowing an outdoor range in the town of Standish.

**We have not had a range for this long. There is no need to rush into it until all of these factors have been thoroughly considered and all of the people this will negatively impact have been consulted and have had a chance to weigh in.**

**Thank you for listening.**

- Walter Wasson of Manchester Road he said that he'd like to make a few comments regarding the December meeting where an order was approved for a sidewalk grant to be submitted. He said that the wanted it to be clear that he was not against sidewalks, he was against going against the four-time vote against sidewalks. He said that he'd like to commend Councilor Higgins, Councilor Delcourt and Councilor Sirpis for voting against the order and following the will of the people. He said that it was his opinion that the recent vote to rescind term limits did not pass because the Council is not listening to the residents. He continued to say that if they want sidewalks they should bring them to the voters again at referendum.
- Councilor Sirpis said that he received five emails regarding the December meeting from people that were opposed to the sidewalk order. He said that four of the five residents wanted him to bring up the fact that they had contacted him.
- Councilor Sirpis received an email from a resident on the Dow Road who voiced concerns regarding the number of accidents on the road. Councilor Sirpis said he'd like to see this matter discussed at a Council Workshop.
- Councilor Higgins concurred that there are safety issues on Dow Road.
- Councilor Higgins said that he had received emails and people approaching her at while she's out, thanking her for voting against the sidewalk. It was her opinion that the matter should go to the voters.
- Councilor Delcourt said since the December meeting he'd been into town a number of times and every time he's seen someone walking on Route 25 and it's scary. Recently he was approached by someone that thanked him for voting no on the sidewalk grant order.

## **EXECUTIVE SESSION**

An executive session was not needed at this meeting.

## **ADJOURN**

Moved Seconded and voted to adjourn. The meeting adjourned at 8:01 p.m. by unanimous consent.

Submitted by: \_\_\_\_\_ s/Mary Chapman  
Clerk/Secretary