

DRAFT- MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE TOWN COUNCIL– DRAFT

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, JUNE 6, 2017
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

The meeting was called to order by Chair Nesbitt and the Pledge of Allegiance led by Chief Caron.

ROLL CALL

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

Councilor Pomerleau was excused.

MINUTES OF PREVIOUS MEETING (S)

Chair Nesbitt noted that the following corrections need to be made to the May 9 minutes:

Amend page 9:

- Moved by Blanck second by Delcourt and voted to reduce CEO Consulting fees from 5,000 to 2,000. Offset by budget reduction submission for CEO Consulting fees 110-52090.

Vote on motion: Yeas – Delcourt, Higgins, Sirpis – Nays – Blanck, Delcourt, Nesbitt, Pomerleau, Sargent

- Councilor Higgins asked how much would the \$500,000 lower the mil rate.

Chair Nesbitt responded .50¢ noting on a \$100,000 ~~\$200,000~~ home that would be \$100.

Amend page 6:

- The Clerk noted that the diagram included in the application shows the limit of the provisions of the liquor license.

After a Public Hearing without additional public or Council discussion, the Council vote on the moratorium ordinance application and the hearing was closed.

Moved by Nesbitt seconded by Sargent and voted to approve the April 11, April 25 and May 9 minutes after making these corrections. (Unanimous)

Chair Nesbitt explained that an additional order needs to be added to the agenda by unanimous consent. He noted that a resident has come forward and paid their taxes in full on a tax acquired account and the town would like to issue a quit claim deed to the resident.

Moved by Higgins seconded by Sargent and voted to add the following order to the agenda:

67-17 Authorize Finance Director to Issue Municipal Quit Claim Deeds to Foster, Donald & Catherine; Cage, Cheryl [Nesbitt] (Unanimous)

PETITIONS AND COMMUNICATIONS

The Clerk announced that a thank-you note was received from Vicki Morgan of MPower group thanking the Town Council for the support of their cause.

REPORT OF THE TOWN MANAGER

Mr. Billington spoke on the following items:

- The Public Safety Department's call volume continues to exceed past years numbers.
- The firetruck that was approved in last year's bond will be going into production now, scheduled to be delivered in August.
- The recently purchased used street sweeper needs the fuel tank replaced. A parts vehicle was purchased for \$5,500 to use the tank and other parts that may be needed. He noted that a new fuel tank would cost \$2,500.
- Public Works has planned a perpendicular striping designed for the beach parking lot which will provide an additional 20 parking slots.
- Since the grand opening the beach has been used lightly due to the weather. Public Works notified him that water level is very high due to the amount of rain we've received.
- With great pleasure he announced that Steep Falls resident Phil Burnell has been selected to be the Grand Marshal of this year's parade.
- The Summer Specular events: Thursday night - a food and music event at the Boat Launch; Friday night – Party in the Park, fireworks, entertainment and games, a new venue for the event will be Standish Memorial Park; Saturday morning – pancake breakfast, the community market place for crafters, the parade, in the afternoon/evening Steep Falls Village will host a number of events.

PUBLIC HEARINGS

There were no Public Hearing on this agenda.

COMMITTEE REPORTS

Economic Development - Councilor Sirpis announced that the committee has changed the time of their meetings to 8:30 am on the third Thursday of the month. He said that they have developed a Vision and Mission Statement and now they will be working on getting local businesses in a networking or exchange program. He indicated that the committee is also looking into grant writing possibilities for the Economic Development Committee.

Bottles for Fuel – Councilor Higgins thanked those who have donated to this fund.

Recycling Committee – Councilor Higgins mentioned that the committee will meet this Thursday the agenda includes a discussion regarding composting and other items.

MSAD 6 Reapportionment Committee - Councilor Delcourt explained that the committee's plan was rejected by the Maine Department of Education. The committee will continue meet to develop another plan.

Capital Improvements Committee – Councilor Sargent noted that the Capital Improvements Committee met today and have an item on tonight's agenda.

Councilor Sargent said that the MSAD 6 Budget Hearing was held last week. In his years of attending this meeting, this was the lightest turn out that he recalled.

Ordinance Committee – Councilor Blanck reported that the Ordinance Committee met last month and discussed village housing setback requirements, shoreland zoning map change, and the Form Based Code is still undergoing legal review.

Finance Committee – Councilor Nesbitt stated that the Finance Committee met in May to review the April financials. He announced that revenues and expenditures are where they should be. He said at their meeting next week they will be reviewing May financials. He noted that there are many agenda items on tonight's agenda coming out of the Finance Committee.

Beach Committee – Councilor Nesbitt announced that the beach has opened and the Beach Implementation Committee has met their mission and goal. He outlined the history of the beach process noting that it started in September 2010. At that time, Councilor Hopkins brought forth an order to form the Beach Ad-Hoc Committee whose goal was to create a MOU between the Town and the Portland Water district. That goal was accomplished in February of 2013, a lot needed to be accomplished, included bridge building between the Water District and the Town which was established. Shortly after that, a new Beach Committee was established – the current Beach Implementation Committee, then we received approval of the site plan development and engineering study by the voters in June of 2013. He noted that BH2M led by Andy Morrell was hired to help implement the engineering plan. He said that the Town Planner, Bud Benson provided valuable assistance throughout the process. In June of 2015 the voters approved the beach plan. The committee then developed the beach leasing and management plan, that process took quite some time, with final approval coming from both the Portland Water District and the Town Council. In May of 2016, we had our groundbreaking, followed by construction support provided by the Marine 6th Engineer Support Battalion. He noted that Gordon Billington lined up the battalion to help with the project which saved a lot of money which allowed additional improvements to be made. This was a training exercise for the Marines, however, they needed an experienced leader and in stepped Roger Mosley. He said that Roger Mosley gave this project his all, he was at the site dawn to dusk every day facilitating the project. The savings realized utilizing the Marines and town staff for the construction allowed for funding to pave the access road and parking area. He said that in addition they had to obtain lease agreements with abutters for the access way to the beach from Harmon's Beach Road. During that process the naming of the beach was established – It's named the John H. Rich, Jr. and Dolores Lee Rich Memorial Beach. Mr. Rich was a longtime Standish resident, WWII veteran and war correspondent. He explained that the access way was named after former Town Councilor Wayne Newbegin a proponent of the beach. He said that last month the Recreation Committee held the grand opening, they did a great job and everything was well received. He recalled that it was great to see people walking down the boardwalk to the beach. He said that a lot

of people helped including the following: Councilor Karen Tompson, Councilor Blanck, Councilor Sargent, Mark Lindberg, Ronald Hodge, Sebago Boating Club Commodore Joel Campbell, Sebago Boating Club member Joe Poulin, several abutters and concerned citizens: Mrs. Shaw, Mrs. McConnell and Holly Bragdon, the owner of Family and Friends Campground – Dan, Councilor Higgins, Bill Lunt – PWD, Mr. Miller – PWD, Mr. Crovo – PWD, and early on supporters: Louis Stack, Joyce Matthews, and Tanya Adriance. He said that he was very proud of the work that the committee, the town staff and all the residents did to put forth this beach.

CONSENT CALENDAR

There were no Consent Calendar items on this agenda.

UNFINISHED BUSINESS

There was no Unfinished Business on this agenda.

NEW BUSINESS

52-17A Approve Warrant for Annual Town Meeting [Nesbitt]

Chair Nesbitt said that at last month's meeting we approved the budget and this warrant reflects those budget numbers.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

53-17 Authorize Sale of Tax Acquired Property – 174 Saco Road – Map 2 Lot 44 Sub C [Nesbitt]

Chair Nesbitt explained that in May each year the Finance Committee reviews the Town's inventory of tax acquired properties and brings forth certain properties for sale. He said that this is a duty that the Finance Committee does not take this lightly. He noted that they review and discuss each property thoroughly. He explained that in this process the property owner will still have an opportunity to redeem their property. He said that they have discovered by moving this process forward the owner will often paid the taxes due to redeem their property.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion.

Councilor Higgins she echoed Chair Nesbitt's comments regarding that this process is not taken lightly and discussed in-depth. She said that bringing the properties forward is a necessary step in the process.

Chair Nesbitt called for further Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

54-17 Authorize Sale of Tax Acquired Property – 309 Bonny Eagle Road – Map 6 Lot 74 Sub C [Nesbitt]

Chair Nesbitt explained that over \$10,000 is due in unpaid taxes on this property. He noted that in 2014 this was in foreclosure, came out of that process, and then immediately went back into foreclosure. He said that bringing this forward may get the owner to pay the back taxes.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

55-17 Authorize Sale of Tax Acquired Property – 593 Bonny Eagle Road – Map 3 Lot 68 [Nesbitt]

Chair Nesbitt said that this property has been put out for sale previously. The owner passed away, no heirs have been willing to pay the back taxes and take ownership. Previously, this property was sold by sealed bid under the Town's policy, however the successful bidder decided not to move forward due to what they thought was a title issue.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion.

Councilor Blanck asked if the title issue had been cleared up.

Chair Nesbitt explained that the successful bidder was concerned that the heirs may come forward to take possession of the property. At the time the Town suggested that they secure a different title company to assist them.

Gordon Billington noted that the bidder was seeking a warranty deed, the Town would only issue a municipal quit claim deed as result of the sale of tax acquired property.

Chair Nesbitt called for additional Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

56-17 Authorize Sale of Tax Acquired Property – 744 Richville Road – Map 13 Lot 80 Sub A [Nesbitt]

Chair Nesbitt explained that in this case there is over \$18,000 in past due taxes. This owner had initiated making installment payments to get caught up, however payments ceased in March 2016. A nephew of the owner was interested in purchasing the property, but has failed to contact the Town.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion.

Councilor Higgins asked if this was the property where the interested family member was currently serving in the military.

Chair Nesbitt said that it was, but there has been no contact for over three months.

Chair Nesbitt called for additional Council discussion. Hearing none he called for the roll:

VOTE: 6 Yeas

57-17 Authorize Sale of Tax Acquired Property – Fort Hill Road – Map 14 Lot 78 [Nesbitt]

Chair Nesbitt said that by unanimous consent an order to issue a quit claim deed was added to this agenda due to the owner coming forward and paying the taxes.

Moved by Sargent seconded by Higgins and voted to Indefinitely Postpone this order. (Unanimous)

58-17 Acceptance of Quitclaim with Covenant from Linda Newbegin [Nesbitt]

Gordon Billington explained that this portion of the Newbegin's property was needed to construct the road to the beach.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

59-17 Adopt Revised Fund Balance Policy [Nesbitt]

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

Chair Nesbitt explained that the Town uses the Fund Balance accounting procedures powered by GASB 54 which requires certain definitions to be used in certain classification of funds. This amendment will change the term undesignated to unassigned. This change will make us compliant with current accounting standards.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

60-17 Award Bid and Authorize Contract for Audit Services [Nesbitt]

Chair Nesbitt announced that the Finance Committee requested that a RFP be done for our audit firm. He explained that there were three replies, but only one company submitted a complete bid. He noted that company was Berry Talbot Royer our current auditor, they submitted a plan that is a 5-year term at a cost of \$78,000. He said that averages out to \$15,600 a year which is \$1,400 below our current amount per year.

Moved by Nesbitt seconded by Higgins and voted to amend the order to add the name of Berry Talbot Royer as the audit firm to be awarded the contract. (Unanimous)

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion.

Councilor Sirpis questioned the Manager that this was a firm that the Town has used in the past and was the staff satisfied with them?

Mr. Billington said that he is very happy with this firm.

Councilor Higgins said that there was some reticence in taking this out to bid, but the results show it was worth it.

Chair Nesbitt called for additional Council discussion. Hearing none he called for the roll.

VOTE ON ORDER AS AMENDED: 6 Yeas

61-17 Award Bid and Authorize Contract for Tennis Court Paint Re-surfacing, Line Painting and Related Equipment [Nesbitt]

Councilor Sargent said that there were three bidders for this project. Capital Improvements met and review all bids and decided to award the bid to the low bidder.

Moved by Sargent seconded by Blanck and Voted to amend the order by adding the name of Beaverbrook Tennis, LLC at a cost not to exceed \$8,689. (Unanimous)

Councilor Higgins asked if they were doing both the resurfacing and the painting in this order?

Councilor Sargent said that the Town acted as the general contractor in this project to save money. At the top of the form you'll see the fencing, sealcoating and paving portion of the project that has

already been bid under another spec. Tonight's order is to finish the project which includes tennis and pickle ball courts painting and lining.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for additional Council discussion.

Councilor Sirpis asked that re-surfacing be defined

Councilor Sargent said that there is asphalt layer of pavement, then the courts are painted a color usually blue or green, then the lines are attached so they don't rub off. This is the resurfacing so the paint will stick.

Councilor Sirpis asked what was the plan for payment for this project, is it out of the Recreation Department?

Chair Nesbitt explained that this was bonded.

Councilor Sirpis questioned that we were bonding \$9,000?

Chair Nesbitt said that it was included in a larger bond amount, he went on to say that the total project was \$30,000. The majority of this project was before the Council last month.

Chair Nesbitt called for additional Council discussion. Hearing none he called for the roll.

VOTE ON ORDER AS AMENDED: 5 Yeas – 1 Nay, Sirpis

62-17 Resolution to Designate July as Parks and Recreation Month [Nesbitt]

Recreation Director, Jen DeRice explained that the Recreation Committee will hold an event on July 29 at Johnson Field including a family hike, games and activities. This year's theme is *Get Your Play On*, so they plan on offering family kickball and field games.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

63-17 Town Council Appointments to Various Boards and Committees [Pomerleau]

The Clerk read only the names of the candidates and the board to which they are being appointed where an appointment was being made.

Moved by Sargent seconded by Sirpis and voted to amend the order by adding the name of Berry Talbot Royer to the order as Town Auditor. (Unanimous)

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for additional Council discussion. Hearing none he called for the roll.

VOTE ON ORDER AS AMENDED: 6 Yeas

64-17 Confirmation of Town Manager's Appointment of the Director of Public Safety [Nesbitt]

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion.

Councilor Sargent thanked Rob Caron and the staff for their hard work.

Chair Nesbitt said that he'd only heard good words regarding Chief Caron.

Chair Nesbitt called for additional Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

65-47 Confirmation of Town Clerk's Appointment of Election Warden [Pomerleau]

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

66-17 Approve Renewal of Waste of Hauler Licenses [Nesbitt]

Chair Nesbitt explained that these licenses are renewed annually. The license applications have been reviewed and signed off by the Director of Public Works.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

67-17 Authorize Finance Director to Issue Municipal Quit Claim Deeds to Foster, Donald & Catherine; Cage, Cheryl [Nesbitt]

Moved Sargent Seconded by Blanck and voted to dispense with the Clerks reading of the order. (Unanimous)

Chair Nesbitt said that this goes back to the order that was indefinitely postponed earlier on the agenda. The taxes on this property have been paid and the Town now will release its interest by filing the Quit Claim deed.

Chair Nesbitt called for public discussion. There was no public discussion.

Chair Nesbitt called for Council discussion.

Councilor Sirpis said that it's great that these people are getting their property back and we will be receiving continued revenue because they'll be paying their taxes.

Chair Nesbitt called for additional Council discussion. Hearing none he called for the roll.

VOTE: 6 Yeas

PUBLIC ITEMS

ANNOUNCEMENTS

Walter Wasson of Manchester Road voiced his concerns regarding a particular candidate being on the ballot. It was his opinion that this candidate did not qualify based on the term limits provisions of the Charter. He acknowledged that the town received a written legal opinion regarding this matter, however he did not agree with the attorney's view.

Councilor Sirpis said that he had a comment and a question for Mr. Wasson. Councilor Sirpis expressed that he and Mr. Wasson disagree on this particular topic. He then asked Mr. Wasson if he thought it would be prudent for any Town Councilor to go against the advice of counsel?

Mr. Wasson responded that he thought a second opinion should have been sought.

Councilor Delcourt asked when will the improvements to Route 35 be started.

Mr. Billington said that MDOT will advertise the project this fall.

Councilor Higgins said that term limits issue in her opinion is frustrating in the regards that issue that was voted and then a legal opinion was obtained that goes around the Charter provisions.

Councilor Sirpis asked for clarification of the time of the MDOT meeting tomorrow night.

Chair Nesbitt explained that they start setting up at 5:30 pm and the meeting starts at 6:00 pm. Chair Nesbitt noted that the construction area in question is on Route 114 between Mosley and Boundary Roads.

Councilor Sargent expressed his thanks to many past Councilors and town staff for their help throughout his eleven years of serving the Town in various capacities.

Councilor Blanck thanked past Councilors and town staff for all their support during his time on the Council.

Several upcoming meetings were announced.

EXECUTIVE SESSION

Moved by Sirpis seconded Sargent and voted to move into an Executive Sessions for the purpose of discussions on Personnel matters pursuant to 1 M.R.S.A. §405(6) (A). The Town Manager will join them in the session and no business will be conducted after the Executive Session. (Unanimous)

Moved seconded and voted to adjourn. The meeting adjourned at 8:45 pm by unanimous consent.

Submitted by:

Clerk/Secretary: s/Mary Chapman