

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, SEPTEMBER 12, 2017
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

Chair Pomerleau called the meeting to order.

ROLL CALL

Councilors present: Delcourt, Higgins, Libby, Nesbitt, Pomerleau, Sirpis and Starostecki.

Councilor Higgins led the Pledged of Allegiance.

Moved by Nesbitt seconded by Libby and voted to add order 103-17 to the agenda.
(Unanimous)

103-17 Utility Location Permit – Central Maine Power Company-Corner of Dow and Cape Roads [Pomerleau]

MINUTES OF PREVIOUS MEETING (S)

Moved by Nesbitt seconded by Starostecki and voted to approve the minutes of the August 8, 2017 Town Council Meeting. The minutes were accepted as presented by unanimous consent.

PETITIONS AND COMMUNICATIONS

Mr. Billington noted that a communication was received regarding the Gavenda property. The new information has been forwarded to the Town's legal counsel for review. When the legal opinion is received it will be forwarded to them.

REPORT OF THE TOWN MANAGER

Mr. Billington spoke on the following items:

- With summer winding down the beach has closed for the season, noting it was a successful first season.
- Striping of newly paved roads is next on the Public Works Department works schedule.

Mr. Billington introduced the Town Assessor Joe Merry to provide the monthly departmental report.

Joe Merry explained that the Homestead Exemption Program is available to all residents to receive a reduction in the valuation on their primary residence. He explained the process is completion of a simple form that's submitted to the Assessor's Office which provides at this time a \$20,000 reduction in the valuation. On a \$200,000 home there

would be approximately a \$265 reduction in the taxes due. The exemption stays on the property as long as the resident continues to qualify for it.

PUBLIC HEARINGS

89-17 Application Submitted by Daniel Roberts dba the Boat Launch Café Located at 450 Northeast Road for Renewal of a Malt, Spirituous and Vinous Restaurant License [Pomerleau]

Chair Pomerleau noted that this is the annual renewal of the application.

Chair Pomerleau called for public comments. There was none.

Chair Pomerleau called for Council comments.

Councilor Delcourt questioned if there had been any public safety issues relating to this facility?

Mr. Billington said there had not been any public safety issues at the facility.

Chair Pomerleau called for additional Council comments, hearing none, she called for the roll.

VOTE: 7 Yeas

90-17 Application Submitted by Daniel Roberts dba the Boat Launch Café Located at 450 Northeast Road for Renewal of a Special Amusement License [Pomerleau]

Chair Pomerleau noted that this is the annual renewal of the application.

Chair Pomerleau called for public comments. There was none.

Chair Pomerleau called for Council comments. Hearing none, she called for the roll.

VOTE: 7 Yeas

Informational Hearing on Fish and Game Facility

The Clerk read the ad that ran for the hearing.

Chair Pomerleau called for public comments noting that the remarks should not be repetitive and speakers will be limited to five-minute periods for their discussion.

Maurie Hill of Wildridge Road voiced her concerns regarding the lease of publicly owned lands to a private club that has membership requirements, in that their members also are required to be members of other organizations. Mrs. Hill requested that her notes be included as part of the minutes. Below are the notes that were submitted by email on September 25, not all of this information was brought forward at the meeting.

September 12, 2017.

Issues needing to be addressed RE formal Town of Standish support for a private "Standish Fish and Game" club to be established on publicly owned town land.

Opening statement: Currently there is a Memorandum of Understanding* that is to be voted on tonight at the end of this meeting. However, it is unclear as to exactly what is being voted on or the implications of this vote.

Re the proposed 25 year lease to the new Standish Fish and Game Club – my primary concern is that we will be leasing publicly owned land at an extremely reasonable rate to a "private" Fish and Game group that mandates by its bylaws that the participants in the club become members of the NRA and SAM (Sportsman's Alliance of Maine). The most recently known proposed rental agreement between the town and the private club delineates a lease amount of \$1.00/year for 25 years.

The simple solution would be for this "private" club to agree to change their membership bylaws - and I imagine doing so would also make it a more open community-focused club for other Standish residents to join. Many gun owners are not NRA or SAM members and most town Fish and Game clubs on private or public land do not mandate NRA or SAM membership. If this private club voted to change their bylaws, I would be the first to congratulate them on their efforts to form a Fish and Game club, including their efforts to teach children responsible hunting and fishing practices and environmental stewardship.

I am submitting this document to the Town Councilors and the Town Clerk in the hope that it will be included in the minutes of this meeting.

As mentioned above, many gun owners are not NRA or SAM members and most town Fish and Game clubs on private or public land do not mandate membership in any other specific organization. This article reflects the thinking of a town council with a long history of supporting a gun club on leased town land:
<https://durangoherald.com/articles/70282>.

Greg Sirpis is an at-large town councilor who is leading this effort.

He and town councilor, Brian Libby, are also officers in this "private" organization. At best, these two councilors cannot be considered disinterested parties. In the event there is a vote on the Memorandum of Understanding on Tuesday, Sept.12, both councilors should recuse themselves due to a clear conflict of interest.

Of note: I met with Greg Sirpis on Friday, 9/1, to explain my concerns about the mandatory membership in other organizations as required by this private club's bylaws - but he doesn't seem to understand the bigger picture and the public appearance it gives:

- Essentially, the town is leasing taxpayer-supported land at extremely favorable rates to a "private" club.
- Sally Daggett, the town's lawyer, approved the original Memorandum of Understanding. I doubt, however, that she is aware of this compulsory NRA and SAM membership written into the bylaws of this private club.

I suspect that this mandatory NRA/SAM membership requirement would make it easier for the national NRA to grant monies to the club to develop their facilities. I should note that most gun ranges are built according to NRA recommendations for safety - but again that is separate from requiring compulsory NRA membership of private club members. I also believe that members of this private Fish and Game club are free to join whatever political organization they choose but that is a private decision made as an individual.

Another concern expressed by other Standish residents is that adequate notice of this meeting was not given. Not

Minutes

Standish Town Council

September 12, 2017

everyone in Standish reads Your Weekly Shopping Guide, in which the notice re tonight's meeting was posted in the Aug 23 and September 6 editions. I did not see it but was only told about the posting by another person. The notice was not posted on the Town's website until late this week after people tried to find it. Apparently there were several workshops on this issue but again the result of discussion is not accessible for public review.

Other concerns/questions include but are not limited to the following:

- Has Greg Sirpis, as President of the Fish and Game Club, recused himself from a vote on this matter? Town Councilor, Brian Libby, is also an officer of this private club and he should recuse himself. (It seems to be a massive conflict of interest for the president of the club to approve an under market lease to his own personal organization.) In fact, it would be most advisable for a member of the club who is not a town councilor, to actually make a public presentation about the Fish and Game club.
- What does the Town charter say about leasing public land (if anything)?
- Should the Town be taking action the same night as the public informational hearing, which gives the impression that if a Town resident is unable to make it to the meeting (particularly when notice is not publicly available on the Town's website) there is no later opportunity to provide input?
- How can we prepare for a public informational hearing without being able to see the terms of the lease (how much land is involved, permitted uses of the land, permitted hours of operation, development rights to construct a building, parking lot, etc., right of the tenant to renew for additional terms, right of landlord to terminate the lease, etc.)?
- Why isn't the land being leased at Market value? What about the fiduciary obligation of the town councilors to charge a market rent (taxpayers should care)?
- Will the lease require the tenant to be responsible for lead testing/cleanup? See this article: <http://www.dailytidings.com/article/20100407/NEWS02/4070310>
- What is the legal liability of the town/town taxpayers in the event of an "untoward event/accident" occurring on this Town-leased land? Plaintiffs often seek redress from the largest possible number of potentially liable parties. Even if deemed "not responsible", significant costs can be incurred to remove oneself from liability claims.
- If there is a right to build a building and/or parking lot, what happens to those at the end of the 25 years if the Town does not decide to extend it?
- Why is it not a lease for fair market value, why for \$1? Why not a 5-year lease to allow monitoring and assessment of how the club is providing value to the community at large? Are there other existing leases with private clubs (i.e.. those not open to the public) with similar arrangements?
- What are the criteria by which the Town will review any request like this by a private group to lease public land for essentially no cost for 25 years? Are there safeguards in place to make sure that anyone on the Council with a personal conflict of interest is excluded from such discussions?
- How/when did the Town come to own this land? Was it acquired for a particular public purpose, and if so, were any state/federal funds used to acquire it, or any special designation or anything that may limit the use of the property?
- How did the logo of the private "Standish Fish and Game Club" come to be placed on the "Welcome to Standish" sign (Route 25 Gorham/ Standish town line) beside open-membership community organizations like the Lions and Kiwanis Clubs?
- The Memorandum of Understanding is 2 years old. Is it still in force? Is there a time limit established in the document?

Please note: I was not able to locate the original Memorandum of Understanding from 2015. The September 12, 2017 Memorandum of Understanding is now posted on the Town website with the Town Council's agenda for the same night. This is the link to the proposed MOU: <https://www.standish.org/sites/standishme/files/uploads/93-17.pdf>

For reference, these are Minutes from Town Council Meeting of October 13, 2015 Page | 5.

Minutes

Standish Town Council

September 12, 2017

NEW BUSINESS

91-15 Execute Memorandum of Understanding with Standish Fish and Game Club [Olson]

Chair Olson said that this Memorandum of Understanding is really a summary of the meetings with the Fish and Game Club relating with what may take place and the rolls of the parties. She said that there is no official plan, surveys have not been done and there is no design of a facility. The Memorandum of Understanding clearly states the steps that need to be taken to move this matter forward. She went on to say that it's clear that this memorandum is only documenting what has happened so far and in not enforceable to

either party. She said there will be notice when the town is considering this matter in the future.

Greg Sirpis, the President of the Fish and Game Club disclosed that their mission is provide a family orientated Fish and Game Club where the residents of the town can enjoy the outdoors. He said that we have an obligation to teach the children to be stewards of the land and ethics of the outdoors. He said that safety is paramount in use of the facility.

Chair Olson said that she wanted to emphasize that a third party would review the plan.

She read aloud section II. A. of the Memorandum of Understanding, which describes the independent safety evaluation requirement.

Greg Sirpis said that any plan would have to be approved by the town. (Note: Greg Sirpis was elected to an at large seat in June 2016. He was not a councilor at the time of original

MOU in 2015).

Chair Olson said that when the plans are presented, the Council will hold workshops, to provide ample opportunity for the public to review the information. In addition, Planning Board approval will be required.

Chair Olson called for public comments. There was no additional public comment.

Chair Olson called for Council Comments.

Councilor Nesbitt said that he liked the enthusiasm that we're receiving from the group.

Councilor Nesbitt said that this effort will be bringing organized shooting to the town and it was his opinion that our ordinances are not good enough for that right now. He suggested that they take a closer look at creating an ordinance for this.

Councilor Sargent appreciated Councilor Nesbitt's comments, however it was his opinion that the items should be treated separately. He said that if you look at towns that have a

club, they have less indiscriminate shooting happening in town. He said that we may or may not need an ordinance.

Councilor Nesbitt stated that we need standards for the facility.

Councilor Sargent said that the guidelines will be built in as we go through this process.

The ordinance is another issue and we should wait to see how it works, if this goes forward.

VOTE: 6 Yeas

Respectfully submitted this date:
Tuesday, September 14, 2017
Maurie and William Hill
20 Wildridge Road
Standish

Todd Delany a resident of Spear Road, speaking as president of the Kiwanis Club, said that it is that club's opinion is that the town needs this type of facility. He cited his personal experience regarding shooting activity near his home and the Kiwanis property noting that a facility would be a safer place for that type of activity. He said that this facility will promote safety in town.

William Hill agreed that a gun range would be a welcome addition, however he was concerned that it will be a private club. He said that he believes that there is a conflict of interest if it is a private club because some people will not join due to the other organizations that you must also join. He said that he would recommend that the Fish and Game Club reconsider the terms of their membership.

Byron Mitchell of Nature's Way asked if this location is where gravel pit is? He noted that shooting in the pit goes on all day long. He was concerned that adding a club would increase the amount of shooting.

Mike Foster of Steep Falls said if the membership of the club is limited to NRA members, people who are not members will still need a place to shoot.

John Sargent of Hannarin Drive explained that he has been a member of a Central Maine club for over thirty-years. He said that a number of years ago the cost of insurance got so high they discovered that being affiliated with the NRA they would realize a saving in insurance costs. He said that facility is safe, gated, it has restricted hours and has served that community very well. He said that it was his opinion that this club moving forward would steer people to a unified club. He said that he understands that the fees that are being considered are reasonable.

Ross who lives off the Boundary road questioned how much would this cost the taxpayers. He then questioned if the town would support other special interest clubs.

Sara Nason of Steep Falls a middle school teacher for twenty-five years said she values the education of our youth. As an outdoor enthusiast, she supports the proposed Fish and Game Facility. She thought it would be a positive asset to our town and an educational opportunity that will be presented. She said that she was excited about the range and its location, she encouraged them to move forward on this facility as proposed.

Tim Goodwin of Oak Hill Road spoke to the required membership of the club noting that membership to other organizations, such as you're not required to be a member of the Catholic Church to participate in Catharine's Cupboard, he said that it was his opinion that it is wrong to require membership for this facility that will be on town property.

William Hill of Wildridge Road wanted it to be clear that he supports having the range where people can safely shoot, what he's against is having a private club with forced membership.

Cheryl Cameron of Bonny Eagle Road said that there seems to be a lot of emphasis on shooting regarding this club, she'd like to learn more about the fishing and conservation aspects of the club.

Dick Bernier of White's Bridge Road said he'd like to clear some misconceptions he has heard tonight. He said that it's more than a shooting range – it's a Fish and Game Club. He explained that up to now most that has been done by the club is related to fishing. He said that shooting is part of it but they intend to have an archery range, perhaps a pond on the property. He said to his knowledge no one has ever approached the town to lease this property and they brought this forward to improve safety in town relating to shooting. He said at the club, safety will be preeminent, he said that right now that's not the case. He said that because of safety and insurance costs the NRA becomes a part of this. He said that what he's hearing tonight it's not about the club, it's about another entity, the NRA. He said that to his knowledge many hunters and gun owners are members of the NRA. He said that their idea to bring the NRA to the club was for reducing the insurance costs and NRA will help develop the range that is safe and sound sensitive for the neighbors. He went on to explain that whether there is a NRA affiliation or not it will not affect the amount of the dues. He also stated that due to ethical reasons both Councilors Libby and Sirpis have recused themselves, and in fact, Councilor Sirpis wanted this to be an open forum.

Cheryl Cameron said that an individual that joined that club for the fishing and conservation may not want to be affiliated with the NRA.

Mike Foster said that with the Town leasing this land to the club, and the club makes its members take a political stance, it was his opinion that it appears that the Town of Standish takes that same political stance.

Maurie Hill of Wildridge Road said that it's hard for her to believe that being an NRA member is the being mandated by the club. She said that the NRA is a political organization that not everyone supports.

Beth Malia of Emery Road she thought the that the Fish and Game Club would be open to the public one day a month that may alleviate some concerns.

Chair Pomerleau called for additional public comments, hearing none, she closed the public participation portion of the hearing.

Chair Pomerleau called for Council comments.

Councilor Sirpis clarified that there have been a number of workshops and Council meetings regarding this issue. He said at each of those meetings he had offered to recuse himself from the Council discussion on this matter and will do so again tonight if the Council deems that necessary. He said that this club was formed two years ago because there was a need for it. It was hoped that the club would be an option to control the hours and amount of shooting. He recalled that one of the first complaints that he heard was regarding thousands of rounds being shot early on a Sunday morning. He said that's why this came to fruition by having a certified safety officer on the range, the range cannot be in use unless the safety officer is on the range. He continued that club can control the hours of shooting and offer a better facility than a gravel pit. He said that their facility will be self-policed, if a non-member does something that is unsafe they will be asked to leave. The member that signed that person in will also face some discretionary action. He said that tonight they've heard a lot about shooting. He said it's not the Standish Gun Club, it's the Standish Fish and game Club. Adding they want the club to be family oriented club and be good neighbors. He said to his knowledge the land is undevelopable and has been used only for timber harvesting. He said that they approached the Town asked for this idea to be considered. The idea was discussed at workshops and a MOU was developed. He clarified that a MOU would not be approved tonight, that has already been done. He said that he thinks this is a good fit for the Town and he hoped that the Council will support this.

Councilor Delcourt said that someone was recently killed at range in Baldwin. He explained that he lives on Route 114 and frequently hears gun fire in the area. He said that he was opposed to joining one of the associated clubs, but he still can use the facility if he's sponsored by a member. He said that he would support the matter based on this information. He said that it sounds like insurance cost is an issue and it sounds like non-members will have the ability to use the facility.

Councilor Higgins said that she understands the political issue with the NRA membership. She also questioned if membership in the Sportsman's Alliance would be any less onerous? She asked if each member had to be an NRA member, if the club carried the NRA membership? She said that she understands that insurance is an issue, she also noted that there would be inclusion for non-members to use the facility. She recounted in the past she's been hiking or biking in town and heard gunfire but not known where it was coming from. She said that the concept for the club is well founded and a necessary thing. She noted that she intends to support it, but understands people's issues with the NRA aspect. She indicated that the club may be an economic development driver for the Town.

Councilor Starostecki said that he was really excited about this project. He explained that he'd like to learn to fish at the club, also he could practice archery and shoot firearms if the club was developed. He said that he too has heard gunfire in town and understands that issue and thought that the having a centralized area to shoot would

be a benefit. He did however have a problem with the membership requirements. He said that there seems to be quite a bit of public support for the facility, he too wondered if there was a work around for the membership requirements. He said that since he is new on the Council he was not aware of the details that have brought up in the past. He was curious about what the real cost of the insurance with or without the NRA?

Councilor Nesbitt said that he had expected a presentation regarding the club like was done at the workshop, which may have answered many of the questions. He said that he sponsored the MOU because he knew that the process would take a long time and it's nice to have something for future Councilors to have to work with. He said that there have been a lot of questions tonight and those don't necessarily get answered in the MOU. Somethings only come to light once the project moves forward. He said that a few months ago the club had as a concept plan that they presented to the Council at a workshop. To his knowledge they have not gone to the Planning Board with a site plan, commenting that is the first major thing to show how the facility will function. He said that they're still waiting to get the timeline from the club as to when these things will be bought forward because the lease can't be negotiated until management plan, membership requirements and other details are known. He said that it was his opinion that there still is a long way to go on this, noting that he considers the MOU it's a basic document, citing if you look at the beach MOU they're very similar documents. He said that just like the beach, things will come up that will have to be negotiated. He said for him the MOU is a way to get the process started for club that is great for Standish and that in the future Councilors and residents will know this is being worked on. He said that they started with zero and they're working their way up. A lot of questions came up tonight and he hopes that the club will get answers to those questions so the public will know what's happening when they get to the site plan stage, lease agreement and other details of the club. He said that the affiliation with the NRA did concern him, however it wouldn't make him stop them from moving forward at this point. He said this is about getting the information out, as things move forward, more confidence will be gained regarding the project. He said that a lot time, effort and fundraising still needs to be done by the club to move the project forward. He stated that this was the informational portion of the discussion and he didn't mind if Councilor's Sirpis and Libby speak to this since it may be beneficial, he would however not want them weighing in during the council discussion period of the order.

Councilor Libby said that the club couldn't go before the Planning Board until they have a lease in hand.

Councilor Sirpis noted that they can't move forward for a number of reasons, they don't know how much land is useable, where the building will be located due to ledge, or where the various facilities will be located. He said until they have the okay to move forward it would be foolish to invest any money, he noted that they have already invested two years of time. He said that the Planning Board has to approve anything

that they want to do. He said that in order to give the public more information, they have to be able to move ahead.

Mr. Billington said that it's important for the public that a lease has not been negotiated yet. He said that all of the things that have been discussed tonight will be taken into consideration in the development of the lease. He said that the MOU anticipates that the club will come in with a detailed set of plans on how they intend to develop the property. The club will have to do some engineering to see what is developable before a lease can be drafted. He did confirm that they cannot go to the Planning Board until they have signed lease.

Councilor Nesbitt recalled that they said not have a lease for the beach but were able to go to the Planning Board. He said that they got the site plan approval then developed the management plan and the lease.

Councilor Sirpis said that he thought that the conceptual plan was a general idea as to what they were doing and that would allow them to move forward with the lease, then the Planning Board would approve from then on.

Mr. Billington said it was his opinion to obtain DEP permits the club will have to have very detailed plans of the facility.

Councilor Higgins said look how long it took for the beach project. She said the club will not get done overnight, it's a work in progress. She commented that it's great to see so many people here expressing their opinions.

Chair Pomerleau said that she did support this, but did also have concerns regarding the membership requirements.

Chair Pomerleau called for additional Council comments, hearing none, closed the hearing.

COMMITTEE REPORTS

Councilor Sirpis announced that the Economic Development Committee will meet on Thursday, September 21 at 8:30 a.m. at the Town Office.

Councilor Higgins noted that the Ordinance Committee last met August 16. She said that the committee encourages the public to weigh in on the various ordinances that they are working on. She explained that they are putting the final touches on the Village District Ordinances, next week a consultant will be in attendance to further address Form Based Code provisions. Councilor Higgins noted that the committee will soon be tackling the Recreational Marijuana Ordinance and encourage those interest to bring their ideas forward. The committee is also looking at wood processing operations in gravel pits and other ordinance issues.

Councilor Higgins said that the Recycling Committee has made some informational recycling cards available at the town office. On Saturday, September 23 ecomaine will hold their recycling open house, this is a great opportunity for people to see the recycling process. At the Recycling Committee's next meeting they will discuss ideas to promote recycling in town to save tax dollars.

Councilor Delcourt noted that the Finance Committee met this week. He said he learns something at every committee meeting and he's impressed with the knowledge of the other members.

Chair Pomerleau noted that the Appointments Committee did not meet.

Chair Pomerleau explained that the Public Safety Committee are gearing-up for the Public Safety Fair on October 14.

Councilor Libby explained the Capital Improvements Committee met last week, an agenda item will be before them later in the evening.

Councilor Starostecki said that there were no updates from the PWD Steering Committee.

Councilor Nesbitt said that the Finance Committee reviewed the period-2 town's financials. He stated that the ~~revues~~ revenues and expenditures are inline, noting that excise taxes are above what was budgeted and building permits are up. He noted that there are three Finance Committee items on the agenda tonight.

CONSENT CALENDAR

The Clerk noted that there are two consent calendar items, they are typically read by title only and voted on collectively.

91-17 Appointment of Ballot/Election Clerks and Election Warden for the November 7, 2017 Election [Pomerleau]

92-17 Establish Hours for Voter Registration Prior to the November 7, 2017 Election [Pomerleau]

VOTE ON CONSENT CALENDAR ITEMS: 7 Yeas

UNFINISHED

The Clerk noted that the road related items will remain postponed pending receiving the additional information.

74-17 Road Acceptance Request Submitted by Shadow Woods, LLC for a Portion of Woodrow Drive [Pomerleau] (Postponed at the July 2017 Meeting pending additional information)

75-17 Road Acceptance Request Submitted by Tompson Development, Inc. for a Portion of Lindsey Drive [Pomerleau] (Postponed at the July 2017 Meeting pending additional information)

76-17 Road Acceptance Request Submitted by JoJo's LLC for a Portion of Nature's Way [Pomerleau] (Postponed at the July 2017 Meeting pending additional information)

77-17 Road Acceptance Request Submitted by Cummings Acquisitions for a Portion of Rose Lane [Pomerleau] (Postponed at the July 2017 Meeting pending additional information)

79-17 Extension of Town of Standish Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs (First Reading) [Higgins]

Moved by Nesbitt seconded by Sirpis and voted to dispense with the Clerks reading of the ordinance. (Unanimous)

Council Higgins explained that the Committee is still in the process of learning what the state rules are going to be. This is an extension of the moratorium to allow the town the time to determine what's right for Standish.

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion. Hearing none, she called for the roll.

Moved seconded and voted to move this ordinance to Public Hearing at the October Council meeting: 6 Yeas – 1 Nay, Starostecki

NEW BUSINESS

93-17 Fish and Game Conceptual Plan [Pomerleau]

Moved Nesbitt seconded by Higgins and vote that because both Councilor's Sirpis and Libby are affiliated with the club they should recuse themselves from voting on this order. (Unanimous)

Chair Pomerleau called for public discussion.

Mike Foster of Steep Falls asked if the conceptual plan for the facility was available to the public?

Chair Pomerleau asked if a copy was on their website.

Councilor Sirpis said that it is not, but he will post it.

Maurie Hill said that they should be able to see the plan, had the Council seen the plan?

Councilor Sirpis said that it was presented at a televised workshop.

Maurie Hill said that it was odd to her to be voting on a conceptual plan that the public hasn't seen. She said that she was also confused about the lease and what were they voting on tonight?

Councilor Nesbitt said that he agreed that the plan should have been included with the order and he did not think that they should be voting on this tonight since it's not available. He did note that the Council was receiving the information not approving it. The order is also acknowledging the Council is willing to move forward with this process. He said that the club is at a point where they have done some fundraising and are getting to the point where they need to do engineering studies. He said the when he saw this order he took it as the club is wanting to make sure that the Town Council is still behind the MOU.

Maurie Hill clarified the that the vote is that you're still willing to negotiate? She then asked if people will have the opportunity to discuss the lease, and wondered if there was a workaround for the NRA membership requirements?

William Hill said that it would be nice if there was something concrete to alleviate the thought of the idea of the old boys' club.

Julie Applegarth of Steep Falls had was concerned and questioned if this would go out to vote like the beach did.

Mr. Billington said that the requirement to go out to vote is based an expenditure of over \$75,000 by the Town. He said in this case the Town Council is the legislative body and it would not require a town-wide vote.

Julie Applegarth said that she did support the idea of a safe area where people can shoot, but would like to see how the club could help to build safe trails.

Chair Pomerleau called for additional public discussion. Hearing none the public discussion period was closed.

Chair Pomerleau called for Council discussion.

Councilor Higgins said that the conceptual plan that was presented at the workshop was pretty rudimentary in terms of detail. Is the plan on the club's web site?

Councilor Sirpis it is not, but it will be as soon as possible.

Councilor Starostecki didn't think the club was trying to hide anything. At the workshop when more detailed questions came up the club members said that couldn't answer them until a more information regarding the land is obtained. He said that we're not voting to approve the plan, we're voting on the idea that we're willing to learn more about the facility. He said that a lot of good information came forward this evening.

Council Nesbitt said that the plan should have been part of the information this evening. He said that he was very much in favor of the club. He said that in his mind he is really looking to hear what the Planning Board has to say about the facility.

Moved by Nesbitt seconded by Higgins and voted to postpone this order until the October Town Council Meeting.

VOTE ON POSTPONING: 4 Yeas – 1 Nay, Delcourt – 2 Abstain, Libby and Sirpis

94-17 Carry Forward Certain Accounts [Nesbitt]

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

Councilor Nesbitt noted that there were a number of items at the end of the fiscal year that had not been procured, however there still is a need to do so with the items that are listed.

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion. Hearing none, she called for the roll.

VOTE: 7 Yeas

95-17 Town of Standish Town Council Orders Authorizing Tax Anticipation Borrowing [Nesbitt]

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

Councilor Nesbitt said that this type of order is usually done twice a year to allow the Town to pay its bills until tax money starts coming in.

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion. Hearing none, she called for the roll.

VOTE: 7 Yeas

96-17 Set Mil Rate, Due Dates and Interest Rate for the Fiscal Year 2018 Taxes [Nesbitt]

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

Councilor Nesbitt said that this order sets the mil rate based on the calculation done by the Assessor. Councilor Nesbitt explained that the mil rate this year will go up to \$13.25/1,000 from \$12.82/1,000, an increase of .43¢. The municipal portion is \$2.78, the school portion is \$9.75 and the County portion is .72¢.

The Assessor Joe Merry explained that the values are entered into the form and the final rate is determined from that data. He said that the only line where there is play is in the overlay line.

Councilor Nesbitt explained that overlay is used in the case when there is an error discovered in an assessment and an abatement is needed.

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion.

Councilor Nesbitt questioned the Assessor about the town's valuation process.

Mr. Merry said that we are claiming 100% valuation, throughout the years incremental adjustments have been made to certain property values. He said that we need to start that discussion, he said that, the further you get away from the last revaluation the more that the valuation data becomes corroded due to not knowing about data that might be skewed.

Councilor Nesbitt asked how do we start that discussion?

Mr. Billington said that there would need to be Council discussion because of the political implications. He said that at this point the annual state inspection of the Assessors records agree and there is no reason to consider a revaluation at this time.

Chair Pomerleau called for additional Council discussion. Hearing none, she called for the roll.

VOTE: 7 Yeas

97-17 Order to Correct Malfunctioning Septic System for Property Located at 33 Richville Road [Pomerleau]

Chair Pomerleau called for public discussion.

Lynn Henderson of Richville Road an abutter of the property explained to them the impact that this matter has had on her life.

Councilor Nesbitt questioned if they knew what the cost would be to fix it and what fund would it come out of?

Scott Gesualdi suggested that it would come out of the general fund, but was uncertain of the cost.

Mr. Billington said that it would be a special tax assessment, if not paid would go to lien and the Town would recoup its funds if the property was ever sold.

Councilor Nesbitt said that there are environmental and neighbor issues regarding this and it needs to be taken care of.

Councilor Higgins asked if this is added to the property taxes.

Mr. Billington said that that it would be added to their taxes.

Councilor Delcourt asked why this took so long to take care of?

Mr. Billington said that the property owner looked into getting it required but the individual can't afford to get it fixed. This is the last avenue to get the repairs.

Councilor Sirpis asked for clarification that state law requires that the Town corrects this and the special tax will be assessed to the property. He questioned if the people were struggling, how can they pay this?

Chair Pomerleau agreed that was correct.

Councilor Higgins suggested that this process would put them into foreclosure. She wondered if there was another way to budget this?

Councilor Sirpis said that the first priority needed to be to get this repaired. He hoped that they could find a creative way to get this fixed.

Councilor Nesbitt explained that the Finance Department does to take installment payments.

Councilor Starostecki said that this probably the only option for the property owner.

Councilor Sirpis asked how much would this cost?

Mr. Billington said the cost may be from \$7,000 to \$12,000, he suggested that the funds are taken from the Town Council Contingency Account. If that account becomes overdrawn it can be addressed at the end of the fiscal year.

Councilor Sirpis said that he would support this.

Chair Pomerleau said that she too supported this.

Chair Pomerleau called for additional Council discussion. Hearing none, she called for the roll.

VOTE: 7 Yeas

98-17 Extension of Time to Prevent Vacation of Proposed, but Unaccepted Ways [Pomerleau]

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion.

Councilor Higgins questioned the range roads on the list.

Mr. Billington said that this protects the Town's rights to accept these roads at a later time.

Chair Pomerleau called for additional Council discussion. Hearing none, she called for the roll.

VOTE: 6 Yeas – 1 Nay, Higgins

99-17 Emergency Amendment to the Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Ordinance and Tables for the Maximum Levels of Assistance as provided as Provided by the Maine Municipal Association [Pomerleau]

Moved by Libby seconded by Sirpis and voted to dispense with the Clerks reading of the ordinance. (Unanimous)

Chair Pomerleau noted that this is an annual update that allows recipients to receive the current acceptable rates.

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion. Hearing none, she called for the roll.

VOTE: 7 Yeas

100-17 Amendment to the Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Ordinance and Tables for the Maximum Levels of Assistance as provided as Provided by the Maine Municipal Association [Pomerleau]

Moved by Libby seconded by Sirpis and voted to dispense with the Clerks reading of the ordinance. (Unanimous)

Chair Pomerleau note that is the regular legislative process to adopt the new guidelines.

Chair Pomerleau called for public discussion.

Mr. Billington said that the General Assistance Coordinator supports these numbers as they're more beneficial to the recipients.

Chair Pomerleau called for Council discussion. Hearing none, she called for the roll to bring this to First Reading at the October Council meeting.

VOTE: 7 Yeas

101-17 Award Bid and Authorize Contract for Road Crack Sealing [Libby]

Council Libby explained that there were three bids the lowest being Coastal Road Repair at 16.92 per/gallon.

Moved by Libby seconded by Nesbitt and voted to amend the order as follows:

ORDERED that the attached bid from Coastal Road Repair at a cost of \$16.72 per gallon at a cost not to exceed \$20,000 for road crack sealing as described in the bid specs, is hereby accepted, and (Unanimous)

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion.

Councilor Higgins said that she enjoys the condition of the local roads.

Chair Pomerleau called for additional Council discussion. Hearing none, she called for the roll.

VOTE: 7 Yeas

102-17 Resolution to Establish October 14, 2017 as Standish Health and Safety Day [Pomerleau]

Moved by Libby seconded by Starostecki and voted to dispense with the Clerks reading of the ordinance. (Unanimous)

Chair Pomerleau said that this is a great day for the Town.

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion. Hearing none, she called for the roll.

VOTE: 7 Yeas

103-17 Utility Location Permit – Central Maine Power Company- Corner of Dow and Cape Roads [Pomerleau]

Chair Pomerleau called for public discussion. There was none.

Chair Pomerleau called for Council discussion. Hearing none, she called for the roll.

VOTE: 7 Yeas

PUBLIC ITEMS

Leigh Smith and Holly Dickinson asked the Town Council to consider the new information that they have for the easement matter on the property they have under contract on the Cabbage Yard Road. Mr. Smith said that he understands that the Town attorney is reviewing this new information.

Chair Pomerleau said that is correct, until the attorney get back to us is still tabled.

Councilor Sirpis questioned that this had been tabled indefinitely how can it come back to them.

Chair Pomerleau said that will be checked with the attorney.

Councilor Nesbitt mentioned that a new breakfast restaurant opened at Colonial Market Place.

ANNOUNCEMENTS

Several Upcoming meetings were announced.

EXECUTIVE SESSION

An executive session was not needed at this meeting.

ADJOURN

Moved seconded and voted to adjourn. The meeting adjourned at 9:06 p.m. by unanimous consent.

Submitted by: _____

Clerk/Secretary