

**MINUTES
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, APRIL 10, 2018
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

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

ROLL CALL

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

MINUTES OF PREVIOUS MEETING (S)

Moved by Nesbitt seconded by Higgins and voted to approve the minutes from the March 1st and 14th meetings with the following corrections to page 3 of the March 1 minutes as noted by Councilor Sirpis:

.. however he stated ~~wherever~~ whenever legal counsel is contacted, the Council needs to be advised. He said that he agreed the wording "amended from time to time" needs to be more specific. He said that he was concerned with the definition of the word firearm and asked that ~~the~~ he wanted the word severability defined.

PETITIONS AND COMMUNICATIONS

There were no petitions or communications at this meeting.

REPORT OF THE TOWN MANAGER

Dan Hill the Town's Code Enforcement Officer provided the monthly departmental report. He noted that he has recently returned to work after having been on a leave of absence. He explained he's been catching-up and busy with regular springtime construction.

Roger Wheeler presented an update on fish passage to Sebago Lake from the ocean. Unknown to many, two lower river interest groups met privately under a nondisclosure agreement and formulated an agreement that will change State Water Quality Certification requirements and the FERC dam license mandates for the Presumpscot River. This agreement will remove the requirement for fish passage at Gambo and Dundee dams for the term of the license. Mr. Wheeler asked the Town of Standish to oppose the Sacarappa Agreement changes of the FERC license in the form of a letter to the Federal Energy Regulatory Commission, and perhaps testimony at future meetings.

PUBLIC HEARINGS

There were no public hearings at this meeting.

COMMITTEE REPORTS

Councilor Sirpis – Economic Development Committee – Continues to discuss signage rules in the Land Use Code to accommodate businesses. Councilor Sirpis noted that residents and business owners are encouraged to attend the Economic Development Committee meetings.

Councilor Higgins – Ordinance Committee – Meets the third Tuesday of each month, the agenda this month will include signage regulations.

Councilor Higgins – Recycling Committee – on Earth Day, April 22 the committee will be at the Transfer Station handing out recycling information. Recently, Ecomaine provided informational session at two of the elementary schools in town. Additional Ecomaine informational sessions are planned.

Councilor Delcourt – Personnel Committee - Discussed the financial implications to the town when vacation time is carried forward, more discussion is needed on this matter.

Councilor Libby – Capital Improvements Committee – The committee has an agenda item this evening.

Councilor Starostecki – PWD – No report this evening.

Councilor Nesbitt - Finance Committee – Has met twice since the last meeting, revenues and expenditures are where they'd be expected at this time of year. He noted that they are watching two departments – Employee Benefits and General Administration.

Councilor Pomerleau – Appointments Committee – No report this evening.

Councilor Pomerleau – Public Safety Committee – Announced that long-time committee member Frank Holcomb is moving and will no longer be able to serve on the committee.

CONSENT CALENDAR

The Clerk explained that consent calendar items are read by title only and voted on collectively.

23-18 Town Council Appointment of Ballot/Election Clerks [Pomerleau]

24-18 Town Council Appointment of Ballot/Election Clerks and Election Warden for the June 12, 2018 Elections [Pomerleau]

25-18 Town Council Confirmation of the Town Clerk's Nomination for Membership on the Registration Appeals Board [Pomerleau]

26-18 Town Council Appointment of Alternate Code Enforcement Officer [Pomerleau]

27-18 Establish Hours for Voter Registration Prior to the June 12, 2018 Elections [Pomerleau]

28-18 Waive No Parking Restriction on Saco Road for Bonny Eagle Car Show [Pomerleau]

Chair Pomerleau called for public comment, hearing none she called for Council comments. Hearing none she called for the vote.

VOTE ON CONSENT CALENDAR: 7 Yeas

UNFINISHED BUSINESS

7-18 Application Submitted by Michael Baptista and Elaine Burnham dba Acres of Wildlife Campground Located at 60 Acres of Wildlife Road for Renewal of a Malt, Spirituous and Vinous Campground License (Postponed at the February 13 meeting) [Pomerleau]

Chair Pomerleau called for public comments.

Michael Baptista co-owner of the campground explained that they submitted plans and he was able to obtain permit forms from the Code Enforcement Officer. Mr. Baptista noted that they also submitted information for a contract zone which will address rental units that they have. Mr. Baptista explained that he is in the process of getting the permitting for the first five items on the list. He asked that they move forward with the contract zone ordinance so that the campground can move forward on the items that fall under its provisions.

Chair Pomerleau called for Council comments.

Councilor Higgins noted that the contract zone information is not available this evening and it takes a number of months to go through the legislative process.

Kris Tucker the Town Manager clarified that town staff and the campground have been working to remedy the issues at the campground. He noted that the campground is making a good faith effort to fix the various issues at the campground. He also explained that a dry hydrant was installed in 2017 at the request of the Town. He said at the meeting today, the Town was trying to set up achievable goals with the campground. He explained that the Code Enforcement Officer thought that the first 5 items could be completed without Planning Board approval or a contract zone being established. He said that working on these items is a good faith effort and he would also suggest that the Town approves the liquor license with the caveat that the state approval is for a 90-day period, that approval period can be extended if the campground is making progress with the required items on the plan of action. As time passes, the contract zone ordinance will come forward and allow the campground to remedy other issues.

Councilor Libby said that these issues have been going on for some time and a 90-day liquor license would be appropriate.

Councilor Sirpis asked Mr. Baptista if he had seen the list and if he felt confident that he could get the items completed.

Mr. Baptista responded that he had seen the list today and that he believed that the items could be completed once he obtains the permits.

Councilor Sirpis said that they are expecting a good faith effort on the items, if that doesn't happen he would not be in favor of extending the 90-day period on the liquor license. Councilor Sirpis wanted to make sure that Mr. Baptista understood that.

Mr. Baptista said that they are ready to work on things at the campground.

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

FURTHER ORDERED that the applicant will follow the plan of action shown on Attachment "A" and return to the Council within 90-days to provide an update to the plan of action. (Unanimous)

VOTE ON ORDER AS AMENDED: 7 Yeas

17-18 Amendments to the Code of the Town of Standish to add Chapter 135 Regarding Discharge of Firearms (First Reading) [Higgins]

Chair Pomerleau called for public comments. Hearing none she called for Council comments.

Councilor Delcourt asked when does this go into effect?

Councilor Higgins said that is a fix for something that has been a problem for a very long time and the ordinance will only cover the town property that is described in the document.

Councilor Sirpis noted that he is opposed to this ordinance citing that that this is not what was discussed in workshop regarding this matter. The workshop comments suggested that posting the land to *No Discharge of Firearms Allowed*. He noted that the town's legal counsel has indicated that only posting the property cannot be enforced, thus this ordinance being brought forward. He said that the Warden Service told him that posting the land is all that would be needed, he was told if someone discharged a firearm on posted land they could be charged with criminal trespass or arrested, according to the Warden Service. He said that it is his opinion that this is the first-step to a town-wide No Firearms Ordinance, he noted that's why he's opposed to

this. He also voiced his concern with the various types of firearms that are described in the ordinance, saying many of them were not discussed in the workshop. He said that he understands that the residents in the area need relief, but he didn't think this was the way to go and he couldn't support this ordinance.

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

VOTE TO MOVE THIS TO PUBLIC HEARING: 6 Yeas – 1 Nay, Sirpis

NEW BUSINESS

29-18 Amendment to Standish Town Code, Chapter 181, Land Use, Section 181-7.1, Form Based Code Village Districts (FBCVD) Regarding Car Wash Village (Introduction) [Higgins]

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

Councilor Higgins said that this is change to the Form Based Code, not unlike other changes that have been done to the code in the past. If approved this change will allow a car wash on roads with the Town Main Street Scape description in Standish Village. She noted that this ordinance change got a favorable review at the Planning Board meeting. She noted this is the first step in the legislative process.

Chair Pomerleau called for public comments.

Dana Lampron the owner of the Pit Stop Convenience store said that he brought this forward at a recent workshop to add a car wash at his facility.

Both Councilors Delcourt and Sirpis commented on the first-rate way that Mr. Lampron maintains his property.

Councilor Higgins asked Mr. Lampron to explain the layout of the proposed carwash.

Mr. Lampron explained that the carwash will be located to the left of the repair facility. He described that access to the carwash will be away from the store's.

Chair Pomerleau called for the vote.

VOTE: 7 Yeas (Vote moves ordinance to first reading at the May meeting)

30-18 Authorize Finance Director to Issue Municipal Quit Claim Deed to Denise Coito [Nesbitt]

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

Councilor Nesbitt explained that is coming through the Finance Committee, the property owner has paid back taxes, interest and fees so now the Town can release the tax-acquired property back to the resident through the issuance of the municipal quit claim deed.

Chair Pomerleau called for public comments. Hearing none, she called for Council comments, hearing none, she called for the vote.

VOTE: 7 Yeas

31-18 Resolution Establishing June 21st, 22nd and 23rd as the "Standish Summer Spectacular" Weekend [Pomerleau]

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

Jen DeRice the Recreation Director highlighted the events of the three-day Summer Spectacular. In addition, Jen mentioned that the new program brochure is available in printed form and online.

Chair Pomerleau called for public comments. Hearing none, she called for Council comments, hearing none, she called for the vote.

VOTE: 7 Yeas

32-18 Resolution Proclaiming May 19, 2018 as Blue Star Salute Day [Pomerleau]

Chair Pomerleau called for public comments. Hearing none, she called for Council comments, hearing none, she called for the vote.

VOTE: 7 Yeas

33-18 Call for Annual Municipal and Town Meeting Referendum Election, Place Referendum Questions on Ballot, Authorize Warrant and Call for Public Hearing for the June 12, 2018 Annual Municipal Election [Nesbitt]

Chair Pomerleau called for public comments. Hearing none, she called for Council comments.

Counselor Nesbitt explained that these referendum questions reflect the changes that were made to the budget based the meeting two weeks ago.

Councilor Sirpis thanked both the Finance Director and Town Clerk for their efforts during the budget process.

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

VOTE: 7 Yeas

34-18 Award Bids and Authorize Contracts for Renovations to the Steep Falls Fire Station [Libby]

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

Councilor Libby explained that this order is to award the bid for the renovations to the Steep Falls Fire Station.

Moved by Libby seconded by Nesbitt and voted to amend the order by adding the following:

Building addition to: PY Estes & Son at a cost not to exceed \$238,113.00

To include the add on #2, #3, and #4 from proposal dated 4/10/18 Add On's

Siding and Trim to: PY Estes & Son at a cost not to exceed \$15,000.00

Shower room to: PY Estes & Son at a cost not to exceed \$4,222.00

Heating system upgrade to Peter Dean at a cost not to exceed \$33,850.00

Sprinkler system to (Hold off for now) at a cost not to exceed \$0.00 (Unanimous)

Chief Caron explained that the watermain coming into the building needs to be updated before the sprinkler system can be installed.

Councilor Higgins voiced her concerns with postponing awarding the bid for the sprinkler system, wondering how that would affect the project.

Councilor Nesbitt said that the amended award for the bid is higher than what is on the roster.

Chief Caron distributed updated packets and explained that options were included in specs and the amended amounts include the add-ons.

Chair Pomerleau called for public comments. Hearing none, she called for additional Council comments.

Councilor Sirpis questioned the rebate that was included in of the bids.

Chief Caron explained that that rebate was through Efficiency Maine. He continued to explain that the sprinkler system will require two bids one for the earth work and one for the sprinkler system.

Councilor Higgins asked if they were local companies?

Chief Caron noted that PY Estes is from Baldwin and Mr. Dean's business is in Gorham.

Councilor Nesbitt asked where did the funding for this stand relating to the amount that was bonded?

Chief Caron noted that the bond was for \$375,000.

Councilor Sirpis said that he was pleased that this was moving forward and that a rescue unit would be housed there.

Chief Caron explained that these bids take care for the expansion part for the plan. He noted that there may be renovations that are put out to bid, reporting that all improvements will stay under the established dollar amount.

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

VOTE ON ORDER AS AMENDED: 7 Yeas

35-18 Authorize Maine Department of Transportation to Exceed the Weight Limit Allowed on Certain Roads During the Road Construction Project in Standish [Pomerleau]

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

Councilor Higgins questioned where this work was taking place?

The Clerk said that the work is being done in Baldwin, this order is to allow MDOT to exceed the weight limits when travelling over the roads in Standish to get to the construction site.

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

VOTE: 7 Yeas

PUBLIC ITEMS

Councilor Sirpis noted that the County Commissioners were to have met today to review grant requests. He will notify them as soon as the awards are announced.

ANNOUNCEMENTS

- Upcoming meetings
- 10-year Anniversary Celebration of Catherine's Cupboard on April 18 at the Municipal Center
- April 24 at the Alford Center at St. Joseph's Collage there will be a *Kids Night Out*

EXECUTIVE SESSION

An executive session was not needed at this meeting.

ADJOURN

Moved by Nesbitt seconded by Sirpis and voted to adjourn. The meeting adjourned 8:20 p.m. by unanimous consent.

Submitted by: _____

Clerk/Secretary