**MINUTES**

**TOWN COUNCIL MEETING**

**STANDISH, MAINE**

**TUESDAY, MAY 10, 2016**

**STANDISH MUNICIPAL CENTER**

**7:00 PM**

**CALL TO ORDER**

Chair Olson called the meeting to order and the Pledge of Allegiance was recited.

**ROLL CALL**

Councilors present: Blanck, Higgins, Nesbitt, Olson, Ordway, Pomerleau and Sargent.

**MINUTES OF PREVIOUS MEETING (S)**

Moved by Ordway seconded by Sargent and voted to correct the spelling of Jon Kinney’s name. (Unanimous) With this correction the minutes of the April 12, 2016 meeting were approved unanimously.

**PETITIONS AND COMMUNICATIONS**

There were no petitions or communications at this meeting.

**REPORT OF THE TOWN MANAGER**

* Jen DeRice and members of the Summer Spectacular Committee announced that Harold Ware was selected as the Parade Grand Marshal. Mr. Ware is a life-time resident of Standish, he served in the army for three years during the Korean War, he taught at Lyman Moore school for 30 years fifteen of which he also was the principal. He’s coached Little League and high school baseball; and was a high school basketball coach. He was inducted in the Maine Baseball Hall of Fame and USM Huskies Hall of Fame. He served on Standish Fire Department for years and Standish Rescue for forty years. He was a member of the National Guard for twenty-seven years and is a member and past commander of American Legion Post 128.
* Departmental Report – Roger Mosley highlighted the last year’s road paving projects and up-coming road paving bids. He explained in last year’s budget the town purchased mobile column lifts to be used when doing mechanical work on the town’s vehicles. He went to explain that they also used the lifts to assist the crew when working on the floats for the boat launch. Last year they purchased and rebuilt what’s in service as Truck 2, this acquisition has been a great asset. He noted that this past winter we used about 80 % of the salt on our roads as compared to the previous year. In addition, the truck that was purchased last fall has what is called a scraper blade for ice pack and will really be a great asset. The docks were rebuilt/repaired and installed for this boating season. In regards, to the Steep Falls sidewalk project, last fall approximately half the work was completed and resumed this spring, Memorial Day is the expected completion date. At that site, crossing and street lights have been installed and activated. At the Transfer Station recycling numbers are in the 15% range – we’ like to see that closer to the 20 % range. He commented that the Transfer Station crew do a great job. He recalled that last year they rebuilt the compactor which had been in service since 1991. He announced that the public works crew has started the stump removal process at the beach. He noted that the Marine groups will arrive to assist us with the beach project soon. He explained that this year after a twenty-seven years a new route contractor came on board. The new contractor did a great job this winter.

Chair Olson inquired about the street sweeping process.

Roger Mosely explained that due to the rainy weather the street sweeping detail will start soon.

**PUBLIC HEARINGS**

 **Information Hearing for upcoming June 14, 2016 Municipal Referendum Questions**

The Clerk read the three referendum questions aloud.

Chair Olson called for public discussion. There was none.

Chair Olson called for Council discussion. There was none.

After a Public Hearing without public or Council discussion Chair Olson closed the Public Hearing.

**21-16 Amendment to Standish Town Code, Chapter 106, Boating, §106-5, Fees [Blanck]**

Councilor Blanck explained that this amendment provides that a fee will only be charged is an attendant is on duty, allowing the department to staff as necessary, but not every day, such as during times of inclement weather.

Chair Olson called for public discussion. There was none.

Chair Olson called for Council discussion. There was no additional council discussion.

After a Public Hearing without public or additional Council discussion Chair Olson called for the vote and closed the Public Hearing.

**VOTE: 7 Yeas**

**COMMITTEE REPORTS**

**Chair Olson** disclosed that on Saturday there was a meeting with MSAD 6 Board of Director’s and the district’s town’s officials to review the Frye Island residents request for the funding formula to be changed to reduce their tax burden. Chair Olson commented that since this is such a complex matter, it will be the topic of discussion at this month’s Council Workshop on May 24.

**Councilor Pomerleau** explained that held a short meeting where the committee placed the flag order. The flags will be put up in time for Memorial Day.

**Councilor Sargent** expounded that the Capital Improvements Committee reviewed paving bids and received the good news that the low bidder came in at $57 per ton which was well below last year’s rate. Of $78.50 per ton.

**Councilor Blanck** indicated that the Ordinance Committee met twice since the last Council meeting. The committee completed the review of the Steep Falls Village Form Based Code amendments. He reported that a final review of the code will be done, then it will be sent to the town attorney for legal review.

**Councilor Nesbitt** told them that them that the Finance Committee met yesterday. He reminded them that taxes dare due on May 16 and are coming in, however, the Finance Director still had to initiate a TAN. He informed them that revenues are on track, however, he was concerned that the licenses and permits are a little lower than they should be. He said that they also reviewed the tax acquired properties, he noted that five properties will come forward for sale under separate orders. Later on the agenda phase 1 of the Delinquent Personal Property Tax Policy requirement will be presented.

**Councilor Nesbitt** noted that the Beach Committee did not meet last month, a meeting is planned this month to hold a site walk on May 21.

**Councilor Higgins** reminded residents that we need to work harder with recycling.

**Councilor Higgins** advised the public that the Town continues to accept donations for the Bottles for Fuel Program.

Councilor Higginsquestioned the Chair regarding the school funding formula change, she understood that it would require state legislative action.

Chair Olsonagreed that it would take state action to change the funding formula.

**Councilor Ordway** said that he too attended the MSAD 6 meeting commenting that this is an ongoing issue. In the past, the legislature killed a bill that would allow Frye Island to get out of the school district. He said that the state has asked that the town’s and the district work together on matter. He said that he would work for the Town of Standish on the matter at the state.

**Councilor Sargent** said that the Frye Island residents were not trying to get of paying taxes they just would like to have the funding formula looked at. The current MSAD funding formula is based on tax valuation not per student.

**Councilor Ordway** said that the proposed funding formula would be beneficial to Standish, but not to the other towns. In the long run the students would be affected by the proposed change due to cuts in programs.

**CONSENT CALENDAR**

There were no items on the consent calendar.

**UNFINISHED BUSINESS**

**38-16 Amendment to Standish Town Code, Chapter 181, Land Use, Section 181-7.1, Form Based Code Village District (FBCVD) (First Reading) [Blanck]**

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

Councilor Blanck explained that when the Form Based code was initially adopted it was known that other uses may be presented in the future. If these amendments are ratified, the first recipient will be Papa’s Ice Cream, they intend to construct a miniature golf course at the back of their property. Councilor Blanck noted that at last month Town Gateway Standards had been included in these amendments and the vote tonight includes those standards.

Chair Olson called for public discussion.

Philip Pomerleau of 57 Northeast Road said that he was glad to see the Council thinking outside the box on this Form Based Code amendment. He said that we were the first town in Maine to adopt the Form Based Code and we knew that it would be amended.

Chair Olson called for additional public discussion. There was none.

Chair Olson called for Council discussion. There was none.

Moved seconded and voted to move this to Public Hearing at the June 7 Town Council meeting.

**NEW BUSINESS**

**42-16 Receive Budget Committee’s Recommendations for the 2017 Municipal Budget [Olson]**

Councilor Pomerleau disclosed that she has a family member that serves on the Budget Committee.

Chair Olson invited the Budget Committee Chair to speak to the Council.

Budget Committee chair, Jane Cirone thanked the Town Council for the opportunity to sit in on the department budget presentations, she expressed to them that it assisted the Budget Committee during their deliberations.

The Clerk read the Budget Committee’s recommendations by department, below are the department recommendations that the Town Council acted upon:

**Revenues:** The Council discussed the merits of the Budget Committee’s recommendation to reduce Marriage Permits to $3,500 and to reduce Cable TV to $128,222 for this department, and chose not to adopt the recommendation.

**Assessing:** The Council discussed the merits of the Budget Committees recommendation to reduce Contractual to $16,450 for this department, and chose not to adopt the recommendation.

**Code Enforcement:** The Budget Committee did not present a recommendation for this department.

**General Admin:** The Council discussed the merits of the Budget Committee’s recommendationto increase the car allowance for the Manager to $2,750 ($250x11months) which increases Salaries to $139,198; to reduce Travel to $50; reduce the Fuels and maintenance line to $50 in turn reducing, Equipment Maintenance to $46,758; to reduce Training to $990.

Moved by Nesbitt seconded by Ordway and voted to amend the General Administration budget. (Unanimous)

Moved by Ordway seconded by Nesbitt endorse the recommendations of the Budget Committee for the General Administration Department as follows:

* to increase the car allowance for the Manager to $2,750 ($250x11months) which increases Salaries to $139,198
* to reduce Travel to $50
* to reduce the Fuels and maintenance line to $50 in turn reducing, Equipment Maintenance to $46,758
* to reduce Training to $990 (Unanimous)

**Cable Television:** The Council discussed the merits of the Budget Committees recommendation to reduce Contractual to $3,912 and to reduce Other Commodities to $1,000 for this department.

Moved by Sargent seconded by Blanck and voted to endorse the recommendation of the Budget Committee for the Cable Television Department as follows:

* to reduce Contractual to $3,912 (6 Appeals $461 & 4 Budget $314) (Unanimous)

**Town Council:** The Budget Committee did not present a recommendation for this department.

**Town Clerk:** The Council discussed the merits of the Budget Committee’s recommendation to reduce Travel Expenditures to $843; and to reduce Training to $550 for this department, and chose not to adopt the recommendation.

**Finance:** The Budget Committee did not present a recommendation for this department.

**Planning:** The Council discussed the merits of the Budget Committee’s recommendation to reduce Training to $1,000 for this department.

Moved by Olson seconded by Sargent and voted to endorse the recommendation of the Budget Committee for the Planning Department as follows:

* to reduce Training to $1,000. (Unanimous)

**Appeals Board:** The Council discussed the merits of the Budget Committee’s recommendation to reduce Travel Expenditures to $50 for this department.

Moved by Sargent seconded by Nesbitt and voted to endorse the recommendation of the Budget Committee for the Appeals Board department:

* to reduce Travel Expenditures to $50 (Unanimous)

**Building Maintenance:** The Budget Committee did not present a recommendation for this department.

**Public Safety:** The Council discussed the merits of the Budget Committee’s recommendation to reduce telephone to $2,700 for this department, and chose not to adopt the recommendation.

**Law Enforcement:** The Budget Committee did not present a recommendation for this department.

**General Assistance:** The Budget Committee did not present a recommendation for this department.

**Public Works:** The Council discussed the merits of the Budget Committee’s recommendation to reduce Traffic Light Expenditures to $3,360 for this department, and chose not to adopt the recommendation.

**Solid Waste:** The Council discussed the merits of the Budget Committee’s recommendation to reduce Contractual to $328,120; and to reduce Special Waste Disposal to $105,000 for this department.

Moved by Nesbitt seconded by Ordway and voted to endorse the recommendation of the Budget Committee for the Solid Waste department as follows:

* to reduce Special Waste Disposal to $105,000 (5 Yeas – 2 Nays, Olson and Sargent)

**Recreation:** The Budget Committee did not present a recommendation for this department.

**Donations:** The Council discussed the merits of the Budget Committee’s recommendations to reduce Richville Library to $3,000; to add $500 for Bonny Eagle High School – Back Pack Program; to add $500 for North Gorham Public Library; to reduce Schoolhouse Arts Center at Sebago Lake to $1,500; to reduce Watchic Lake Association to $5,500 for this department as follows:

Moved by Nesbitt seconded by Pomerleau voted to endorse the recommendation of the Budget Committee for the Donations department as follows:

* to reduce Richville Library to $3,000 (2 Yeas – 5 Nays, Blanck, Higgins, Olson, Ordway and Sargent)

Moved by Sargent seconded by Blanck voted to adjust the budget to provide a $4,000 donation to the Richville Library this year. (6 Yeas – 1 Nay, Olson)

Moved by Sargent seconded by Higgins voted to endorse the recommendation of the Budget Committee for the Donations department as follows:

* to add $500 for Bonny Eagle High School – Back Pack Program (3 Yeas, Blanck, Higgins, Sargent – 4 Nays, Nesbitt, Olson, Ordway and Pomerleau)

Moved by Nesbitt seconded by Pomerleau voted to increase the request to $1,000 for the North Gorham Public Library for this year. (6 Yeas, 1 Nay, Higgins)

Jan LaBrecque a representative of the North Gorham Library thanked them for their donation. She went to explain that she was a former legislator when the Frye Island matter initially came up to become a town. At that time there were guarantees that the district would never lose funding from them. She urged the Council to fight hard on this matter.

Moved by Nesbitt seconded by Pomerleau voted to increase the request to $1,000 for the North Gorham Public Library for this year. (6 Yeas, 1 Nay, Higgins)

Moved by Ordway seconded by Sargent and voted to decrease request of the Schoolhouse Arts Center by $500 to for this year. (4 Yeas, 3 Nays, Blanck, Nesbitt and Olson)

Councilor Higgins announced that she can’t vote on this matter due to her membership in the Watchic Lake Association, she said that did support the Budget Committee recommendation.

Moved by Ordway seconded by Nesbitt and voted to decrease request of the Watchic Lake Associations Center to $5,500 for this year. (Yeas 2 - Nays 4, Blanck, Nesbitt, Olson, and Sargent – Abstain 1, Higgins)

**Employee Benefits:** The Council discussed the merits of the Budget Committee’s recommendation to reduce the Accrued Sick/Vacation Time to $12,456 for this department.

Moved by Nesbitt seconded by Higgins and voted to endorse the Budget Committee’s recommendation to reduce Employee Benefits for Accrued Sick/Vacation Time to $12,456. (3 Yeas – 4 Nays, Blanck, Olson, Sargent and Pomerleau)

**Insurance:** The Budget Committee did not present a recommendation for this department.

**Debt Service**: The Budget Committee did not present a recommendation for this department.

**Capital Projects**: The Budget Committee did not present a recommendation for this department.

Chair Olson asked if the Budget Committee chair had any additional comments.

Jane Cirone, Budget Committee Chair asked that they take into consideration the other recommendations in consideration – to bid out legal and audit services; consider having employees participate in cost sharing of insurance premiums.

Chari Olson had the secretary read aloud the amendments they made to the budget.

Chair Olson then called for additional public comment. There was none.

Chair Olson then called for additional Council comment. There was none.

**VOTE ON ORDER 42-16 AS AMENDED: 6 Yeas – 1 Nay, Higgins**

**43-16 Authorize Consent Agreement – Mains – Map 16 Lot 35B [Olson]**

Mrs. Mains the owner of property explained that years ago she and her former husband built the home and a few years later added the pool. She explained that her former husband recently passed away and she did not know the details of the construction.

Chair Olson explained to the audience that if this agreement is ratified it will be recorded at the Cumberland County Registry of Deeds as a permanent record that the town has granted permission for the pool and shed to remain on the property.

The Town Manager indicated that a section of the agreement regarding assessing a fine for the infraction needed to be discussed.

The Council discussed various options and concluded that the fine assessed would be the cost that should have been paid for permits.

Moved by Sargent seconded by Nesbitt and voted to amend the agreement to assess a $75 fine in lieu of legal action. (Unanimous)

**VOTED ON ORDER AS AMENDED: 7 Yeas**

**44-16 Authorize Use of Town Council Contingency for Matching Funds for PACTS Bike Rack Grant [Olson]**

Moves by Sargent seconded by Blanck and voted to dispense with the Clerk’s reading of the order. (Unanimous)

Chair Olson explained that the Recreation Director has discovered a grant opportunities for bike racks that if awarded will be a benefit to the Town. She noted that the grant requires local matching funds of 15% which is $561.

Chair Olson then called for public comment. There was none.

Chair Olson then called for additional Council comment. There was none.

**VOTE ON ORDER: 7 Yeas**

**45-16 Award Bid and Authorize Contract for Various Paving Projects [Sargent]**

Councilor Sargent disclosed that there was five bidders, submitting bids ranging from $68 to $57 a ton. He said that this is a great savings over previous year’s bid amounts.

Moved by Sargent seconded by Nesbitt and voted to add the name of F.R. Carroll as the successful bidder. (Unanimous)

Chair Olson then called for public comment. There was none.

Chair Olson then called for additional Council comment. There was none.

**VOTE ON ORDER AS AMENDED: 7 Yeas**

**46-16 Receive List of Delinquent Personal Property Accounts from the Finance Director as Required by the 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 Nesbitt informed them that this was the first time that the recently adopted policy would have been implemented. He explained that if this is ratified it will allow the Finance Director to initiate the collection process. He recited that the policy provides guidelines for sending notices, collection, and submission to small claims court.

Chair Olson then called for public comment. There was none.

Chair Olson then called for additional Council comment. There was none.

**VOTE: 7 Yeas**

**47-16 Change Date of Regular Council Meeting in June to June 7, 2016 [Olson]**

Chair Olson explained that this needed to be done due to Election Days falling on the Council meeting date.

Chair Olson then called for public comment. There was none.

Chair Olson then called for Council comment. There was none.

**VOTE: 7 Yeas**

**48-16 Counter-sign the MSAD 6 Budget Validation Referendum Warrant and Notice of Election [Olson]**

Chair Olson explained that the warrants need to be counter signed and we have not received them as of yet.

Chair Olson then called for public comment. There was none.

Chair Olson then called for Council comment. There was none.

**VOTE: 7 Yeas**

**49-16 Authorize Standish Lions Club to hold Charity Toll on Moody Road [Olson]**

Chair Olson mentioned that this an annual fundraising event for the group.

Chair Olson then called for public comment. There was none.

Chair Olson then called for Council comment. There was none.

**VOTE: 7 Yeas**

**50-16 Acceptance of Street Name – Freedom Drive [Olson]**

Chair Olson said that is the standard order for naming a new road, all of the necessary inspectors have signed off on the application.

Chair Olson then called for public comment. There was none.

Chair Olson then called for Council comment. There was none.

**VOTE: 7 Yeas**

Chair Olson announced that she will be calling for an executive session after the public items and announcements for the purpose of discussion of a personnel matter. She noted that the Town Manager will join the Council in the executive Session. There will be no action taken after the executive session.

**PUBLIC ITEMS**

There were no public comments at this meeting.

**ANNOUNCEMENTS**

The Town Clerk announced that there are a number of board and committee opening available. Interested persons can apply online or at the Town Clerk’s office.

Gordon Billington informed the public that the Standish Economic Development Committee is holding an

event on August 5 from 2 to 7 pm at Colonial Market Place. The event will be for businesses to meet the

public. Interested businesses should contact Kevin Gagnon at 841-5777 to secure a table at the event.

Steve Nesbitt asked Mr. Billington to contact the Route 113 Corridor Committee to see if there annual

cleanup day will be held this year.

Council Sargent thanked Gordy, Scott and all the department heads for their work on the budget this year.

**EXECUTIVE SESSION**

Moved by Blank seconded by Sargent and voted to move into an Executive Session for the purpose of discussion of a personnel matter as provided under M.R.S.A. 405 (A), in addition the Town Manager will join the Council in the Executive Session. (Unanimous)

Moved seconded and voted to rise from the Executive Session. The Council arose from the Executive Session at 9:55 p.m. by unanimous consent and the meeting adjourned.

Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Clerk/Secretary