

**AGENDA
TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, SEPTEMBER 2, 2014
STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

Pledge of Allegiance

ROLL CALL

MINUTES OF PREVIOUS MEETING (S)

PETITIONS AND COMMUNICATIONS

REPORT OF THE TOWN MANAGER

PUBLIC HEARINGS

75-14 Amendment to the Standish Town Code, Chapter 151, General Assistance Ordinance, Adopt Updated Tables for the Maximum Levels of Assistance as Provided by the Maine Municipal Association [Sargent]

COMMITTEE REPORTS

CONSENT CALENDAR

91-14 Appointment of Ballot/Election Clerks and Election Warden for the November 4, 2014 Elections [Sargent]

92-14 Establish Hours for Voter Registration Prior to the November 4, 2014 Elections [Sargent]

93-14 Confirmation of the Town Clerk's Nomination for Membership on the Registration Appeals Board [Sargent]

UNFINISHED BUSINESS

77-14 Road Acceptance Request Submitted by Shadow Woods LLC for Woodrow Drive (Postponed at the July 8, 2014 Meeting) [Sargent]

78-14 Road Acceptance Request Submitted by St. Josephs College for Shannon's Way and Nicholas Drive (Postponed at the July 8, 2014 Meeting) [Sargent]

NEW BUSINESS

94-14 Resolution to Establish October 11, 2014 as Standish Health and Safety Day [Pomerleau]

95-14 Call for Public Hearing Regarding the November 4, 2014 Special Town Meeting Referendum Election – Charter Amendment - Term Limits for Town Council [Sargent]

96-14 Call for Public Hearing Regarding the November 4, 2014 Special Town Meeting Referendum Election – Charter Amendment - Term Limits for Town Council, Budget Committee and MSAD 6 Directors [Pomerleau]

97-14 Authorize Consent Agreement – Steven Farmer and Karen S. Farmer – 34 Kerri Farms Drive [Sargent]

98-14 Town of Standish Town Council Orders Authorizing Tax Anticipation Borrowing [Spencer]

99-14 Authorize Sale of Tax Acquired Property to Previous Owner and Authorize Finance Director to Issue Quit Claim Deed on Previously Tax Acquired Property [Spencer]

100-14 Authorize Sale of Tax Acquired Property – 82 Bonny Eagle Pond Road [Spencer]

101-14 Authorize Sale of Tax Acquired Property – 83 Bonny Eagle Pond Road [Spencer]

102-14 Amendment to Standish Town Code, Chapter 181, Land Use, §181-7.1 Form Based Code Village Districts and §181-73 Standards for Conditions for Approval (Introduction) [Blanck]

103-14 Award Bid and Authorize Contract for Winter Sand [Pomerleau]

104-14 Set Mil Rate, Due Dates and Interest Rate of the Fiscal Year 2014 Taxes [Spencer]

105-14 Carry Forward Certain Accounts [Spencer]

106-04 Receive Steep Falls Master Plan Final Report [Olson]

PUBLIC ITEMS

ANNOUNCEMENTS

EXECUTIVE SESSION

A motion may be made to go into executive session at any time during the meeting in accordance with state law to discuss, personnel, real estate, labor negotiations, or legal matters.

ADJOURN

This agenda is for informational purposes and does not preclude the Council from acting upon other business which may be brought forth at the meeting.

ORDER

STANDISH TOWN COUNCIL

DATE: July 8, 2014
ORDER NUMBER: 75-14

SUBMITTED BY: Sargent

TITLE: AMENDMENT TO STANDISH TOWN CODE, CHAPTER 151, GENERAL ASSISTANCE ORDINANCE, ADOPT UPDATED TABLES FOR THE MAXIMUM LEVELS OF ASSISTANCE AS PROVIDED BY THE MAINE MUNICIPAL ASSOCIATION

The Town of Standish hereby ordains the following amendments to the General Assistance Ordinance, effective immediately upon adoption:

ORDERED that the General Assistance Ordinance as provided by Maine Municipal Association, including the new table for the overall maximum levels of assistance Appendix A, as presented by the Maine Municipal Association, which includes dollar figures, rates, percentages and tables, which are determined by the Maine Department of Human Services for use in the General Assistance Program, are approved by Council beginning July 1, 2014.

Note: A copy of the complete ordinance is on file at the Town Clerk's Office.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

COUNCIL CHAIR _____
CLERK/SECRETARY _____

Scheduled timeline: Introduction – July 8, 2014
First Reading – August 12, 2014
Public Hearing – September 2, 2014

ORDER

STANDISH TOWN COUNCIL

DATE: July 8, 2014

ORDER NUMBER: 77-14

Submitted by: Pomerleau

TITLE: ROAD ACCEPTANCE REQUEST SUBMITTED BY SHADOW WOODS LLC
FOR A PORTION WOODROW DRIVE

ORDERED that the Town accepts Woodrow Drive for ____ feet including turnaround as depicted on the approved plan, and

ORDERED that warranty deeds from the developer upon review by the Town's attorney shall be recorded at the Cumberland County Registry of Deeds, and

ORDERED that the Finance Director shall receive and maintain a street acceptance guaranty for the repairs of defects in accordance with section 252-22 paragraph "L" of the Standish Town Code, and

FURTHER ORDERED that the Standish Town Council request that the Maine Department of Transportation review and establish the appropriate speed limit for this road.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

Moved by Olson seconded by Newbegin and voted to postpone this order until additional information regarding the road is obtained. (Unanimous) 7/8/2014

ORDER
STANDISH TOWN COUNCIL

DATE: July 8, 2014
ORDER NUMBER: 78-14

Submitted by: Pomerleau

TITLE: ROAD ACCEPTANCE REQUEST SUBMITTED BY SAINT JOSEPH'S COLLEGE FOR SHANNON'S WAY AND NICHOLAS DRIVE

ORDERED that the Town accepts Shannon's Way for ____ feet including turnaround as depicted on the approved plan, and

ORDERED that the Town accepts Nicholas Drive as a town road for ____ feet including turnaround as depicted on the approved plan, and

ORDERED that warranty deeds from the developer upon review by the Town's attorney shall be recorded at the Cumberland County Registry of Deeds, and

ORDERED that the Finance Director shall receive and maintain a street acceptance guaranty for the repairs of defects in accordance with section 252-22 paragraph "L" of the Standish Town Code, and

FURTHER ORDERED that the Standish Town Council request that the Maine Department of Transportation review and establish the appropriate speed limit for these roads.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

Moved by Olson seconded by Newbegin and voted to postpone this order until additional information regarding these roads is obtained. (Unanimous)

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2014

ORDER NUMBER: 91-14

Submitted by: Sargent

TITLE: APPOINTMENT OF BALLOT/ELECTION CLERKS AND ELECTION WARDEN FOR THE NOVEMBER 4, 2014 ELECTIONS

ORDERED that the following individuals are appointed to serve as ballot/election Clerks at the November 4, 2014 elections:

Democratic Election/Ballot Clerk

Bette King

Republican Election/Ballot Clerk

Glenna Jamison

ORDERED that Cheryl Allen is appointed to serve as election warden, and

FURTHER ORDERED that the Town Clerk is authorized to select additional ballot/election clerks as necessary to provide adequate staffing.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2014

ORDER NUMBER: 92-14

SUBMITTED BY: Sargent

TITLE: ESTABLISH HOUR FOR VOTER REGISTRATION PRIOR TO THE
NOVEMBER 4, 2014 ELECTIONS

ORDERED that the Registrar of Voters will hold office hours during the regular office hours of the Town Clerk during the week beginning October 27, 2014, and

FURTHER ORDERED that the registration period prior to the November 4, 2014 Referendum Election shall closed on November 3th at 4:30 pm, and

FURTHER ORDERED that the Town Clerks Office will remain open on Thursday, October 30, 2014 until 7 pm to issue absentee ballots and accept new voter registrations.

Note: Regular Town Clerk Office hours: Monday -Thursday 7:30 am– 4:30 am
Clerk's Office will be open until 7:00 pm on 10/30/2014 to accept new voter registration applications and issuance of absentee ballots. Voters can register to vote on Election Day.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2014

ORDER NUMBER: 93-14

Submitted by: Sargent

TITLE: CONFIRMATION OF THE TOWN CLERK'S NOMINATION FOR MEMBERSHIP ON
THE REGISTRATION APPEALS BOARD

WHEREAS state election law requires municipalities with a population of over 5,000 must have a Registration Appeals Board to hear appeals of persons aggrieved by a decision of the registrar of voters, now be it

ORDERED that that the Town Council confirms the nomination of the Town Clerk for Helen Sawyer to serve on the Registration Board of Appeals, through April 30, 2018.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

RESOLUTION
STANDISH TOWN COUNCIL

TITLE: September 2, 2014

ORDER NUMBER: 94-14

SUBMITTED BY: Pomerleau

TITLE: RESOLUTION TO ESTABLISH OCTOBER 11, 2014 STANDISH HEALTH AND SAFETY DAY

WHEREAS the Public Safety Committee was established by order of the Council in January of 2000 to review public safety issues in Standish and the Safe Community Coalition was subsequently established to further these goals, and

WHEREAS the Public Safety Committee has made great strides in discovering the safety concerns of all citizens of Standish, and

WHEREAS the Fire/EMS Department shares these goals and strive to educate the residents of Standish regarding safety issues, and

WHEREAS the Public Safety Committee and the Fire/EMS Department have determined that joining their efforts to promote safety topics will enhance the program and heighten awareness of these issues by educating the citizens which will help reduce injuries and allow for the citizens to make informed decisions regarding these issues, and

WHEREAS the Public Safety Committee and the Fire/EMS Department have selected Saturday, October 11, 2014 as a day to educate the public about home safety injuries and other safety issues in a day long program of educational activities at the Standish Municipal Center, and

WHEREAS the Standish Town Council supports and endorse the public education initiatives of the Public Safety Committee and Fire/EMS Department, now be it

RESOLVED that the Town of Standish establishes Saturday, October 11, 2014 as Standish Health and Safety Day.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

COUNCIL CHAIR _____

CLERK/SECRETARY _____

ORDER
STANDISH TOWN COUNCIL

DATE: September 2, 2014

ORDER NUMBER: 95-14

SUBMITTED BY: Sargent

TITLE: CALL FOR PUBLIC HEARING REGARDING THE NOVEMBER 4, 2014 SPECIAL TOWN MEETING
REFERENDUM ELECTION – CHARTER AMENDMENT – TERM LIMITS FOR TOWN COUNCIL

ORDERED that the Standish Town Council call that an informational public hearing on the following referendum question be held on Tuesday, September 23, 2014 during a Special Town Council meeting which begins at 7:00 pm at the Standish Municipal Center:

“Shall the municipality approve the charter amendment reprinted below?”

To add new subsection to § 202 of the Charter, as:

F. No Council Member shall seek reelection to the Town Council for more than one additional consecutive term. No person who has served either four or more successive years, or has been elected to two successive terms on the Council, shall be eligible for either appointment or election to the Council within thirty-six (36) months of his/her last serving as a member. The provisions of this amendment shall apply to current as well as future Council Members, and shall apply to all appointments or elections, whether for district or at large seats.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
BLANCK	_____	_____	_____
NESBITT	_____	_____	_____
NEWBEGIN	_____	_____	_____
OLSON	_____	_____	_____
POMERLEAU	_____	_____	_____
SARGENT	_____	_____	_____
SPENCER	_____	_____	_____

CLERK/SECRETARY _____

ORDER
STANDISH TOWN COUNCIL

DATE: September 2, 2014
ORDER NUMBER: 96-14

SUBMITTED BY: Pomerleau

TITLE: CALL FOR PUBLIC HEARING REGARDING THE NOVEMBER 4, 2014 SPECIAL TOWN MEETING
REFERENDUM ELECTION – CHARTER AMENDMENT – TERM LIMITS FOR TOWN COUNCIL, BUDGET
COMMITTEE AND MSAD 6 DIRECTORS

ORDERED that the Standish Town Council call that an informational public hearing on the following referendum question be held on Tuesday, September 23, 2014 during a Special Town Council meeting which begins at 7:00 pm at the Standish Municipal Center:

“Shall the municipality approve the charter amendment reprinted below?”

Proposed Charter Amendment to add a new Section 706, Term Limits, to the Charter, as follows:

Notwithstanding any other provision contained in this Charter, no Council Member, School Board Member or Budget Committee Member shall seek reelection to their respective office for more than one (1) additional consecutive term. No person who has served either four (4) or more successive years, or has been elected to two (2) successive terms on the Council, School Board and/or Budget Committee, shall be eligible for either appointment or election to their respective body within thirty-six (36) months of his/her last serving as a member. The provisions of this amendment shall apply to current as well as future Council Members, School Board Members and Budget Committee Members and shall apply to all appointments or elections, whether for district or at large seats.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2013

ORDER NUMBER: 97-14

SUBMITTED BY: Sargent

TITLE: AUTHORIZE CONSENT AGREEMENT – STEVEN FARMER AND KAREN S. FARMER – 34 KERRI FARMS DRIVE

ORDERED that the attached Consent Agreement between Steven Farmer and Karen S. Farmer and the Town of Standish regarding property located at 34 Kerri Farms Drive, is approved by Council, and

FURTHER ORDERED that the town will collect a \$40 filing for the recording of the agreement at the Cumberland County Registry of Deeds.

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

BLANCK	_____
NESBITT	_____
NEWBEGIN	_____
OLSON	_____
POMERLEAU	_____
SARGENT	_____
SPENCER	_____

CLERK/SECRETARY _____

August 21, 2014

NOTICE OF PENDING CONSENT AGREEMENT

Dear Property Owner:

This letter constitutes notice that the Standish Town Council will consider authorization of a consent agreement between the Town and Steven Farmer and Karen S. Farmer regarding property located on 34 Kerri Farms Drive. This pending agreement concerns a potential violation of the Standish Land Use Ordinance at the referenced location. Consideration will occur at the Council's regular meeting scheduled for 7:00 pm September 2, 2014 at the Standish Municipal Center at 175 Northeast Road, Standish Maine.

A consent agreement authorized by the Standish Town Council has the same practical effect as a variance granted by the Standish Zoning Board of Appeals. Both documents are registered at the Cumberland County Registry of Deeds. The difference between the two is in timing. Consent agreements are considered, upon petition by the applicant, after the violation has occurred. Variances are considered prior to the commencement of construction.

The nature of the violations currently under consideration for this consent agreement is as follows:

Less than required 30 foot rear setback from property line:

Garage and mudroom are 25 feet from the property line, 5 feet in violation

Deck is 23 feet from the property line, 7 feet in violation

You are not required to respond to this letter. It is provided only to inform you of a pending action by the Council and to make you aware of your right to communicate your position (if any) in this matter. Oral and /or written testimony may be provided to the Town Council on September 2, 2014.

Please contact this office if you have any further questions regarding this matter.

Sincerely,

Mary Chapman
Town Clerk

CONSENT DECREE

This Agreement is made this 2nd day of September 2014 between Karen S. Farmer and Steven Farmer of Standish, State of Maine "property owner" and the inhabitants of the Town of Standish, a municipal corporation located in Cumberland County, Maine (the "TOWN")

WHEREAS, property owner of real property located at:

34 Kerri Farms Drive

further identified on Town Assessors' Map as **MAP 18 LOT 27-8**
(the "PREMISES") and:

WHEREAS, the Town Building Inspector has determined that violations of the dimensional requirements of the Standish Zoning Ordinance exists on the Premises, as follows:

Less than required 30 rear setback from property line:

Garage and mudroom are 25 feet from the property line, 5 feet in violation

Deck is 23 feet from the property line, 7 feet in violation

WHEREAS, the Town Building Inspector has determined that said zoning violation occurred in conjunction with construction on the premises pursuant to building permits lawfully issued, and that there is no evidence to indicate that the violation was willful when initiated, and

WHEREAS, the Standish Council at its meeting held on September 2, 2014 has determined that no useful purpose would be served by requiring the removal or alteration of the structure which is in violation, and that the public health, safety and welfare would not be adversely affected by allowing the structure to continue in existence and has therefore authorized the execution of this Agreement; and

WHEREAS, both the property owner and the Town wish to avoid litigation over a zoning violation,

NOW THEREFORE; in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. The property owner acknowledges that the circumstances of the zoning violation do not warrant the granting of a variance under the variance criteria of the Zoning Ordinance and therefore waives the right to apply to the Zoning Board of Appeals for a variance.
2. The property owner agrees to pay to the town a penalty in lieu of legal action in the amount of _____.
3. By accepting said penalty, receipt of which is hereby acknowledged, the Town agrees to waive its rights under the Standish Zoning Ordinance to seek judicial relief against the particular zoning violation described above as it exists the date of this agreement.
4. Both parties agree that this Agreement shall be recorded in the Cumberland County Registry of Deeds as evidence that the zoning violation set forth above is deemed cured, and that the

resulting nonconformity shall hereafter be deemed a lawful conformity, which is allowed to continue under the Standish Zoning Ordinance.

DATED:

MUNICIPAL OFFICERS OF THE TOWN OF STANDISH

BY: _____, CHAIRMAN

John Sargent

Lynn Olson – Vice Chair

Michael Blanck

Steven Nesbitt

Wayne Newbegin

Philip Pomerleau

Margaret Spencer

PROPERTY OWNERS:

Steven Farmer

Karen Farmer

State of Maine, County of Cumberland

Date: _____

Then personally appeared the above named _____,
acknowledged the foregoing instrument to be their free act and deed.

Before me, _____

(Notary Public)

My Commission Expires:

State of Maine, County of Cumberland

Date:

Then personally appeared the above named Town Councilor's acknowledged the foregoing instrument to be their free act and deed.

Before me, _____

(Notary Public)

My Commission Expires:

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2014

ORDER NUMBER: 98-14

SUBMITTED BY: Spencer

TITLE: TOWN OF STANDISH TOWN COUNCIL ORDERS AUTHORIZING TAX ANTICIPATION BORROWING

Ordered that, pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended, the Treasurer of the Town is hereby authorized and empowered to borrow money from time to time during the fiscal year ending June 30, 2015 in the principal amount or amounts not exceeding \$2,177,600 at any one time outstanding, in anticipation of the collections or receipts from taxes, by the issuance of tax anticipation notes of the Town, each of which notes shall be designated "Town of Standish 2015 Tax Anticipation Notes." All of such tax anticipation notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by the Chair or the Vice Chair of the Town Council, shall be payable on such date as determined by the Town Treasurer, out of money raised by taxation during the fiscal year ending June 30, 2015, shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof, and

Be It Further Ordered that the Treasurer of the Town is hereby authorized to award the notes to such person or entity as he deems appropriate, and

Be It Further Ordered that the notes authorized by the foregoing are hereby designated as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, and

Be It Further Ordered that the Treasurer of the Town be authorized to covenant with the purchasers of the notes on behalf of the Town and for the benefit of the holders of the notes, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes will remain free from federal income taxes, including without limitation, the filing of information returns and reports with the Internal Revenue Service and the payment of any rebate due to the United States of America.

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

BLANCK	_____		
OLSON	_____		
NESBITT	_____		
NEWBEGIN	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

ORDER
STANDISH TOWN COUNCIL

DATE: September 2, 2014
ORDER NUMBER: 99-14

SUBMITTED BY: SPENCER

TITLE: AUTHORIZE SALE OF TAX ACQUIRED PROPERTY TO PREVIOUS OWNER AND
AUTHORIZE FINANCE DIRECTOR TO ISSUE QUIT CLAIM DEEDS ON PREVIOUSLY TAX
ACQUIRED PROPERTY

WHEREAS, the former owner of the following property wishes to re-acquire their property,

PERRY, JAMES, RUSSELL, JOHN ETALS - Map 050, Lot 124, Sub 000-000,

Tax lien certificates recorded in the Cumberland County Registry of Deeds as follows:

Lien dated September 20, 2011 recorded in Book 28970, Page 116

Lien dated October 2, 2013 recorded in Book 31063, Page 344

WHEREAS, the owner has paid all taxes (past and current, including just value for current year not assessed), lien fees and accumulated interest, and

WHEREAS the Finance Director has received all funds due, now be it

ORDERED that the Standish Town Council authorizes the sale of this tax acquired property to the former owner, and

FURTHER ORDERED that the Finance Director is authorized to issue a municipal quit claim deeds on the above noted property for the noted years.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____
NESBITT	_____
NEWBEGIN	_____
OLSON	_____
POMERLEAU	_____
SARGENT	_____
SPENCER	_____

CLERK/SECRETARY _____

ORDER

STANDISH TOWN COUNCIL

DATE: SEPTEMBER 2, 2014

ORDER NUMBER: 100-14

SUBMITTED BY: Spencer

TITLE: AUTHORIZE SALE OF TAX ACQUIRED PROPERTY – 82 BONNY EAGLE ROAD

WHEREAS Chapter 70, Tax Acquired Property, of the Standish Town Code, provides for the sale of tax-acquired properties, and

WHEREAS the municipal officers have reviewed the Town's inventory of tax-acquired properties and determined that selected properties shall be disposed of per the requirements of Chapter 70, now be it

ORDERED that the following tax-acquired property shall be disposed of in accordance with the Town's tax-acquired property policy:

82 Bonny Eagle Pond Road further described at Map 022 Lot 049

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

ORDER

STANDISH TOWN COUNCIL

DATE: SEPTEMBER 2, 2014

ORDER NUMBER: 101-14

SUBMITTED BY: Spencer

TITLE: AUTHORIZE SALE OF TAX ACQUIRED PROPERTY – 83 BONNY EAGLE ROAD

WHEREAS Chapter 70, Tax Acquired Property, of the Standish Town Code, provides for the sale of tax-acquired properties, and

WHEREAS the municipal officers have reviewed the Town's inventory of tax-acquired properties and determined that selected properties shall be disposed of per the requirements of Chapter 70, now be it

ORDERED that the following tax-acquired property shall be disposed of in accordance with the Town's tax-acquired property policy:

83 Bonny Eagle Pond Road further described at Map 022 Lot 005

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2014

ORDER NUMBER: 102-14

Submitted by: Blanck

TITLE: AMENDMENT TO STANDISH TOWN CODE, CHAPTER 181, LAND USE, §181-7.1
FORM BASED CODE VILLAGE DISTRICTS AND §181-73 STANDARDS FOR CONDITIONS
FOR APPROVAL

ORDERED that the Town of Standish hereby ordains the attached amendments to the Land Use Ordinance, effective immediately upon adoption (additions are underlined and deletions are ~~struck-out~~):

Copy of amendment attached

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		
CLERK/SECRETARY	_____		

Proposed time line:

Planning Board Public Hearing: September 8, 2014

Council Introduction: September 2, 2014

Council First Reading: October 14, 2014

Council Public Hearing: November 11, 2014

§ 181-7.1. Form Based Code Village Districts (FBCVD)

A. Definitions

Terms defined. As used in this section, the following terms shall have the meanings indicated:

AMENITY ZONE — A portion of the public right-of-way, typically adjacent to the sidewalk but outside the pedestrian walking area, including FBCVD streetscape elements.

• • •

B. Administrative Provisions

(1) Required permitting.

(2) Overall general standard Form Based Code Village Districts.

Form Based Code Village Districts are comprised of the following standards, which guide the form and pattern of development in the Form Based Code Village Districts: the regulating plan, FBCVD street frontage types, the building/parking placement standards, block, length, intersections, standards, FBCVD streetscape/FBCVD street space standards and building form standards.

(a) Regulating plan:

(b) FBCVD street frontage types:

(c) Building/parking placement standards:.

(d) Block length/intersection standards:.

(e) FBCVD streetscape/FBCVD street space standards:

(f) Building form standards: The goal of the building form standards is to establish a baseline understanding of the architectural quality of buildings (in addition to building placement and other criteria such as height) such as materials, fenestration and construction techniques. Contemporary architecture may complement historic buildings.

[1] General Standards:

[a] These standards are applicable to all Street Frontage Types except Residential Streets and applicable to all uses except single-family homes

[b] The style of a building shall be consistent throughout. There are numerous 19th century buildings in Standish that provide inspiration for the design of a building that is consistent with the Colonial New England character of the village.

[c] Franchise architecture shall not define the style of the building. Corporate identity shall be secondary to the overall character and form of the building. A building shall not function as a sign for a particular brand.

[d] Careful attention shall be given to the total design of the building, including, but not limited to, pitched roofs, eaves, dormers, cornices, trim, materials, proportion, massing and the rhythm of architectural features such as windows, doors and columns.

- [2] Window and door to facade ratios:
- [a] Blank lengths of wall exceeding 20 linear feet are prohibited on all RBLs. Walls along RBL's shall have windows or doors spaced no more than 20 feet apart.
 - [b] The percentage of fenestration (windows and other openings) in a building façade shall be between 20% and 60% except at street-level retail facades, where it shall not be lower than 70% situated between 2 and 8 feet above the adjacent public sidewalk on which the facade fronts.
- [3] Building projections:
- [a] Awnings, porches and stoops shall not project closer than 5 feet to a common lot line.
 - [b] No part of any building, except projecting signage, overhanging eaves, balconies and awnings, shall encroach beyond the minimum required RBL. An eight foot clearance must be maintained between the ground and the bottom of the projecting encroachment. The top of projecting signage or awnings shall not be placed higher than the second story floor.
 - [c] Awnings on business and commercial buildings shall have a minimum depth of 6 feet. Awnings shall have no side panels or soffit and shall be rectangular in elevation and triangular in cross-section. Awnings shall not screen architectural details. Awnings shall be non-translucent and shall not be backlit. All awnings on a building shall be identical in color and form.
 - [d] Porches and colonnades shall be a minimum of 8 feet deep.
 - [e] Columns, piers or posts supporting a porch or colonnade shall be vertically proportioned with the overall façade composition.
- [4] Doors/entries:
- [a] The facades of buildings with continuous facades of 60 linear feet or greater shall have functioning entry door(s) spaced every 50 feet of façade. Doors shall be spaced not further than 50 feet apart. Entry doors shall be emphasized by detailing, massing, changes in material or other architectural method.
- [5] Building walls:
- [a] Window and door openings shall not span vertically more than one story.
 - [b] Window openings shall correspond to interior space and shall not span across building structure such as floor structural and mechanical thickness.
 - [c] Wall materials shall be consistent horizontally (i.e., joints between different materials must be horizontal and continue around corners), except for chimneys and piers. Durable wall materials shall be used, such as brick, clapboard, wood shingles or stone. Synthetic or composite siding materials are acceptable if they are substantially identical in appearance as natural materials and of equal or greater durability. Concrete block, split face block, multi-colored brick, asphalt shingles, T-111 and plywood are prohibited. Metal siding is permissible only on Gateway street frontage types.
 - [d] Material changes shall be made within constructional logic – as where an addition (of a different material) is built onto the original building. Consideration shall be given to the quality of the materials and design on all sides of a building with emphasis on the sides visible from streets or drives.
 - [e] Façade articulations are required to reduce the apparent length, monotony and mass of larger buildings, creating the illusion of several smaller buildings with common walls and a consistent rhythm of facades. No façade shall exceed 50 feet without an interruption of the horizontal plane of the wall of a minimum of 3 feet.

- [f] Design elements that add depth and visual interest to a building façade such as mixing materials and colors, decorative trim and molding, cornice details, stepped facades and columns are encouraged. Decorative elements shall be consistent with the architectural character of the building and scaled appropriately.

[6] Roofs:

- [a] One-story buildings shall have a pitched roof between 6:12 and 14:12 except on Town Gateway Streets, where one-story buildings with flat roofs are allowed. Pitched roofs shall be a symmetrical gable, hip, gabled hip, hipped gable, flared hipped or cross gable. Roof design shall be used as a method for breaking up the mass of the building.
- [b] Buildings over 50 feet in length with symmetrical gabled pitched roofs shall break up the roof with multiple dormers proportioned and coordinated with the overall façade design. Dormers, except for horizontally proportioned shed dormers, shall include a vertically proportioned window matching the overall building design. The window shall light a finished or unfinished habitable space.
- [c] Natural roof ventilation using linear soffit vents, ridge vents and dormer vents is required. Exposed roof vents such as turbines or power roof ventilators are not permitted.
- [d] Gutters, downspouts and projecting drainpipes shall be made of galvanized steel or painted aluminum to match the fascia or wall material. Downspouts shall be integrated with the façade design and generally placed at the corner of buildings. Downspouts shall be connected to rain barrels or underground drainage systems or cisterns.
- [e] Flat roofs are only allowed on buildings with two or more floors except on Town Gateway Streets, where one story flat roof buildings are allowed. The second floor must be occupiable or designed to be occupied in the future per all applicable codes. Flat roofs shall be enclosed by parapets a minimum height of 42 inches or as required to conceal the view of mechanical equipment.
- [f] The cornice of a flat roof building shall be between 1/15 and 1/18 of the building height.

[7] Multi-floor buildings:

- [a] Multi-floor buildings shall be designed to accommodate a pedestrian scale by providing a sense of “base,” “middle” (where applicable) and “top.”
- [b] Ground level facades shall be given a “stronger” appearance than upper floors. Distinction of ground-level facades from other floors shall occur by incorporating a minimum of two of the following features: color change, texture change, fenestration change or material change
- [c] Ground floor ceiling heights shall be taller than upper stories to emphasize the ground floor as the “base” of the building. Ground floor ceiling heights of non-residential buildings shall have a minimum height of 12 feet. Floors above the ground level shall have a minimum height of 8 feet.
- [d] Middle or second floors of the building shall be made distinct from the ground floor by a change in material or material color, fenestration pattern or other architectural component.
- [e] The first floor and upper floors shall have a coordinated composition, which will be usually be indicated by the alignment of upper floor windows and other features with openings and features of the first floor. Entryways shall clearly be the main focus of the front façade.

[8] Street walls:

(stone, wrought iron, brick, wood or a combination of materials, etc.) establish a clear edge to the street where the buildings do not define outdoor space and separate the street from the private realm (parking lots, trash disposal bins, gardens, and equipment). street walls shall be between 20

and 40 inches in height and are permitted along the frontage and common lot lines. All street walls shall be as carefully designed as the building facade, with the finished side out (i.e., the "better" side facing the street).

[9] Windows and doors:

- [a] Window glass shall be clear, with light transmission at the ground story at least 90% and at least 75% for the upper stories (modification may be made as necessary to meet any applicable building code requirements).
- [b] Doors shall be of wood, glass, clad wood, steel or a combination thereof.
- [c] Tinted glass is not allowed. Ultraviolet protection glass of the highest transparency is allowed.
- [d] Single glass panes shall be no larger than 20 square feet. Panes shall be separated by muntins.

[10] Green building design standards:

- [a] Best management practices for energy efficiency and low impact development are encouraged. Use of Leadership in Energy & Environmental Design (LEED), standards, established by the US Green Building Council or similar organizations, is encouraged.
- [b] Green roofs on flat roof buildings are encouraged and may be considered pervious for impervious calculations. Flat roof buildings shall otherwise use white membrane/high albedo roofing materials.



Above are examples of historic and compatible buildings that utilize traditional window & door placement, massing and roof forms.



Above are examples of historic and compatible buildings that utilize traditional window & door placement, massing and roof forms.

- (3) Connectivity Master Plan. The following steps set forth the proper development of a Connectivity Master Plan, which is a required element of site plan or subdivision approval if a project is located in a Form Based Code Village District.

● ● ●

§ 181-73. Standards and conditions for approval.

[Amended 12-9-2003 by Order No. 194-03; 10-10-2006 by Order No. 89-06; 10-10-2006 by Order No. 90-06; 6-7-2011]

No preliminary or final site plan shall be approved unless, in the judgment of the Planning Board, the applicant has proven that the plan meets all of the following standards.

● ● ●

L. Architectural drawings showing exteriors of proposed new nonresidential/commercial buildings in the Form Based Code Village Districts and the Village Center District shall be compatible with a Colonial New England design. Such design can be achieved by incorporating features such as, but not limited to, broken rooflines, clapboard siding, steeply pitched roofs, roof overhangs, small pane windows, dormers, window shutters.

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2014
ORDER NUMBER: 103-14

SUBMITTED BY: Pomerleau

TITLE: AWARD BID AND AUTHORIZE CONTRACT FOR PURCHASE OF WINTER SAND

WHEREAS a bid process has been conducted for the purchase of winter sand in accordance with section 302 (f) of the Standish Charter, now be it

ORDERED that the bid from _____ of _____, Maine in the amount not to exceed \$ _____ per cubic yard as recommended by the Capital Improvements Committee for the procurement of winter sand is hereby accepted, and

FURTHER ORDERED that the Town Manager is authorized, on behalf of the Town, to execute related contract documents.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
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BLANCK	_____		
NESBITT	_____		
NEWBEGIN	_____		
OLSON	_____		
POMERLEAU	_____		
SARGENT	_____		
SPENCER	_____		

CLERK/SECRETARY _____

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2014

ORDER NUMBER: 104-14

SUBMITTED BY: Spencer

TITLE: SET MIL RATE, DUE DATES AND INTEREST RATE FOR THE FISCAL YEAR 2015 TAXES

ORDERED that the Council accepts the assessor's recommendation to set the tax rate for the 2015 fiscal year at \$ 12.15 / 1,000 valuation based on a total taxable valuation of \$ 991,046,054 for a total taxation to be committed of \$12,041,209.56 with an overlay of \$ 26,326.75, and

ORDERED that payment of taxes shall be in two equal installments with the first payment due November 17, 2014 and the second payment due May 18, 2015 after which dates interest at the rate of 7 % per annum shall be charged on unpaid amounts, and

FURTHER ORDERED that the interest rate the Town will pay on an overpayment of taxes shall be 3 % per annum.

APPROVED _____DISAPPROVED_____

ROLL CALL	YEA	NAY	ABSTAIN
-----------	-----	-----	---------

BLANCK	_____	_____	_____
NESBITT	_____	_____	_____
NEWBEGIN	_____	_____	_____
OLSON	_____	_____	_____
POMERLEAU	_____	_____	_____
SARGENT	_____	_____	_____
SPENCER	_____	_____	_____

CLERK/SECRETARY _____

MAINE REVENUE SERVICES - 2014 MUNICIPAL TAX RATE CALCULATION STANDARD FORM

Municipality: Standish

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

- | | | | | |
|--|------|--|--|--|
| 1. Total taxable valuation of real estate | 1 | 985,738,259 | | |
| | | (should agree with MVR Page 1, line 6) | | |
| 2. Total taxable valuation of personal property | 2 | 5,307,795 | | |
| | | (should agree with MVR Page 1, line 10) | | |
| 3. Total taxable valuation of real estate and personal property (Line 1 plus line 2) | 3 | 991,046,054 | | |
| | | (should agree with MVR Page 1, line 11) | | |
| 4. (a) Total exempt value for all homestead exemptions granted | 4(a) | 22,789,600 | | |
| | | (should agree with MVR Page 1, line 14f) | | |
| (b) Homestead exemption reimbursement value | 4(b) | 11,394,800 | | |
| | | (line 4(a) multiplied by 0.5) | | |
| 5. (a) Total exempt value of all BETE qualified property | 5(a) | 45,822 | | |
| | | (should agree with MVR Page 2, line 15c) | | |
| (b) The statutory standard reimbursement for 2014 is 50%
<i>Municipalities with significant personal property & equipment may qualify for more than 50% reimbursement. Please contact MRS for the Enhanced Tax Rate Calculator form.</i> | 5(b) | 22,911 | | |
| | | (line 5(a) multiplied by 0.5) | | |
| 6. Total Valuation Base (Line 3 plus line 4(b) plus line 5(b)) | 6 | 1,002,463,765 | | |

ASSESSMENTS

- | | | | | |
|--|----|--|--|--|
| 7. County Tax | 7 | \$644,055.00 | | |
| 8. Municipal Appropriation | 8 | \$7,756,239.00 | | |
| 9. TIF Financing Plan Amount | 9 | \$0.00 | | |
| | | (should agree with MVR Page 2, line 16c) | | |
| 10. Local Education Appropriation (Local Share/Contribution)...
(Adjusted to Municipal Fiscal Year) | 10 | \$8,744,511.00 | | |
| 11. Total Assessments (Add lines 7 through 10)..... | 11 | \$17,144,805.00 | | |

ALLOWABLE DEDUCTIONS

- | | | | | |
|--|----|------------------------|--|--|
| 12. State Municipal Revenue Sharing..... | 12 | \$284,000.00 | | |
| 13. Other Revenues: (All other revenues that have been formally appropriated to be used to reduce the commitment such as excise tax revenue, tree growth reimbursement, trust fund or bank interest income, appropriated surplus revenue, etc... (Do Not Include any Homestead or BETE Reimbursement)) | 13 | \$4,707,197.00 | | |
| 14. Total Deductions (Line 12 plus line 13)..... | 14 | \$4,991,197.00 | | |
| 15. Net to be raised by local property tax rate (Line 11 minus line 14)..... | 15 | \$12,153,608.00 | | |

- | | | | | | | |
|-----|---|---|--|---|---|-------------------------|
| 16. | \$12,153,608.00
(Amount from line 15) | x | 1.05 | = | \$12,761,288.40 | Maximum Allowable Tax |
| 17. | \$12,153,608.00
(Amount from line 15) | ÷ | 1,002,463,765
(Amount from line 6) | = | 0.012124 | Minimum Tax Rate |
| 18. | \$12,761,288.40
(Amount from line 16) | ÷ | 1,002,463,765
(Amount from line 6) | = | 0.012730 | Maximum Tax Rate |
| 19. | 991,046,054
(Amount from line 3) | x | 0.012150 | = | \$12,041,209.56
(Enter on MVR Page 1, line 13) | Tax for Commitment |
| 20. | \$12,153,608.00
(Amount from line 15) | x | 0.05 | = | \$607,680.40 | Maximum Overlay |
| 21. | 11,394,800
(Amount from line 4b) | x | 0.012150
(Selected Rate) | = | \$138,446.82
(Enter on line 8, Assessment Warrant) | Homestead Reimbursement |
| 22. | 22,911
(Amount from line 5b) | x | 0.012150
(Selected Rate) | = | \$278.37
(Enter on line 9, Assessment Warrant) | BETE Reimbursement |
| 23. | \$12,179,934.75
(Line 19 plus lines 21 and 22) | - | \$12,153,608.00
(Amount from line 15) | = | \$26,326.75
(Enter on line 5, Assessment Warrant) | Overlay |

(If Line 23 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant,
Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.

ORDER
STANDISH TOWN COUNCIL

DATE: September 2, 2014
ORDER NUMBER: 105-14

Submitted by: Spencer

TITLE: CARRY FORWARD CERTAIN ACCOUNTS

WHEREAS several accounts from the fiscal year 2014 budget have unexpended balances, and

WHEREAS these balances were not expended in the past 12 months due to operational delays, and

WHEREAS there is still a need to procure these certain services and products as originally intended, now be it

ORDERED that the fiscal year 2014 account balances listed below are carried forward to the fiscal year 2015 or as determined available in the 2014 Audit and with the intent expressed by this Council Order.

ORG	OBJ	DEPT	PO	ACCT	DESCRIPTION	AMOUNT
130	54010	GEN ADMIN	Y	NEW EQUIPMENT	NEW MONITORS	\$518.73
135	54012	CATV	Y	INTERNET & WEBPAGE	NEW LAPTOP	\$1,237.12
155	53010	FINANCE	Y	OFFICE SUPPLIES	LAPTOP AND OFFICE SUPPLIES	\$1,115.82
160	52090	PLANNING	N	PLANNING - CONTRACTUAL	ONGOING ENGINEERING/CONSULTATION	\$27,844.41
410	52090	HWY	Y	CONTRACTUAL	MIDDLE JAM HEADWALL REPAIR	\$18,000.00
630	52600	CAPITAL	N	CAPITAL - PUBLIC SAFETY	REMAINDER OF FY13 & 14 BOND FUNDS	\$11,817.00
630	52601	CAPITAL	N	CAPITAL - GENERAL ADMINISTRATION	VOTING MACHINE, BUILDING EXPANSION RETAINAGE	\$11,231.52
630	52602	CAPITAL	N	CAPITAL - PARKS & REC	FIELD REHAB AND BEACH ENGINEERING	\$115,500.00
630	52605	CAPITAL	N	CAPITAL - PUBLIC WORKS	INCOMPLETE BONDED PROJECTS	\$56,283.22
630	52607	CAPITAL	N	CAPITAL - CY HIGHWAY ROADS	INCOMPLETE BONDED PROJECTS	\$133,900.77
630	52608	CAPITAL	N	CAPITAL - PY HIGHWAY ROADS	INCOMPLETE BONDED PROJECTS	\$74,162.15
					TOTAL CARRYOVER OR (ASSIGNED FUND BALANCE) TO FY 2015	\$451,610.74

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

BLANCK _____
NESBITT _____
NEWBEGIN _____
OLSON _____
POMERLEAU _____
SARGENT _____
SPENCER _____
CLERK/SECRETARY _____

ORDER

STANDISH TOWN COUNCIL

DATE: September 2, 2014
ORDER NUMBER: 106-14

Submitted by: Olson

TITLE: RECEIVE STEEP FALLS VILLAGE MASTER PLAN ADVISORY COMMITTEE'S FINAL REPORT

WHEREAS the Steep Falls Village Advisory Committee has completed their mission which was to develop a Master Plan for Steep Falls Village and present that report to the Town Council, and

WHEREAS the Design Master Plan was presented to the Council at their July 2014 Workshop, now be it

ORDERED that their final report dated June 2014 is received by the Town Council.

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

BLANCK	_____
NESBITT	_____
NEWBEGIN	_____
OLSON	_____
POMERLEAU	_____
SARGENT	_____
SPENCER	_____

CLERK/SECRETARY _____