



Sanford Town Council

Town Council Meeting Minutes – January 16, 2007

The Town of Sanford Town Council met at 7:00 p.m. in the Chambers of the Sanford Town Hall Annex on Tuesday, January 16, 2007. Those present were: **COUNCILORS:** Chairperson Anne-Marie Mastraccio, Vice-Chair Joseph Hanslip, Councilor Maura Herlihy, Councilor Gordon Paul, Councilor Bradford J. Littlefield and Councilor Arthur K. Kelly, **TOWN MANAGER:** Mark Green. **TOWN STAFF:** Executive Assistant Sherry Lord, Economic Affairs Director Les Stevens, Town Planner Jim Gulnac, Director of Recreation & Public Property Marcel Blouin.

Chairperson Mastraccio called the meeting to order at 7:03pm.

The session began with the Pledge of Allegiance followed by a moment of silence.

Roll Call: Chairperson Mastraccio performs the Council Roll Call: Councilor Kelly, present; Council Littlefield, present; Councilor Paul, present; Councilor Herlihy, present; Vice-Chair Hanslip, present; Chairperson Mastraccio, present; Town Manager, Green, present; Executive Assistant, Sherry Lord, present.

Minutes

December 19, 2006 – Regular Meeting: Councilor Herlihy moved to approve; seconded by Councilor Kelly. Chairperson Mastraccio noted that there may have been language under old business (06-165.11) that was carried over from a prior meeting. Councilor Herlihy moved to approve as amended; seconded by Councilor Hanslip. The Town Council voted 6-0 to approve as amended. The Town Council voted 6-0 to approve.

January 2, 2007 – Regular Meeting: Councilor Herlihy moved to approve; seconded by Vice-Chair Hanslip. The Town Council voted 6-0 to approve.

Chairman's Reports/Town Council Sub-Committee Reports

- Councilor Herlihy spoke of the Finance Committee meeting on January 3, 2007. The Committee elected Alan Walsh as the Committee Chair, Dave Nickerson as Vice-Chair, Members of the CIP committee for 2007 are Dave Nickerson, Herb Stone & Mark Caron. Members of the outside agencies sub-committee are Carol Cabana, Marge Trowbridge & John Greenlee. Finance committee discussed the Warrant process. They discussed a possible meeting with the Council. Councilor Herlihy also mentioned that the Zoning Sub-Committee met with CEO, Shirley Sheesley to talk about the Property Maintenance Code Update.
- Councilor Littlefield spoke of the zoning sub committee meeting with Councilor Herlihy, Town Manager Green and CEO, Shirley Sheesley. He also spoke of the Finance Meeting. He suggested that the Chairperson and Vice-Chairperson of the Council meet with the

Chairperson and Vice-Chairperson of the Finance Committee to discuss some issues they may have.

- Chairperson Mastraccio spoke of the sub-committees. She asked all Councilors to pick their top 3 sub committees and get back to her in the coming weeks.
- Vice-Chairperson Hanslip spoke of creating a standing committee to deal with Public Safety to deal with EMA issues. Chairperson Mastraccio suggested that a Public Safety Committee be added to the rules of Procedure.

Town Manager's Report

- Town Manager Green mentioned that he and Airport Manager McDougal attended the Court Hearing regarding Sanford Air's temporary restraining order. The Town did prevail, the court did not grant the temporary restraining order. The judge did request that mediation begin sooner than later. Mr. Green hoped to begin the mediation process early in February rather than March like originally anticipated.
- Mr. Green spoke with some of the downtown committee. They will be holding their first organizational meeting on January 17th.
- Councilor Littlefield asked Town Manager Green if he could include the whole Council when it comes to non-confidential legal matters.

Communications

- Chairperson Mastraccio spoke of the letters she received from citizens regarding the CGA property on New Dam Rd that were sent to Olympia Snowe. Town Planner Jim Gulnac showed the Council the Phase I report of the Brownsfield program as it pertains to the CGA Property. This report has been sent to the EPA for their approval. Mr. Gulnac has contacted the property owner and he recommends that they clean up the property themselves. If this goes to Phase II the Town will need the property owners permission. He also stated that at this time there has been no documentation of contamination on the site other than what has already been taken care of. Councilor Herlihy wanted to point out that the Town has been as aggressive as they can be in this matter. Councilor Littlefield asked that if during Phase II of this program it is found that there is no contamination on this property will it then become marketable. Mr Gulnac explained the process that would need to be taken such as cleaning up the site, etc.

Public Hearings

- 1) A Public Hearing on a proposed contract between the Town of Sanford and KGI, Sanford LLC for a Contract Zone on property identified in the Assessor's Tax Maps as R19, Lot 2 and 3 and portions of lots 308 and 309. Councilor Mastraccio declared the public hearing open at 7:24pm. Town Manager Green gave an introduction of the Contract Zone. The Contract Zone committee met and negotiated with Great Island Development Inc. Mr. Green explained a couple changes that Wal-Mart's attorneys requested. Councilor Herlihy asked if they had an affiliate occupy the building, that the care and up keeping of the building be transferred to the new item. Councilor Littlefield suggested that number 13 in the Contract Zone not be changed. Councilor Kelly asked if we know what Wal-Mart's policy is on filling vacant buildings. Councilor Herlihy said they indicated they would be fairly aggressive. Town Manager Green explained that the Contract Zone does have a remedy section. There was no one to speak for or against. Chairperson Mastraccio declared the public hearing closed at 7:36pm

Public Participation

Sanford Art Association – Mark Kelly and Sue Mesick spoke of having the opportunity of relocating to the old historical location. Sue spoke of the building that the Art Association is currently occupying. It is not accessible to the entire public. Chairperson Mastraccio explained that there will be a Municipal and Town Property Operations sub-committee meeting in the next few weeks that will talk about that location. Vice-Chairperson Hanslip asked if the space was occupied by someone other than the art association if the use of the windows would help. Sue explained that no one would be anyone there to sell the paintings.

Old Business

New Business

Councilor Herlihy made a motion to move items 07-08.01 thru 07-10.03 to the end of the agenda; seconded by Chairperson Mastraccio. The Town Council voted 6-0.

- 07-11.04 Ordered, to make an appointment to the Zoning Board of Appeals as recommended by the Council Appointments Sub-Committee. Councilor Littlefield asked if we had already filled the open positions. Chairperson Mastraccio explained it was left vacant. Councilor Herlihy moved to approve; seconded by Vice-Chair Hanslip. The Town Council voted 5-1 (Councilor Littlefield opposed) Vice-Chair Hanslip noted that Mr. Chabot was in the audience and thanked him for his willingness to serve.
- 07-12.05 Ordered, to approve a letter of agreement, authorizing a land swap of approximately 14,545 sq. ft. of Town Property for approximately 40,990 sq. ft. of Lionel Sevigny's property. Councilor Herlihy moved to discuss; seconded by Councilor Littlefield. Town Manager Green explained the process that Mr. Sevigny has gone through and what his intentions are for the property on Oxford Street. Mr. Green also read the agreement to the Council. Mr. Sevigny addressed the Council. Explained he was diagnosed with Colon Cancer a few months ago. He thanked all for their outpouring of support. He also explained the need for the old buildings to have a second life. Councilor Herlihy mentioned that the Sub-Committee will look into the Soldiers & Sailors Park agreement to make sure there is nothing that will prevent the Town from doing the land swap. Councilor Herlihy moved to approved; seconded by Vice-Chair Hanslip. The Town Council voted 6-0.
- 07-13.06 Ordered, to authorize the Town Manager to sign a lease with Oxford Aviation for the use of property at the Sanford Regional Airport. Town Manager Green gave a brief introduction for all who were involved in the process of bringing Oxford Aviation to the Town of Sanford. He highlighted the lease agreement. Chairperson of the Airport Advisory Committee Jim Dougherty explained that the AAC has recommended that The Town Council approve this lease with Oxford Aviation. Jim Horowitz and Kimberly Clark presented the drawings of the new jet division facility that will be built at the Sanford Regional Airport. Councilor Littlefield moved to approve; seconded by Councilor Kelly. The Town Council voted 6-0 to approve.

- 07-14.07 The Town Council hereby ordains a Contract Zoning Agreement between the Town of Sanford and KGI Sanford, LLC. This item must be read on two separate days. This is the first reading. Councilor Littlefield moved to discuss; seconded by Councilor Herlihy. Councilor Herlihy gave a recap of the agreement. All Councilors were ok with the June 1st date. Number 13, was of some concern. Councilor Littlefield would like to go back to the original language. Then Number 15 would be linked with any transfers to affiliates or subsidiaries.
- 07-08.01 Ordered, to approve the Town Council Rules of Procedure (**as amended for 2007 wording removed per AMM**). Councilor Littlefield moved to discuss; seconded by Councilor Paul. Councilor Littlefield voiced his concerns. Chairperson Mastraccio suggested that the Council approve the Rules of Procedure tonight, then put any amendments on future agendas. Vice-Chair Hanslip also mentioned Section 33 with regards to laptops and e-mails being exchanged during meetings. Councilor Littlefield moved to approve; seconded by Councilor Paul. The Town Council voted 6-0
- 07-09.02 Ordered, to approve and sign the Code of Conduct for 2007. Councilor Littlefield moved to discuss; seconded by Councilor Herlihy. Councilor Littlefield mentioned we should have a policy to censure a Councilor He would like it to be added for a future agenda item. Councilor Herlihy would like to add language regarding giving truthful testimony under oath in a legal proceeding. Councilor Littlefield also added to include language regarding abuse of Council position. Chairperson Mastraccio suggested all concerns will be sent to sub committee. Councilor Herlihy moved to approve; seconded by Councilor Littlefield. The Town Council voted 6-0.
- 07-10.03 Ordered, to discuss the Council Vacancy. Chairperson Mastraccio pointed out that Council Vacancy is addressed in Sec. 42. Of The Rules of Procedure and in the Charter 211.3. Councilor Herlihy moved to discuss; Seconded by Councilor Paul. Councilor Herlihy asked if anyone would like to make changes. Councilor Littlefield mentioned that he feels the Council needs to fill the vacancy. Councilor Paul feels the position needs to be filled. He also pointed out in Section 42 in regards to qualifications. He feels that if the person is a resident and of legal age he feels that should be adequate. Chairperson Mastraccio mentioned that applicant's may be able to come to a council meeting and introduce themselves and make their case in public. She would like to set up a timeline and get the process started. Councilor Littlefield asked about the budget timeline. Town Manager Green mentioned the beginning of March as the budget timeline. Councilor Littlefield moved to follow the current procedure and appoint by the February 20th Council Meeting; seconded by Councilor Paul. Vice-Chair recommends that February 6th be the application deadline. The Town Council Voted 6-0.

Council Member Comments

Councilor Kelly: No report this evening

Councilor Littlefield: No report this evening

Councilor Paul: No report this evening

Councilor Herlihy: Community Development Committee met on Monday regarding the CDBG Grant. Looking for letters in support of the project. The Community part of this project is very important.

Vice-Chairperson Hanslip: No report this evening

Chairperson Mastraccio: No report this evening

Future Agenda Items

None

Adjournment

Chairperson Mastraccio moved to adjourn at 8:23pm seconded by Councilor Herlihy.

Respectfully submitted,

Mark Green
Town Manager