



Sanford Town Council

Town Council Meeting Minutes – June 19, 2007

The Sanford Town Council met at 7:00 p.m. in the Chambers of the Sanford Town Hall Annex on Tuesday, June 19, 2007. Those present were: **COUNCILORS:** Chairperson Anne-Marie Mastraccio, Vice-Chair Joseph Hanslip, Councilor Maura Herlihy, Councilor Bradford J. Littlefield, Councilor Gordon N. Paul, Councilor Arthur K. Kelly, and Councilor Gary R. Lamb **TOWN MANAGER:** Mark Green. **TOWN STAFF:** Executive Assistant Sherry Lord, Town Treasurer Paula Simpson, Officer Jason Champlin, Sergeant Craig Sanford, Major Gordon Littlefield, Planning Director Jim Gulnac.

Chairperson Mastraccio called the meeting to order at 7:00pm.

The session began with the Pledge of Allegiance followed by a moment of silence that was dedicated to the nine fire fighters that lost their lives in Charleston S.C.

Roll Call: Chairperson Mastraccio performs the Council Roll Call: Councilor Lamb, present; 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

June 5, 2007 – Regular Meeting: Vice-Chair Hanslip moved to table until next meeting, Seconded by Councilor Kelly. The Council voted 7-0 to table.

Chairman's Reports/Town Council Sub-Committee Reports

- Chairperson Mastraccio announced the changes in the Meeting schedule. Changes are as follows:
 - o Tuesday, June 26th Regular Meeting followed by a workshop
 - o Tuesday, July 10th Regular Meeting with Executive Session at 6:00pm.
 - o Tuesday, July 24th Goals Workshop
- Chairperson Mastraccio informed everyone about the PSO tickets for sale. Tickets can be purchased in the Recreation office, Town Square Realty and by calling Port Tix.
- There will be a meeting on July 9th at 7:00pm at the Memorial Gym to talk about the School Consolidation.
- The 7th Annual Airport Open house will be held on Sunday, July 8th from 8:00am to 3:00pm. Admission is free, asking for a \$2 donation to park.

Town Manager's Report

- Town Manager Green discussed the progress on the Brownfields projects and mentioned they are all set to sign off on Aerofab phase I & II. They are also making some progress on the CGA property but that has a ways to go.
- Thursday, June 21st bids will be opened for the Twombly road re-construction. A recommendation will be made at the June 26th Council Meeting.

Communications

- 1) Presentation on Watershed Management by Christine Fuert. Christine showed a brief PowerPoint presentation explaining the project. The Grant funds for this program will be available in September and it will be a two year project. Town Manager Green thanked the Wells National Estuarine Research Reserve for thinking of Sanford. This item will appear as an agenda item on the June 26th agenda for a formal Council vote.

Public Hearings

- 1) A public hearing to discuss the progress of the Elder Care CDBG Grant at Goodall Hospital. Chairperson Mastraccio declared the public hearing open at 7:22pm. Director of Planning Jim Gulnac explained the process and the need for this public hearing. Michelle Matt from the Elder Care Program addressed the Council and informed them of the many duties and services she offers. Councilor Herlihy feels that this has been a very successful program. Chairperson Mastraccio declared the public hearing closed at 7:30pm.
- 2) A public hearing to discuss the progress of the CDBG Grant for DM Technologies, LLC. The purpose of the grant has been to purchase and install production equipment as part of a \$4,000,000 project to expand DM Technologies. Chairperson Mastraccio declared the public hearing open at 7:30pm. Director of Planning explained that the monies have been expended from this grant. DM Technologies needs to fill their obligation of hiring 14 employees. They have hired 3 to date. Mr. Gulnac explained that this is a conditional close out. Chairperson Mastraccio declared the public hearing closed at 7:34pm.
- 3) The Town Council of the Town of Sanford hereby ordains the amendments to Chapter 12, "Offenses – Miscellaneous" of the "Code of Ordinances of the Town of Sanford, Maine, Article IV Section 12.17, Anti-Graffiti Ordinance." Chairperson Mastraccio declared the public hearing open at 7:35pm. Officer Jason Champlin presented a PowerPoint report for the Town Council. He explained the reasons for the ordinance. He spoke about the vandalism that has occurred in Sanford. Councilor Herlihy asked what the percentage of taggers were under the age of 18. Officer Champlin explained that the majority of taggers are under 18. Councilor Paul spoke of his support for the graffiti ordinance as well as Vice-Chair Hanslip and Councilor Littlefield. Ben Yeising voiced his concerns about the ordinance. Diane Connolly, store owner supports the ordinance. Dennis Fortin feels that this ordinance is too much for Sanford. Rick Stanley President of the Chamber of Commerce spoke in favor of the graffiti ordinance. He stated that

the Chamber is supportive of the ordinance. Len Mustacchio states that he disagrees. Armand Talbot feels that some of these people may be talented artists and are just trying to express themselves. There was no one else to speak for or against. Chairperson Mastraccio declared the public hearing closed at 8:29pm.

- 4) A public hearing for the revocation of Special Amusement License and Dance Permit for Southern Maine Entertainment D/B/A: Club Adrenaline located at 890 Main Street, Sanford, ME. Chairperson Mastraccio declared the public hearing open at 8:29pm. Tom Goulet, owner of Adrenaline addressed the Council and stated that all the council's requests have been complied with, in his opinion. He stated that he and his employees have been very corporative. Ben Yeising stated that he feels it is a good place to go to have fun and thinks it is a good business for Sanford. Joe Meuse, owner of The Green Room stated his objection to the club. He spoke briefly of the Jell-o wrestling event that was held at adrenaline. He doesn't believe this is what Sanford needs. There was no one else to speak for or against. Chairperson Mastraccio declared the public hearing closed at 8:34pm.
- 5) An application for liquor license renewal for China Lau Restaurant, 481 Main Street, Springvale, ME. Chairperson Mastraccio declared the public hearing open at 8:34pm. There was no one to speak for or against. Chairperson Mastraccio declared the public hearing closed at 8:34pm.
- 6) An application for liquor license renewal for The Green Room, LLC, Lower Mid Town Mall, 890 Main Street, Sanford, ME. Chairperson Mastraccio declared the public hearing open at 8:34pm. There was no one to speak for or against. Chairperson Mastraccio declared the public hearing closed at 8:35pm.
- 7) An application for liquor license renewal for the OTB Facilitators, LLC D/B/A: Sanford OTB, 9 Renaissance Way, Sanford, ME. Chairperson Mastraccio declared the public hearing open at 8:35pm. There was no one to speak for or against. Chairperson Mastraccio declared the public hearing closed at 8:35pm.

Public Participation

Old Business

- 07-81.09 Ordered, to authorize the Summah Daze Committee to incorporate an adult beverage area on August 3rd & 4th, 2007 in the Mid Town Mall parking lot for the Summah Daze event. This item was tabled from the June 6th meeting. Chamber of Commerce President Rick Stanley requested that this item be withdrawn. He explained his reasoning for this request. Councilor Littlefield moved to postpone this item indefinitely, seconded by Councilor Kelly. The Town Council voted 7-0 to postpone indefinitely.

New Business

- 07-83.01 Ordered, to discuss and take action on authorizing the Town Manager, on behalf of the Treasurer, to execute an Agreement between TD Banknorth and the Town of Sanford to extend our existing banking agreement pursuant to the same terms for an additional year from July 1, 2007 to June 30, 2008. Treasurer Paula Simpson addressed the Council. She explained that the Town has been very happy with TD Banknorth and that she recommends this Agreement. Councilor Kelly asked how many bonds the Town has with TD Banknorth. Mrs. Simpson replied that the Town does not have any bonds with this bank. Councilor Littlefield moved to authorize, seconded by Councilor Kelly. The Town Council voted 7-0 to authorize.
- 07-84.02 Ordered, to approve an application for a grant in cooperation with the Sanford School Department & Strategies for a Stronger Sanford. Councilor Herlihy moved to approve, seconded by Councilor Littlefield. Cathy McKecknie spoke about the grant and explained that the grant proposal is due on June 29th. The Town Council voted 7-0 to approve the motion.
- 07-85.03 Ordered, to authorize the Town Manager to sign a letter addressed to the State of Maine Department of Public Safety, Liquor Licensing for agency liquor store licenses at selected locations in Sanford. Councilor Herlihy moved to authorize, seconded by Councilor Lamb. Town Manager Green read the letter to the Council. Diane Connolly spoke that she was not in favor of this. Sergeant Sanford recommends that if a store was to be approved, he feels that it should be a store that is not open 24 hours a day. Town Manager Green explained that he will drive to Augusta for the Public Hearing. Councilor Kelly volunteered to go with Town Manager Green. The Town Council voted 7-0 to approve the motion.
- 07-86.04 Ordered, to authorize an independent committee appointed by the Council to review the Charter. Councilor Herlihy moved to table this Item until the next meeting, seconded by Councilor Paul. The Town Council voted 6-1 to table.
- 07-87.05 Ordered, to revoke the Special Amusement License and Dance Permit for Southern Maine Entertainment D/B/A: Club Adrenaline located at 890 Main Street, Sanford, ME. Councilor Herlihy moved to discuss, seconded by Councilor Kelly. Councilor Lamb asked what the police activity has been there in the last 90 days. Sergeant Sanford explained that they received regular calls. He also stated that the lighting has been fixed and is not adequate. Councilor Herlihy listed three issues she has with the club. She doesn't feel that having dances for 14-20 year olds is necessary. Mr. Goulet at a previous meeting told the Council that he had to fire DJ Limey, but he has since then re-hired him. Councilor Herlihy also mentioned the negative comments from Mr. Goulet about the Council that she has heard of. Tom Goulet admitted to the Council that Teen dances are held on Tuesday Nights. Chairperson Mastraccio remembered that Mr. Goulet said specifically they would not have teen dances. Mr. Goulet said the reasoning for DJ Limey returning was because he was in high demand. Councilor Lamb recalls that Mr. Goulet specifically told the Council that DJ Limey would not be coming back. Vice-Chair Hanslip asked what happened to Troy the bartender and William Proper. Mr. Goulet stated they did not work out and they did not fit. Town Manager Green explained what would need to happen to revoke the special amusement license. If the Council revokes the license then

Adrenaline can appeal this with the ZBA. Councilor Herlihy stated that she doesn't agree with the things that happen at Adrenaline but she can't see taking their license away. Councilor Lamb agrees with Councilor Herlihy. Councilor Kelly stated that Club Adrenaline was on a short leash. Councilor Littlefield stated that he is not happy with the club. Chairperson Mastraccio stated that she will vote to revoke this license. Councilor Herlihy moved to table until the second regular meeting in September, seconded by Vice-Chair Hanslip. The Town Council voted 5-2 to table with Councilors Littlefield and Mastraccio opposed.

- 07-88.06 The Town Council of the Town of Sanford hereby ordains amendments to the Code of Ordinances of the Town of Sanford, Maine. Chapter 12. Offenses – Miscellaneous. Article IV. Section 12.17, Anti-Graffiti Ordinance. This item must be read on two separate days. This is the first reading. Vice-Chair Hanslip moved to table until next meeting, there was no second. Motion Failed. Town Manager Green explained that the public safety sub-committee could review again and make their changes and bring it back to a future meeting. Councilor Herlihy expressed her concerns and thoughts. Councilor Lamb moved to table, seconded by Councilor Herlihy. The Town Council voted 7-0. Vice-Chair Hanslip then moved to table until the July 10th meeting, seconded by Councilor Herlihy. The Town Council voted 7-0 to table.
- 07-89.07 Ordered, to approve liquor license renewal for China Lau Restaurant, 481 Main Street, Springvale, ME. Councilor Paul moved to approve, seconded by Councilor Littlefield. The Town Council voted 7-0 to approve.
- 07-90.08 Ordered, to approve liquor license renewal for The Green Room, LLC, Lower Mid Town Mall, 890 Main Street, Sanford, ME. Vice-Chair Hanslip moved to approve, seconded by Councilor Littlefield. The Town Council voted 7-0 to approve.
- 07-91.09 Ordered, to approve liquor license renewal for OTB Facilitators, LLC D/B/A: Sanford OTB, 9 Renaissance Way, Sanford, ME. Vice-Chair Hanslip moved to approve, seconded by Councilor Herlihy. The Town Council voted 7-0 to approve.
- 07-92.10 Ordered, to waive the Council Rules of Procedure per (Section 43. – Suspension of Rules) to meet on July 24, 2007 at McDougal Orchard for a workshop. Vice-Chair Hanslip moved to approve, seconded by Councilor Herlihy. The Town Council voted 7-0 to approve.
- 07-93.11 Ordered, to accept the resignation of William Noon from the Planning Board. Councilor Herlihy moved to accept with regret the resignation of William Noon from the Planning Board, seconded by Vice-Chair Hanslip. Councilor Lamb thanked Mr. Noon for his many years of service. The Town Council voted 7-0 to accept.
- 07-94.12 Ordered, to accept the resignation of Arthur Kelly from the Sanford Town Council. Councilor Littlefield moved to discuss, seconded by Councilor Paul. Councilor Littlefield asked Councilor Kelly to reconsider his resignation. Councilor Kelly explained that his house in Springvale will be sold by the end of July so it is not possible for him to stay. Councilor Kelly stated that his resignation will be effective June 30. Councilor Herlihy moved to accept with regret the resignation

of Arthur Kelly from the Sanford Town Council, seconded by Councilor Littlefield. The Town Council voted 6-1 (councilor Lamb opposed).

07-95.13 Ordered, to discuss the process of filling the Town Council Vacancy. Councilor Herlihy moved to discuss, seconded by Councilor Littlefield. Chairperson Mastraccio explained that there are five applicants and at the next meeting they will each be invited to speak for three minutes each. Councilor Littlefield moved to leave the seat vacant. There was no second to the motion. Motion failed. Councilor Paul moved to have applicants at next meeting, seconded by Councilor Herlihy. The Town Council voted 7-0 to approve motion.

Council Member Comments

Councilor Lamb: No comment this evening

Councilor Kelly: No Comment this evening

Councilor Littlefield: spoke of the school consolidation plan.

Councilor Paul: No Comment this evening

Councilor Herlihy: spoke about the charter and stated that the independent committee needs to be present at the next meeting

Vice-Chairperson Hanslip: No Comment this evening

Chairperson Mastraccio: No Comment this Evening

Town Manager Green explained that he sent out the Council Summer Schedule.

Future Agenda Items

Adjournment

Councilor Herlihy moved to adjourn at 10:05 pm.

Respectfully submitted,

Sherry Lord
Executive Assistant to the Town Manager.