



Sanford Town Council

Town Council Meeting Minutes – July 20, 2010

The Sanford Town Council met at 7:00 p.m. in the Chambers of the Sanford Town Hall Annex on Tuesday, July 20, 2010. Those present were: **COUNCILORS:** Chairman Joseph Hanslip, Vice-Chair Kevin Chabot, Councilor Anne Marie Mastraccio, Councilor Gordon Paul, Councilor Bradford Littlefield, Councilor Alan Walsh and Councilor Richard L. Wilkins. **TOWN MANAGER:** Mark Green **TOWN STAFF:** Sherry Lord, Executive Assistant; Jim Gulnac, Planning Director; Shirley Sheesley, Code Enforcement Officer; Les Stevens, Sanford Regional Growth Council Director; Peter Cutrer, Fire Marshall; Jeff Rowe, Assistant Fire Chief; Raymond Parent, Fire Chief and Bryan Dench, Town Attorney.

Chairman Hanslip called the meeting to order at 7:15pm.

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

Roll Call: Chairman Hanslip performs the Council Roll Call: Councilor Wilkins, present; Councilor Walsh, present; Councilor Littlefield, present; Councilor Paul, present; Councilor Mastraccio, present; Vice-Chair Chabot, present; Chairman Hanslip, present.

Minutes:

Executive Session: June 15, 2010 Councilor Mastraccio moved to approve, seconded by Councilor Littlefield. The Town Council voted 5-0-2 (Vice-Chair Chabot and Councilor Wilkins abstained).

Regular Meeting: June 15, 2010 Councilor Mastraccio moved to approve, seconded by Councilor Wilkins. The Town Council voted 6-0-1 to approve. (Vice-Chair Chabot abstained).

Chairman's Reports/Town Council Sub-Committee Reports

Chairman Hanslip announced that Elvert Pooler of Springvale would be receiving the French Legion of Honor Medal by the French Consulate. Mr. Pooler served in France during WW II and took part in the invasion of Normandy. The ceremony will take place at the Sanford / Springvale Historical Society Building.

Vice-Chair Chabot reported from the Public Safety Sub-Committee. The sub-committee met prior to this Council meeting. They reviewed and discussed the Council Notification Draft that Councilor Paul had drafted. He also reported from the Sanford Regional Economic Growth Council. They will be meeting on Thursday to review the Growth Council Web-Site.

Councilor Littlefield attended a Department of Transportation meeting. The York County Corridor was discussed at this meeting.

Town Manager's Report

The PAYT program has gone better than expected with a 97% compliance rate. There has only been a hand full of non-compliance issues. That rate seems to be diminishing weekly. Town Manager Green also explained that the Town Hall Roof is under construction. A roofing crew has been working on the roof to replace the old slate with a new look a like material.

Communications

Public Participation

Cricket Crocket addressed the Council asking about the Noise Ordinance. She asked the Council to review and amend the ordinance. The level of noise is currently measured by decibels. She feels that a time frame should be included in the ordinance.

Public Hearings

The Town Council will take public comment on the following:

- 1) The regulation of Medical Marijuana Clinics in the Town of Sanford. Chairman Hanslip declared the public hearing open at 7:34pm. The people that spoke in favor of lifting the moratorium ordinance were as follows: Andrea Diani, Scott Herrin, Dr. John Perry, Eric Stone, Bruce Lamb and Mike Danfourth. Maura Herlihy addressed her concerns in lifting the Moratorium without having a plan in place. There was no one else to speak for or against. The public hearing was declared closed at 7:58pm.

Old Business

10-64.09 The Town Council of the Town of Sanford hereby ordains an Ordinance entitled "Medical Marijuana Dispensaries Moratorium Ordinance". (This item must be read on two separate days, this is the second reading). Town Manager Green explained that the Planning Board is working on the Ordinance. The Town Council Zoning Sub-Committee will be meeting on Wednesday, July 21, 2010 at 7:30am with the Planning Board to discuss this issue. Councilor Walsh moved to approve with the stipulation that this Moratorium will expire within two weeks from this date, seconded by Councilor Littlefield. The Town Council voted 6-1 to adopt. (Councilor Paul opposed).

10-77.03 The Town Council hereby ordains amendments to the Town Code of the Town of Sanford Zoning Ordinance to add antique stores as a conditionally permitted activity in the Rural Residential zone, RD, and RMU zones, and as permitted with review in the SB, DB, and CC zones. For the purpose of this activity, an antique "shall be a piece of art, furniture, decorative object, or the like which is at least 30 years of age." (This item must be read on two separate days, this is the second reading). Councilor Mastraccio moved to approve, seconded by Councilor Littlefield. The Town Council voted 7-0 to adopt.

- 10-78.04 The Town Council hereby ordains amendments to the Town Code of the Town of Sanford, Zoning Ordinance Section 280-5 Definitions Mineral Extraction and Section 280-91 Mineral Extraction Standards. (This item must be read on two separate days, this is the second reading). Councilor Littlefield moved to approve, seconded by Councilor Mastraccio. The Town Council voted 7-0 to adopt.
- 10-79.05 The Town Council hereby ordains amendments to the Town Code of the Town of Sanford, Chapter 90, Building Construction and Fire Protection and add Chapter 91, Fire Protection. (This item must be read on two separate days, this is the second reading). Chief Ray Parent explained the changes to the Code. Councilor Littlefield moved to approve with amendments, seconded by Councilor Wilkins. The Town Council voted 7-0 to approve.

New Business

- 10-85.01 Ordered, to accept a bid from Ben Uniforms of Amesbury, MA for supplying Fire Department station work uniforms in the amount of \$76,275.50. This is a three year contract to expire 6-30-2013. Councilor Walsh moved to approve, seconded by Councilor Littlefield. Assistant Fire Chief Jeff Rowe explained the contract. The Town Council voted 7-0 to accept.
- 10-86.02 Ordered, to authorize a temporary street closure of Main Street from Twombly Road to the Washington Street intersection from 5pm until 9pm on Friday, August 6, 2010 and for the closure of School Street from Washington to Mousam Street on Saturday, August 7, 2010 for the 2010 "Summah Daze" Festival. Councilor Paul moved to approve, seconded by Councilor Littlefield. Maura Herlihy, President of the Downtown Committee explained the events. The Town Council voted 7-0 to approve.
- 10-87.03 Ordered, to authorize a consent agreement with Citifinancial, Inc. for a single family home at 1 Carpenter Street, Springvale, ME. Councilor Walsh moved to approve, seconded by Councilor Mastraccio. The Town Council voted 7-0 to approve.
- 10-88.04 Ordered, to authorize the Town Manager to execute a contract with Credere Associates, LLC to remove and cleanup the property identified as the Areofab Mill (tax map J29, lot 19A & J29, lot 17D). Councilor Mastraccio moved to approve, seconded by Councilor Wilkins. Jim Gulnac, Director of Planning explained the contract and project. Rip Patten from Credere Associates, LLC was in attendance to answer the Council's questions. The Town Council voted 7-0 to approve.

- 10-89.05 Ordered, to authorize the Town Manager to implement a Façade Improvement Program for the Sanford Downtown using the balance of approximately \$27,000 in former CDBG funds as proposed by the Downtown Legacy. Councilor Walsh moved to approve, seconded by Councilor Mastraccio. The Town Council voted 7-0 to approve.
- 10-90.06 Ordered, to appoint one member for Maine Municipal Association Vice-President (1) year term and three members to the Maine Municipal Association Executive Committee (3) year terms. Councilor Walsh moved to elect Clint Deschene for Vice-President and Michelle Beal, Martston Lovell and Robert Yandow for members of the Executive Committee, seconded by Councilor Littlefield. The Town Council voted 6-1 to approve. (Councilor Mastraccio opposed)
- 10-91.07 Ordered, to consider a request from the Town Attorney for guidance regarding agenda item 10-87.03 heard on July 13, 2010. There was much discussion as to whether this item should have appeared on the agenda. Councilor Walsh felt that having this item on the agenda would serve as a reconsideration of the vote. Chairman Hanslip disagreed and stated that the Town Attorney is seeking clarification as to what the term “Supervise a Review” meant. Councilor Walsh called a point of order and questioned the chair’s ruling, seconded by Councilor Littlefield. (A yes vote would call for the ruling to be questioned) The Town Council voted 3-4. Motion Failed. Councilor Littlefield moved to reconsider the vote taken on item 10-87.03 heard on July 13, 2010, seconded by Chairman Hanslip. There was much discussion. Attorney Dench addressed the Council asking for clarification as to what exactly “Supervise a Review” mean. Town Manger Green read the notes from the July 13th meeting. The majority of the Council agreed that Attorney Dench would seek out an attorney that did not work for his Skelton, Taintor and Abbott to do the review. Attorney Dench would supervise that attorney. The Town Council voted 1-6 to reconsider the motion that was made on item 10-87.03 at the July 13, 2010 Council Meeting. (Councilor Mastraccio opposed).

Council Member Comments

Councilor Wilkins – None

Councilor Walsh – None

Councilor Littlefield – None

Councilor Paul – None

Councilor Mastraccio – None

Vice-Chair Chabot – YMCA had their ground breaking ceremony for the new addition.

Chairman Hanslip – None

Future Agenda Items

Adjournment

Chairman Hanslip moved to adjourn at 9:55 pm.

Respectfully Submitted,

Sherry Lord