

MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – NOVEMBER 19, 2008
SWEARING IN CEREMONY OF NEWLY ELECTED OFFICIALS
REGULAR MEETING – 7:30 P.M.

Item 1. Call to Order. Yolande P. Justice, Town Clerk, called the regular meeting of the Scarborough Town Council to order at 7:30 p.m.

Item 2. Pledge of Allegiance.

Item 3. Swearing in of newly elected officials. Yolande P. Justice, Town Clerk swore in the following individuals:

Board of Education

Christopher T. Brownsey

Town Council

Ronald D. Ahlquist

Shawn A. Babine

Karen A. D’Andrea

Charles Andreson, Jason Greenleaf and Robert McSorley, Trustees of the Sanitary District, all were sworn in earlier.

Colleen F. Staszko – Board of Education will be sworn in at a later date.

Order No. 08-152. Act on the nomination and election of a new Town Council Chair. Motion by Councillor Ahlquist, seconded by Councillor Babine, to move approval on the nomination of Councillor Wood, as the new Town Council Chair.

Vote: 7 yeas.

Order No. 07-153. Act on the nomination and election of a new Town Council Vice-Chair. Motion by Councillor Roy, seconded by Councillor Ahlquist, to move approval on the nomination of Councillor Rancourt, as the new Town Council Chair.

Vote: 7 yeas.

Item 4. Roll Call. Rolled was called by Yolande P. Justice, Town Clerk. Thomas J. Hall, Town Manager was also present.

Ronald D. Ahlquist

Carol S. Rancourt, Vice Chair

Richard J. Sullivan, Jr.

Michael J. Wood, Chairman

Shawn A. Babine

Judith L. Roy

Karen A. D’Andrea

Item 5. Minutes: November 5, 2008. Motion by Councillor Roy, seconded by Councillor Rancourt, to move approval of the minutes of the November 5, 2008, regular meeting, as written.

Vote: 7 yeas

Item 6. Items to be signed: a. Treasurer's Warrants. Treasurer's warrants were signed during the meeting.

Order No. 08-132, 7:30 p.m. Public hearing the proposed amendments to Chapter 405, the Zoning Ordinance for a new application for a Contract Zone from Harvest Development, LLC.

Thomas Hall, Town Manager, gave a brief overview on the process that had been followed to bring this item back before the Council. Owens McCullough of Sebago Technics presented a power point review on the project. He also reviewed the time-line that had been followed that had brought the project to this point. Mr. McCullough responded to questions from the Council regarding the buffer along Elmwood Avenue; the sidewalk along Greenacres Avenue and safety issues in the neighborhood.

Chairman Wood opened the public hearing. The following individuals spoke on this Order: Greg Allen of Maple Avenue, spoke on the traffic issues in the area that this development is being proposed; Hillary Durgin of 9 Sequoia Lane, voiced concerns with the scope and the scale of the project as well as the traffic and the availability of sidewalks for the neighborhood residents – not just for the residents of the proposed developments; Jeannine Uzzi of 13 Sunset Road, voiced her concerns with the proposed development noting that the recommendations of the sidewalk on Greenacres and the jug handle be made part of the contract zone agreement; Audie Harris of 8 Second Avenue, also voiced her concern with the traffic issues and would suggest that the sidewalks be added to Greenacres Lane for the safety factor and encouraged that no signage be located on Route 114; Mr. Frank Zimiski of 26 Meeting House Road, spoke on the traffic issues this project would bring; Annmarie Silvius of Maple Avenue, spoke of her displeasure of this proposed development and Jonathan Drummer of 50 Foxcroft Drive asked about the stormwater runoff and whether it had been considered.

There being no further comments, the hearing was closed at 8:38 p.m. There were comments from the Council concerning the sidewalk issue on Greenacres Lane; signage and jug handle proposal and the assisted living item.

Motion by Councillor Rancourt, seconded by Councillor Babine, to move approval to move the second reading on this Order to Wednesday, December 17, 2008.

Vote: 7 yeas.

Order No. 08-154, 7:30 p.m. Public Hearing on the following new requests for a Food Handlers License: Robert Williamson d/b/a Maine Hits, LLC, located at 6 Lincoln Avenue, Suite #3 and from David Savidge d/b/a M.A.C.'s Deli, located at 426 U.S. Route One (Under new ownership).

Chairman Wood opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:53 p.m.

Motion by Councillor Rancourt, seconded by Councillor Babine, to move approval on the following new requests for a Food Handlers License: Robert Williamson d/b/a Maine Hits, LLC, located at 6 Lincoln Avenue, Suite #3 and from David Savidge d/b/a M.A.C.'s Deli, located at 426 U.S. Route One (Under new ownership).

Vote: 7 yeas.

Order No. 08-155, 7:30 p.m. Public Hearing on the renewal request for a liquor license from Anjons Italian Restaurant, located at 521 U.S. Route One and from Van Reeo Inc., d/b/a Pizza Time/Dimitris Restaurant, located at 185 U.S. Route One. Chairman Wood opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:54 p.m.

Motion by Councillor Roy, seconded by Councillor Babine, to move approval on the renewal request for a liquor license from Anjons Italian Restaurant, located at 521 U.S. Route One and from Van Reeo Inc., d/b/a Pizza Time/Dimitris Restaurant, located at 185 U.S. Route One.

Vote: 7 yeas.

OLD BUSINESS:

Order No. 08-107. First reading and refer to the Planning Board the proposed amendments to the Town of Scarborough GIS Zoning Map to rezone the Scarborough Downs property that is currently zoned B-2 to TVC. [Tabled from the September 17, 2008, meeting.] Thomas Hall, Town Manager, gave a brief overview on this order and recommended that this item be tabled indefinitely.

Motion by Councillor Rancourt, seconded by Councillor Roy, to move approval to table Order No. 08-107, indefinitely.

Vote: 7 yeas.

Order No. 08-149. Act to approve an agreement with residents of Cranberry Pines with respect to ultimately accepting the road and authorize the Town Manager to sign all documents relating to this Order. [Tabled from the November 5, 2008, meeting.] Thomas Hall, Town Manager, gave a brief overview on this order. Comments were made by Council concerning setting precedence; the safety of the residents over the winter months; concerned with the residents now wanting this a public road when in fact they wanted it private.

Motion by Councillor Rancourt, seconded by Councillor Roy, to move approval this Order for the purpose of discussion.

Lois Hayworth of Cranberry Pines spoke on behalf of the Association, stating that the group would be willing to do what needs to be done in order to bring the road into compliance. Peter Weston of 12 Cranberry Pines stated that this development is over 30 years old and those who wanted it a private way are no longer there and current residents would like to work toward making it a public way.

Vote: 1 yeas (Councillor Sullivan). 6 nays.

Motion by Councillor Roy, seconded Councillor Rancourt, to move approval to enter into an agreement with the Cranberry Pines Association for winter plowing for the 08/09 season with the stipulation the Association, at there expense, put in place the guardrail for safety issues.

Motion by Chairman Wood, seconded by Councillor Ahlquist, to move approval to amend the motion to have the Association install guardrail and the town plow the road for the 08/09 snow season for a fee and the fee be paid over a period of time.

Vote on amendment: 3 yeas.

4 nay [Councillors D'Andrea, Roy, Rancourt and Sullivan].

Vote on main motion: 1 yea

6 nays [Chairman Wood; Councillors Ahlquist, Sullivan, Rancourt, D'Andrea and Babine].

NEW BUSINESS: None at this time.

Item 7. Non-Action Items. None at this time.

Item 8. Committee Reports: Standing Committee Reports and Other Committee Reports:

- Councillor Roy gave a brief update on Greater Portland Council of Governments.
- Councillor Rancourt noted that she would be attending a meeting on MMA Executive Committee. The Pine Point Study Committee will be meeting Thursday, November 20th at 6:30 p.m. here at Town Hall.
- Chairman Wood gave a brief update on the CPIC Committee on their meeting with the Sawyer Road residents.

Item 9. Public Comments. None at this time

Item 10. Town Manager Report. Mr. Hall noted that he has met with a number of employees; held the first staff meeting and have attended a number of various Board meetings. He also made the Council aware that the Time Warner Cable Group will be increasing in fees.

Item 11. Council Member Comments. Closing comments were made by member of the Council.

Item 12. Adjournment. Motion by Councillor Babine, seconded by Councillor Rancourt, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 6 yeas.

Meeting adjourned at 10:17 p.m.

Respectfully submitted,

Yolande P. Justice
Town Clerk