

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

I. CALL TO ORDER – On Monday, July 2, 2012 at 7:02 p.m. a Council Meeting was held in the City Hall Auditorium.

II. ROLL CALL OF MEMBERS – Mayor Johnston conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: David Tripp, Leslie Smith Jr. (7:30 p.m.), Marie Doucette, Philip Blood, Arthur Tardif, Eric Cote, and Marston Lovell. City Administrator Rick Michaud was also present.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL

SESQUICENTENNIAL (250TH CELEBRATION)

Mayor Johnston reviewed the upcoming events for the 250th Anniversary Celebration as follows: Saturday, July 7th – Saco Bay Garden Tour, Old Home Street Fair, Trivia at the Old Saco Firehouse, and a Firehouse Square Dance, Sunday July 8th – Strawberry Shortcake Social and Closing Ceremony with the Centennial Brass Band.

VIII. CONSENT AGENDA

Councilor Blood moved, Councilor Tripp seconded to approve consent agenda items 1-10. The City of Saco hereby:

1. Approves the Minutes of June 4, 2012; June 25, 2012; and June 28, 2012;
2. Ordains and approves the First Reading of the motion allowing campgrounds existing as of April 15, 2012 in the R-2, R-4 and B-2c zones to become a conditional use, be approved;
3. Ordains and approves the Second and Final Reading of the document titled, “Contract Zone Agreement By and between Bear Brook Estates, LLC and the City of Saco,” dated April 7, 2009;
4. Ordains and approves the document titled, “Contract Zone Agreement By and between Jennifer Bourgeault and Kurt Brown and the City of Saco,” dated June 4, 2012;
5. Approves with reference to York County Superior Court Docket #CR-12-405-Criminal Forfeiture, of the transfer of three firearms to the City of Saco, pursuant to 15 M.R.S.A. §5824(3) and/or §5822(4) (A);
6. Grants the applications for a License to Operate Games of Chance: Daily Pool, 1 game from July 1, 2012 to September 30, 2012 and Sealed Pull Tickets, 2 games from July 1, 2012 to September 30, 2012, as submitted by the Biddeford & Saco Elks #1597;
7. Grants the applications for a License to Operate Games of Chance: Various Pull Tickets, 20 games from September 1, 2012 to September 1, 2013 and 20 games from October 1, 2012 to October 1, 2013, as submitted by the Fraternal Order of Eagles #3792;
8. Grants Julia Dobson a combined Massage Establishment/Therapist License in accordance to the Codes of the City of Saco, Chapter 138;
9. Approves the results of the June 12, 2012 State Primary & RSU #23 Budget Validation Referendum Election as presented;
10. Confirms the appointments of Janet E. Fernald for a 4 year term to expire on July 2, 2016, Margaret E. Mills, Peter J. Yarborough – Alternate, Michael P. Quatrano, and Jeffrey A. Christenbury – Alternate for 3 year terms to expire on July 2, 2015.

The motion passed with six (6) yeas.

Note: The complete Item Commentaries are listed below.

1. APPROVAL OF MINUTES – JUNE 4, 2012; JUNE 25, 2012 AND JUNE 28, 2012

2. ZONING ORDINANCE AMENDMENTS: §410-2, 410-4, 410-6, ALLOWING CAMPGROUNDS AS A CONDITIONAL USE IN THE R2, R-4 AND B-2C ZONES – (FIRST READING)

Article 4 - District Regulations

410-2. R-2 MEDIUM DENSITY DISTRICT

PERMITTED USES

1. Single family dwellings
2. Two family dwellings
3. ~~Churches~~ Places of Worship (Pending)
4. Essential services
5. Public parks and playgrounds
6. Public and private schools, excluding commercial schools
7. Agriculture, excluding livestock
8. Accessory uses
9. Any use permitted in the resource protection district
10. Home babysitting service (Amended 8/1/88)
11. Adult day care center, Type 1 (7/1/91)
12. One accessory apartment in a single family dwelling (Amended 10/20/08)
13. Community living uses (Amended 12/1/08)

CONDITIONAL USES

1. Multi-family dwellings limited to no more than eight units in each building, unless a conversion of an existing building, within the existing structure, except for minor additions such as stair towers, entrances, dormers, and similar minor building features (Amended 4/28/08)
2. Elder/Disability Housing Facility
Elder/Disability Housing Facility – Limited Service (5/21/12)
3. Hospitals and clinics
4. Boarding houses
5. Home occupations
6. Parking lots (Amended 1/3/95)
7. Funeral homes
8. Cemeteries
9. Elder/Disability Care Facility – Full Service (5/21/12)
10. Municipal uses not listed under permitted uses
11. Nursery schools
12. Day care centers
13. Nonprofit recreational uses
14. Public utility buildings
15. Commercial greenhouses and nurseries
16. Water recreation including piers, docks, and boathouses related thereto
17. Private clubs
18. Offices which comply with the standards of Section 713 of this Ordinance
19. Kennels
20. Quasi-public uses
21. (Reserved)
22. Day care home (Amended 8/1/88)
23. Adult day care center, Type 2 (Amended 7/1/91) (Amended 8/1/88; 7/1/91)
24. High Voltage Transmission Lines (Amended 12/15/08)
25. Campgrounds existing as of April 15, 2012

Article 4 - District Regulations

410-4. R-4 GENERAL RESIDENTIAL DISTRICT (Amended 1/3/95)

PERMITTED USES

1. Any use permitted as a matter of right in the R-2 District
2. Manufactured housing units
3. Multi-family dwellings in structures containing no more than eight units each
4. Reserved
5. Boarding homes
6. Any use permitted in the Resource Protection District
7. Home babysitting service (Amended 8/1/88)
8. Adult day care center, Type 1 (Amended 7/1/91)(Amended 8/1/88; 7/1/91; 1/3/95)
9. One accessory apartment in a single family dwelling (Amended 10/20/08)

CONDITIONAL USES

1. Any use permitted as a conditional use in the R-2 District and not otherwise listed herein as a use permitted as a matter of right
2. High Voltage Transmission Lines (Amended 12/15/08)
3. Campgrounds existing as of April 15, 2012 (pending)

410-6. B-2c and B-2d HIGHWAY BUSINESS DISTRICT

PERMITTED USES

- | | |
|--|--|
| 1. Single family dwellings | 21. Municipal uses |
| 2. Two family dwellings | 22. Essential services |
| 3. Churches Places of Worship | 23. Public utility buildings |
| 4. Home occupations | 24. Nursing homes |
| 5. Retail businesses | 25. Any use permitted in the Resource Protection Dist. |
| 6. Eating establishments (Amended 4/7/03) | 26. Bed and breakfast establishments (Amended 9/5/85) |
| 7. Eating and drinking establishments (Amended 4/7/03) | 27. Accessory Uses (Amended 9/5/85) |
| 8. Hotels and motels | 28. (Reserved) (Amended 6/4/87) |
| 9. Tourist homes | 29. Funeral homes (Amended 6/4/87) |
| 10. Financial institutions | 30. Home babysitting service (Amended 8/1/88) |
| 11. Personal services | 31. Day care home (Amended 8/1/88) |
| 12. Business services | 32. Day care center (Amended 8/1/88) |
| 13. Offices | 33. Adult day care center, Type 1 and 2 (Amended 7/1/91) |
| 14. Research and testing laboratories | 34. Nursery School (Amended 7/6/93; 1/3/95) |
| 15. Wholesale trade and warehouses | |
| 16. Hospitals and clinics for humans | |
| 17. Animal hospitals and veterinarian offices | |
| 18. Quasi-public uses | |
| 19. Private and commercial schools | |
| 20. Private clubs | 35. One accessory apartment in a single family dwelling (Amended 10/20/08) |

CONDITIONAL USES

1. Multifamily dwellings
2. (Reserved)
3. Boarding houses
4. Amusement centers
5. Commercial recreation
6. Masonry supply yards
7. (Reserved)
8. Gas stations in B-2c only
9. Auto repair garages in B-2c only
10. Car washes in B-2c only
11. Small engine repair (Amended 4/7/03)
12. High Voltage Transmission Lines (Amended 12/15/08)
13. Registered dispensary (Amended 7/19/10)
14. Registered dispensary, grow-only (Amended 7/19/10)
15. Registered dispensary, non-growing (Amended 7/19/10)
16. Campgrounds in B-2c only, existing as of April 15, 2012

3. CONTRACT ZONE EXTENSION REQUEST – BEAR BROOK ESTATES LLC MOBILE HOME PARK, OCEAN PARK ROAD – (2ND & FINAL READING)

Amendment to Contract Zone Agreement By and Between Bear Brook Estates, LLC and the City of Saco, dated April 7, 2009”.

(please note underline represents new language while ~~strikethrough~~ represents language to be deleted.)

Contract Zone Agreement by and between Bear Brook Estates, LLC and the City of Saco: Subsection h, p. 3 :

- h. Upon approval of this contract by the City Council, the Applicant shall submit materials required for site plan and subdivision review to the Planning Office in order that the project may be reviewed by the Planning Board. Failure of the Applicant to secure site plan approval from the Planning Board within two years of the approval of this Contract by the City Council shall render this Contract null and void. In that permits or approvals have been delayed again due to circumstances beyond the control of the Applicants, the two-year deadline is hereby extended by one year to June 1, ~~2012~~ 2013.

4. CONTRACT ZONE: STEEPLE DRIVE DANCE STUDIO – (2ND & FINAL READING)

Contract Zone Agreement by and Between
Jennifer A. Bourgeault and Kurt N. Brown, and the City of Saco
June 4, 2012

THE CITY OF SACO HEREBY ORDAINS:

I. That the Zoning Ordinance of the City of Saco, dated January 2, 1985, and amended through November 16, 2011 is hereby further amended by adopting this Contract Zone Agreement by and between the City of Saco and Jennifer A. Bourgeault and Kurt N. Brown (Applicants).

1. The Applicants propose to establish a Dance Studio at 18 Steeple Drive (Subject Property).
2. Subject Property is identified as Tax Map 89, Lot 11-3 on City of Saco tax maps, and is in the R-1d zoning district.
3. Said property has been utilized in the past as a church, and includes both a church building and a single family dwelling. Each is an allowed use in the R-1d zoning district. The church is no longer in service.
4. Right, title and interest is demonstrated with the Applicants’ submission of a Purchase and Sale Agreement identifying Kurt Brown and Jennifer A. Bourgeault as the Buyer and the Saco and Biddeford Church of Nazarene as the Seller. The Agreement is subject to the Buyer receiving municipal approval for a contract zone to operate “a performing arts center and instructional school.”
5. The City’s Zoning Officer has determined that the proposed Dance Studio shall be viewed as a “Com-mercial School,” which is not an allowed use in the R-1d zone.
6. As stated in Section 1403-1 of the Zoning Ordinance, “Occasionally, competing and incompatible land uses conflict; and traditional zoning methods and procedures such as variances, conditional use permits, and alterations to the zone boundaries are in adequate to promote desirable growth. In these special situations, more flexible and adaptable zoning methods are needed to permit differing land uses in both developed and undeveloped areas, and at the same time recognize the effects of change.”

7. Recognizing the use restrictions imposed by the Zoning Ordinance, the Applicants hereby

II. This Contract Zone, specifically and exclusively for the parcel at 18 Steeple Drive, would allow the Applicants to establish and operate a Commercial School as proposed on the Subject Property, subject to the following conditions and restrictions, as provided for in Section 1403 of the Saco Zoning Ordinance:

1. A Commercial School (Dance Studio) as proposed and described by the Applicants shall be allowed to operate as a permitted use on the parcel identified herein as the Subject Property: Tax Map 89, Lot 11-3.
2. The Applicant shall adhere to all other applicable provisions of the R-1d zoning district and of the City of Saco Zoning Ordinance.
3. All details as shown on the submitted plans and application are hereby incorporated into this contract by reference. The proposed use shall be operated substantially in conformance with those plans. Minor changes may be approved by the staff of the City of Saco. Any changes determined by the staff to be "major" shall be submitted to the Planning Board for review. If it is determined that the changes constitute a change in the contract, then the developer shall also be required to obtain City Council approval of the changes.
4. This contract and its provisions shall specifically and exclusively apply to the Contract Zone request submitted by the Applicants. Approval of this Contract Zone is in part based on the financial and technical qualifications of the Applicants as submitted to the City. Accordingly, this contract and the contract zone it creates shall not be transferable.
5. Failure of the Applicants to open the proposed Commercial School (Dance Studio) for business within one (1) year from the date of approval shall render this approval and Contract null and void.
6. Breach of these conditions and restrictions by the developer shall constitute a Breach of the contract, and the developer shall be required to apply for a contract modification. Failure to apply for, or to obtain a modification shall constitute a zoning violation, subject to enforcement action.
7. As specified in Section 1403-9 of the Zoning Ordinance, all applications for contract zoning are subject to site plan review.

III. Pursuant to authority found in 30-A M.R.S.A. Section 4352 (8), and the City of Saco Zoning Ordinance, Section 1403, and by vote of the Saco Planning Board on _____, 2012 and the Saco City Council on _____, 2012, the following findings are hereby adopted:

A. City Tax Map 89, Lot 11-3 is a parcel of an unusual nature and location, for the following reasons:

1. The property is developed with a 2,688 square foot building previously used as a church, with a 49 space parking lot. The intent of the original developers was to establish a building for use by multiple members of the public at one time, which includes a 100 seat sanctuary, a fellowship room, and restroom facilities for men and women.
2. The Applicants propose a use that is able to co-exist adjacent to residential neighborhood. The level of activity – large gatherings on Sundays and perhaps other days of the week -- has been found to be appropriate for the neighborhood.

B. The proposed rezoning is consistent with the Saco Comprehensive Plan, based on the following goals:

Chapter 6, Residential Growth Areas

Allowed Uses: Uses in the Low Density Residential Development Area should be limited to single and two-family residential uses and low intensity community and service uses that primarily support the residential neighborhoods. The following types of uses are generally appropriate in this area as a permitted or conditional use:

- single and two family dwellings
- accessory apartments in single-family dwellings
- home occupations
- child and adult day care facilities
- municipal and educational uses
- places of worship and community uses

C. The proposed use is consistent with the existing uses and permitted uses within the original zone. The original

zone is the Residential Low Density District (R-1d) zone, the purpose of which is “predominantly single-family residential in character... New land uses in this district are restricted to low density residential and associated uses.” (Zoning Ordinance, Section 405-1.) Among the permitted and conditional uses allowed in the R- 1d zone are single and two-family housing, community living uses, day care centers, kennels, commercial greenhouses and nurseries, and adult day care centers.

D. The conditions proposed are sufficient to meet the intent of Section 1403. Contract Zoning, of the Saco Zoning Ordinance.

Based on the above findings, conditions and restrictions, the City Council hereby incorporates this Contract Zoning agreement into the Saco Zoning Ordinance by reference. By signing this contract, both parties agree to abide by the conditions and restrictions contained herein.

Adopted by the Saco City Council on _____, 2012.

by _____
Richard Michaud
City Administrator

by _____
Jennifer A. Bourgeault

by _____
Kurt N. Brown
Applicants

5. ASSET FORFEITURE – FIREARMS

DEPUTY DISTRICT ATTORNEY
JUSTINA A. MCGETTIGAN

VICTIM/WITNESS ADVOCATES:
PAMELA A. ROBERTS, Director
DOREEN STAPLES
JANINE NICHOLDS
SHELLY BLAISDELL



KATHRYN LOFTUS SLATTERY
DISTRICT ATTORNEY
YORK COUNTY COURTHOUSE
45 KENNEBUNK ROAD
ALFRED, MAINE 04002
TEL: (207) 324-8001
FAX: (207) 490-6990

ASSISTANT DISTRICT ATTORNEYS
TANYA PIERSON-SWEENEY
BRIAN N. ROBERTS
LINDA HOLDSWORTH DONOVAN
JOHN W. CONNELLY
THADDEUS W. WEST
KENDRA E. LYCHWALA
RAPHAELLE SILVER
JOHN P. BURKE
KENT AVERY
MARK WORONOFF
JAMIE R. GUERRETTE
BRADLEY J. CHALK
PATRICK H. GORDON

June 12, 2012

Michele Hughes, City Clerk
City of Saco
300 Main Street
Saco, ME 04072

RE: State of Maine vs. Christopher J Elwell
York County Superior Court Docket #CR-12-405 – Criminal Forfeiture
Required Vote of City/Town Approval of Transfer of Forfeiture Assets

Dear Clerk Hughes:

Enclosed please find a draft City of Saco approval form for submission to the City Council.

Please inform the Council that:

- A. 15 M.R.S.A. §5824(3) requires that, before any forfeitable item may be transferred to a State Agency, County or Municipality, the legislative body of that entity must publicly vote to accept the item(s);
- B. Under Rules issued by the Department of the Attorney General, a public vote must be made on each forfeiture “approval” and a “continuing resolution” of approval cannot be accepted;
- C. The York County Superior Court has already approved the forfeiture of the firearms referenced in the accompanying draft Approval;
- D. Under the provisions of the Forfeiture Statute, if the legislative body fails to approve a transfer in a timely manner, any forfeited items shall be transferred to the State of Maine General Fund or other contributing Agencies.

Assuming your legislative body does grant its approval, kindly see to it that the accompanying form is signed by the appropriate person and is “embossed” with the seal of that legislative body. Then, please return

the original to me for filing, and retain a copy for your records. Please return the original to me c/o the York County District Attorney's Office, 45 Kennebunk Road, P.O. Box 399, Alfred, Maine 04002.

Thank you for your time and attention in this matter. Should you have any questions, please do not hesitate to contact me at 324-8001.

Sincerely,



John P. Burke
Assistant District Attorney

Enclosure

STATE OF MAINE
YORK, ss

SUPERIOR COURT
DOCKET #ALFSC-CR-2012-00405

STATE OF MAINE

v.

CHRISTOPHER J ELWELL,
Defendant;

And in Rem

"Firearms . . . [including]":

- 1) AR-15 semi-automatic .223 rifle,
serial #RA0902048
- 2) Mossberg pump-action shotgun,
serial #P421630
- 3) Ruger .45 caliber pistol, serial #660-62663

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**CITY OF SACO
APPROVAL OF TRANSFER
15. M.R.S.A. §5824(3)**

NOW COMES the City of Saco, Maine, by and through its legislative body, the Saco City Council, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) to the transfer of any portion of the above captioned Defendant(s) in Rem #'s 1, 2, and 3 on the grounds that the City of Saco Police Department did make a substantial contribution to the investigation of this criminal case.

WHEREFORE, the Saco City Council does hereby approve of the transfer of the Defendant(s) firearms as stated above pursuant to 15 M.R.S.A. §5824(3) by vote of the Saco City Council on or about _____, 2012.

Dated: _____

Chairperson/Mayor/Councilman/Clerk
Saco City Council
Saco, Maine

(Emboss Legislative Body Seal Here)

6. APPLICATIONS FOR A LICENSE TO OPERATE GAMES OF CHANCE: DAILY POOL & SEALED PULL TICKETS

Biddeford & Saco Elks #1597 has applied for two Licenses to Operate Games of Chance: Daily Pool, 1 game from July 1, 2012 to September 30, 2012 and Sealed Pull Tickets, 2 games from July 1, 2012 to September 30, 2012.

The applicant has submitted their applications in accordance with the provisions of Title 17 M.R.S.A. Chapter 13-A, and in accordance with the Rules and Regulations promulgated by the Chief of the State Police governing the operation of Beano/Bingo or Games of Chance.

7. APPLICATIONS FOR A LICENSE TO OPERATE GAMES OF CHANCE: VARIOUS PULL TICKETS

Fraternal Order of Eagles #3792 has applied for two Licenses to Operate Games of Chance: Various Pull Tickets, 20 games from September 1, 2012 to September 1, 2013 and 20 games from October 1, 2012 to October 1, 2013.

The applicant has submitted their applications in accordance with the provisions of Title 17 M.R.S.A. Chapter 13-A, and in accordance with the Rules and Regulations promulgated by the Chief of the State Police governing the operation of Beano/Bingo or Games of Chance.

8. COMBINED MASSAGE ESTABLISHMENT/THERAPIST LICENSE: JULIA DOBSON

Julia Dobson, located of 39 Spring Street has applied for a Combined Massage Establishment/Therapist License. Ms. Dobson will be operating her business as a permitted home occupation and will also be acting as a mobile therapist, doing chair massages.

The applicant has paid all applicable permit fees and has provided a license issued by the State of Maine in compliance with Chapter 138, Sub-section §138-9 Basic proficiency.

9. CERTIFICATION OF ELECTION RESULTS – STATE PRIMARY & RSU #23 BUDGET VALIDATION REFERENDUM ELECTION HELD ON JUNE 12, 2012

**STATE OF MAINE - CITY OF SACO
STATE PRIMARY & RSU #23 BUDGET VALIDATION REFERENDUM ELECTION
JUNE 12, 2012**

Note: Only declared write-in candidates are listed in these results.

DEMOCRATIC PARTY

UNITED STATES SENATOR

	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
DILL, CYNTHIA ANN	98	59	65	125	66	66	54	533
DUNLAP, MATTHEW G.	73	38	26	63	57	58	30	345
HINCK, JON	24	19	14	35	29	28	26	175
POLLARD, JUSTIN BENJAMIN	33	27	15	25	37	16	28	181
TOTAL	38	143	120	248	189	168	138	1044

REP. TO CONGRESS - DIST. 1

	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
PINGREE, CHELLIE	239	144	124	263	188	172	137	1267
TOTAL	239	144	124	263	188	172	137	1267

STATE SENATOR - DIST. 5

	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
PILON, DONALD E.	53	52	56	100	53	80	39	433
VALENTINO, LINDA M.	211	111	80	195	160	116	115	988
TOTAL	264	163	136	295	213	196	154	1421

REP. TO THE LEGISLATURE - DIST. 133

	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
HOBBS, BARRY J.	0	0	89	267	19	164	73	612
TOTAL	0	0	89	267	19	164	73	612

REP. TO THE LEGISLATURE - DIST. 134

CHENETTE, JUSTIN MARK
LUNDH-GAY, SONYA D.
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
183	121	31	0	146	0	62	543
69	39	9	0	30	0	7	154
252	160	40	0	176	0	69	697

JUDGE OF PROBATE

BAILEY, DONNA A.
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
229	144	124	257	180	172	135	1241
229	144	124	257	180	172	135	1241

REGISTER OF PROBATE

NO DECLARED WRITE-INS
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0

REPUBLICAN PARTY

UNITED STATES SENATOR

BENNETT, RICHARD A.
D'AMBOISE, L. SCOTT
PLOWMAN, DEBRA D.
POLIQUIN, BRUCE L.
SCHNEIDER, WILLIAM J.
SUMMERS, CHARLES E. JR.
STODDARD, MICHAEL - WRITE-IN
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
16	15	8	30	17	18	14	118
12	7	5	5	12	2	4	47
5	3	5	5	5	0	1	24
16	20	11	22	11	4	5	89
14	8	12	16	10	7	12	79
94	80	50	134	61	45	50	514
5	4	2	1	0	0	1	13
162	137	93	213	116	76	87	884

REP. TO CONGRESS - DIST. 1

CALDER, PATRICK D.
COURTNEY, JONATHAN T.E.
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
54	49	35	66	43	31	20	298
85	74	37	104	53	38	50	441
139	123	72	170	96	69	70	739

STATE SENATOR - DIST. 5

SEVIGNY, TIMOTHY NORMAN
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
141	120	86	185	99	64	68	763
141	120	86	185	99	64	68	763

REP. TO THE LEGISLATURE - DIST. 133

KOUZOUNAS, DEMITROULA
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
0	0	69	192	13	66	32	372
0	0	69	192	13	66	32	372

REP. TO THE LEGISLATURE - DIST. 134

DOUCETTE, MARIE D.
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
139	124	17	0	87	0	42	409
139	124	17	0	87	0	42	409

JUDGE OF PROBATE

NO DECLARED WRITE-IN
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0

REGISTER OF PROBATE

LOVEJOY, CAROL J.
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
128	112	81	179	90	64	68	722
128	112	81	179	90	64	68	722

GREEN INDEPENDENT PARTY

UNITED STATES SENATOR

NO DECLARED WRITE-IN
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0

REP. TO CONGRESS - DIST. 1

NO DECLARED WRITE-IN
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0

STATE SENATOR - DIST. 5

NO DECLARED WRITE-IN
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0

REP. TO THE LEGISLATURE - DIST. 133

NO DECLARED WRITE-IN
TOTAL

<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0

<u>REP. TO THE LEGISLATURE - DIST. 134</u>	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
NO DECLARED WRITE-IN	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0

<u>JUDGE OF PROBATE</u>	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
NO DECLARED WRITE-IN	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0

<u>REGISTER OF PROBATE</u>	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
NO DECLARED WRITE-INS	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0

REGIONAL SCHOOL UNIT NO. 23 BUDGET VALIDATION REFERENDUM

REFERENDUM QUESTION 1

Do you favor approving the Regional School Unit 23 budget for the upcoming school year that was adopted at the latest Regional School Unit budget meeting?

**STATE OF MAINE - CITY OF SACO
STATE PRIMARY & RSU #23 BUDGET VALIDATION REFERENDUM ELECTION
JUNE 12, 2012**

	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
YES	141	102	100	188	123	110	120	884
NO	371	267	179	398	269	190	168	1842
TOTAL	512	369	279	586	392	300	288	2726

**NOTICE OF AMOUNTS ADOPTED AT BUDGET MEETING
REGIONAL SCHOOL UNIT NO. 23
INFORMATION FOR VOTERS AT BUDGET VALIDATION REFERENDUM**

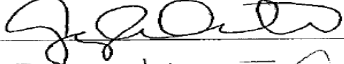
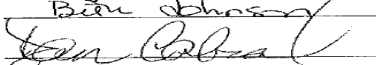
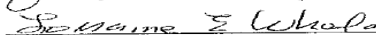
TO: Municipal Clerks of the City of Saco and the Towns of Dayton and Old Orchard Beach, State of Maine


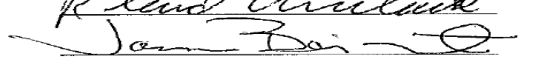
In the name of the State of Maine and pursuant to 20-A M.R.S. §1486(2) you are hereby directed to display this Notice of Amounts Adopted at Budget Meeting at the polling places within your respective municipalities to assist the voters of Regional School Unit No. 23 in voting at the budget validation referendum to be held on June 12, 2012 for the purpose of determining if the Regional School Unit budget for the 2012-2013 fiscal year that was adopted at the Regional School Unit budget meeting on May 15, 2012 should be approved.

Cost Center Summary Budget Category	Amount Recommended by School Board	Amount Approved by Voters at the Budget Meeting*
Regular Instruction	\$24,945,449.45	\$ 24,955,449.45
Special Education	\$7,454,464.63	\$ 7,454,464.63
Career and Technical Education	\$0.00	\$ 0
Other Instruction	\$527,473.39	\$ 527,473.39
Student and Staff Support	\$2,281,772.29	\$ 2,281,772.29
System Administration	\$776,075.04	\$ 776,075.04
School Administration	\$1,765,833.54	\$ 1,846,833.54
Transportation and Buses	\$1,795,538.22	\$ 1,795,538.22
Facilities Maintenance	\$3,514,911.11	\$ 3,514,911.11
Debt Service and Other Commitments	\$444,109.17	\$ 444,109.17
All Other Expenditures	\$0.00	\$ 0
Summary of Total Authorized General Fund Expenditures:	\$43,505,626.84	\$ 43,596,626.84

*Amounts to be completed by Superintendent of Schools under authority of School Board

The amount approved at the Regional School Unit budget meeting includes locally raised funds that exceed the maximum state and local spending target pursuant to 20-A M.R.S. §15671-A(5).


 Bill Johnson

 Jan Cabral

 Suzanne E. Whelan


 Patrick Phillips

 Jan Dainoff

A majority of the School Board of Regional School Unit No. 23

May 15, 2012


 Patrick Phillips, Superintendent of Schools

	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>WARD 4</u>	<u>WARD 5</u>	<u>WARD 6</u>	<u>WARD 7</u>	<u>TOTAL</u>
Registered Voters:	2106	2070	1897	2085	1725	1704	1752	13339
Voter Turnout:	512	369	279	586	392	300	288	2726
Percentage:	24.32%	17.83%	14.71%	28.11%	22.73%	17.61%	16.44%	20.44%

10. CONFIRM APPOINTMENT REGISTRATION APPEALS BOARD

The Registration Appeals Board consists of 3 members who must be appointed as follows: The municipal committee of each of the major political parties shall nominate one member and an alternate board member who will serve three year terms, who must be enrolled in the party of the municipal committee that nominates the member, and the municipal officers shall appoint the persons nominated by the municipal committees and the 3rd member who will serve as the chairman of the board for a four year term must be nominated by the clerk of the municipality and appointed by the municipal officers.

The purpose of the committee: Pursuant to M.R.S.A Title 21-A §103 - If a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's voter registration application, that person may appeal in writing to the registration appeals board.

Nominations are as follows:

	<u>Name</u>	<u>Address</u>	<u>Term to Expire</u>
Chairman	Janet E. Fernald	132 Franklin St.	7/2/2016
Democratic Party	Margaret E. Mills	168 Simpson Rd.	7/2/2015
Democratic Party Alternate	Peter J. Yarborough	5 Lyman Ave.	7/2/2015
Republican Party	Michael P. Quatrano	7 Birch Hill Lane	7/2/2015
Republican Party Alternate	Jeffrey A. Christenbury	20 Cleveland St.	7/2/2015

V. AGENDA

D. ZONING ORDINANCE AMENDMENT: PLACES OF WORSHIP – (PUBLIC HEARING)

“Proposed Amendments to the Saco Zoning Ordinance Pertaining to Places of Worship, April 10, 2012”

(Proposed language is underlined. Language proposed for deletion is ~~struck through~~).

Amend Article 3, Definitions, by adopting the following definition, and inserting in alphabetical order.

“Places of Worship: a building or structure, or groups of buildings or structures, that by design, construction or intent are primarily intended for conducting organized religious services and associated accessory uses. A Place of Worship may include but is not limited to a church, synagogue, temple, mosque or other facility that is used for prayer by persons of similar beliefs.”

Amend the permitted use lists of Article 4 by deleting Church in the places indicated and replacing with the new term, Places of Worship. I-2 is the one exception; Churches are not currently allowed, but we propose to add Places of Worship as a permitted use.

410-1. R-1 LOW DENSITY DISTRICT (Editor's note: includes R-1a, R-1b, R-1c and R-1d except where otherwise noted.)

PERMITTED USES

1. Single family dwellings
2. Agriculture, excluding livestock
3. Public parks and playgrounds
4. Public and private schools, excluding commercial schools
5. ~~Churches~~ Places of Worship

410-2. R-2 MEDIUM DENSITY DISTRICT

PERMITTED USES

1. Single family dwellings
2. Two family dwellings
3. ~~Churches~~ Places of Worship

410-3. R-3 HIGH DENSITY DISTRICT

PERMITTED USES

1. Single family dwellings
2. Two family dwellings
3. ~~Churches~~ Places of Worship

410-4. R-4 GENERAL RESIDENTIAL DISTRICT (Amended 1/3/95)

PERMITTED USES

1. Any use permitted as a matter of right in the R-2 District

410-6A. B-2a HIGHWAY BUSINESS DISTRICT

PERMITTED USES

41. ~~Churches~~ Places of Worship

410-6B. B-2b HIGHWAY BUSINESS DISTRICT

PERMITTED USES

42. ~~Churches~~ Places of Worship

410-6. B-2c and B-2d HIGHWAY BUSINESS DISTRICT

PERMITTED USES

1. Single family dwellings
2. Two family dwellings
3. ~~Churches~~ Places of Worship

410-7. B-3 DOWNTOWN BUSINESS DISTRICT

(See also special size limitations in portion of B-3 district, Section 733-1)

PERMITTED USES

18. ~~Churches~~ Places of Worship

410-9. B-5 MARINE BUSINESS AND RESIDENTIAL

PERMITTED USES

7. ~~Churches~~ Places of Worship

410-9-A.. B-6 HIGHWAY BUSINESS AND COMMERCIAL DISTRICT (Amended 2/12/02, 1/6/93, 12/5/94, 3/2/92, 2/19/02, 4/7/03)

PERMITTED USES

1. ~~Churches~~ Places of Worship

410-12. I-2 INDUSTRIAL BUSINESS DISTRICT (ed. note: includes I-2b district at former Maine Turnpike Exit 5) (Amended 8/1/88, 9/19/88, 3/2/92, 3/16/92, 4/1/91, 6/4/91, 7/6/93, 7/6/93, 2/28/94, 2/19/02)

PERMITTED USES

20. Places of Worship

410-14. C-1 CONSERVATION DISTRICT

PERMITTED USES (Amended 11/5/01)

11. ~~Churches~~ Places of Worship

(END: 'Proposed Amendments to the Saco Zoning Ordinance Pertaining to Places of Worship, April 10, 2012').

Councilor Tripp moved, Councilor Lovell seconded to open the Public Hearing on the document "Proposed Amendments to the Saco Zoning Ordinance Pertaining to Places of Worship, April 10, 2012". The motion passed with unanimous consent.

There were no public comments.

Councilor Tripp moved, Councilor Lovell seconded to close the Public Hearing and "Be it Ordered that the Second and Final Reading be scheduled for July 16, 2012." Further move to approve the Order. The motion passed with six (6) yeas.

E. ZONING ORDINANCE AMENDMENT: §1111, TIME LIMITS ON SITE PLAN APPROVALS – (PUBLIC HEARING)

**"Proposed Amendments to Section 1111 of the Saco Zoning Ordinance,
Related to Time Limits on Site Plan Approvals,
June 18, 2012"**

Amend Section 1111 as follows. Language proposed for deletion is ~~struck through~~, while proposed new language is underlined.

Section 1111. Time Limits on Site Plan Approvals

If substantial construction is not commenced within twelve (12) months of the Planning Board's approval of a site plan, the site plan approval shall be null and void. Substantial construction shall mean the completion of a foundation, addition, or other evidence satisfactory to the Planning Department. The deadline may be extended for ~~one two~~ two additional twelve (12) ~~six (6)~~ month periods by the City Planner Planning Board upon the written request of the applicant. The written request for an extension must be submitted before the date of expiration of the site plan approval. After the site plan approval has expired or an extension denied by the City Planner Planning Board, the applicant may reapply for site plan review at any time without prejudice.

The City Planner Planning Board shall approve the request for an extension unless ~~the Board has become aware of~~ one of the following occurs:

- a. additional information that indicates that the plan does not meet the standards of the zoning ordinance;

- b. failure to meet a condition of approval;
- c. an amendment in the zoning ordinance that prohibits or alters the proposed site plan.

(END: 'Proposed Amendments to the Saco Zoning Ordinance Concerning Section 1111. Time Limits on Site Plan Approvals, June 18, 2012.')

Councilor Lovell moved, Councilor Blood seconded to open the Public Hearing on the document titled: 'Proposed Amendments to Section 1111 of the Saco Zoning Ordinance, Related to Time Limits on Site Plan Approvals, June 18, 2012'. The motion passed with unanimous consent.

There were no public comments.

Councilor Lovell moved, Councilor Tardif seconded to close the Public Hearing, and 'Be it ordered that the Second and Final Reading on the Proposed Amendments be scheduled for July, 16, 2012'. Further move to approve the Order. The motion passed with six (6) yeas.

F. ZONING ORDINANCE AMENDMENT: STORMWATER RUNOFF – (PUBLIC HEARING)

“Proposed Amendments to Section 805 of the Saco Zoning Ordinance, Related to Stormwater April 10, 2012”

Amend Section 805 as follows. Language proposed for deletion is ~~struckthrough~~, while proposed new language is underlined.

805-1. STORMWATER QUANTITY

Adequate provisions shall be made for the disposal of all stormwater from a proposed development through a stormwater drainage system which will not have adverse impacts on abutting or downstream properties. All projects subject to Site Plan review ~~disturbing less than one acre~~ shall be designed to meet the requirements of this Section, 805-1. All projects including one acre or more of disturbed area shall meet the requirements of this section, 805-1 and the requirements of ~~the Site Location of Development Law, 38 MRSA, 481—490,~~ the Maine Stormwater Management Law, 38 MRSA Section 420-D, and regulations promulgated thereunder, specifically Chapter 500 and 502, having been ~~an~~ amended on December 21, 2006. In determining if the threshold is met, all disturbed area created after the effective date of this provision shall be included in that total.

805-2. STORMWATER QUALITY

Sites shall be designed to minimize the amount of impervious area with a focus on reducing vehicle areas including parking, drives, and service areas. All activities, including the enlargement or modification of existing uses, that involve the creation of a total of more than ten thousand (10,000) square feet of new impervious area or one (1) five (5) or more acres of new disturbed area shall manage the quality of the stormwater runoff to meet the following standards. In determining if the threshold is met, all impervious area or disturbed area created after the effective date of this provision shall be included in the total. In the case of enlargements or modifications of existing uses that drain in more than one direction, the treatment standard shall apply to any watershed or subwatershed in which the amount of impervious area or disturbed area is increased.

(END: 'Proposed Amendments to the Saco Zoning Ordinance Concerning Section 805. Stormwater Run-Off, April 10, 2012.')

Councilor Tardif moved, Councilor Lovell seconded to open the Public Hearing on the document titles ‘Proposed Amendments to Section 805 of the Saco Zoning Ordinance, Related to Stormwater, April 10, 2012’. The motion passed with unanimous consent.

There were no public comments.

Councilor Tardif moved, Councilor Doucette seconded to close the Public Hearing and ‘Be it Ordered that the City Council set the Second and Final Reading for the Proposed Amendments to July 16, 2012’. Further move to approve the Order. The motion passed with six (6) yeas.

G. ZONING ORDINANCE AMENDMENT: TWO DWELLINGS ON ONE LOT – (PUBLIC HEARING)

Proposed Amendments to Section 414 of the Saco Zoning Ordinance
Related to Multiple Dwellings on a Lot,
May 29, 2012.

(underline represents new language, while ~~strike through~~ is language to be deleted)

SECTION 414. MULTIPLE DWELLINGS AND/OR USES ON ONE LOT

A. Except as permitted under Section B below, ~~n~~No more than one single family or two family dwelling and its accessory buildings as regulated by this Ordinance may be located on any one lot except in the case of multi-family complexes that meet all other applicable sections of the ordinance. Commercial buildings may be permitted on the same lot as single family and two family dwellings in business districts only, provided that the combined uses and buildings are in the same ownership, remain in the same ownership, and meet the lot size requirements of Table 412-1, Line A.

B. A second single family dwelling or two family dwelling in the same ownership as the first may be located on a lot only if the street frontage requirement, without variance, is met for each principal building or structure located on the lot, and the placement of the buildings will allow division of the lot in conformance with the minimum lot and yard regulations of the District in which it is located, as expressed in Table 412-1.

-----End of Amendment-----

Councilor Cote moved, Councilor Doucette seconded to open the Public Hearing on the document titled, ‘Proposed Amendments to Section 414 of the Saco Zoning Ordinance Related to Multiple Dwellings on a Lot, May 29, 2012’. The motion passed with unanimous consent.

There were no public comments.

Councilor Cote moved, Councilor Doucette seconded to close the Public Hearing and’ Be it Ordered that the City Council set the Second and Final Reading of the Proposed Amendments for July 16, 2012’. Further move to approve the Order. The motion passed with six (6) yeas.

**IV. GENERAL
PETER MORELLI, DEVELOPMENT DIRECTOR – 25TH YEAR OF EMPLOYMENT**

On behalf of City Council and staff, Mayor Johnston thanked Economic Development Director Peter Morelli for all his hard work and dedication through the years and presented him with a plaque in recognition of his 25 years of service from July 1987 – July 2012.

Mr. Morelli has built 2 business parks and been involved in 2 comprehensive plans. He is also the acting City Administer when the City Administrator is not available. He has also updated the Economic Development Plan, and represents the city on the Saco Museum-Dyer Library Board of Trustees, Saco Spirit, PACTS Committee, Southern Maine Regional Planning Commission and Biddeford Saco Area Economic Development Commission.

V. AGENDA

A. REPORT FROM THE SUPERINTENDENT OF SCHOOLS: “RSU BUDGET, FACT OR FICTION”

Superintendent Patrick Phillips presented a slideshow of the RSU Budget, Fact or Fiction. Background factors: 2013 Budget Cuts - Personnel Cuts for FY 13 totaled \$558,000 & Other Savings totaling \$700,000.

Budget Reduction of \$116,209 after inflation costs, from FY12. The RSU #23 Budget has the smallest increase in all of York County.

Note: Councilor Smith arrived at 7:30 p.m.

Additional Local Costs over the upcoming years: Dayton -7.3% with 9.2 % of the students; O.O.B. - 29.9% with 20.1% of the students; Saco- 62.8% with 70.7% of the students.

Unpacking the Additional Local: Next year’s additional local cost is projected to be roughly\$ 6 million. Fact: Only 1.9 million is RSU-wide teacher costs the other costs are costs not funded by the state of Maine.

Thornton Academy represents 38% of our total increased budget over the last 4 years. They currently represent 27% of our students. The RSU is more efficient with all three towns together, than as separate entities.

The problem with our budget for next year is on the revenue side of the budget-over \$3.5 million less than this year’s budget. To address that revenue problem, we developed a budget with a net reduction in expenditures of - \$116, 209.

Councilor Lovell moved, Councilor Tripp seconded to recommend a No vote on the RSU Budget and a Yes vote on the Withdrawal.

TABLE - Councilor Cote moved, Councilor Smith seconded to table Councilor Lovell’s motion until the July 16, 2012 Public Hearing. The motion passed with four (4) yeas and three (3) nays – Councilors Tripp, Tardif and Lovell.

C. ESTABLISH TAX COMMITMENT FY 13

The Assessor needs three items in order to set the tax commitment for Fiscal Year 2013, a warrant for the county tax, a valid budget action by the City Council, and a valid school warrant from the Regional School Unit (RSU). The Assessor has all but the RSU 23 budget that the voters defeated on June 12, 2012.

In this case, pursuant to M.R.S.A. 20-A §1487. FAILURE TO PASS BUDGET

“If a budget for the operation of a regional school unit is not approved prior to July 1st, the latest budget approved at a regional school unit budget meeting and submitted to the voters for validation at a referendum in accordance with section 1486 is automatically considered the budget for operational expenses for the ensuing year until a final budget is approved,If the

budget of a regional school unit is not approved and validated before July 1st and the officers of any affected municipality determine that the property taxes must be committed in a timely manner to the collector pursuant to Title 36, section 709, the municipal assessor or assessors may commit the property taxes on the basis of the latest budget approved at a regional school unit budget meeting and submitted to the voters for validation at a referendum in accordance with section 1486. “

The Regional School Unit 23 Board will be voting on a revised budget July 11, 2012, and sending the revised budget to voters for validation at referendum on July 31, 2012.

Councilor Lovell moved, Councilor Blood seconded ‘Be it Ordered that the City Council authorize the Assessor to commit the taxes for Fiscal Year 2013, based on the budget approved at the Regional School Unit Budget Meeting to be held on July 11, 2012 and subsequently to be submitted to the voters for validation. Further move to approve the order. The motion passed with five (5) yeas and two (2) nays – Councilors Tardif and Tripp.

**B. CONFIRM THE MAYOR'S APPOINTMENT TO THE REGIONAL SCHOOL UNIT
23 BOARD**

Lorraine Whelan resigned from the Regional School Unit (RSU) 23 Board effective June 14, 2012. Her term does not expire until Nov. 2013.

According to statute 20-A §1474. VACANCIES: "3. Filling vacancies. A vacancy on a regional school unit board must be filled according to this subsection.

A. The municipal officers of the municipality in which the director resided shall select an interim director for the municipality or sub district to serve until the next annual municipal election. The interim director shall serve until a successor is elected and qualified. The municipal officers shall provide at the next municipal or sub district election for the election of a director to fill the vacancy."

Since the resignation of Saco's Director became public, a number of people have called and visited the Mayor inquiring about the process of appointing Saco's member to the RSU – they were directed to send in a cover letter and resume for consideration. The suggested appointment this evening is Tracey Ann Collins of 378 Main Street to fill the vacancy on the RSU 23 Board created by Lorraine Whelan's resignation.

The City Attorney noted that it is up to the Council to decide whether to have a limited appointment until the Election in November or a 1 ½ year appointment until the General Election in 2013, when the regular term for the seat is up?

Mayor Johnston polled the Council and all the Councilors agreed to appoint a person to the position until the General Election in 2013.

Councilor Lovell, Councilor Tripp seconded to fill the RSU #23 Board vacancy at the next General Election in 2013. The motion passed with seven (7) yeas.

The nominees interviewed this evening were:

- Alan Minthorn – 19 Buckthorn Circle
- Kevin Lafortune - 6 Peabody Lane
- Tracey Collins – 378 Main Street

Mayor Johnston handed all the Councilors ballots, so that they could vote by secret ballot. The Clerk counted the votes and the results were as follows:

- Alan Minthorn = 0 Votes
- Kevin Lafortune = 6 Votes
- Tracey Collins = 1 Vote

Councilor Lovell moved, Councilor Tardif seconded 'Be it Ordered that the City Council confirm the appointment of Kevin Lafortune to fill the vacancy until such time of the next General Election in 2013'. Further move to approve the order. The motion passed with seven (7) yeas.

RECESS THE MEETING AND CONVENE THE WORKSHOP.

Mayor Johnston recessed the meeting and convened the Workshop at 10:00 p.m. with the unanimous consent of the Council.

- A. 2012 GENERAL ASSISTANCE AMENDMENTS (FIRST READING)**
- B. DISCUSSION OF FIREWORKS**

RECESS THE WORKSHOP AND RECONVENE THE MEETING

Mayor Johnston recessed the Workshop and reconvened the meeting at 10:56 p.m. with the unanimous consent of the Council.

VI. EXECUTIVE SESSION

Councilor Lovell moved, Councilor Tripp seconded “Be it Ordered that the City Council, Pursuant to [M.R.S.A. Chapter 18, Subchapter 1, §405 (6) (C)] move to enter into Executive Session to discuss: Real Estate Transaction 12-14 Thornton Ave. The motion passed with unanimous consent. Time: 10:58 p.m.

A. REPORT FROM EXECUTIVE SESSION

Mayor Johnston moved from Executive Session with the unanimous consent of the Council at 11:13 p.m.

Mayor Johnston conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: David Tripp, Leslie Smith Jr., Marie Doucette, Philip Blood, Arthur Tardif, Eric Cote, and Marston Lovell. City Administrator Rick Michaud was also present.

City Administrator Rick Michaud and Economic Development Director Peter Morelli will contact the developer and seek a formal proposal.

IX. ADJOURNMENT

Mayor Johnston adjourned the meeting with the unanimous consent of the Council at 11:14 p.m.

ATTEST: _____
Michele L. Hughes, City Clerk