

\*These are "Action Only" minutes. Video of comments may be found on recorded discs at City Hall or at [www.cityofbelfast.org](http://www.cityofbelfast.org).\*

**City of Belfast  
Council Chambers-Belfast City Hall  
Tuesday, May 17, 2016  
7:00 p.m.**

**Public Hearing #1**

Pursuant to Belfast Victualer License ordinance a public hearing will held on May 17, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers at Belfast City Hall on the following applications for a Victualer License renewal, due to expire May 31, 2016.

LAWRENCE MARSHALL	d/b/a THE ALDEN HOUSE
CHARLIE LAUREL	d/b/a BAY WRAP
MICHAEL BOWEN	d/b/a BOWEN'S TAVERN
DAVID CRABIEL	d/b/a CHOCOLATE DROP CANDY SHOP
COURTNEY SANDERS	d/b/a DAILY SOUP
DAVID CRABIEL	d/b/a DAVE'S DRIVE-IN
ANTHONY JACOVINO	d/b/a DELVINO LLC
DELVINO LLC	d/b/a LA VIDA
MICHELLE BERRY	d/b/a MOONBAT CITY BAKING
SUZANNE COOLBETH	d/b/a SUECAKES
TALL PINES HEALTH CARE INC	d/b/a THE RESIDENCE AT TALL PINES
PINCHY INC	d/b/a THREE TIDES
MICHAEL CASBY	d/b/a TRILLIUM EVENTS INC
RANDALL COLLINS	d/b/a VFW
ANNA WAGNER	d/b/a WAGS WAGON LLC
DENISE FULLER	d/b/a WASSES HOT DOGS

Mayor Ash asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #2**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on May 17, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by Anthony Jacovino and Christina Delsanto d/b/a Delvino's Grill and Pasta House located at 52 Main Street, Belfast, Maine for a renewal Class XI Spirituous, Vinous and Malt Liquor license.

Mayor Ash asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #3**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on May 17, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall

to hear an application by Delvino, LLC d/b/a LaVida located at 132 High Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant liquor license. Mayor Ash asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #4**

In accordance with Title 28A Section 653 MRSA 1964 a public hearing will be held on May 17, 2016 at 7:00 p.m. or as soon as possible thereafter in the Council Chambers of Belfast City Hall to hear an application by the Belfast Curling Club located at 211 Belmont Ave, Belfast, Maine for a new Spirituous, Vinous and Malt license.

Mayor Ash asked for proponents and opponents and hearing none declared the hearing closed.

**Public Hearing #5**

Pursuant to the Special Amusement Ordinance of the City of Belfast and the provision of Title 28-A Section 1054 MRSA a public hearing will be held in the Council Chambers of Belfast City Hall on May 17, 2016 at 7:00 p.m. or as soon as possible thereafter on a new application for a Special Amusement Permit for the Belfast Curling Club for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 211 Belmont Ave, Belfast, Maine, interior & exterior.

Mayor Ash asked for proponents and opponents and hearing none declared the hearing closed.

**Regular Council Meeting No. 22**

**1) Call to order**

**2) Present:** Mayor Walter Ash, Jr., Councilors Mary Mortier, Neal Harkness, Eric Sanders, Michael Hurley and John Arrison; City Manager Joseph Slocum and Admin. Assistant to the City Manager Manda Cushman.

**3) Pledge of Allegiance**

**4) Adoption of the agenda**

City Manager Joseph Slocum requested to amend the agenda as follows:

- Remove item **10) O** Request to go into Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C.
- Remove item **10) L** Consideration of a request to transfer title of a mobile home that was foreclosed upon to the mobile home park owner.

Councilor Arrison, seconded by Councilor Mortier, made a motion to adopt the agenda as amended. This motion was approved, 5-0.

## 5) Acceptance of the minutes

Regular Council Meeting of May 3, 2016.

Councilor Hurley, seconded by Councilor Arrison, made a motion to accept the minutes from Regular Council Meeting of May 3, 2016. This was approved, 5-0.

## 6) Open to the public

Please state your name and town you are from when addressing the City Council.

1. Breanna Pinkham-Bebb, Executive Director of Our Town Belfast gave an organization update.
2. Joan Willey of Belfast requested that the City Council consider increasing their own recycling program and creating a solid waste committee.
3. Bradley Williams of Belfast spoke of pending legal suits.
4. Kathy Gaskin of Morrill spoke regarding the proposed new waste facility.
5. Carol Kuhn of Northport informed the public of the upcoming “Come Boating Launch Day.”
6. Christopher Hyk of Belfast spoke about concerns with the proposed RSU #71 School Budget.
7. Mark Dittrick of Belfast spoke regarding item 10) B on the agenda.
8. William Pollock spoke on behalf of the VFW informing the public regarding the upcoming Memorial Day Parade on May 30th.
9. Jim Guerra Municipal Review Committee Board Member informed Council that he is available to answer questions regarding Fiberight.

## 7) Communications

City Manager Joseph Slocum discussed the following:

- Rail Trail is currently closed for construction.
- Upcoming committee vacancies, please see City Clerk if interested in serving.
- Update the Council on OnProcess hiring status.
- Informed the Council that the RSU #71 Election Warrant will need to be signed by all Council members at the end of the meeting.
- Gave the Council an updated status of the Project Canopy Tree plantings throughout downtown.
- Discussed possible rodent issues due to warmer winter and excessive feeding of birds.

Councilor Hurley discussed reaching out to committee members to have them be aware of terms ending.

Councilor Harkness thanked OnProcess for the jobs they have brought to the community.

Councilor Sanders addressed the proposed RSU #71 School Budget.

Councilor Arrison thanked all who helped with the Greater Bay Ministerium food drive.

Mayor Ash requested to move item **10) M** to the beginning of the agenda, it was unanimously agreed upon to place **10) M** Request by Our Town Belfast and Belfast Creative Coalition for use of City property for the annual Fourth Friday Art Walks from May through September from 5:00 – 8:00 p.m. before item **10) A** on the agenda.

**8) Old Business and Council Committee Reports**

No comments.

**9) Permits, Petitions and Licenses - Consent Agenda**

**A.** Request to approve the following applications for a Victualer License renewal, due to expire May 31, 2016:

LAWRENCE MARSHALL	d/b/a THE ALDEN HOUSE
CHARLIE LAUREL	d/b/a BAY WRAP
MICHAEL BOWEN	d/b/a BOWEN’S TAVERN
DAVID CRABIEL	d/b/a CHOCOLATE DROP CANDY SHOP
C.COURTNEY SANDERS	d/b/a DAILY SOUP
DAVID CRABIEL	d/b/a DAVE’S DRIVE-IN
ANTHONY JACOVINO	d/b/a DELVINO LLC
DELVINO LLC	d/b/a LA VIDA
MICHELLE BERRY	d/b/a MOONBAT CITY BAKING
SUZANNE COOLBETH	d/b/a SUECAKES
TALL PINES HEALTH CARE INC	d/b/a THE RESIDENCE AT TALL PINES
PINCHY INC	d/b/a THREE TIDES
MICHAEL CASBY	d/b/a TRILLIAM EVENTS INC
RANDALL COLLINS	d/b/a VFW
ANNA WAGNER	d/b/a WAGS WAGON LLC
DENISE FULLER	d/b/a WASSES HOT DOGS

**B.** Request to approve the application by Anthony Jacovino and Christina Delsanto d/b/a Delvino’s Grill and Pasta House located at 52 Main Street, Belfast, Maine for a renewal Class XI Spirituous, Vinous and Malt Liquor license.

**C.** Request to approve an application by Delvino, LLC d/b/a LaVida located at 132 High Street, Belfast, Maine for a renewal Malt, Spirituous and Vinous Restaurant liquor license.

**D.** Request to approve an application by the Belfast Curling Club located at 211 Belmont Ave, Belfast, Maine for a new Spirituous, Vinous and Malt license.

- E. Request to approve a new application for a Special Amusement Permit for Belfast Curling Club for Live Music, DJ, Karaoke, all Live Entertainment, and dancing at 211 Belmont Ave, Belfast, Maine, interior & exterior.
- F. Request to approve an off premises catering permit for The Otis Group Incorporated d/b/a Rollie's Bar & Grill for the Chamber After Hours event located at the Chamber Office, 14 Main Street, Belfast, Maine on Thursday, May 12, 2016 from 4:00 p.m. to 8:00 p.m.
- G. Request to approve an application for a parade permit request submitted by William Pollock on behalf of the VFW Post 3108 for a Memorial Day Parade on May 30, 2016 starting at Reny's Plaza at 10:00 a.m.
- H. Request to approve a Facility Use application by Susan Cutting representing Come Boating for the use of the trailer parking area at the Harbor for their annual Nautical Yard Sale and Launch Day on May 28, 2016 from 9:00 a.m. to 2:00 p.m.

Councilor Hurley, seconded by Councilor Harkness, made a motion to accept the consent agenda. This motion was approved, 5-0.

## 10) Business

A) #1 Request by Our Town Belfast and Belfast Creative Coalition for use of City property for the annual Fourth Friday Art Walks from May through September from 5:00 – 8:00 p.m.

Breanna Pinkham-Bebb, Executive Director of Our Town Belfast updated the Council to the changes to the annual Fourth Friday Art Walks.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request by Our Town Belfast and Belfast Creative Coalition for use of City property for the annual Fourth Friday Art Walks from May through September from 5:00 – 8:00 p.m. This motion was approved, 5-0.

A) Review of bids and possible award of a bid for a new pickup truck for the Fire Department.

City Manager Joseph Slocum reviewed the bids.

Councilor Mortier, seconded by Councilor Arrison, made a motion to accept the bids for a new pickup truck for the Fire Department. This motion was approved, 5-0.

City Manager Joseph Slocum explained the request on behalf of the Fire Chief, recommending awarding the bid to the highest bidder, O'Connor GMC in Augusta, Maine for \$40,419.00.

Councilor Hurley, seconded by Councilor Harkness, made a motion to award the bid to O'Connor GMC in Augusta, Maine for \$40,419.00, with funding coming from the following accounts: \$15,000 Fire Department Equipment Capital Reserve Account, \$15,000 Ambulance Equipment Capital Reserve Account, and up to \$10,500.00 Undesignated Fund Balance to be paid back to the Undesignated

Fund Balance by the Parks & Recreation Department Equipment Capital Reserve Account after July 1, 2016. This motion was approved, 5-0.

**B)** Consideration of whether or not the City will enter into a Joinder agreement with MRC for purposes of committing the City to a long-term solid waste disposal agreement at a new waste disposal facility in Hampden constructed by Fiberright.

Councilor Arrison read answer to questions he had emailed to MRC consultant George Aronson regarding the solid waste agreement with Fiberright.

Councilors discussed the agreement and how to inform the public of this change.

Councilor Sanders, seconded by Councilor Arrison, made a motion to enter into a Joinder agreement with MRC for purposes of committing the City to a long-term solid waste disposal agreement at a new waste disposal facility in Hampden constructed by Fiberright. This motion was approved, 5-0.

**C)** Consideration of a proposed Purchase and Sale Agreement with the Front Street Shipyard for the sale of the City owned parking lot on Front Street.

City Planner Wayne Marshall requested the following:

1. Request for the Council to approve the sale of Front Street Parking Lot to DUBBA LLC for the purpose of building Front Street Shipyard Building #6 for the price and terms identified.
2. Consideration from Council on how to utilize the funds.

Councilor Mortier, seconded by Councilor Sanders, made a motion to approve the Purchase and Sale Agreement with Front Street Shipyard for the of the City owned parking lot on Front Street for the price and terms identified. This motion was approved, 5-0.

**D)** Review of an appraisal on the value of a 14 foot wide permanent easement across the Penobscot McCrum company to create access to the Rail Trail from the bottom of Pierce Street.

City Manager Joseph Slocum explained the appraisal and requested authorization from the Council to extend to Penobscot McCrum \$55,000 for the easement with three weeks to respond.

Councilors briefly reviewed the appraisal.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the appraisal from Buklin Appraisal LLC. This motion was approved, 5-0.

Councilor Mortier, seconded by Councilor Hurley, made a motion to authorize the City Manager to extend the offer of \$55,000 for the 14 foot wide permanent easement across Penobscot McCrum. This motion was approved, 5-0.

**E)** Request from MOFGA to use the City Pavilion at City Park for their staff appreciation picnic.

Parks and Recreation Director Norm Poirier explained the request, noting that the Parks and Recreation Commission have recommended a \$100 fee to reserve it.

Councilor Hurley, seconded by Councilor Arrison, made a motion to accept the request from MOFGA to use the City Pavilion at City Park for their staff appreciation picnic for a fee of \$100 as recommended. This motion was approved, 5-0.

**F)** Further discussion on removing a tree at 16 Church Street.

Councilor Hurley recommended not removing the tree at this time.

No action was taken, Council unanimously agreed not to remove the tree at 16 Church Street.

**G)** Update on the Rail Trail project and consideration of officially naming the trail “Belfast Rail Trail.”

City Manager Joseph Slocum gave an update on the construction of the Rail Trail and briefly discussed with Council the idea of officially naming the trail.

Councilors briefly discussed possible names, unanimously deciding to table the issue.

**H)** Further discussion on new downtown benches.

Parks and Recreation Director reviewed current bench designs throughout the City with the Councilors. No action was taken.

**I)** Discussion with School Board on the next School Budget for RSU # 71.

RSU #71 School Board Members David Crabel and Jess Woods provided the Council with a year in review, discussed the proposed budget for fiscal year 2016-2017 and invited the Council to the budget meeting on Monday, May 23<sup>rd</sup> at the Troy Howard Middle School.

**J) Update on Front Street Reconstruction project.**

City Planner Wayne Marshall updated the Council on the reconstruction project and requested Council action on lighting.

Councilor Hurley, seconded by Councilor Mortier, made a motion to accept the request (change order) for approval to expend up to \$64,000 to install the six lights for the Front Street Construction Project. This motion was approved, 5-0.

**K) Consideration of a Facility Use Policy recommended by the Parks and Recreation Commission for the use of City land and property.**

Parks and Recreation Director Norm Poirier discussed with Councilors the recommended Facility Use Policy, Councilors discussed possible changes to the proposed policy and no action was taken.

**L) Consideration of a request to transfer title of a mobile home that was foreclosed upon to the mobile home park owner.**

Item removed from agenda.

**M) Request by Our Town Belfast and Belfast Creative Coalition for use of City property for the annual Fourth Friday Art Walks from May through September from 5:00 – 8:00 p.m.**

Item moved to **10) A #1** on the agenda.

**N) Discussion to permit final music of All Roads Music Festival to play until 12:30 a.m. at Three Tides Saturday night May 21<sup>st</sup>. (Councilor Hurley)**

Councilors briefly discussed the request.

Councilor Hurley, seconded by Councilor Harkness, made a motion to permit final music of All Roads Music Festival to play until 12:30 a.m. at Three Tides Saturday night May 21st. This motion was approved, 5-0.

**O)** Request to go into Executive Session to discuss a Real Estate matter pursuant to 1 M.R.S.A. 405 (6) C.

Item removed from agenda.

**P)** Signing of Council Orders

**11) Open to the Public**

No public comment.

**12) Communications**

Councilor Hurley requested that the City write a letter to the superintendent and maintenance department of RSU #71 requesting that they do not hit the trees that the City planted with mowers.

**13) Adjourn**

Councilor Sanders, seconded by Councilor Hurley, made a motion to adjourn the meeting at 11:18 p.m. This motion was approved, 5-0.

HEREBY CERTIFY THAT THE ABOVE  
IS A TRUE COPY OF INFORMATION  
ON THE RECORD WHICH IS IN MY  
OFFICIAL CUSTODY

ATTEST



AMANDA CUSHMAN, BELFAST MAINE