



Town of York

186 York Street
York, Maine 03909-1314

SELECTMEN'S MEETING 6:00/7:00PM MONDAY, FEBRUARY 13, 2012 YORK LIBRARY

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

Code Enforcement
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

Fax
(207)363-1009
(207)363-1019

www.yorkmaine.org

Present: Chair; Tracy Jackson-McCarty, Vice Chair; Mary Andrews, Kinley Gregg, Scott Fiorentino, Town Manager; Robert G. Yandow, Recorder; Susan Scott, and members of the press and public.

6:00PM: Executive Session: Real Estate (Pursuant to M.R.S.A. Title 1, §405 (6) (C))

Moved by Ms. Andrews, seconded by Mr. Fiorentino to enter into Executive Session: Real Estate (Pursuant to MRSA Title 1, Section 405 (6) (C) at 6:05PM.

Moved by Ms. Andrews, seconded by Ms. Jackson-McCarty to exit the Executive Session: Real Estate (Pursuant to MRSA Title 1, Section 405 (6) (C) at 6:54PM.

Call to Order

Pledge of Allegiance

A. Minutes

- January 23, 2012 Selectmen's Meeting Minutes: Moved by Ms. Andrews seconded by Mr. Fiorentino to approve the January 23, 2012 Selectmen's Meeting Minutes as amended. Vote 4-0, motion passes.
- February 2, 2012 Special Selectmen's Meeting Minutes: Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve the February 2, 2012 Special Selectmen's Meeting Minutes. Vote 4-0, with, motion passes.

B. Chairman's Report

Chairman Jackson-McCarty congratulated Police Chief Doug Bracy for receiving an award from the State Police Association.

C. Manager's Report

Town Manager, Robert G. Yandow, congratulated Chief Bracy for recognition from the State Police Association, and congratulated Police officers Scott

Slauson, Scott Randall and Tyler Gagne for receiving Life Saving Awards. Mr. Yandow further congratulated Officer Scott Randall for receiving a second Life Saving Award as well Police Department Chaplain, Dr. Henry Guertin-Ouellette for receiving the Outstanding Contribution by a Civilian award. Mr. Yandow reminded residents that there will be some traffic disruption on York Street in the next few weeks due to the drainage project.

D. Awards

1. Proclamation: May Sarton.

Chairman Jackson-McCarty read the Proclamation Announcing May Sarton Day this coming May 3, 2012 on what would have been her 100th birthday. The May Sarton Centennial Symposium will occur May 3rd through May 6th, 2012.

Ms. Andrews stated that May Sarton was a truly special person.

E. Reports

1. Charter Commission - Preliminary Report

Charter Commission Chairman, Dave Marshall, discussed how York voters approved establishment of the Commission back in May 2010 so as to review how the Town of York was governed. The Commissioners met diligently over a period of a year and a half, and have unanimously approved the draft charter as presented. Increased public participation and oversight are common themes within the proposed charter. As statutorily required, the draft document was reviewed by an attorney, Mr. Keith Jacques, Esq., and deemed compliant. Copies of these materials will be provided at Town Hall, York Library and on the Town website.

Chairman Jackson-McCarty requested the Selectmen spend more time reviewing the document for a future workshop.

F. Citizens Forum - The citizen's forum is open to any member of the audience for comments on items listed on this meeting agenda. All comments should be respectful in tone and should be directed to the chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the town manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the town manager's office.

Public Comment: Chuck Stacey
Nick Papin
Helen Rollins
Rick Boston

G. Approval of Warrant #33

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve Warrant #33, without objection, so ordered.

H. Public Hearings

- **NEW BUSINESS LICENSE:** Jon Adelson DBA Rick's All Seasons Restaurant (Victualers and Liquor)

Moved by Ms. Andrews, seconded by Mr. Fiorentino to open the public hearing at 7:33pm, motion passes.

Public Comment: None.

Moved by Ms. Andrews, seconded by Mr. Fiorentino to close the public hearing at 7:33pm, motion passes.

- **Sale of Town Owned Property:**

- 27 Haskell Way
- 40 Walt Kuhn Road
- 70 Walt Kuhn Road
- 302 Mountain Road
- 86 Scituate

Moved by Ms. Andrews, seconded by Mr. Fiorentino to open the public hearing at 7:34 pm, motion passes.

Public Comment: Chuck Stacey
Helen Rollins

Moved by Ms. Andrews, seconded by Ms. Gregg to close the public hearing at 7:37 pm, motion passes.

I. Endorsements

License Applications

- Jon Adelson DBA Rick's All Seasons Restaurant (Victualers & Liquor)
- Cumberland Farms, Inc. DBA Cumberland Farms #5567 (Victualers & Liquor)
- Phyllis W. Fox DBA Fox's Lobster House (Victualers & Liquor)
- Stephen Dunne DBA Brown's Ice Cream (Victualers)
- Woods Family Inc. DBA Woody's Brick Oven Pizza (Victualers)
- Kevin Tacy DBA Foster's Downeast Clambake (Victualers, Liquor & Special Amusement)
- The Goldenrod DBA Lobster Cove (Victualers, Liquor & Special Amusement)

Moved by Ms. Gregg, seconded by Ms. Andrews to approve the following license applications: Jon Adelson DBA Rick's All Seasons Restaurant (Victualers & Liquor), Cumberland Farms, Inc. DBA Cumberland Farms #5567 (Victualers & Liquor), Phyllis W. Fox DBA Fox's Lobster House (Victualers & Liquor), Stephen Dunne DBA Brown's Ice Cream (Victualers), Woods Family Inc., DBA Brown's Ice Cream (Victualers), Kevin Tacy DBA Foster's Downeast Clambake (Victualers, Liquor & Special Amusement), and The Goldenrod DBA Lobster Cove (Victualers, Liquor & Special Amusement). Vote 4-0, motion passes.

J. Old Business

K. New Business

1. Proposed Additional Improvements to Short Sands and Long Beach Drainage Projects.

Public Works Director, Dean Lessard, discussed previously voter approved drainage projects, and the increased scope due to additional grant monies as awarded through the State MPI program. Mr. Lessard confirmed he would provide the Selectmen a list noting each separate improvement for future review and approval by the Board.

Chairman Jackson-McCarty requested Rick Boston contact the Ellis Park Sands' Director to coordinate a time for a joint meeting with the Department of Public Works.

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve that the Department of Public Works and Oak Engineers are authorized to finalize the design for the additional infrastructure improvements in conjunction with the Short Sands and Long Beach Drainage projects

based on the additional funding provided by the Maine Department of Transportation's Municipal Participation Initiative grant, and further, that construction bids be solicited from SUR Construction and their approved subcontractors to complete the additional infrastructure improvements. Vote 4-0, motion passes.

2. Drainage Improvement Project on Broadway, Airport Drive Extension, Ocean Avenue Extension and Willow Street.

Public Works Director, Dean Lessard, discussed preliminary plans for relocation of storm drainage components to assist with the lessening of chronic flooding in the Short Sands Beach area. If approved, Mr. Lessard will start meeting with property owners to negotiate possible easements with an expected start date to occur next winter. Mr. Lessard confirmed that copies of any DEP permit submittals would be provided to the Selectmen.

Moved by Ms. Andrews, seconded by Mr. Fiorentino to authorize the Department of Public Works to finalize the design, secure drainage easements and environmental permits, and solicit construction bids to replace and upgrade the existing drainage system on Ocean Ave Extension, Airport Drive Extension, Broadway and Willow Streets. Vote 4-0, motion passes.

Mike Morrison, Swamp Inc., discussed a potential stormwater wetland restoration project which acts as an important component of the Town's current mosquito program for which he manages. The current drainage project contains a 2 ½ acre wetland parcel located off of Airport Drive Extension. This wetland not only contains 4 species of harmful mosquitoes but has been infiltrated with invasive plants and high amounts of sediment effectively prohibiting natural stormwater containment. If the Town were interested, this could be the first type of mosquito/stormwater treatment project in Maine.

3. Appointment to Assessment Review Board

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the appointment of Gregory R. Gosselin as Member to the Assessment Review Board with a term to expire June 30, 2014. Vote 4-0, motion passes.

4. Approval of Purchase and Sale Agreements for Sale of Town-Owned Property

Moved by Ms. Andrews, seconded by Mr. Fiorentino to authorize the Town Manager to sign Purchase and Sale Agreements for 302 Mountain Road, 86 Scituate Road and 27 Haskell Road. Vote 4-0, motion passes.

5. Property Redemption Request: 6 Eastern Ave. (Tax Map 36, Lot 73-A)

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve the redemption of Tax Map 0036, Lot 0073-A, 6 Eastern Avenue, as requested, subject to the attached conditions being met, and that all taxes, interest and administrative costs are paid in full by no later than April 13, 2012. Vote 4-0, motion passes.

6. Property Redemption Request: 8 Raccoon Ridge (Tax Map 2, Lot 29)

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve the redemption of Tax Map 0002, Lot 0029, 8 Raccoon Ridge, as requested, subject to the attached conditions being met, and that all taxes, interest and administrative costs are paid in full with the first installment of \$3,000 due by February 17, 2012, and the remaining balance due by no later than August 13, 2012. Vote 4-0, motion passes.

7. Application for License for Incorporated Civic Organization: Old York Historical Society 3/31/12

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve the Application for License for Incorporated Civic Organization for the Old York Historical Society event, "Tap Tap Tap Jefferds Tavern Dinner", to be held on March 31, 2012 from 6:30pm to 9:00pm. Vote 4-0, motion passes.

8. Special Event Permit Application: Dawn Firespin 3/4/12

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve the special event permit application for the Dawn Firespin that will be held Sunday, March 4, 2012 from approximately 5:00am to 7:00am. Vote 4-0, motion passes.

9. Special Event Permit Application: 23rd Annual Decorator Show House 7/14/12 - 8/11/12

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve the special event permit application for the 23rd Annual Decorator Show House that will be held July 14 through August 11, 2012. Vote 4-0, motion passes.

L. Other Business

- Ms. Gregg inquired about roadwork on York Street, and whether the project had been stopped or delayed due to the impending Citizen's Petition regarding the traffic light. Mr. Yandow responded that in no way has his office or the Town requested any delay of work with regard to the drainage improvement project.

- Chairman Jackson-McCarty read letters from Janalee Moquin, Diane Brown, and Marci and Robert Cathey. Ms. Jackson-McCarty extended an apology to both Chuck Stacey and Helen Rollins for not responding to their prior questions. The Selectmen will research and respond to them both.

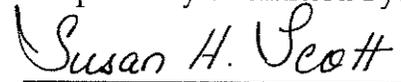
M. Citizens Forum

Public Comment: None.

Adjourn

Moved by Ms. Andrews, seconded by Ms. Gregg to adjourn at 10:04pm.

Respectfully Submitted By:



Susan H. Scott; Recorder