

**BOARD OF SELECTMEN'S
MEETING MINUTES
5:30/7:00PM MONDAY, SEPTEMBER 22, 2014
YORK LIBRARY**

5:30PM: Work Session with Citizens Committee regarding Town Manager Search

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Torbert Macdonald, Ronald Nowell, Jonathan O. Speers, Town Manager Stephen H. Burns and Recorder Melissa M. Avery.

Call to Order

Chairman Mary Andrews called the meeting to order at 7:00PM.

Opening Ceremonies

Knights of Columbus Proclamation

This item was not addressed, as representatives of the local Knights of Columbus were not present at the meeting.

A. Minutes

1. September 8, 2014 Meeting Minutes
2. September 15, 2014 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the September 8, 2014 and September 15, 2014 meeting minutes. Vote 5-0, motion passes.

B. Chairman's Report

Chairman Mary Andrews did not have a Manager's Report this evening.

C. Manager's Report

Town Manager Stephen H. Burns informed the public that the last round of tests for EEE came back negative but urged the public to still take precautions to stay bite free. Mr. Burns announced the Amber Harrison has been appointed as the Town's Health Officer. Mr. Burns also informed the public that Town Officers

will be closed on December 26, 2014, the day after Christmas. Mr. Burns told the citizens that York Community Dialogue had their "Lets Talk About Education" forum this past weekend, and it was a very successful event. Mr. Burns stated that last Friday there was a court decision on the Marijuana Petition and that the first of the two part challenge has been denied, in the Town's favor. Mr. Burns also stated that there will be a joint meeting with the Planning Board and the Board of Selectmen on Thursday, September 25 at 6:00PM here at the Library before the Planning Board's regularly scheduled meeting.

D. Awards

1. ACO Truck Bid Award - Police Department

The Police Department is replacing its 2004 Chevy Silverado Pick-up Truck that the Animal Control Officers use in the course of their duties to patrol and pickup stay animals. A bid request was sent out and the following bids were received:

1. Quirk Ford - \$21,733
2. Yankee Ford - \$23,125
3. Starkey Ford - \$23,791

Police Chief Douglas Bracy recommended that the Board of Selectmen approve the bid for the 2014 Ford F-150 4WD Super Crew Cab Pick-up Truck from Quirk Ford of Augusta, Maine.

Moved by Mr. Macdonald, seconded by Mr. Nowell to award the bid for the purchase of a 2014 Ford F-150 4WD Super Crew Cab Pick-up Truck from Quirk Ford of Augusta, Maine in the amount of \$21,733 from the Capital Cruiser Account of the Police Department. Vote 5-0, motion passes.

2. Video System - Police Department

Town Manager Stephen H. Burns explained to the Board of Selectmen that there was a misprint in advertising the bid request for the video system, and they received additional bids after the bid opening in the Town Manager's Office and this would be postponed until a future meeting.

3. One-Ton Pick-Up Truck - Department of Public Works

The Department of Public Works solicited bids from five different truck vendors for a new Public Works Pick-up Chassis. The following bids were received:

1. Starkey Ford - \$35,375
2. Weirs GMC - \$35,378

Director of Public Works Dean Lessard recommended that the Board of Selectmen award the bid for the new Public Works Pick-up Chassis to Starkey Ford, Inc. Mr. Lessard explained that the Weirs GMC bid was for a truck that did

not meet the bid specs and it would cost an additional \$4,000 to make it meet most of the bid specs.

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve the award of the bid for a new Public Works Pick-up Chassis to Starkey Ford, Inc. in the amount of \$35,375. Vote 5-0, motion passes.

E. Reports

1. Sohier Park Committee – New Gift Shop

Sohier Park Committee Chairman Ed MacGorman gave the Board of Selectmen and the public a report, on behalf of the Sohier Park Committee on the new Sohier Park Gift Shop. Mr. MacGorman stated that the new gift shop has been a huge success in its first.

2. Parks and Recreation – Old Burying Grounds Inventory

Parks Foreman Ryan Coite gave a PowerPoint presentation of the progress the Parks and Recreation Department has made with the \$13,000 that was allotted for the Maintaining Veterans Gravesites and Ancient Burial Grounds project in the FY15 Budget.

3. York Village Study Committee – Village Master Plan Update

York Village Study Committee Chairman Ron McAllister gave a progress report on the Village Master Plan Phase 1. The Village Study Committee has begun to work with The Downtown Revitalization Collaborative (TDRC) to develop the Master Plan.

F. Citizens' Forum – The Citizens' 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: Carole Allen
Kenneth Lemont

G. Approval of Warrant #12

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve Warrant #12. No objection, so ordered.

H. Public Hearings

1. Request to Vacate a Portion of Pinecrest Drive Right-of-Way

Moved by Mr. Macdonald, seconded by Mr. Nowell to open the Public Hearing for a request to vacate a portion of Pinecrest Drive right-of-way. No objection, so ordered.

Public Comment: Kenneth Lemont
Brian Ricks

Moved by Mr. Nowell, seconded by Mr. Palmer to close the Public Hearing for a request to vacate a portion of Pinecrest Drive right-of-way. No objection, so ordered.

I. Endorsements

Business Licenses:

1. John and Nancy Stern DBA: Pie In The Sky Bakery, Inc. (Food Service); Located at 1 River Road
2. John Shaw DBA: Frankie and Johnny's (Food Service); Located at 1594 US Route One

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the following licenses: John and Nancy Stern DBA: Pie In The Sky Bakery, Inc. for Food Service, located at 1 River Road and John Shaw DBA: Frankie and Johnny's for Food Service, located at 1594 US Route One subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

J. Old Business

1. Property Redemption: 16 Pine Street

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the redemption of Tax Map 0030 Lot 0042-D, 16 Pine Street, as requested, subject to the condition that all future owners comply with Town wetland regulations, and all taxes, interest and administrative costs being paid in full no later than November 21, 2014. Vote 5-0, motion passes.

2. Discussion and Possible Action Regarding Purchase of a DPW Plow Truck

This matter was first discussed at the meeting of September 8, 2014. Consistent with Section XVI (Soul Source Purchase) of the Board of Selectmen's Purchasing Procedures Policy, the Town Manager may recommend to the Board of

Selectmen a large purchase without a bidding process when such action will benefit the Town.

Moved by Mr. Macdonald, seconded by Mr. Nowell to award the FY15 Plow Truck Chassis to Liberty International Trucks in the amount of \$61,900. Vote 5-0, motion passes.

K. New Business

1. Policy Discussion in Advance of FY16 Budget Preparation

Town Manager Stephen H. Burns explained that this is the final regular meeting of the Board of Selectmen before he plans to start the FY16 budget preparation process. Mr. Burns told the Board that he would appreciate any policy guidance the Board would be willing to provide so he can share it with the Departments, Boards and Committees that will be making budget requests.

2. Discussion and Possible Action on a Contract for Invasive Plant Species Control Along Town Roads

Director of Public Works Dean Lessard explained to the Board of Selectmen the need for the Town to control the invasive plant (Japanese Knotweed) that is spreading very quickly along the Town's roadsides. Mr. Lessard recommended that the Town of York's existing contractor Municipal Pest Management Services, Inc. be awarded the bid for the Japanese Knotweed Control Program.

Mr. Burns suggested having David Tibbetts, former Conservation Commission Chair who now works for the United States Fish and Wildlife Department come to talk to the Board of Selectmen to discuss the Department's view on the best practice to get control of the Town's Japanese Knotwood problem.

Moved by Mr. Palmer, seconded by Mr. Macdonald to table this issue until the next regular meeting. No objection, so ordered.

3. Discussion and Possible Action on Request to Vacate a Portion of Pinecrest Drive Right-of-Way

Town Manager Stephen Burns read a letter from the property owners of 11 Pinecrest Drive into the record regarding their request for the Town to vacate the right-of-way.

Moved by Mr. Palmer, seconded by Mr. Macdonald to direct the Interim Town Manager to complete all required preparatory work so the Board can hear and decide on this matter at its October 27th meeting. Vote 5-0, motion passes.

Chairman Mary Andrews called a five minute recess.

4. Discussion of a Request to Vacate a Portion of Anbelwold Circuit and Intervale Road Rights-of-Way

Town Tax Assessor Rick Mace received a request from Rodney Byam and Marjorie Stevens to vacate portions of the road right-of-way of Intervale Road and Anbelwold Circuit. These are paper streets and the adjacent owners are asking the Town to give up all public rights that exist within these paper streets.

Moved by Mr. Macdonald, seconded by Mr. Speers to direct the Town Manager to initiate a review of all paper streets within the York Cliff Improvement Company Plan of 1893, and to return to the Board with recommendations about possible public interest with respect to each paper street in this neighborhood. Vote 5-0, motion passes.

5. Police Station/Connector Road Project

a. Draft Charter for Building Committee

Mr. Burns drafted a Committee Charter for the Municipal Building Committee for the Police Station/Connector Road Project that the Board want to discuss further at a future Workshop designated for the Police Station/Connector Road Project.

b. Discussion and Possible Action about an MPI Grant Application for the Intersection of the Connector Road and Route One

Public Works Director Dean Lessard introduced a possible Municipal Partnership Grant application that could help offset the cost of the Route One/Connector Road intersection improvements. Mr. Lessard and Mr. Burns recommended that the Board to authorize submittal of the application.

Moved by Mr. Palmer, seconded by Mr. Speers to approve the submittal of a 2015 grant application to Maine Department of Transportation's Municipal Partnership Initiative Program (MPI) in order to secure funds for York Beach Access Road improvements. Vote 5-0, motion passes.

c. Schedule a Workshop

Town Manager Stephen Burns requested that the Board of Selectmen schedule a workshop on October 14, 2014 if the Community Room is available, specifically to discuss the Police Station and Connector Road Project. At this workshop Mr. Burns feels it would be appropriate to finalize the Committee Charter, interview applicants for the Municipal Building Committee, review the budget and the status of all relevant issues relating to these projects, and to chart a way forward.

6. Discussion and Possible Action on the Selectmen's Delegate for MMA Annual Conference

Moved by Mr. Palmer, seconded by Mr. Speers to appoint Mr. Macdonald as the designated Official Voting Delegate for York to the Maine Municipal Association Annual Business Meeting which is scheduled to be held, Wednesday, October 1, 2014 at the Augusta Civic Center. Vote 5-0, motion passes.

7. Request to Stay in RV During Construction at 42 Old Mountain Road

Pursuant to Article 7.1 of the Town of York Zoning Ordinance, a recreational vehicle may be located on the property during construction of a home with the permission of the Board of Selectmen.

Moved by Mr. Nowell, seconded by Mr. Speers to authorize the residents of 42 Old Mountain Road to locate a recreational vehicle on the property for a period of one year while repairs and renovations are made to the home. Vote 5-0, motion passes.

8. Special Event Permit: Harvest Cup

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the Special Event Permit application for the York soccer Club's Harvest Cup event for Saturday, Sunday and Monday, October 11-13, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

9. Special Event Permit: Walk MS

Moved by Mr. Macdonald, seconded by Mr. Palmer to approve the Special Event Permit application for the National MS Society's Walk MS event on Sunday, September 28, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

L. Other Business

Mr. Nowell stated that he feels the term "Interim Town Manager" is not appropriate because he is the "functioning Town Manager on an interim basis". Mr. Nowell also mentioned that there was a notice in the paper about a proposed subdivision off of Betty Welch Road on the York/Kittery line; there is a Site Walk at the property on Thursday, September 25, 2014 at 5:00pm.

M. Citizens' Forum

Public Comment: None

Adjourn

Moved by Mr. Speers, seconded by Mr. Palmer to adjourn the meeting at 9:30PM. Without objection, so ordered.