

**BOARD OF SELECTMEN'S
MEETING MINUTES
6:00/7:00PM MONDAY, JUNE 9, 2014
YORK LIBRARY**

6:00PM: Work Session Regarding Building Committee and Owner's Representative for the Police Station Project

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Jonathan O. Speers, Torbert Macdonald, Ronald Nowell, Town Manager Robert G. Yandow, Recorder Melissa M. Avery and members of the press and public.

Call to Order

Chairman Mary Andrews called the meeting to order at 7:04PM.

Opening Ceremonies

A. Minutes

1. April 14, 2014 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the April 14, 2014 Meeting Minutes. Vote 3-0-2, Mr. Speers and Mr. Palmer abstained, motion passes.

B. Chairman's Report

No Chairman's Report.

C. Manager's Report

Town Manager Robert G. Yandow stated that in a preliminary discussion with Town Assessor Rick Mace regarding the Town's total assessed evaluation, and it looks to have increased 1.5% over last year's numbers. Town Manager Yandow also stated that the Selectmen's meeting schedule for July needs to be adjusted due to scheduling conflicts with the Library's Annual Book Sale; The Board of Selectmen will be meeting on July 7th and 28th. Mr. Yandow noted that July 10, 2014 is the scheduled meeting for the Planning Board's final review of the Police Station Project. Mr. Yandow also notified the public that the Work Session for

the Board of Selectmen to review and discuss the Selectmen's Policy Manual is tentatively scheduled for Monday, June 16, 2014 at 9:00AM.

D. Awards

E. Reports

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: Helen Rollins
Sam Horn

G. Approval of Warrant #49

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve Warrant #49. Vote 5-0, motion passes.

H. Public Hearings

I. Endorsements

II.

Business Licenses:

1. Brenda Barnard DBA: A Lifestyle Emporium (Victualers)
2. American Legion Post 56 (Victualers, Liquor, Special Amusement and Coin-Operated Amusement)
3. Sean Mitchell DBA: Bagel Shack (Victualers)
4. Bradford and Louise Leigh DBA: Nat N Nine Tails Country Store (Victualers)
5. Rising Tide LLC DBA: Fun-O-Rama (Coin-Operated Amusement)
6. Jervis Allen DBA: Jamaican Jerk Center (Victualers, Dance Hall)
7. Gregory P. Tsairis DBA: Maine Lobster Outlet (Victualers)
8. Nicole Hill DBA: Molly O's Restaurant (Victualers)
9. Linda Sirois DBA: My Wine-y Sister (Victualers)
10. Brenda Strum DBA: R&R Find Chocolates (Victualers)
11. John Lamarre DBA: Roast-N-Crumb (Victualers)
12. Molly Lavechia and Pricilla Ford DBA: Rocky Acre Farm Stands (Victualers)
13. SC Venture, Inc. DBA Ruby's Wood Grill (Victualers, Liquor, Special Amusement, Coin-Operated Amusement)

14. Two Pars, Inc. DBA: The Meeting House (Victualers, Liquor, Special Amusement, Dance Hall)
15. Mike and Jim Manos DBA: York Dairy Bar (Victualers)
16. Jose and Kathleen Perez DBA: Sweet Josie's Candy Shoppe (Victualers)

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following licenses: Brenda Barnard DBA: A Lifestyle Emporium for Victualers, American Legion Post 56 for Victualers, Liquor, Special Amusement and Coin-Operated Amusement, Sean Mitchell DBA: Bagel Shack for Victualers, Bradford and Louise Leigh DBA: Nat N Nine Tails Country Store for Victualers, Rising Tide LLC DBA: Fun-O-Rama for Coin-Operated Amusement, Jervis Allen DBA: Jamaican Jerk Center for Victualers and Dance Hall, Gregory P. Tsairis DBA: Maine Lobster Outlet for Victualers, Nicole Hill DBA: Molly O's Restaurant for Victualers, Linda Sirois DBA: My Wine-y Sister for Victualers, Brenda Strum DBA: R&R Find Chocolates for Victualers, John Lamarre DBA: Roast-N-Crumb for Victualers, Molly Lavechia and Pricilla Ford DBA: Rocky Acre Farm Stands for Victualers, SC Venture, Inc. DBA Ruby's Wood Grill for Victualers, Liquor, Special Amusement, and Coin-Operated Amusement, Two Pars, Inc. DBA: The Meeting House for Victualers, Liquor, Special Amusement and Dance Hall, Mike and Jim Manos DBA: York Dairy Bar for Victualers, Jose and Kathleen Perez DBA: Sweet Josie's Candy Shoppe for Victualers subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

J. Old Business

K. New Business

1. Call a Special General Referendum for November 4, 2014 to Fill Vacancy on Budget Committee

The York Home Rule Charter requires that the Board of Selectmen call a Special General Referendum to fill a vacancy in an elected office, other than Selectman, within 30 days after the vacancy occurs unless the vacancy occurs within 120 days of a scheduled Budget Referendum.

Moved by Mr. Nowell, seconded by Mr. Macdonald to call a Special General Referendum for November 4, 2014 to fill a vacancy on the Budget Committee pursuant to Article V, Section 3(D) of the York Home Rule Charter. Vote 5-0, motion passes.

2. Discussion and Possible Action on a Letter from the Kittery Water District Regarding the Sale of Land

On January 27, 2014 the Board of Selectmen approved entering into a consent order with the Kittery Water District under which the Town would issue a

quitclaim release deed to the Kittery Water District for property at 100 Mill Lane. The Kittery Water District now intends to sell the property at 100 Mill Lane and pursuant to Title 35-A, Section 6109 of MRSA the Kittery Water District must provide notice of the sale to the municipality in which the land is located and offer the municipality the right of first refusal to purchase the land.

Mr. Macdonald suggested that that the Board of Selectmen notify the York Land Trust of the property for sale and that the Town would be willing to assign it's right of first refusal to the York Land Trust, should they have interest in it.

Moved by Mr. Nowell, seconded by Mr. Speers to notify the Kittery Water District that the Town of York has no interest in purchasing water resource land located at 100 Mill Lane. Vote 2-3, Mr. Speers, Mr. Palmer and Mr. Macdonald against, motion fails.

3. Discussion and Possible Action of the Appointment of an Owner's Representative for the Long Sands Bathhouse Project

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Mike Sullivan, Parks and Recreation Director, as the Owner's Representative for the Long Sands Bathhouse construction project. Vote 5-0, motion passes.

4. Discussion and Possible Action on the Issuance of a Request for Proposals for Design of the Long Sands Bathhouse and Drainage Projects

As a means to integrate all of the details of the bathhouse construction project, the two drainage project and the 1A relocation project, it is recommended that all the projects be incorporated into one design.

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the issuance of a Request for Proposals which, for the purposes of design only, consolidates the Long Sands Bathhouse, the Long Sands drainage projects and the relocation of Route 1A. Vote 5-0, motion passes.

5. Discussion and Possible Action on the Duties for an Owner's Representative for the Police Station and Connector Road Projects

The Selectmen have previously discussed appointing a new Owner's Representative for the Police Station and Connector Road Project in their Work Session earlier in the evening, however Ms. Andrews felt that there was not enough discussion to take action and would like to move this topic to the Work Session to be held before the next regular meeting on June 23, 2014. There were conflicting opinions on including item 10 of the draft listing of potential duties and responsibilities of the Owner's Representative for the Police Station and Connector Road Project.

Moved by Mr. Macdonald, seconded by Mr. Palmer to appoint Mr. Yandow to continue being the Owner's Representative for the Police Station and Connector Road Project on items 1-9 of the draft listing of potential duties and responsibilities. Mr. Macdonald withdrew his motion.

6. Discussion and Possible Action on Developing a List of Responsibilities and Expertise for the Charter-Required Building Committee for the Police Station Project

Chairman Andrews asked Town Manager Yandow to provide copies of the most recent Planning Board Submission regarding the Police Station Project.

7. Discussion and Possible Approval on Forming a Citizen's Committee to Assist in the Town Manager Search

Moved by Mr. Macdonald, seconded by Mr. Nowell to form a Citizen's Committee to assist in the Town Manager Search. Vote 5-0, motion passes.

8. Discussion and Possible Action on Approval of Collective Bargaining Agreements with the York Police Benevolent Association

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve a one year Collective Bargaining Agreement with the York Police Benevolent Association effective July 1, 2013 through June 30, 2014 and a three year Collective Bargaining Agreement with the York Police Benevolent Association effective July 1, 2014 through June 30, 2017. Vote 5-0, motion passes.

9. Discussion and Possible Action on Approval of a Collective Bargaining Agreement with the York Firefighters Association Local 3622 AFL-CIO-CLC

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve a three year Collective Bargaining Agreement with the York Firefighter's Association Local 3622 AFL-CIO-CLC effective July 1, 2013 through June 30, 2016. Vote 5-0, motion passes.

10. Property Redemption: 44 Brave Boat Harbor Road

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve the redemption of Tax Map 0088-0045; located at 44 Brave Boat Harbor Road, 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 August 8, 2014. Vote 5-0, motion passes.

11. Property Redemption: 35 Long Beach Avenue #27

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the redemption of Tax Map 0027-0058-0027; located at 35 Long Beach Avenue #27, 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 August 8, 2014. Vote 5-0, motion passes.

12. Special Event Permit: ESA Surf Contest

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve the Special Event Permit application for the Eastern Surfing Association's "ESA Surf Contest" event on Saturday, June 21, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

13. Special Event Permit: Village Elementary End of Year Bonfire

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve the Special Event Permit application for the Village Parent Group's "Village Elementary End of Year Bonfire" event on Friday, June 20, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

14. Special Event Permit: Josias River Farm Weddings

Moved by Mr. Nowell, seconded by Mr. Macdonald to approve the Special Event Permit application for the weddings at Josias River Farm on the following dates: June 21, July 26, August 16, August 30, September 6, September 20, September 27, October 4, October 11 and October 18 of 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

15. Catered Function Application: Black Tie Company

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Application for Catered Function for the Black Tie Company for a wedding at 171 Logging Road on Saturday, June 21, 2014. Vote 5-0, motion passes.

L. Other Business

Ms. Andrews stated that she has left a message for Tim Haskell, Superintendent of the Sewer District to try and set up a meeting with him and the Board of Selectmen.

Mr. Nowell stated the doesn't want to see the Long Sands Bathhouse project progress to the extent that we are spending money for architects or surveyors until they find out who owns the land under the proposed bathhouse.

M. Citizens' Forum

Public Comment: Sam Horn

Adjourn

Moved by Mr. Nowell, seconded by Ms. Andrews to adjourn the meeting at 8:10PM.

Respectfully Submitted,

Melissa M. Avery