



Town of York

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York, Maine 03909-1314

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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

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BOARD OF SELECTMEN'S MEETING MINUTES 6:15/7:00PM MONDAY, DECEMBER 16TH, 2013 YORK LIBRARY

6:15PM: Tax Task Force Interview

6:30PM: Conservation Commission Interview

6:45PM: Energy Efficiency Steering Committee Interview

7:00PM: Call to Order

Chairman Ronald Nowell called the meeting to order at 7:00PM

Present: Chairman Ronald Nowell, Vice Chairman Kinley Gregg, Scott Fiorentino, Mary Andrews, Torbert Macdonald, Town Manager, Robert G. Yandow, Recorder, Melissa M. Avery and members of the press and public.

Opening Ceremonies

A. Minutes

1. November 18, 2013 Meeting Minutes

Moved by Ms. Gregg, seconded by Mr. Fiorentino to approve the November 18, 2013 Meeting Minutes. Vote 5-0, motion passes.

B. Chairman's Report

Chairman Ronald Nowell noted that he received a notice from Time Warner Cable regarding the canceling of NECN and his opinion and the opinion of the public that he has heard from, is very negative on this action.

C. Manager's Report

Town Manager, Robert G. Yandow also mentioned Time Warner Cable's cancellation of New England Cable News and that he expressed his own disappointment, along with the other citizens' to the representative that he has contact with for the company. Also, Mr. Yandow wanted to acknowledge two generous donations to the General Assistance Fund, one for \$15,000 from Leeward Landing and one for \$1,000 from the Rainville family of Hookset, New

Hampshire. Town Manager Yandow gave a brief update on the Police Station project, stating that Town Engineer, Andrew Johnston will be meeting with the third party reviewers for the Planning Board his coming week and the project is scheduled with the Planning Board for a sketch review on January 9, 2014.

D. Awards

None

E. Reports

1. Introduction of New Police Sergeant and New Police Officer

Police Chief, Douglas Bracy introduced Andrew Simmons of New York, as a new Police Officer for the Town of York. Chief Bracy also pinned the current Acting Sergeant, Steve Spoffard as a new Sergeant for the Town of York's Police Department.

2. York Community Dialogue Report Regarding Davis Property

York Community Dialogue Steering Committee Chairman, Ron McAllister and Community Development Director, Steve Burns gave a report of a joint venture involving the Town's Community Development Department and the York Community Dialogue, identifying the principal issues surrounding the Town's possible purchase of land in York Village owned by the Davis family.

Both the Community Development Department and the York Community Dialogue came away from the October and November group discussions and site walks with a keen sense that those attending the programs understand the Davis land provides a once in a life time opportunity for the Town as there is nowhere else in the Village with so much undeveloped private property.

After discussion, the Board decided to put a discussion and possible action item on the next Board of Selectmen's meeting agenda in regards to the next steps on the topic of the Davis property.

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: None

G. Approval of Warrant #24

Moved by Mr. Macdonald, seconded by Ms. Andrews to approve Warrant #24.
Vote 5-0, motion passes.

H. Public Hearings

1. Continuation of Maynard Dock Application at 12 Barrel Lane Extension

This is a continuation of an on-site Public Hearing that was held on December 6, 2013 at 12 Barrell Lane Extension.

Public Comment: Sandra Guay
Zachary Taylor
David Gittins
David Hutchinson
Joey Donnelly

Moved by Mr. Macdonald, seconded by Ms. Andrews to close the Public Hearing at 9:00PM. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Ms. Gregg to remand the Maynard Dock Application: 12 Barrell Lane Extension back to the Harbor Board for re-hearing.
Vote 5-0, motion passes.

Chairman Nowell called a brief recess at 9:06PM. The meeting was called back to order at 9:14PM.

2. Possible Sale of Town Owned Property at 41 Railroad Avenue Extension

Moved by Ms. Gregg, seconded by Ms. Andrews to open the Public Hearing at 9:14. No objection, so moved.

Public Comment: None

Moved by Ms. Gregg, seconded by Ms. Andrews to close the Public Hearing at 9:16PM. Vote 5-0, motion passes.

3. Possible Dangerous Building at 1 Justin Circle

Moved by Ms. Gregg, seconded by Ms. Andrews to open the Public Hearing at 9:17PM. No objection, so moved.

Public Comment: None

Moved by Mr. Macdonald, seconded by Ms. Gregg to close the Public Hearing at 9:18PM. Vote 5-0, motion passes.

I. Endorsements

Business Licenses:

1. Anthony Graziano DBA: Anthony's Food Shop Inc. (Victualers); Located at 679 US Route One
2. Old York Historical Society (Victualers); Located at 3 Lindsay Road
3. Trustees of the Charity Fund of St. Aspinquid Lodge DBA: St. Aspinquid Lodge #198 (Victualers/Flea Market); Located at 101 Long Sands Road
4. Betty Weaver DBA: Lobster Barn (Victualers/Liquor/Coin-Operated Amusement); Located at 1000 US Route One
5. Cumberland Farms (Victualers); Located at 230 York Street
6. Michael McGrath DBA: View Point Hotel (Hotel/Motel with Cooking Facilities); Located at 229 Nubble Road
7. Miller Brothers LLC DBA: St. Joes Coffee (Victualers); Located at 449 US Route One Suite 104
8. Miller Brothers LLC DBA: York 54 (Victualers/Liquor); Located at 449 US Route One Suite 105

Moved by Ms. Gregg, seconded by Ms. Fiorentino to approve Anthony Graziano DBA: Anthony's Food Shop Inc. for Victualers; Located at 679 US Route One, Old York Historical Society for Victualers; Located at 3 Lindsay Road, Trustees of the Charity Fund of St. Aspinquid Lodge DBA: St. Aspinquid Lodge #198 for Victualers and Flea Market; Located at 101 Long Sands Road, Betty Weaver DBA: Lobster Barn for Victualers, Liquor and Coin-Operated Amusement; Located at 1000 US Route One, Cumberland Farms for Victualers; Located at 230 York Street, Michael McGrath DBA: View Point Hotel for Hotel/Motel with Cooking Facilities; Located at 229 Nubble Road, Miller Brothers LLC DBA: St. Joes Coffee for Victualers; Located at 449 US Route One Suite 104, and Miller Brothers LLC DBA: York 54 for Victualers and Liquor; Located at 449 US Route One Suite 105, subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

J. Old Business

Chairman Nowell moved "Old Business" to combine it with "Other Business" further in the agenda.

K. New Business

1. Discussion and Possible Action on Maynard Dock Application at 12 Barrell Lane Extension

On Friday, December 6, 2013 the Board of Selectmen conducted an onsite Public Hearing at 12 Barrell Lane Extension in regards to an application for a new dock at that location, pursuant to Title 38, Section 1022 M.R.S.A. During the onsite Public Hearing input from the applicant, Steven Maynard, his representative Zack Taylor and his attorney Sandra Guay, along with members of the Harbor Board and general public were received by Board of Selectmen Vice Chairman, Kinley Gregg and Selectman, Torbert Macdonald.

This item was voted on, out of order, previously in the meeting with the following motion:

“Moved by Mr. Macdonald, seconded by Ms. Gregg to remand the Maynard Dock Application: 12 Barrell Lane Extension back to the Harbor Board for re-hearing. Vote 5-0, motion passes.”

2. Discussion and Possible Action on a Purchase and Sale Agreement for 41 Railroad Avenue Extension

The Town-owned property at 41 Railroad Avenue Extension was approved for sale by the voters on May 21, 2011. The property has been listed by Gosselin Realty Group and was most recently marketed for a price of \$20,000. The property was analyzed by Albert Frick, site evaluator, in 2003 and Mr. Frick’s finding was that the construction of a dwelling and driveway won the lot would require wetland filling for both and as a result the lots has been determined to be unbuildable by the Code Enforcement Office.

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve a Purchase and Sale Agreement in the amount of \$10,000 with James Logan and Isaiah Plante for the Sale of Town-owned property at 41 Railroad Avenue Extension. Vote 2-3, Ms. Gregg, Mr. Nowell and Mr. Macdonald against, motion fails.

3. Discussion and Possible Action Regarding a Possible Dangerous Building at 1 Justin Circle.

Town of York Code Enforcement Officer, Amber Harrison received a complaint on April 30, 2013 regarding a vacant structure being well beyond repair and a danger to the immediate area at 1 Justin Circle. After a visit to the property and discussion with the property owner, Ms. Harrison’s opinion is that the building falls under the Town and State Statues for a “Dangerous Building”.

After the meeting materials were put together for this meeting, Ms. Harrison had a discussion with the property owner and his representative where they stated they may be willing to work with the Town in bringing the building to safety standards or re-building. As a result, Ms. Harrison asked the Selectmen to hold off on any action on this issue and she will continue working with the owners.

4. Energy Efficiency Committee Appointments

The Energy Efficiency Committee Chair, Wayne Boardman made the request that Chris Ring, currently an alternate be moved to a regular member and fill the vacant term of Phyllis Newmann, who previously resigned from the committee. Due to busy schedules, the Chair is also asking that Paul McGowan, a current regular member and Stephen Kosacz, a current alternate member switch their current regular/alternate appointments. Nan Graves, whom was interviewed before this meeting by the Board of Selectmen, if appointed would be filling the vacant alternate position.

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to appoint Chris Ring as a regular member of the Energy Efficiency Steering Committee with a term expiring June 30, 2015; Paul McGowan as an alternate member of the Energy Efficiency Steering Committee with a term expiring June 30, 2014; Stephen Kosacz as a regular member of the Energy Efficiency Steering Committee with a term expiring June 30, 2014; and Nan Graves as an alternate member of the Energy Efficiency Steering Committee with a term expiring June 30, 2016, contingent on a written request from Paul McGowan regarding the change of his member status. Vote 5-0, motion passes.

5. Conservation Commission Appointment

Moved by Mr. Macdonald, seconded by Ms. Andrews to appoint Michael Modern as a regular member of the Conservation Commission with a term expiring June 30, 2016. Vote 5-0, motion passes.

6. Tax Task Force Appointment

Moved by Ms. Gregg, seconded by Ms. Andrews to appoint Harry Kluger as a regular member of the Tax Task Force with a term expiring June 30, 2015. Vote 5-0, motion passes.

7. Pole Location Permit: Main Street

Moved by Mr. Macdonald, seconded by Ms. Gregg to approve the Pole Location Permit for one pole on Main Street in a southerly direction, 30 feet from pole #26. Vote 5-0, motion passes.

L. Other Business

Chairman Nowell joined Old Business from previously in the Agenda with Other Business. He stated that he was unable to attend the last few meetings and that he questions the Police Station Project going forward to the Planning Board in light of the current boundary dispute.

Ms. Andrews noted that she has had comments from several citizens regarding Paras Pizza and the disrepair of the building. She asked for an update from the

Town Manager and/or Code Enforcement Office on the status of their project and Building Permits.

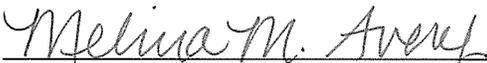
M. Citizens' Forum

Public Comment: None

Adjourn

Moved by Ms. Andrews, seconded by Mr. Gregg to adjourn the meeting at 9:47PM.

Respectfully Submitted,



Melissa M. Avery, Recorder