

**BOARD OF SELECTMEN'S
MEETING MINUTES
6:00/6:30/7:00PM MONDAY, JANUARY 12, 2015
YORK LIBRARY**

6:00PM: Executive Session – Pursuant to MRSA Title 1, Section 405.6.A; Town Manager Search.

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer, Jr., Jonathan O. Speers, Torbert Macdonald and Director of Human Resources Liam Gallagher.

Absent: Ronald Nowell

Chairman Mary Andrews called the meeting to order at 6:00PM.

Moved by Mr. Macdonald, seconded by Mr. Palmer to enter into Executive Session. Without objection, so ordered.

Moved by Mr. Macdonald, seconded by Mr. Palmer to exit out of Executive Session. Without objection, so ordered.

Chairman Mary Andrews adjourned the meeting at 6:30PM. Without objection, so ordered.

6:30PM: Executive Session –Pursuant to MRSA Title 1, Section 405.6.E; for consultation between the Board of Selectmen and its attorney relating to bond issues and post issuance compliance.

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Jonathan O. Speers, Torbert Macdonald, Town Manager Stephen H. Burns and Town Bond Counsel Shauna Meuller.

Absent: Ronald Nowell

Chairman Mary Andrews called the meeting to order at 6:30PM.

Moved by Mr. Macdonald, seconded by Mr. Palmer to enter into Executive Session. Without objection, so ordered.

Moved by Mr. Speers, seconded by Mr. Macdonald to exit out of Executive Session. Without objection, so ordered.

Chairman Mary Andrews adjourned the meeting at 6:55pm. Without objection, so ordered.

7:00PM Regular Meeting

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

Absent: Ronald Nowell

Call to Order

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

Opening Ceremonies

A. Minutes

1. November 13, 2014 Meeting Minutes
2. December 1, 2014 Meeting Minutes
3. December 8, 2014 Meeting Minutes
4. December 16, 2014 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Palmer to approve the November 13, December 1, December 8, December 16, 2014 Meeting Minutes, as amended. Vote 4-0, motion passes.

B. Chairman's Report

Chairman Mary Andrews hopes everyone enjoyed the holidays.

C. Manager's Report

Town Manager Stephen H. Burns reported that the FY16 Operating Budget is almost ready for a full discussion and he will get it in front of the Selectmen as soon as possible. Mr. Burns stated that he reached out to our State Representatives, Dawn Hill and Lydia Bloom to see if they could come for a meeting with the public to discuss any upcoming issues. The Maine Department of Transportation will be doing a small overlay, paving project on Route One going from Kittery to Mr. Mikes this summer.

D. Awards

1. Bid for Wood Pellets

The Town recently solicited bid requests for wood pellet deliveries for the Parks and Recreation's wood pellet boiler located at the Grant House through June 30, 2015. A request for bids was advertised in the York Weekly, Portsmouth Herald, York County Coast Star, as well as the Town website, in addition to direct solicitation to several local companies.

The Town received the following bid in response:
Maine Wood Pellet Company, LLC \$280.00/ton

Moved by Mr. Speers, seconded by Mr. Macdonald to award the Town building Wood Pellet Bid to Maine Woods Pellet Company, LLC for \$280.00 per ton, through June 30, 2015. Vote 4-0, motion passes.

2. Bid for Propane

The Town recently solicited bid requests for propane deliveries to 7 propane tanks, between 5 different Town buildings through June 30, 2015. A request for bids was advertised in the York Weekly, Portsmouth Herald, York County Coast Star, as well as the Town website, in addition to direct solicitation to several local companies.

The Town received the following bids in response:
York Oil & Propane \$1.799/gallon
Proulx Oil & Propane \$1.9465/gallon
Eastern Propane Gas, Inc. \$2.39/gallon or \$1.00 over cost price

Moved by Mr. Speers, seconded by Mr. Macdonald to award the Town Building Propane Bid to York Oil & Propane for 1.799 per gallon, through June 30, 2015. Vote 4-0, motion passes.

3. YBFD Station Lighting Upgrade

Moved by Mr. Speers, seconded by Mr. Macdonald to award the contract for LED Lighting Upgrade to Affinity LED Light, LLC of Dover, NH in an amount not to exceed \$19,443, but with a \$7,945 rebate from Efficiency Maine, the project cost would be reduced to \$11,498. Vote 4-0, motion passes.

4. YBFD Energy Audit

Moved by Mr. Speers, seconded by Mr. Macdonald to award the contract for Energy Assessment of the York Beach Fire Station to Henningson Inspections, LLC of Eliot, Maine in an amount not to exceed \$2,475. Vote 4-0, motion passes.

E. Reports

1. Tax Task Force – Thomas Carnicelli and Leonard Dorrian

Tax Task Force members Thomas Carnicelli and Leonard Dorrian gave a presentation regarding the role of the Tax Task Force with the Town.

2. Mary-Anne Szeniaowski, Town Clerk – Regarding the process when a member of the Board of Selectmen resigns

Town Clerk Mary-Anne Szeniaowski went over the process according to the Town of York Home Rule Charter when a member of the Board of Selectmen resigns.

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: Mary-Anne Szeniaowski, Town Clerk
Kathleen Kluger
Wayne Martin, Police Station MBC
Donna Tilley
Ted Little
Wayne Martin, Police Station MBC

G. Approval of Warrant #28

Moved by Mr. Palmer, seconded by Mr. Macdonald to approve Warrant #28. Without objection, so ordered.

H. Public Hearings

I. Endorsements

J. Old Business

1. Discussion and Possible Action Regarding an RFP for the Long Sands Bathhouse, Drainage Projects, and Road Work

Director of Public Works Dean Lessard and Director of Parks and Recreation Michael Sullivan drafted a Request for Proposals developed for the “Long Master Plan Project” previously approved by the Board of Selectmen. The project includes the construction of a complete street redesign, signage, pavement marking and traffic control, bicycle and pedestrian enhancements, green space and landscape design, public parking, public space creation and design, possible underground

and aboveground utility relocation and drainage modifications and improvements.

Moved by Mr. Palmer, seconded by Mr. Speers to approve the RFP for planning, engineering and project management services for the Long Sands Beach Master Plan Project and authorize the project team to solicit proposals from interested firms. Vote 4-0, motion passes.

2. Discussion and Possible Action Regarding a Committee Charter for the Long Sands Bathhouse Committee

The Town of York's Home Rule Charter requires the formation of a Building Committee for each municipal building project; in this project, the committee will be responsible for construction of the bathhouse only.

The Board asked that "clerk of the works with regards to construction of the Bathhouse" in item seven, under "Duties", be replaced with "Primary Liaison with the Construction Manager". Mr. Palmer also stated that he would like to have the meetings televised.

Moved by Mr. Palmer, seconded by Mr. Speers to approve the Municipal Building Committee Charter for the Long Sands Bathhouse Project, as amended and authorize Town staff to advertise for Committee members to be appointed by the Board of Selectmen. Vote 4-0, motion passes.

3. Discussion and Possible Action Regarding the Police Station and Connector Road Projects

Mr. Burns recommended the Board proceed with the three-step process he outlined in his memo, dated January 8, 2015 to resume the Police Station and Connector Road projects.

Moved by Mr. Macdonald, seconded by Mr. Speers to authorize Ledgewood Construction to research the Town's records relating to the Police Station and Connector Road projects, as recommended by the Town Manager in his January 8, 2015 Memo. Vote 4-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Speers to direct the Town Manager to issue a Request for Proposals to solicit the services of a person or firm to serve as the Owner's Representative for the duration of the Police Station and Connector Road projects, with the selection to be made by the Board of Selectmen with advise from the Police Station Municipal Building Committee at a subsequent meeting. Vote 4-0, motion passes.

K. New Business

1. Discussion and Possible Action Regarding Registrar of Voters Appointment

Moved by Mr. Speers, seconded by Mr. Macdonald to appoint Mary-Anne Szeniaowski as the Registrar of Voters for the Town of York for the ensuing two years pursuant to Title 21-A MRS §101.2. Vote 4-0, motion passes.

2. Discussion and Possible Action Regarding the Resignation of Mr. Nowell and Filling the Vacancy

Moved by Mr. Speers, seconded by Mr. Palmer to postpone the acceptance of the resignation of Ronald Nowell from the Board of Selectmen to the next regularly scheduled Board of Selectmen meeting, January 26, 2015. Vote 3-1, Mr. Macdonald against, motion passes.

3. Discussion and Possible Action Regarding Draft FY16 Capital Program and Budget

Moved by Mr. Macdonald, seconded by Mr. Speers to replace the Selectmen's Policy definition of "capital" adopted in 2003 with the newly proposed definition of "capital" as recommended by the Town Manager and Capital Planning Committee. Vote 4-0, motion passes.

4. Discussion and Possible Action Regarding the Draft FY16 Operating Budget

Director of Human Resources Liam Gallagher explained that per the Non-Union Personnel Policy, the Board of Selectmen will grant a cost of living increase in compensation to employees in the pay scale plan, effective July 1 of each year. Mr. Gallagher recommended that the Board implement the Cost of Living Adjustment for Non-Union Personnel in the amount of 2% consistent with the adjustment approved for the Town's collective Bargaining groups.

Moved by Mr. Palmer, seconded by Mr. Macdonald to implement a 2% cost of living adjustment to non-union wage scales, effective July 1, 2015, as will be proposed in the fiscal year 2016 budget. Vote 4-0, motion passes.

The Board had a discussion with Mr. Gallagher regarding revising the existing non-union personnel policy for employees who do not elect medical coverage through the Town of York to a benefit level equal to the collective bargaining groups.

5. Acceptance of Criminal Forfeiture from Docket No. CR13-2138

Moved by Mr. Speers, seconded by Mr. Macdonald to approve the signing of the asset forfeiture documented in the State of Maine Superior Court Criminal Action

Docket Number: CR13-2138 and as required by Title 15 MRSA §5824.3 and 5826.6.
Vote 4-0, motion passes.

6. Pole Location Permit: North Village Road

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the Pole Location Permit for two poles on North Village Road, in a southeasterly direction, 400 feet from pole #37. Vote 4-0, motion passes.

L. Other Business

M. Citizens' Forum

Public Comment: Wayne Martin, Police Station MBC

Adjourn

Moved by Mr. Macdonald, seconded by Mr. Speers to adjourn at 9:55PM. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery
Assistant to the Town Manager