

# Town of York

186 York Street  
York, Maine 03909-1314

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](http://www.yorkmaine.org)

## SELECTMEN'S MEETING 7:00 P.M. MONDAY APRIL 25th 2011 YORK LIBRARY

### 5:45 PM-Interviews

### Call to Order-

### Pledge of Allegiance

### A. Minutes

-April 4th, 2011 Selectmen's Meeting Minutes

### B. Chairman's Report

### C. Manager's Report

### D. Awards

### E. Reports

**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.

### G. Approval of Warrant #43

### H. PUBLIC HEARINGS

#### 1. New License Application

- Fifteen Railroad One LLC dba Blue Burgers (Victualers)
- Sourasay Senesombath dba Thai Basil (Victualers, Liquor)

#### 2. Harbor Board Transient Mooring Fee Increase

#### 3. Traffic Safety Ordinance Change: Harris Island Road

#### 4. Proposed Ellis Short Sands Park Ordinances.

#### 5. Traffic Safety Ordinance Change: York Beach Year-Round Pattern

## **I. ENDORSEMENTS**

### **License Applications**

- MJ Bailey dba The Stolen Menu (Victualers)
- IOTB LLC dba Guac N Roll (Vicutalers, Liquor, Special Amusement, Coin-Op Amusement)
- Joseph Lipton dba Inn on the Blues (Victualers, Liquor, Special Amusement, Dance Hall, Coin-Op Amusement)
- Fifteen Railroad One LLC dba Blues Burger (Victualers)
- Don and Erika Seydler dba Long Sands General Store (Victualers)
- Raymond Ramsey dba Anchorage Inn (Victualers, Liquor, Special Amusement)
- William Thomson dba Whispering Sands (Victualers)
- Jane Eastman dba Harry's Seafood and Grill (Victualers)
- Carolyn Garrett dba Village Scoop Ice Cream (Victualers, Special Amusement)
- Anthony Graziano dba Anthony's Food Shop (Victualers)
- Donna Fitzgerald dba One Carat Cake (Victualers)
- Richard Boston dba The Goldenrod (Victualers)

### **J. Old Business**

1. Harbor Board-Transient Mooring Fee Increase Proposal.
2. Traffic Safety Ordinance Change: Harris Island Road.

### **K. New Business**

1. Warrant to call the Town of York School Budget Town Meeting.
2. Discussion on Amendments to the Traffic Safety Ordinance to Make One-Way Traffic in Downtown York Beach Year-Round.
3. Discussion of the proposed Ellis Short Sands Park Ordinances.
4. Town Manager's Employment Agreement
5. Board and Committee Appointment: Energy Steering Committee
6. Special Event Permit Application: York Harbor Reading Room Fireworks
7. Special Event Permit Application: Aggieman Triathlon

### **L. Other Business**

### **M. Citizens Forum**

### **Adjourn**

**SELECTMEN'S MEETING  
7:00 P.M. MONDAY APRIL 4th 2011  
YORK LIBRARY**

**Attendees:** Mary Andrews, Tracy Jackson-McCarty, Michael L Estes, Edward W. Little, Kathryn Danylik, Recorder and Members of the Press & Public.

Mr. Yandow was not in attendance.

**6:00 PM-Interviews**

**Call to Order-** Chairman Jackson-McCarty called the meeting to order at 7:00 PM.

**Pledge of Allegiance**

**A. Minutes**

-March 28th, 2011 Selectmen's Meeting Minutes

Moved by Ms. Andrews and seconded by Mr. Little to approve the March 28<sup>th</sup> 2011 Selectmen's Meeting Minutes. Without objection so ordered.

**B. Chairman's Report**

Chairman Jackson-McCarty reported that Mr. Yandow was not in attendance but he will return for the next meeting.

Ms. Jackson-McCarty reminded the public that a second citizen's forum has been added for the public to speak on any issues that they wish. The first citizen's forum will be limited to comments on current agenda items.

**C. Manager's Report**

None

**D. Awards**

**E. Reports**

**1. Central Maine Power-Smart Meters**

A representative from Central Maine Power presented to the Board information regarding the new Smart Meters that are being currently being installed. All information regarding the Smart Meters and their installation can be found at the following website: <http://www.cmpco.com/smartmeter/default.html>. These

meters are completely automatic and the usage is recorded hourly. It will help CMP establish a time of use rate instead of just having the standard rate.

**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:** Jack McDonald  
Kinley Gregg

**G. Approval of Warrant #40**

Moved by Ms. Andrews and seconded by Mr. Little to approve Warrant #40. Without objection so ordered.

**H. PUBLIC HEARINGS**

**I. ENDORSEMENTS**

**License Applications**

- Phyllis W. Fox dba Fox's Lobster House (Victualers, Liquor)
- The Kettleboys Inc. dba The Kettle Boys (Victualers)
- Zhiqiang He dba Panda & Sakura (Victualers, Liquor)
- Jonathan King and Jim Stott dba Stonewall Kitchen (Victualers, Liquor)
- Clark Frasier and Mark Gaier dba Arrows Restaurant (Victualers, Liquor)

Moved by Mr. Little and seconded by Ms. Andrews to approve the following licenses for 2011: Phyllis W. Fox dba Fox's Lobster House (Victualers, Liquor), The Kettleboys Inc. dba The Kettle Boys (Victualers), Zhiqiang He dba Panda & Sakura (Victualers, Liquor), Jonathan King and Jim Stott dba Stonewall Kitchen (Victualers, Liquor), Clark Frasier and Mark Gaier dba Arrows Restaurant (Victualers, Liquor). Subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 4-0 motion passes.

**J. Old Business**

**K. New Business**

**1. Preference Votes on May 2011 Special General Referendum Warrant**

Article One- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article One forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Two- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Two forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Three- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Three forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Four- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Four forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Five- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Five forward to the May 2011 General Referendum Warrant. Vote 3-1 motion passes, Ms. Jackson-McCarty against.

Article Six- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Six forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Seven- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Seven forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Eight- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Eight forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Nine- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Nine forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Ten- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Ten forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Article Eleven- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Eleven forward to the May 2011 General Referendum Warrant. Vote 3-0-1 motion passes, Ms. Jackson-McCarty abstained

Article Twelve- Moved by Mr. Estes and seconded by Ms. Andrews to approve and move Article Twelve forward to the May 2011 General Referendum Warrant. Vote 4-0 motion passes.

Moved by Mr. Estes and seconded by Ms. Andrews that these votes are representative of our preference votes. Vote 4-0 motion passes.

**2. Approval of the May 2011 Special General Referendum Warrant and forward to the voters.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the May 2011 Special General Referendum Warrant and Forward to the voters. Vote 4-0 motion passes.

**3. Harbor Board-Fee Increase Proposal.**

This agenda item was tabled until the April 25<sup>th</sup>, 2011 meeting. A public hearing will be posted and conducted on this issue on April 25<sup>th</sup>, 2011.

**4. Traffic Safety Ordinance Amendment: Harris Island Road.**

This agenda item was tabled until the April 25<sup>th</sup>, 2011 meeting. A public hearing will be posted and conducted on this issue on April 25<sup>th</sup>, 2011.

**5. Special Event Permit-Spring Ride for the Troops**

Moved by Mr. Estes and seconded by Mr. Little to approve the special event permit application for the 2011 Spring Ride for the Troops that will be held on Sunday, May 1<sup>st</sup> from 7:30 AM to 11:15 AM. Vote 4-0 motion passes.

**6. Board and Committee Appointment: Appeals Board**

Moved by Ms. Andrews and seconded by Mr. Little to appoint Britton Garron as an alternate member of the Appeals Board. Vote 4-0, motion passes.

**L. Other Business**

**M. Citizens Forum**

Public Comment:     Jack McDonald  
                              Holly Andrews  
                              Andrew Beal

**Adjourn**

Moved by Ms. Andrews and seconded by Mr. Little to adjourn at 9:00 PM.



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## **PUBLIC HEARING NOTICE**

**April 25th, 2011**

**7:00 PM**

**York Library**

The Selectmen will hold a Public Hearing on April 25<sup>th</sup>, 2011 regarding:

- **New License Application  
Fifteen Railroad One LLC dba Blues Burger (Victualers)**



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## **PUBLIC HEARING NOTICE**

**April 25th, 2011**

**7:00 PM**

**York Library**

The Selectmen will hold a Public Hearing on April 25th, 2011 regarding

- **New License Application**  
**-Sourasay Senesombath dba Thai Basil (Victualers, Liquor)**



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## **PUBLIC HEARING NOTICE**

**April 25<sup>th</sup>, 2011**

**7:00 PM**

**York Library**

The Selectmen will hold a Public Hearing on April 25th, 2011 regarding:

- **Harbor Board Transient Mooring Fee Increase**
- **Traffic Safety Ordinance Change: Harris Island Road**



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## **PUBLIC HEARING NOTICE**

**April 25<sup>th</sup>, 2011**

**7:00 PM**

**York Library**

The Selectmen will hold a Public Hearing on April, 25<sup>th</sup> 2011 regarding:

- **Traffic Safety Ordinance Amendment: Year-Round Traffic Pattern in Downtown York Beach**
- **Revised Ellis Short Sands Park Ordinances**



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 23 ,2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> March 28,2011	
Regular <u>  x  </u> Work Session <u>  </u>	

**Subject:** The Harbor Board would like to increase the fee amounts charged for transient moorings and floats to \$30 per night for moorings and \$50 per night for float space. Previously the charges were \$20 for boats less than 25 ft. and \$25 for boats over 25 ft. per night for moorings and a flat rate of \$25 per night for float space. This change is requested for us to become in line with fees charged by other towns and to encourage transients to rent space from the businesses in the harbor who also rent spaces but include services and the ability to walk to shore.

**TO:** BOARD OF SELECTMEN

**FROM:** Joey Donnelly and Dave Gittins, co-chairmen of the Harbor Board

**RECOMMENDATION:** Increase the fee amounts charged for transient moorings to \$30 per night and \$50 per night for float spaces.

**PROPOSED MOTION:** I move to approve an increase in the fee amounts charged for transient moorings to \$30 per night and \$50 per night for float spaces.

**Discussion:**

**FISCAL IMPACT:** None

**DEPARTMENT LINE ITEM ACCOUNT:** N/A

**BALANCE IN LINE ITEM IF APPROVED:** N/A

Prepared By: Dave Gittins \_\_\_\_\_

Reviewed By: \_\_\_\_\_

*Robert H. Ganson*



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> April 19, 2011	<b>Type of Action:</b>
<b>Date Action Requested:</b> April 25, 2011	<input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	<input type="checkbox"/> Other: _____

**Subject:** Traffic safety ordinance change for harbor usage parking on the easterly side of Harris Island Road from CMP pole #15 to CMP pole #17. This area will be used by people with Harbor Usage Permits from the hours of 5 am to 5 pm daily. There will be two 15 minute temporary parking areas provided by the access point to Strawberry Island with a storage rack for loading/unloading small hand carried boats. Parking will be by Harbor Usage Permit sticker only which will be sold at a cost \$86 at the Office of the Harbor Board to York Residents at who do not already have Harbor Usage Permits from boat registrations. Residents may purchase additional stickers for their subsequent cars for \$25 each. Harbor Usage Permit stickers will not be sold to commercial excursion vendors.

**TO:** BOARD OF SELECTMEN

**FROM:** Captain Kevin LeConte

**RECOMMENDATION:** Amend the town's Traffic Safety Ordinance to include Harbor Usage Permit parking on the easterly side of Harris Island Road between CMP pole #15 to CMP pole #17 from 5 am to 5pm daily.

**PROPOSED MOTION:** I move to approve amending the traffic safety ordinance to include Harbor Usage Permit parking on the easterly side of Harris Island Road between CMP pole #15 to CMP pole #17 from 5am to 5 pm daily during the time period from June 1<sup>st</sup> annually to September 30<sup>th</sup> annually..

**FISCAL IMPACT:** None

**DEPARTMENT LINE ITEM ACCOUNT:** N/A

**BALANCE IN LINE ITEM IF APPROVED:** N/A

Prepared By: Kevin LeConte \_\_\_\_\_

Reviewed By: Robert H. Gannon



New Harbor Parking

TYPE

2 DROP OFF SPOTS

14 10'X20' PARKING SPACES

1 inch = 30 feet





AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> April 19, 011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> April 25 <sup>th</sup> , 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> School Budget Town Meeting	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the Warrant to Call Town of York School Budget Town Meeting set for May 9 <sup>th</sup> , 2011.

**Discussion:**

<b>FISCAL IMPACT</b>
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By:

*Kathryn Danylik*

Reviewed By:

*Robert S. Ganson*

**WARRANT TO CALL TOWN OF YORK  
SCHOOL BUDGET TOWN MEETING  
(20-A M.R.S.A. § 2307 and § 1485)**

TO: Mary-Anne Szeniewski, Town Clerk of York, State of Maine.

In the name of the State of Maine, you are hereby required to notify the voters of the Town of York, that a School Budget Town Meeting will be held at the York High School Gymnasium, York, Maine at 6:00 p.m. on May 9, 2011 for the purpose of determining the articles set forth below.

**ARTICLE 1A:** To elect a moderator to preside at the meeting.

**ARTICLES 1 THROUGH 11 AUTHORIZE EXPENDITURES IN COST  
CENTER CATEGORIES**

**ARTICLE 1:** To see what sum the Town will be authorized to expend for Regular Instruction.  
**School Committee Recommends \$10,735,201**

**ARTICLE 2:** To see what sum the Town will be authorized to expend for Special Education.  
**School Committee Recommends \$3,813,194**

**ARTICLE 3:** To see what sum the Town will be authorized to expend for Career and Technical Education.  
**School Committee Recommends \$3,000**

**ARTICLE 4:** To see what sum the Town will be authorized to expend for Other Instruction.  
**School Committee Recommends \$941,384**

**ARTICLE 5:** To see what sum the Town will be authorized to expend for Student and Staff Support.  
**School Committee Recommends \$2,594,189**

**ARTICLE 6:** To see what sum the Town will be authorized to expend for System Administration.  
**School Committee Recommends \$754,100**

**ARTICLE 7:** To see what sum the Town will be authorized to expend for School Administration.  
**School Committee Recommends \$1,292,126**

**ARTICLE 8:** To see what sum the Town will be authorized to expend for Transportation and Buses.  
**School Committee Recommends \$1,026,537**

**ARTICLE 9:** To see what sum the Town will be authorized to expend for Facilities Maintenance.  
**School Committee Recommends \$2,721,202**

**ARTICLE 10:** To see what sum the Town will be authorized to expend for Debt Service and Other Commitments.

**School Committee Recommends \$1,542,372**

**ARTICLE 11:** To see what sum the Town will be authorized to expend for All Other Expenditures.

**School Committee Recommends \$211,766**

**ARTICLES 12 THROUGH 14 RAISE FUNDS FOR THE  
PROPOSED SCHOOL BUDGET**

**ARTICLE 12:** To see what sum the Town will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (**Recommend \$18,389,908**) and to see what sum the Town will raise as the Town's contribution (**Recommend \$17,412,170**) to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

**School Committee Recommends \$17,412,170**

*Explanation: The Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars. Approval of this Article will allow York to receive the State of Maine's subsidy for education, which this year is estimated at \$977,738. Consequently, York must raise \$17,412,170 in order to receive the \$977,738 subsidy which will be used to reduce the amount to be raised from taxes.*

**ARTICLE 13:** To see what sum the Town will raise and appropriate for the **annual payments on debt service** previously approved by the Town voters for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Town's contribution to the total cost of funding public education from kindergarten to grade 12.

**School Committee Recommends \$1,542,372**

*Explanation: This debt service total includes the General Obligation Bonds for York High School authorized by the Voters on May 23, 1998, the General Obligation Bonds for the York Middle School Project authorized by the Voters on May 22, 1999, the General Obligation Bonds for the York High School Music and Instructional Space authorized by the Voters on May 17, 2008, the General Obligation Bonds for the York High School boiler, the Coastal Ridge Elementary School sewer, the York High School bleachers and the School-wide Wide Area Network (WAN) authorized by the Voters May 22, 2010, the State of Maine Zero Interest Rate Revolving Renovation Fund loan obligation approved by the Voters on May 20, 2000, and the 15-year amortization of the York Sewer District's sewer assessment for Coastal Ridge Elementary School approved by the Voters May 21, 2005.*

**ARTICLE 14:** To see what sum the Town will raise and appropriate in additional local funds (Recommend \$5,160,994), which exceeds the State's Essential Programs and Services allocation model by (Recommend \$4,726,603) as required to fund the budget recommended by the school committee.

**School Committee Recommends \$5,160,994**

*Explanation: This additional local appropriation is necessary because the Essential Programs and Services model, as described in Article Twelve and established by the State of Maine, does not adequately represent the full cost of kindergarten to grade 12 education. This Article asks the Voters of York to raise the amount of \$5,160,994 as the maximum amount of this additional local appropriation. **Should the Voters of York at the School Budget Meeting amend any specific School Warrant Articles One through Eleven, then this amount would be changed by the amount of the amended article.***

#### **ARTICLE 15 SUMMARIZES THE PROPOSED SCHOOL BUDGET**

**ARTICLE 15:** To see what sum the Town will authorize the school committee to expend for the fiscal year beginning July 1, 2011 and ending June 30, 2012 from the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.  
**School Committee Recommends \$25,635,069**

#### **ARTICLES 16 AND 17 AUTHORIZE EXPENDITURES OF GRANTS AND OTHER RECEIPTS AND OTHER NON-PROPERTY TAX REVENUES**

**ARTICLE 16:** To see what sum the Town will authorize the School Committee to **accept and expend** the categories of funds and the estimated amounts listed below in FY 2012, as provided by the Maine State Legislature and other governmental bodies.

**School Committee Recommends \$1,927,539**

**ARTICLE 17:** To see what sum the Town will authorize the School Committee to expend in FY 2012, for the support of the School Department, an amount not to exceed the sum total of the amounts approved in Articles Twelve, Thirteen, Fourteen and Sixteen, plus any other unfunded debt service obligations. Additional authority to spend over this sum total is provided for any private, federal, or state grant received in this category.

**School Committee Recommends \$224,100**

RETURN

York County, ss.

State of Maine

TO: The municipal officers of the Town of York, May \_\_\_\_\_, 2011

I certify that I have notified the voters of the Town of York of the time and place of the school budget town meeting by posting an attested copy of the within warrant as follows:

TIME(S)	DATE(S)	LOCATION(S)

being at least seven days prior to the Town of York school budget meeting and being public and conspicuous places in said municipality.

Dated: May \_\_\_\_\_, 2011

\_\_\_\_\_  
Mary-Anne Szeniewski, Town Clerk  
York, Maine

**WARRANT  
SCHOOL BUDGET VALIDATION REFERENDUM  
(20-A M.R.S.A. §§1486 and 2307)**

**TOWN OF YORK**

York County, ss.

State of Maine

TO: Mary-Anne Szeniaewski, Clerk of the Town of York: You are hereby required in the name of the State of Maine to notify the voters of the Town of York of the school budget validation referendum described in this warrant.

**TO THE VOTERS OF THE TOWN OF YORK:**

You are hereby notified that a school budget validation referendum will be held at the York High School in the Town of York on May 21, 2011 for the purpose of determining the following articles:

- Article 1:** Do you favor approving the Town of York school budget for the upcoming school year that was adopted at the latest Town meeting held May 9, 2011?
- Article 2:** Shall the York School Committee be authorized to establish a fuel cost stabilization fund under the authority of 20-A MRS section 15008, and to transfer up to \$50,000 to that fund from year end available balances?

The voting on these Articles shall be by secret ballot referendum and the polls shall be opened at 8:00 a.m. and closed at 8:00 p.m.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name of address of the voting list, to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May \_\_\_\_, 2011 at York, Maine.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A majority of the municipal officers of the Town of York

A true copy of the Warrant, attest:

\_\_\_\_\_  
Mary-Anne Szeniaewski, Town Clerk  
York, Maine

**ARTICLE 18 AUTHORIZES THE ADULT EDUCATION PROGRAM AND RAISES  
THE LOCAL SHARE**

**ARTICLE 18:** Shall the Town vote to raise and appropriate \$198,102 for **Adult Education** and raise \$82,690 as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.  
**School Committee Recommends \$198,102**

**WARRANT ARTICLE TO ESTABLISH AND TRANSFER FUNDS  
TO FUEL COST STABILIZATION FUND**

**ARTICLE 19:** Shall the York School Committee be authorized to establish a fuel cost stabilization fund under the authority of 20-A MRS section 15008, and to transfer up to \$50,000 to that fund from year end available balances?  
**School Committee Recommends \$50,000**

*Explanation: The fuel cost stabilization fund balance is currently zero, and no funds have been expended in each of the three preceding years from the fund proposed to be established by this article. If this article is approved as written, the fuel cost stabilization fund balance will be \$50,000.*

Given under our hand this day, \_\_\_\_\_, 2011 at York, Maine.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A majority of the Board of Selectmen of York, Maine

A true copy of the Warrant, attest:

\_\_\_\_\_  
Mary-Anne Szeniaewski, Town Clerk  
York, Maine



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 24, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> April 25, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Amend the Traffic Safety Ordinance to make one-way traffic in downtown York Beach the pattern year-round.	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Stephen Burns, Community Development Director Douglas Bracy, Police Chief Dean Lessard, Public Works Director David Bridges, York Beach Fire Chief
<b>RECOMMENDATION:</b> I recommend the Board of Selectmen first conduct a public hearing on the issue, and second amend the Traffic Safety Ordinance to make one-way traffic in downtown York Beach the pattern year-round. This should be made effective after the regularly scheduled transition to one-way in May.
<b>PROPOSED MOTION:</b> I move to amend the Traffic Safety Ordinance to allow for one-way traffic year-round on Railroad Ave, Church Street, Long Beach Ave and Ocean Ave as presented by Town staff.

**Discussion:** Gorrill-Palmer Consulting Engineers, Inc. issued their final report for the York Beach Traffic Circulation Study on March 15<sup>th</sup>. On pages 18-19, they recommend a series of immediate no-cost and low-cost improvements to enhance traffic circulation in York Beach. First on their list is to change the traffic circulation pattern to a year-round pattern in the Ocean, Railroad, Church, Long Beach loop. Their recommended pattern is one-way, counter-clockwise traffic flow.

It makes sense to implement this recommendation first. This action is essentially a no-cost recommendation. This recommendation is implemented by amending the Traffic Safety Ordinance. Related recommendations will occur as a matter of course once this decision is made. Road striping and traffic safety signs can be modified to accommodate a single year-round traffic pattern. Public Work can initiate such changes without the need for further action by the Board. Way-finding signs to direct folks to the various destinations in Town as proposed by the York Beach Subcommittee can be implemented with the traffic pattern fixed year-round. Planning for eventual road grades, cross-sections and elevations can proceed to ensure our sidewalk work, drainage work and road improvements are all coordinated. This is the logical first step, and without this action the other steps are unlikely to proceed.

To implement this recommendation, the Traffic Safety Ordinance must be amended. Specifically, Schedule B, One-Way Streets, establishes the current policy of shifting back and forth between one-way and two-way traffic. The Main Street and Route 1A sections need to be replaced with the proposed new language which makes the loop one-way year-round. In Schedule B, One-Way Streets, of the Traffic Safety Ordinance, delete and replace text as follows:

~~**Main Street**— from the first Monday in May to the first Monday in November of each calendar year, all southbound traffic on Route 1A shall go from Chases Hill, so called, to Railroad Avenue; thence by the York Beach Fire Station (18 Railroad Avenue, Map 140/Lot 241); thence eastward on Church Street onto Ocean Avenue. Northbound traffic shall follow the present route 1A. All traffic from Ridge Road, Broadway Extension, Ocean Avenue, Ocean Avenue Extension, Willow Street, Marietta Avenue and all private ways and driveways shall follow the flow of regulated traffic.~~

~~**Route 1A (Main St., York Beach)**— from May 1<sup>st</sup> to November 1<sup>st</sup> of each calendar year, all southbound traffic on Route 1A shall go from Chases Hill, so called, to Railroad Avenue; thence by the York Beach Fire Station (18 Railroad Avenue, Map 140/Lot 241); thence eastward on Church Street; onto Ocean Avenue. Northbound traffic shall follow the present Route 1A. All traffic from Ridge Road, Broadway, Broadway Extension, Ocean Avenue, Ocean Avenue Extension, Willow Street, Marietta Avenue, and all private ways and driveways shall follow the flow of regulated traffic. (March 18, 1975)~~

*York Beach Village – in the village area of York Beach there shall be year-round, one-way circulation on the following loop of roads:*

*Railroad Avenue – from the intersection with Ocean Avenue, one-way to the intersection with Church Street;*

*Church Street – from the intersection with Railroad Avenue, one-way to the intersection with Long Beach Avenue;*

*Long Beach Avenue – from the intersection with Church Street, one-way to the intersection with Ocean Avenue; and*

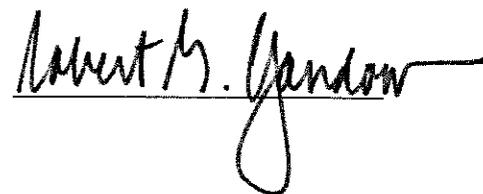
*Ocean Avenue – from the intersection with Long Beach Avenue, one-way to the intersection with Railroad Avenue.*

Note that the second paragraph to be deleted (Route 1A) probably should have been cut from the text when the first paragraph (Main Street) was inserted. It looks like a replacement. However, the copy we have on the books shows both paragraphs despite the internal conflict. It's good to clean this up.

Prepared By:



Reviewed By:





# York Beach Area Traffic Circulation Plan

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- One alternative that was discussed was the potential for a pedestrian mall. This would basically include discontinuing a road, or section of road, and allowing only pedestrians to use the area. Although this is very pedestrian friendly, the closure of a road, or section of a road will require diversion of traffic. For this type of roadway closure to work, it typically requires a parallel road that can accommodate the displaced traffic. Unfortunately, the layout of the beach area roadway network does not lend itself to parallel roads and therefore, a pedestrian mall area in this case would create more negatives than positives.

## *Other Modes of Travel*

*Satellite Parking Area:* Gorrill-Palmer recognizes that significant expansion of existing parking in the immediate beach area is not likely; however, the Town could pursue a satellite parking area in the vicinity at some point in the future. If satellite parking was either free or little cost, and the shuttle was convenient to ride, the amount of vehicular congestion in the study area could be reduced. Such changes might be partially subsidized by the local businesses with advertisements on the shuttle to promote those businesses. The shuttle need only run during peak season, on peak days, but must maintain a regular schedule during those times to gain regular ridership.

*Buses:* The only bus system currently in the area is the York Trolley Company which runs from June to September and only travels between Short and Long Sands Beaches. This is part of a larger Shoreline Explorer network that provides access to Ogunquit, Wells, Sanford, Kennebunk or Kennebunkport; however, a rider must travel on up to seven different subsystems all with their own map, schedule and fares. There is currently no bus system that takes passengers from the general York area, such as hotels and campgrounds along Route 1 to the beaches. To aid in reducing vehicular traffic within the study area, the use of buses should be explored further.

*Bicycles:* Bicycles are a commonly underutilized mode of transportation that could help reduce the vehicular traffic within the study area. Techniques to improve the use of bicycles could range from providing more bicycle amenities such as secured bike racks, maps aimed toward bicycles provided in the area, to a facility that rents and services bikes within the study area. Because of the narrowness of most of the roads in the area, there is insufficient width for bicyclists to have their own lane. Therefore, we recommend "Share the Road" signs be erected along the roadway network to remind drivers that bicyclists are present.

## **Prioritization of Recommendations**

Based on the previous discussions, the following is our prioritization of the recommendations. The prioritization is further divided into Immediate Improvements, Mid Range Improvements, and Long Range Improvements:

**Immediate Improvements** - These are improvements that could be done quickly with minimal to no costs:



Gorrill-Palmer Consulting Engineers, Inc.

*Engineering Excellence Since 1998*

P.O. Box 1237/15 Shaker Road  
Gray, Maine 04039

207.657.6910/mailbox@gorrillpalmer.com

# GP York Beach Area Traffic Circulation Plan

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## Mid-Range Improvements

## Opinion of Cost

➤ Provide ADA Accessible Landings (Assumes 13 Crosswalks at \$ 6,000 per Crosswalk)	\$ 78,000
➤ Inter. Imp. at Long Beach Avenue / Ocean Ave / Ocean Ave Ext.	\$ 115,000
➤ Inter. Imp. at Railroad Ave / Ridge Road / Church Street	\$ 80,000
➤ Crosswalk Bumpout On Railroad Avenue	\$ 12,000
	\$ 285,000

## Long-Range Improvements

## Opinion of Cost

➤ Inter. Imp. at Ocean Ave / Main St / Railroad Ave - Additional Ped Areas and Channelization	\$ 215,000
➤ Satellite Parking Area with Shuttle	\$ Unknown



# York Beach Area Traffic Circulation Plan

- Change the traffic circulation pattern to a single year round pattern
- Overall Striping / Signage Upgrades
- Railroad Avenue Striping
- Church St / Long Beach Ave Striping
- Ocean Ave / Main St / Railroad Avenue / Beach St - removal of parking, striping
- Bay Street One-Way

**Mid Range Improvements** - These are improvements that could be done in the near future (within two to five years) with moderate costs involved:

- Provide ADA Accessible Landings
- Intersection Improvement at Long Beach Avenue / Ocean Ave / Ocean Ave Ext.
- Intersection Improvement at Railroad Ave / Ridge Road / Church Street
- Crosswalk Bumpout On Railroad Avenue

**Long Range Improvements** - These are improvements that could be done in the future (five to ten years) and are more costly to implement:

- Intersection Improvement at Ocean Ave / Main St / Railroad Ave - Additional Pedestrian Areas and Channelization
- Satellite Parking Area with Shuttle
- Explore Church, Long Beach Avenue and Railroad Avenue as two-way

## Preliminary Opinion of Probable Construction Cost

The following is a summary of the preliminary opinion of construction cost for the recommended improvements. The opinions are based on 2009 MaineDOT unit prices. A summary of the larger opinions of cost are provided in Appendix B. These opinions of cost are approximate only and do not benefit from survey or detailed site evaluations and are subject to change. Costs could be lower the more that is done concurrently and with the same contractor.

### Immediate Improvements

### Opinion of Cost

➤ Change traffic circulation pattern to a single year round pattern	\$ 0
➤ Overall Striping / Signage Upgrades	\$ 10,000
➤ Railroad Avenue Striping	\$ 4,500
➤ Church St / Long Beach Ave Striping	\$ 1,500
➤ Ocean Ave / Main St / Railroad Ave / Beach St - removal of parking, striping	\$ 3,000
➤ Bay Street One-Way (Signage and Striping)	\$ 2,500
	<b>\$ 21,500</b>

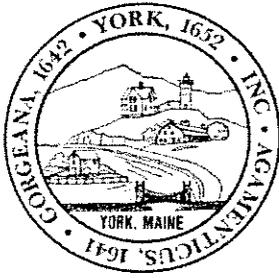


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P.O. Box 1237/15 Shaker Road  
Gray, Maine 04039

207.657.6910/mailbox@gorrillpalmer.com



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 24, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> April 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Adoption of revised Ellis Short Sands Park Ordinances as approved by the Park Trustees	

**TO:** BOARD OF SELECTMEN

**FROM:** Stephen H. Burns, Community Development Director

**RECOMMENDATION:** I recommend the Board conduct a public hearing on the proposed Ellis Short Sands Park Ordinances, and then adopt these rules as a Town code.

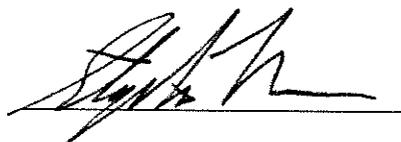
**PROPOSED MOTIONS:** I move to adopt the Ellis Short Sands Park Ordinances as discussed and as attached.

**Discussion:** There are currently Town regulations which control Short Sands Park, but despite extensive staff research we are not exactly sure what code is properly in effect. The Town initially took over responsibility for adopting and enforcing Park regulations when the York Beach Village Corporation was dissolved. The proper process for amending the rules was for the Park Trustees to propose the rules, and for the Board of Selectmen to adopt the rules. Through the years we seem to have varied from this process, and without extensive reading through decades of Selectmen's meeting minutes, we're simply not sure which version of the code is current. The Park Trustees have made minor modifications to the Park rules. Chief Bracy and I have worked with the Trustees to incorporate new language which details the amendment process so it won't be lost in the future. The Trustees are requesting that the Selectmen adopt these new rules for the Park. The Selectmen have no authority to manage or control the park, so the choice before you is simply to adopt or reject the proposed rules.

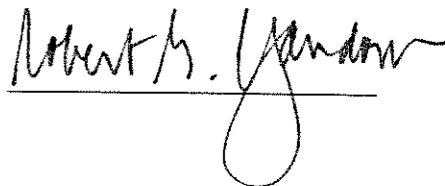
This is the only Town code which I am aware of which is not included in our paper or digital code archives – simply because we don't know what to put in those archives. Adoption of this new code will resolve that problem.

Adoption of this code will also clear the way to have the voters repeal the 1960s Short Sands Park Ordinance, which is in process for a May vote.

Prepared By:



Reviewed By:



# Ellis Short Sands Park Ordinances



## Town of York, Maine

Date of Approval by the Ellis Short Sands Park Trustees: March 22, 2011

Date of Adoption by York Board of Selectmen: \_\_\_\_\_

### ENACTMENT BY THE BOARD OF SELECTMEN

Date of the vote to enact/amend these Ordinances: \_\_\_\_\_.

Certified by the Town Clerk: \_\_\_\_\_ on \_\_\_\_\_.  
(signature) (date)

## ELLIS SHORT SANDS PARK

The area known as Ellis Short Sands Park is the result of a generous gift of private individuals who owned this land in 1887. On August 15 of that year, the following persons deeded this property under a "Deed of Trust" to be used as a park:

Ellen N. Ellis  
Hazen Z. Ellis  
Carlos Moseley  
Nellie Moseley  
William G. Garmon  
Mary J. Garmon

The Park is a tribute to their interest and foresight in the future of York Beach, Maine.

An additional portion of the land was also deeded, in the same manner, in November 1979 by Martha F. Gordon.

Ellis Short Sands Park is an entity owned by, and maintained within the boundaries of, the York Beach Village Corporation. With the dissolution of the Corporation in 1977, it is now owned by the Town of York. However, under the "Deed of Trust" it is to be forever under the management and control of a board of five (5) trustees.

Past and present Trustees include the following:

<u>Past</u>	<u>Present</u>
Vincent D. Adjutant	John F. Matthews
Kenneth S. Campbell	William H. Burnham
Martin G. Chase	Andrew T. Furlong, Jr.
Lawrence R. Ellis	John A. Garfield
Alpheus D. Spiller	Richard E. Boston
Edward M. Ellis	
Dexter T. Spiller	
Elwyn R. Boston	
John F. Garfield	
Peter B. Ellis	

## ELLIS SHORT SANDS PARK ORDINANCES

### PURPOSE

The purpose of these ordinances is to regulate and control activities within Ellis Short Sands Park at York Beach, Maine. These ordinances shall not apply to any person or entity working on behalf of the Park Trustees, nor to any public emergency services provider in the course of their duties.

### GENERAL ORDINANCES

The following ordinances and conditions shall apply throughout all areas comprising the Park:

- A. Dressing, undressing and the changing of clothes are not permitted within the Park except in Bathhouses or structures suitable for this purpose. This does not apply to children five (5) years of age or younger.
- B. Fires of any sort, open or contained, are not permitted.
- C. Alcoholic beverages of any kind are not permitted
- D. Solicitation, collecting, advertising and/or vending are prohibited within the Park.
- E. Overnight parking, sleeping or camping within the Park is prohibited.
- F. Removal of sand, rocks or plant life of any kind is prohibited.
- G. Littering: the disposal of diapers, bottles, cans, cigarette butts, garbage or rubbish of any kind is prohibited, except in receptacles placed in the Park for said purpose. Said receptacles shall not be used for disposal of garbage or refuse which has accumulated in any home, cottage, cabin, hotel, motel or other like residence.
- H. Animal Waste: an owner or any person in control of an animal must remove and dispose of any feces left by his/her animal. Such feces shall be collected in a plastic bag or similar container and deposited into an appropriate litter receptacle.

- I. Hours of Operation: the Park shall be opened to pedestrians and vehicles from 4:00am until 1:00am and shall be closed between the hours of 1:00am and 4:00am.
- J. Skateboards shall be prohibited in the Park.
- K. In 2007 the Town of York Selectmen designated Ellis Short Sands Park as one of many Safe Zones in the community. State Law imposes more strict penalties on drug dealers and sex offenders for violations in these safe zones. In 2007 The Ellis Short Sands Park Trustees adopted the Selectmen's decision to name Ellis Short Sands Park as a Safe Zone.

**DESCRIPTION**

For the purpose of the following ordinances, Ellis Short Sands Park ("the Park") is divided into four (4) areas as follows:

- Area I Bathing Beach - the area between the Boardwalk (so called) and the Atlantic Ocean
- Area II Children's Playground and Basketball Court - the area adjacent to the southeasterly edge of the parking lot
- Area III Vehicle Parking - the hard-surfaced area with delineated parking spaces on the northwesterly end of the Park
- Area IV Grassed Areas, Boardwalk and Walkways - the area southeasterly of the Children's Playground and Vehicle Parking, between Ocean Avenue and the Boardwalk (so called), including the Boardwalk and all pedestrian walkways within the Park

Section I AREA I BATHING BEACH - the following restrictions and conditions shall apply to Area I of the Park:

- A. Playing of games such as hard or softball, football, soccer, volleyball, lacrosse, golf, iron horseshoes, Frisbee tossing or any other game or pursuit that may endanger other persons is prohibited from May 1 through October 15 of each year.

- B. Powered aircraft, toys or models shall not be operated.
- C. Motorized vehicles, motor scooters and bicycles are prohibited except by special permission from the Ellis Short Sands Park Trustees.
- D. The following restrictions apply to domestic animals on Short Sands Beach:
  - a. No dogs shall be present on the beach year round unless the dog is accompanied by an owner or responsible party who has voice control (see definition in the Town of York Animal Control Ordinance) over the dog and who is carrying a leash in hand, which can be used to restrain the dog. A responsible party with multiple dogs must have adequate leashes for the number of dogs under his or her control. Note: An owner or responsible party shall be required to leash their dog(s) during this period if directed by a law enforcement officer due to violations of the voice control or dog waste provisions of this ordinance.
  - b. No domestic animals shall be present on the beach between the hours of 8:00am and 6:00pm from May 20<sup>th</sup> through September 20<sup>th</sup>.
  - c. Dogs on the beach will be required to be on a leash between May 20<sup>th</sup> and September 20<sup>th</sup> between the hours of 6:00pm and sunrise (see definition).
  - d. Between May 20<sup>th</sup> and September 20<sup>th</sup> dogs will be allowed to be unleashed between sunrise and 8:00am as long as the dog is under the voice control of its owner or responsible party. The requirement of paragraph "a" regarding leashes is in effect during this period (The purpose of this exception is to allow individuals to walk, jog, run, or engage in other physical exercise with their dogs in the early hours of the morning).

- e. Horses and ponies are prohibited from being on the beach from May 20<sup>th</sup> to September 20<sup>th</sup> except by written permission of the Ellis Short Sands Park Trustees.
- f. When otherwise allowed to be present on the beach pursuant to this section, all other domestic animals must be under the control of their owner or responsible party at all times.

E. Surfing and the use of surfboards are prohibited from May 1 to October 15.

Section 2 AREA II CHILDREN'S PLAYGROUND AND BASKETBALL COURT - The following restrictions and conditions shall apply to Area II of the Park:

- A. Equipment within the Playground is reserved for use by children TWELVE (12) years of age or younger.
- B. Children under the age of six (6) years of age must be escorted by a person fifteen (15) years of age or older.
- C. Animals of any kind are prohibited.
- D. Smoking and/or eating are prohibited.
- E. Hours of operation shall be 7am to 9:00pm year round or as otherwise posted by the Park Trustees to assure public safety, as during maintenance, special events, or emergencies.

Section 3 AREA III VEHICLE PARKING - the following restrictions and conditions shall apply to Area III of the Park:

- A. Pedestrians shall have the right of way over all vehicular traffic at all times.
- B. Dates of Meter Operation: Parking of vehicles shall be controlled by parking meters beginning May 15 and continuing through October 15 of each season between the hours of 8:00am and 10:00 pm.

- C. Meter fees: The parking rate shall be \$1.00 per hour or as posted.
- D. Marked Parking Spaces: The Trustees shall have markings painted or placed upon curbs and/or pavement adjacent to each parking meter for the purposes of designating the parking space for which said meter is to be used and each vehicle parking adjacent to or next to any parking meter shall park within the limits of markings so established. It shall be unlawful and a violation to this ordinance to park vehicles across any such line or marking or to park said vehicle in such a position that the same shall not be entirely within the area so designated by such lines and/or markings.
- E. Depositing Fees in Meters: When any vehicle shall be parked in any space to which a parking meter is designated in accordance with the provisions of this ordinance, the operator of said vehicle shall, upon entering said parking space, immediately deposit or cause to be deposited coin(s) of the United States or the Dominion of Canada as posted on the meter and put the meter into operation. Failure to deposit such coin(s) and put meter into operation shall constitute a violation of this ordinance and shall subject such operator to the penalty prescribed hereafter.
- F. Tampering with Meters: It shall be unlawful and a violation of the provisions of this ordinance for any person to deface, injure, tamper with, open and/or willfully break, destroy and/or impair any parking meter installed under the provisions of this ordinance.
- G. Slugs: It shall be unlawful and a violation of the provisions of this ordinance to deposit or cause to be deposited in any parking meter any slug, device, metallic substitute and/or any other substitute for a coin of the United States or Dominion of Canada.
- H. Duties of Meter Office: It shall be the duty of the police officers of the Town of York, or other such agent(s) as designated in writing by the Park Trustees, acting in accordance with instructions issued by the Park Trustees to report the following information applicable to any motor vehicle in violation of this

ordinance: meter number, state license plate number, time of day and any other facts and/or knowledge that may be necessary for a thorough understanding of the circumstances attending such violation(s). Each such police officer or agent shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of provision of this ordinance

- I. Fines and Penalties: Each owner or operator may, within seven (7) days of the time such notice was attached to such vehicle, pay to the York Police Department the sum of twenty five dollars (\$25.00). The failure of such owner or operator subject to the penalty to make such payment within the seven (7) days shall render such owner or operator subject to the penalty of fifty dollars (\$50.00) for and in full satisfaction of such violation.
- J. Collection of Revenue: The Park Trustees shall designate such collectors and establish such methods as may be necessary for the proper collection of all coins deposited in meter boxes. Such collectors shall be only such employees as may be bonded by a sum of not less than one thousand dollars (\$1,000.00) for their duties. All monies so collected, meaning and including fines and penalties, shall be deposited with the Treasurer of Ellis Short Sands Park.
- K. Use of Revenue: All monies collected from parking meters and received from fines and penalties from any ordinance violations, shall be used exclusively for the general operation, maintenance and improvement of the Park at the direction of the Park Trustees.
- L. Speed Limit: Vehicular traffic shall not exceed fifteen (15) miles per hour, and shall proceed with caution at all times and yield to pedestrian right of way.
- M. Animals: Dogs, horses and/or any other domesticated animals are prohibited outside the owner's vehicle, except that dogs restrained by a hand leash may be allowed.

N. Commercial Vehicles: Commercial vehicles and equipment are prohibited except where required for maintenance and service of the Park

O. The use of Frisbees and the playing of other games that which may endanger other persons are prohibited from May 1 through October 15 of each year.

Section 4 AREA IV GRASSED AREAS, BOARDWALK and WALKWAYS -  
The following restrictions and conditions shall apply to Area IV of the Park:

A. Pedestrians shall have exclusive right of way within these areas.

B. Motor vehicles, motor scooters and/or skateboards are prohibited. Bicycles are not allowed within the gazebo or pavilion.

C. Powered aircraft, including toys and models, shall not be operated in these areas.

D. Playing of games such as hard or softball, football, volleyball, soccer, lacrosse, golf iron horseshoes or any other games that may endanger persons are prohibited from May 1 through October 15 of each year.

E. Dogs, cats, horses and/or any other domesticated animals are prohibited except that dogs restrained by a hand leash may be allowed.

Section 5 Damaging, vandalizing and/or defacing within the confines of the Park is considered a criminal offense.

Section 6 Any person who shall violate any of the provisions of these ordinances, and any person who aids, abets and/or assists therein shall, upon conviction thereof, be subject to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) plus associated costs for each offense or violation.

Section 7 These ordinances shall be in full effect upon approval by the Ellis Short Sands Park Trustees and adoption by the York Board of Selectmen. All preexisting ordinances, parts of ordinances or regulations are hereby superseded.

Section 8

Amendment Procedure: Any amendment of these ordinances shall be made as follows:

- A. Because of the legal authority of the Ellis Short Sands Park Trustees, the first step for any proposed amendment is approval by the Trustees. Upon voting to approve a proposed amendment, the Trustees shall forward the proposed amendment to the Board of Selectmen for adoption as a town ordinance.
- B. Upon receipt, the Board of Selectmen shall conduct a public hearing on the Trustees' proposed amendment.
- C. Following the public hearing, the Board of Selectmen shall vote to either adopt or reject the proposed amendment. If adopted, the amended ordinances shall take effect immediately. If rejected, the then-current ordinances shall remain in effect.

ELLIS SHORT SANDS PARK TRUSTEES

Dated of Approval: 03/22/2011

John F. Matthews  
William H. Burnham  
Andrew T. Furlong, Jr.  
John A. Garfield  
Richard E. Boston

BOARD OF SELECTMEN

Date of Adoption: \_\_\_\_\_

Tracy Jackson-McCarty  
Mary Andrews  
Michael L. Estes  
Edward W. Little



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> April 19, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> April 25, 2011	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
<b>Subject:</b> Boards and Committee Appointments: Energy Steering Committee	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b>

**Discussion:** Brad Hunter was interviewed on April 4<sup>th</sup> for the 2<sup>nd</sup> alternate position on the Energy Steering Committee.

<b>FISCAL IMPACT:</b>
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By: Kathryn Danylik

Reviewed By: \_\_\_\_\_

4/4 @ 6:15

BHU

2/28 @ 0:15

The Board of Selectmen is seeking applicants for Boards, Committees and Commissions. If you have an interest in becoming involved in your community, please fill out the following form and return to the Town Manager's Office, York Town Hall, 186 York Street, York, Maine 03909.

TOWN OF YORK  
Application for Membership  
Town Boards, Committees, Commissions

Date: 2-1-11

Name: Brad Hunter

Telephone: 207-363-7306

Address: 20 Sunrise Terrace  
York, ME 03909

Mailing Address: Same

State of Residency: ME

E-Mail Address: bhuntermaine@gmail.com

Why do you wish to serve? Wish to give back to the community

What expertise can you provide? Certified Energy Manager (CEM) with 20+ years experience in energy industry, including project management, engineering, and sales roles in demand side management, solar energy, and energy software companies

Please check the Board(s), Committee(s), or Commission(s) you wish to apply to for membership consideration.

<input type="checkbox"/> Charter Commission	<input type="checkbox"/> Open Space Committee
<input type="checkbox"/> Appeals Board	<input type="checkbox"/> Parks & Recreation Board
<input type="checkbox"/> Assessment Review Board	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Cable TV Regulatory Committee	<input type="checkbox"/> Senior Citizens Advisory Board
<input type="checkbox"/> Capital Planning Committee	<input type="checkbox"/> Shellfish Conservation Commission
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Sohier Park Committee
<input type="checkbox"/> Harbor Board	<input type="checkbox"/> Tax Task Force Committee
<input type="checkbox"/> Historic District Committee	<input type="checkbox"/> York Harbor Site Design Review Board
<input type="checkbox"/> Municipal Building Committee (Police Station)	<input type="checkbox"/> York Housing Authority

- energy steering committee



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> April 19, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> April 25 <sup>th</sup> , 2011	
Regular <u>  X  </u> Work Session	
<b>Subject:</b> Special Event Permit: York Harbor Reading Room	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the Special Event Permit for the York Harbor Reading Room July 2 <sup>nd</sup> , 2011 Fireworks Display.

**Discussion:** This event will be held on Saturday, July 2<sup>nd</sup> 2011 from 9:00 PM to 9:20 PM. Three detail officers are required for traffic and crowd control.

<b>FISCAL IMPACT:</b>
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By:

*Kathryn Danylik*

Reviewed By:

*Robert H. Gannon*



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 4/2/11

Name of Event: July (Independence Day) Weekend FIREWORKS

Type of Event: FIREWORKS

Organization Name: The York Harbor Reading Room Phone #: 207-363-2563

Organization Address: 491 YORK ST. City York Harbor State: ME Zip: 03911

Applicant Name: The York Harbor Reading Room Phone #: 363-2563

Mailing Address: P.O. Box 66 City: York Harbor State: ME Zip: 03911

Contact Name for Day of Event: Ben Lawlor Contact Phone # 363-2563

Date of Event: July 2, 2011 Day of Week: Saturday

Starting Time: 9:00 pm Ending Time: 9:20 pm

Assembly Area: Harbor Beach

Dispersal Area: Harbor Beach

Event Route: N/A

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
500+

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

N/A

Describe how group is organized and supervised to insure order: YHRR provides

police and fire department details for traffic control & security

Purpose of the Event: Celebration of Independence Day

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Benjamin J. Lawlor

**For Town Use Only:**

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	✓
Public Works	✓
Parks/Recreation	✓
Village Fire	✓
York Beach Fire	✓
Code Enforcement	✓

Special Conditions 3 detail officers are required

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Town Manager

\_\_\_\_\_  
Date



# CERTIFICATE OF LIABILITY INSURANCE

OP ID RL

DATE (MM/DD/YYYY)

4/2/2011

**PRODUCER**  
**Eastern States Insurance Agency, Inc.**  
 50 Prospect Street  
 Northham, MA 02453  
 Phone: 781-642-9000 Fax: 781-647-3670

**INSURED**  
**Atlas Advanced Pyrotechnics, Inc.**  
**Atlas PyroVision Productions, Inc.**  
 P.O. Box 498  
 Jaffrey NH 03452

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE		NAIC #
INSURER A:	<b>Lexington Insurance Company</b>	19437
INSURER B:	<b>National Indemnity Company</b>	10243
INSURER C:	<b>Riverport Insurance Co.</b>	36684
INSURER D:		
INSURER E:		ME-Std

### COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	X	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	013136062	03/15/11	03/15/12	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>50,000</b> MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>2,000,000</b> PRODUCTS - CDM/OP AGG \$ <b>2,000,000</b>
B	X	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS  <b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO	70APS029427	03/15/11	03/15/12	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
A	X	<b>EXCESS / UMBRELLA LIABILITY</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ <b>10,000</b>	013136663	03/15/11	03/15/12	EACH OCCURRENCE \$ <b>5,000,000</b> AGGREGATE \$ <b>5,000,000</b> \$ \$ \$
C		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	WC-28-83003487-00	06/13/10	06/13/11	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ <b>500,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>500,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>500,000</b>

### DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Fireworks Display on 7/2/2011 at York Harbor Beach, York Harbor, ME.  
 ADDITIONAL INSURED: York Harbor Reading Room and the Town of York, ME.

### CERTIFICATE HOLDER

State of Maine  
 Department of Public Safety  
 State House Station  
 Augusta, ME 04333

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT.

ACORD 25 (2009/01)

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## **IMPORTANT**

If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## **DISCLAIMER**

This Certificate of Insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> April 19, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> April 25, 2011	
<b>Regular</b> _____ <b>Work Session</b> _____	
<b>Subject:</b> Special Event Permit Application: Second Christian Church "Aggieman Triathlon"	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the special event permit application for the Second Christian Church "Aggieman Triathlon" that will take place on June 25 <sup>th</sup> 2011 from 8:00 AM to 1:00 PM.

**Discussion:** All appropriate departments have been notified and have given approval. An alternate route must be provided in the event that construction on North Village Road is still going on at that time. Event organizers must contact the Department of Public Works one week prior to the event to determine the status of the construction.

<b>FISCAL IMPACT:</b>
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By:

*Kathryn Danylik*

Reviewed By: \_\_\_\_\_



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 3-9-11

Name of Event: Aggie Man Triathlon

Type of Event: Road Race

Organization Name: Second Christian Church Phone #: 439-3903

Organization Address: 33 Government St City Kittery State: ME Zip: 03904

Applicant Name: Ernest Wiswell Phone #: (207) 475-8468

Applicant Address: 18 Adams Rd. City: Kittery State: ME Zip: 03904

Contact Name for Day of Event: Ernest Wiswell Contact Phone #: (207) 475-8468

Date of Event: June 25-11 Day of Week: Saturday

Starting Time: 8:00 AM Ending Time: 1:00 PM

Assembly Area: Eliot Boat Basin Eliot, ME

Dispersal Area: Summit Mt. Agamencius

Event Route: Through Eliot & S. Berwick into York on Berwick Rd. to N. Village Rd. then Clayhill Rd, Mountain Rd. Transition at Summit Rd. to foot race finish at Summit

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
400

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

100 Bicyclists plus support vehicles

Describe how group is organized and supervised to insure order. Race Director Ed Harvey (781) 789-1034

Flaggers, Parking Attendants, Course Sweepers and Clean up crew

Purpose of the Event: Charitable Fund Raising event

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Ernest Wiswell