

**BOARD OF SELECTMEN'S
MEETING AGENDA
7:00PM MONDAY, JUNE 23, 2014
YORK LIBRARY**

6:30/6:45: Conservation Commission and Parks and Recreation Board Interviews

Present: Chairman Mary Andrews, Vice Chairman Robert Palmer Jr., Torbert Macdonald, Ronald Nowell, Jonathan Speers, Town Manager Robert G. Yandow and member of the press and public.

Call to Order

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

Opening Ceremonies

A. Minutes

1. April 28, 2014 Meeting Minutes
2. May 6, 2014 Meeting Minutes
3. May 12, 2014 Meeting Minutes
4. June 5, 2014 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the minutes of April 28, 2014, May 6, 2014 and May 12, 2014. Vote 3-0-2, Mr. Speers and Mr. Palmer abstained, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the minutes of June 5, 2014. Vote 5-0, motion passes.

B. Chairman's Report

Chairman Andrews stated that the Town Manager Search will now be including an Interim Town Manager Search, as Town Manager Yandow's retirement date has been moved up to September 2, 2014. Ms. Andrews informed the public that the Citizen's Committee for the Town Manager Search will be involved in the interviews for the new Town Manager and encouraged citizen's to apply for membership to the committee. Chairman Andrews read a timeline into the record provided by Town Manager Yandow regarding the Police Station Project so far.

C. Manager's Report

Town Manager Yandow reminded citizens that the Board of Selectmen's regular meeting schedule for July will be as follows: July 7 and 28, due to conflicts with the Library's Book Sale schedule.

D. Awards

1. FY15 Paving Bid

On April 24, 2014 the Greater Portland Council of Governments (GPCOG) opened paving bids for the cities and towns in York and Cumberland Counties in an effort to obtain the lowest possible price for paving for the encompassed municipalities. No responsive bids proposals were received for the Town of York. Libby Scott, Inc. the Town's existing paving contractor submitted a bid of \$70.50 directly to the Town of York prior to the GPCOG bid opening. Libby Scott, Inc. was the low bidder in FY2014 and their FY2015 price was not increased.

Director of Public Works Dean Lessard recommended the Board of Selectmen award the FY2015 Town paving bid to Libby Scott, Inc.

Moved by Mr. Nowell, seconded by Mr. Macdonald to award the FY2015 Paving Bid to Libby Scott, Inc. and further moved that the Board of Selectmen receive a list of Town roads to be paved in FY2015. Vote 5-0, motion passes.

2. Cape Neddick River Water Quality Testing

Community Development Director Stephen H. Burns explained that this project is an effort to move York to a more pro-active means of posting public health advisories at its public beaches when bacteria levels are likely to be high. Linda Scotland and Mr. Burns prepared the scope and budget for a project of this nature and it proved too large to fund through the Town's MS4 program. Ms. Scotland brought the projects concept directly to the Board of Selectmen and the Board agreed to ask the voters for funding. At the May Budget Referendum the voters approved funding for \$63,000 for such a project.

The following proposals were received by the Town in response to the Request for Proposals prepared for the project:

1. Dr. Jones - \$63,000
2. FB Environmental - \$50,000

Mr. Burns stated that while both proposals are adequate, the group that reviewed the proposals found that the proposal from Dr. Jones offered several advantages that outweigh the cost differential and therefor recommend the Board of Selectmen award the contract for Beach Water Quality Modeling to Dr. Stephen Joes on UNH in an amount not to exceed \$62,839.

Moved by Mr. Nowell, seconded by Mr. Speers to award the contract for Beach Water Quality Modeling to Dr. Stephen Jones of UNH in an amount not to exceed \$62,839. Vote 5-0, motion passes.

E. Reports

1. Report from Energy Efficiency Steering Committee Regarding a Possible SEI Grant Opportunity

Energy Efficiency Steering Committee Chairman Wayne Boardman explained that the Seacoast Energy Initiative Grant was applied for through Efficiency Maine from six neighboring communities and was awarded for \$500,000 for residential energy upgrades.

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: Mike Micciche
Sam Horn
Helen Rollins
Judy Romano
Brent Maynard

G. Approval of Warrant #51

Moved by Mr. Nowell, seconded by Mr. Speers to approve Warrant #51. Vote 5-0, motion passes.

H. Public Hearings

1. New Business License: Sweet Josie's Candy Shoppe

Moved by Mr. Macdonald, seconded by Mr. Nowell to open the Public Hearing.

Public Comment: None

Moved by Mr. Nowell, seconded by Mr. Speers to close the Public Hearing. Without objection, so ordered.

I. Endorsements

Business Licenses:

1. Bruce Larson DBA: Southern Maine Lobster (Victualers); Located at 1021 US Route One
2. Peter Wagner DBA: Camp Eaton (Victualers); Located at 750 York Street
3. Dan Poulin DBA: Fat Tomato Grill (Victualers and Liquor); Located at 241 York Street

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the following Business Licenses: Bruce Larson DBA: Southern Maine Lobster (Victualers); Located at 1021 US Route One, Peter Wagner DBA: Camp Eaton (Victualers); Located at 750 York Street, Dan Poulin DBA: Fat Tomato Grill (Victualers and Liquor); Located at 241 York Street subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

J. Old Business

1. Right of First Refusal for the York Land Trust on Land Being Offered by the Kittery Water District

On June 9, 2014 the Board of Selectmen discussed a letter from the Kittery Water District offering the Town of York the right of first refusal on land at 100 Mill Lane that the Kittery Water District intends to dispose of. The Board suggested that the right of first refusal be transferred to the York Land Trust and received an email from York Land Trust's Executive Director Doreen MacGillis expressing interest in accepting the right of first refusal on the land.

Moved by Mr. Macdonald, seconded by Mr. Nowell to notify the Kittery Water District that the Town of York is transferring its right of first refusal on land at 100 Mill Lane to the York Land Trust. Vote 5-0, motion passes.

K. New Business

1. Administrative Changes Relating to the New Business Licensing Ordinance

The Town of York Voters approved a new Business Licensing Ordinance on May 17, 2014. The new Ordinance directs the Board fo Selectmen to adopt an application form and accompanying instructions. There are two Selectmen's Policies (Off-Premise Catering License Policy and the License Application Policy) that are no longer needed and have been factored into the new Ordinance.

Moved by Mr. Nowell, seconded by Mr. Speers to adopt the new application form relating to the Business Licensing Ordinance as proposed by staff. Vote 5-0, motion passes.

Moved by Mr. Nowell, seconded by Mr. Macdonald to repeal the Off-Premise Catering License Policy and the License Application Policy. Vote 5-0, motion passes.

2. Discussion and Possible Action on a Request by the York Village Study Committee to Negotiate for Design Services

The York Village Study Committee previously advised the Board of Selectmen about the Request for Qualifications process that the committee was engaged in regarding design and development services for York Village. The RFQ process has been completed and the committee has selected The Downtown Revitalization Collaborative of Portland, Maine as the preferred vendor.

Moved by Mr. Nowell, seconded Mr. Macdonald to authorize the York Village Study Committee to negotiate a contract with The Downtown Revitalization Collaborative of Portland for design and development of the York Village Master Plan with the understanding that the Board of Selectmen must ultimately approve the contract. Vote 5-0, motion passes.

3. Appointments to the York Village Study Committee

Moved by Mr. Nowell, seconded by Mr. Speers to appoint Christine Hartwell to the York Village Study Committee. Vote 5-0, motion passes.

4. Discussion and Possible Action on a Letter From the York Sewer District Regarding Transferring Ownership of Land

The former Board of Selectmen Chairman received a letter from York Sewer District regarding the long-standing issue of an easement from the Sewer District in order to complete the drainage portion of the Main Street paving project. The York Sewer District would like to meet with the Selectmen to discuss the Main Street drainage project and their offer to donate the necessary land to the Town. Chairman Andrews stated that she has indeed left a message for Sewer District Superintendent, Tim Haskell regarding setting up a meeting.

5. Discussion and Possible Action on Requesting the Town Manager Contact the Davis Family Regarding Property Located at 142 York Street

Moved by Mr. Macdonald, seconded by Mr. Nowell to authorize the Town Manager to contact the estate representative for the Davis family to determine if the asking price for the property is subject to negotiation. Vote 5-0, motion passes.

6. Board of Appeals Re-Appointments

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Britton Garon as an Alternate Member, and Robert Lascelles as a Regular Member to the Board of Appeals, with terms expiring June 30, 2017. Vote 5-0, motion passes.

7. Assessment Review Board Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Leon Moulton as a Regular Member to the Assessment Review Board, with a term expiring June 30, 2017. Vote 5-0, motion passes.

8. Energy Efficiency Steering Committee Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Stephen Kosacz as a Regular Member to the Energy Efficiency Steering Committee, with a term expiring June 30, 2017. Vote 5-0, motion passes.

9. Harbor Board Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Matthew Donnell as a Regular Member to the Harbor Board, with a term expiring June 30, 2017. Vote 5-0, motion passes.

10. Historic District Commission Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Kent White as a Regular Member to the Historic District Commission, with a term expiring June 30, 2017. Vote 5-0, motion passes.

11. Municipal Social Services Review Board Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Connie Hanley as a Regular Member to the Municipal Social Services Review Board, with a term expiring June 30, 2017. Vote 5-0, motion passes.

12. Senior Citizens Advisory Board Re-Appointment

Moved by Mr. Nowell, seconded by Mr. Nowell to appoint Bruce Rennie as a Regular Member to the Senior Citizens Advisory Board, with a term expiring June 30, 2017. Vote 5-0, motion passes.

13. Shellfish Commission Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Stanley Zajechowski as a Regular Member to the Shellfish Commission, with a term expiring June 30, 2017. Vote 5-0, motion passes.

14. Sohier Park Committee Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Brian Ross as a Regular Member to the Sohier Park Committee, with a term expiring June 30, 2017. Vote 5-0, motion passes.

15. Design Review Board Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Joseph Dominguez as a Regular Member to the York Harbor Site Design Review Board, with a term expiring June 30, 2017. Vote 5-0, motion passes.

16. York Housing Authority Re-Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Patricia Murray and Robin Cogger as Regular Members to the York Housing Authority, with terms expiring June 30, 2017. Vote 5-0, motion passes.

17. Conservation Commission Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Kelly Wilsey as a Regular Member to the Conservation Commission, with a term expiring June 30, 2017. Vote 5-0, motion passes.

18. Parks and Recreation Board Appointment

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint Timothy Ward as a Regular Member to the Parks and Recreation Board, with a term expiring June 30, 2017. Vote 5-0, motion passes.

19. Special Event Permit: Graystone Builders Annual Beach Bonfire Benefit

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit for the Graystone Builders Annual Beach Bonfire Benefit event on Saturday, August 30, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

20. Special Event Permit: YCSA Mount A Challenge Bike Ride

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit for the YCSA Mount A Challenge Bike Ride event on Saturday, September 27, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

21. Special Event Permit: Zumba with Marianela

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the Special Event Permit for the Zumba with Marianela event on Saturday, July 27, 2014 with the attached conditions given by Department Heads. Vote 5-0, motion passes.

L. Other Business

Mr. Macdonald stated that he, along with "Think Again" members attended a Maine Turnpike Authority meeting and read the letter that the Board of Selectmen signed on behalf of the community into the record of their meeting.

Mr. Nowell asked when the Penstock Road Discontinuance was going to be recorded. Mr. Yandow stated that he spoke with the Town Attorney today and that process will be starting tomorrow.

M. Citizens' Forum

Public Comment: None

Adjourn

Moved by Mr. Macdonald, seconded by Mr. Speers to adjourn the meeting at 8:30PM. No objection, so moved.

Respectfully Submitted,

Melissa M. Avery