

**BOARD OF SELECTMEN'S
MEETING MINUTES
6:00/7:00PM MONDAY, MAY 23, 2016
YORK LIBRARY**

6:00PM: Executive Session: Pursuant to MRSA Title 1, Section 405.6.E (Legal)

Present: Robert E. Palmer, Jr., Jonathan O. Speers, Todd A. Frederick, Michael L. Estes, Dawn Sevigny-Watson and Town Manager Stephen H. Burns.

Moved by Mr. Speers, seconded by Ms. Sevigny Watson to enter into executive session. Without objection, so ordered.

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to exit out of executive session. Without objection, so ordered.

7:00PM: Regular Meeting

Present: Robert E. Palmer, Jr., Jonathan O. Speers, , Todd A. Frederick, Michael L. Estes, Dawn Sevigny-Watson, Town Manager Stephen H. Burns and members of the press and public.

Call to Order

Robert E. Palmer, Jr. called the meeting to order at 7:00PM.

Opening Ceremonies

A. Minutes

1. May 9, 2016 Meeting Minutes

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to approved the May 9, 2016 Meeting Minutes, as amended. Vote 5-0, motion passes.

B. Annual Meeting

1. Election of Chair and Vice-Chair

Mr. Estes, seconded by Ms. Sevigny-Watson, nominated Robert E. Palmer, Jr. for Chairman.

Mr. Estes, seconded by Ms. Sevigny-Watson nominated Jonathan O. Speers for Vice-Chairman.

Determined by unanimous secret ballot vote that Robert E. Palmer, Jr. would serve as the Chairman, and Jonathan O. Speers as the Vice-Chairman.

2. Establish a Fixed Schedule of Meetings

The Town charter requires the Board of Selectmen to establish a fixed schedule of meetings.

Moved by Mr. Estes, seconded by Mr. Frederick to schedule regular Selectmen's meetings on the 2nd and 4th Monday of each month; if conflicts occur, alternate meetings will be scheduled appropriately. Vote 5-0, motion passes.

3. Re-adopt the Selectmen's Policy Entitled "Disbursement of Wages to Municipal Employees"

Moved by Ms. Sevigny-Watson, seconded by Mr. Estes to re-adopt the Selectmen's Policy, *Disbursement of Wages to Municipal Employees*, and to direct the Town Manager to file a copy of this action and the renewed policy with the Town Clerk. Vote 5-0, motion passes

4. Re-adopt Selectmen's Policy Entitled "Transaction of Business"

Moved by Ms. Sevigny- Watson, seconded by Mr. Speers to re-adopt the Selectmen's Policy, *Transaction of Business*. Vote 5-0, motion passes.

5. Adopt the Town Budget as Certified by the Town Clerk and Set by the Voters per Article 2, Sections 14 (B) & (C) of the Town Charter

Moved by Mr. Frederick, seconded by Ms. Sevigny-Watson to adopt the Town budget as decided by the voters and certified by the Town Clerk, per Town of York Home Rule Charter Article II, sections B and C. Vote 5-0, motion passes.

6. Discussion and Possible Action: Call a Special Budget Referendum in accordance with Article 2, Section 14 (F) of the Town Charter

The Board chose to accept the Budget as voted on at the May 21, 2016 Referendum.

7. Elect a member to serve on the Hartley Mason Board of Trustees

Moved by Mr. Estes, seconded by Mr. Speers to appoint Mr. Palmer to the Hartley Mason Reserve Board of Trustees, as a Selectmen Representative. Vote 5-0, motion passes.

8. Review Priorities for Interaction with Municipal Committees and Set Liaison Assignments for the Coming Year

After brief discussion, the Board asked that this be placed on a future agenda after the Board has had time to give the Town Manager their input and opinions on necessary committee liaisons and possible workshops with the various boards and committees.

Moved by Mr. Speers, seconded by Mr. Estes to appoint Dawn Sevigny-Watson and Todd A. Frederick to the Utility Subcommittee. Vote 5-0, motion passes.

9. Update on Membership on All Municipal Boards and Committees

The Board was presented with a list of current members serving on all Town committees, along with appointments that are coming due June 30, 2016.

10. Review Timelines for the Next Three Referenda

Moved by Ms. Sevigny-Watson, seconded by Mr. Frederick to approve the timelines for the November 2016, May 2017 and November 2017 referenda and to direct the Town Manager to publish these on the Board's webpage. Vote 5-0, motion passes.

11. Review Selectmen's Code of Ethics

Per section 16, the Board has set an expectation for itself that it will review its Code of Ethics on a regular basis, appropriately at the annual meeting. The Board felt there was no need for any amendments to the Code of Ethics at this time.

12. Training Requirements and Opportunities for Board Members

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to schedule the annual Board Legal Training for July 22, 2016 and add a placeholder in January 2017 for additional board legal training. Vote 5-0, motion passes.

C. **Chairman's Report**

Chairman Robert E. Palmer, Jr. thanked the voters who participated in the voting process on Saturday and by absentee. Mr. Palmer expressed his excitement about the current Board and the year ahead.

D. **Manager's Report**

Mr. Burns stated that the Town is still on track for audit completion by the end of the year. The Police Station Building Committee recently met on May 16 and are on the track to getting all approvals necessary to get the plans finalized for the new

police station. Mr. Burns also went over which items passed and which did not pass at Saturday's election.

E. Awards

1. Bid Award: Bog Road Field

Moved by Mr. Frederick, seconded by Ms. Sevigny-Watson to award the bid to Woods Excavation, LLC of Gorham, Maine in the amount of \$72,300. This represents a base bid of \$42,840 and bid alternates in the amount of \$29,460. Vote 5-0, motion passes.

2. Bid Award: York Beach Connector Road Site Restoration

Moved by Ms. Sevigny-Watson, seconded by Mr. Estes to award a contract to Shaw Brothers Construction, Inc. in the amount not to exceed \$123,754 to complete restoration work at the Connector Road and former police station site as specified in the RFP of May 2016. Vote 5-0, motion passes.

E. Reports

Chairman Palmer asked that Town Clerk Mary-Anne Szeniewski address the Board and public at this point to discuss some irregularities that occurred regarding a small batch of incomplete absentee ballots that were issued in her office.

F. Citizens' Forum - The Citizens' Forum is open to any member of the audience for comments on any matter. 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: Jim Bartlett
Gerry Runte
Annie Noonan
Darleen Yankura
Ron McAllister
Sue Christmas
Dick Bachelder
David Brinkman
Ted Little
Annie Noonan
Jim Bartlett

G. Public Hearings

H. Endorsements

Business Licenses:

- Hong Ji, Inc. DBA: Bamboo Garden (Food Service, Liquor, Special Amusement); located at 8 Market Place Drive
- Barbara Sheff DBA: Candleshop Inn (Bed and Breakfast); located at 44 Freeman Street
- John and Agnes Biagioni DBA: The Candy Store, Inc. (Food Service); located at 14 Railroad Avenue
- Jane Eastman DBA: Harry's Seafood and Grill (Food Service, Liquor); located at 15 Railroad Avenue
- IOTB, LLC DBA: Inn on the Blues (Food Service, Liquor, Special Amusement, Innkeeper); located at 7 Ocean Avenue
- Nicole Hill DBA: Molly O's Restaurant (Food Service); located at 2 Main Street
- Paine Ave Corporation DBA: The Salt Marsh Clam Shack (Food Service, Liquor); located at 2 US Route One
- IOTB, LLC DBA: Stones Throw (Food Service, Liquor, Innkeeper); located at 123 Long Beach Avenue
- Alec Brown DBA: Seacoast Brothers Butcher Shop (Food Service); located at 459 US Route One
- William Burnham DBA: Surfside (Food Service, Liquor); located at 1 Main Street
- William Burnham DBA: York Beach Bowling Alley (Bowling Alley, Coin-Operated Amusement); located at 3 Beach Street
- Sandra Wilson DBA: York Restaurant (Food Service); located at 1 Railroad Avenue

Moved by Ms. Seigny-Watson, seconded by Mr. Frederick to approve the following licenses: Hong Ji, Inc. DBA: Bamboo Garden (Food Service, Liquor, Special Amusement); located at 8 Market Place Drive, Barbara Sheff DBA: Candleshop Inn (Bed and Breakfast); located at 44 Freeman Street, John and Agnes Biagioni DBA: The Candy Store, Inc. (Food Service); located at 14 Railroad Avenue, Jane Eastman DBA: Harry's Seafood and Grill (Food Service, Liquor); located at 15 Railroad Avenue, IOTB, LLC DBA: Inn on the Blues (Food Service, Liquor, Special Amusement, Innkeeper); located at 7 Ocean Avenue, Nicole Hill DBA: Molly O's Restaurant (Food Service); located at 2 Main Street, Paine Ave Corporation DBA: The Salt Marsh Clam Shack (Food Service, Liquor); located at 2 US Route One, IOTB, LLC DBA: Stones Throw (Food Service, Liquor, Innkeeper); located at 123 Long Beach Avenue, Alec Brown DBA: Seacoast Brothers Butcher Shop (Food Service); located at 459 US Route One, William Burnham DBA: Surfside (Food Service, Liquor); located at 1 Main Street, William Burnham DBA: York Beach Bowling Alley (Bowling Alley, Coin-Operated Amusement); located at 3 Beach Street, and Sandra Wilson DBA: York Restaurant (Food Service); located at 1 Railroad Avenue, subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

I. Old Business

1. Discussion and Possible Action: Adopt the Board of Selectmen's Fund Balance Policy

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to adopt the Fund Balance Policy as articulated in our handout draft dated May 10, 2016. Vote 5-0, motion passes.

J. New Business

1. Discussion and Possible Action: Proposed Utility Subcommittee

Item addressed earlier in the agenda.

2. Discussion and Possible Action: Volunteer Recognition

Mr. Burns was looking for direction from the Board regarding recognition for our volunteers on various boards and committees. The Board agreed that more recognition is needed and asked that the Town Manager look to other towns for ideas, to see how they show appreciation for the time put in by their volunteers.

3. Discussion and Possible Action: Appoint Assistant Code Enforcement Officers and Alternate Local Plumbing Inspector

Moved by Ms. Sevigny-Watson, seconded by Mr. Frederick to appoint Jessa Kellogg to the position of Assistant Code Enforcement Office, Assistant Local Plumbing Inspector, Assistant Shoreland Resource Officer, and Carl Chretien to the position of Assistant Code Enforcement Officer, both as temporary, part-time employees. Vote 5-0, motion passes.

4. Discussion and Possible Action: Legal Matter

Moved by Mr. Speers, seconded by Mr. Frederick that Stephen H. Burns, the Town Manager of this municipality, be and hereby is authorized to act on behalf of the municipality, and in his sole discretion, to negotiate, approve, and make the offer of settlement, to the United States Securities and Exchange Commission in connection with the investigation conducted by the Commission; in this connection, the aforementioned Town Manager be and hereby is authorized to undertake such actions as he may deem necessary and advisable, including the execution of such documentation as may be required by the Commission, in order to carry out the foregoing. Vote 5-0, motion passes.

5. Discussion and Possible Action: York's Wild Kingdom Parking Agreement

Moved by Mr. Frederick, seconded by Ms. Sevigny-Watson to direct the Town Manager to sign the lease agreement with the York's Wild Kingdom for the parking lot located on Town property at 414 Ridge Road. Vote 5-0, motion passes.

K. Future Agendas

Mr. Palmer asked for a status report regarding on going issues (Police Station, Bathhouse, Connector Road, etc.), things on their "to do list", and possible workshops.

Mr. Frederick also wanted to have an update on how bidding out the plowing of some Town properties went this winter.

L. Other Business

M. Citizens' Forum

Public Comment: None

Adjourn

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to adjourn the meeting at 9:05PM. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery
Assistant to the Town Manager