

**BOARD OF SELECTMEN'S  
MEETING MINUTES  
6:30/7:00PM MONDAY, APRIL 25, 2016  
YORK LIBRARY**

**6:30PM:** Executive Session: Pursuant to M.R.S.A § 405.6.A (Personnel)

**Present:** Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Dawn Sevingy-Watson, Torbert Macdonald, Todd A. Frederick, Town Manager Stephen H. Burns and Director of Human Resources Liam Gallagher.

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

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

**7:00PM:** Regular Meeting

**Present:** Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Dawn Sevingy-Watson, Torbert Macdonald, Todd A. Frederick, Town Manager Stephen H. Burns and members of the press and public.

**Call to Order**

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

**Opening Ceremonies**

**A. Minutes**

1. April 11, 2016 Meeting Minutes

Moved by Mr. Macdonald, seconded by Ms. Sevigny-Watson to accept the April 11, 2016 Meeting Minutes, as amended. Vote 5-0, motion passes.

2. April 20, 2016 Meeting Minutes

Moved by Mr. Macdonald, seconded by Ms. Sevigny-Watson to accept the April 20, 2016 Meeting Minutes. Vote 5-0, motion passes.

**B. Chairman's Report**

**C. Manager's Report**

Town Manager Stephen H. Burns announced that the Board of Selectmen will be joining the Historic District Commission next Wednesday, May 4<sup>th</sup> at their regular meeting to continue their joint discussion regarding the priorities of the commission and the possible expansion of the Historic Districts. Mr. Burns also announced the annual Candidate's Night that will be held May 2<sup>nd</sup> here at the library. Last Saturday there was a facilities tour visiting several town owned facilities throughout town – Mr. Burns thanked the Town employees that helped with the tour. Mr. Burns also reminded citizens that absentee ballots are available in the Town Clerk's office for the upcoming May referenda. He also mentioned two upcoming community forums: The Cycling and Walking Community Forum on May 7<sup>th</sup> and the York Community Dialogue forum entitled "Let's Talk About York's Taxes". Lastly, Mr. Burns announced that the Mackey Skate Park has been finished by Mr. Richard Bartlett and the Town now has a beautiful warming hut at the skate park.

Chairman Palmer moved the Awards item of the agenda to after the Citizens' Forum.

**D. "E. Reports"**

1. Cliff Walk Committee
2. Public Works Director: KACTS Application for the next phase of work in York Village

**E. "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: Hilary Clark  
Rozanna Patane  
Arthur Kyricos  
Howard Koeppe  
Doug Trueman  
Jack Johnson  
Ted Little

**F. "D. Awards"**

1. Bid Award: Beach Cleaning

The Parks and Recreation Department went out for bid for Beach Cleaning Services and received the following bids:

1. D.A. Trueman \$18,000
2. Moulton Grading and Site Work \$38,400

Parks and Recreation Director Michael Sullivan recommended the bid be awarded for Beach Cleaning Services to Moulton Grading and Site Work in the amount of \$38,400 per year for the 2016, 2017 and 2018 beach seasons.

Moved by Mr. Macdonald, seconded by Mr. Speers to award the bid for beach cleaning services for one year to D.A. Trueman Trucking, in the amount of \$18,000. 3-2, Mr. Frederick and Ms. Sevigny-Watson against, motion passes.

**G. Public Hearings**

1. New Business Licenses
  - Paine Ave Corporation DBA: The Salt Marsh Clam Shack (Food Service, Liquor); located at 2 US Route One
  - LITR Corporation DBA: Lobster in the Rough (Food Service, Liquor, Special Amusement); located at 1000 US Route One
  - LITR Corporation DBA: Lobster Barn (Food Service); located at 1000 US Route One

Moved by Mr. Macdonald, seconded by Mr. Speers to open the public hearing. Without objection, so ordered.

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Speers to close the public hearing. Without objection, so ordered.

**H. Endorsements**

1. Business Licenses:
  - Patrick Cragin DBA: Ridge Road Inn (Innkeeper); located at 281 Ridge Road
  - Diana Hickey DBA: Windbreaker Restaurant (Food Service); located at 243 Long Beach Avenue
  - Maine Ice Cream, LLC DBA: Village Scoop Ice Cream (Food Service); located at 226 York Street
  - Jeremy Prescott DBA: The Kettle Boys, Inc. (Food Service); located at 15 Railroad Avenue
  - LITR, Corp. DBA: Lobster in the Rough (Food Service, Liquor, Special Amusement); located at 1000 US Route One

Moved by Mr. Macdonald, seconded by Ms. Sevigny-Watson to approve the following business licenses: Patrick Cragin DBA: Ridge Road Inn (Innkeeper);

located at 281 Ridge Road, Diana Hickey DBA: Windbreaker Restaurant (Food Service); located at 243 Long Beach Avenue, Maine Ice Cream, LLC DBA: Village Scoop Ice Cream (Food Service); located at 226 York Street, Jeremy Prescott DBA: The Kettle Boys, Inc. (Food Service); located at 15 Railroad Avenue, LITR, Corp. DBA: Lobster in the Rough (Food Service, Liquor, Special Amusement); located at 1000 US Route One, all subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

Chairman Palmer took New Business items 1 and 2 out of order.

**I. "New Business - 1 and 2"**

1. Discussion: Selectmen's Investment Policy

Finance Director Wendy Anderson asked that the Board of Selectmen review the Draft Investment Policy and use Northeast Municipal Advisors, of which was represented by Richard Ranaghan at the meeting, to help answer any questions they have. The Town's current Investment Policy is outdated and not serving the Town well in the current environment.

2. Discussion: Selectmen's Fund Balance Policy

Richard Ranaghan of Northeast Municipal Advisors answered questions and reviewed an informational handout that was provided to the Board of Selectmen talking about fund balance components and the importance of fund balance.

**J. Old Business**

1. Discussion and Possible Action: Police Station Building Project

Moved by Mr. Macdonald, seconded by Mr. Speers to direct the Municipal Police Building Committee and Project Manager Geoff Aleva to commence the bid process for the new police station as soon as the necessary documents are prepared. Vote 5-0, motion passes.

2. Discussion and Possible Action: Selectmen's Policy - Open Space Committee Charter

Moved by Mr. Macdonald, seconded by Mr. Frederick to repeal the Charter of the Open Space Committee. Vote 5-0, motion passes.

3. Discussion and Possible Action: Solarize York

This item was no longer necessary and not addressed.

**K. New Business**

1. "3. Discussion and Possible Action: Appointment to Fill a Vacancy on the York Water District Board of Trustees"

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Stephen Rendall to fill the remainder of Dana Moulton's unexpired term on the York Water District of Trustees. Vote 5-0, motion passes.

2. "4. Discussion: Alarm Ordinance for November 2016"

Over the course of many years York's emergency services has had to respond to excessive false alarms, which can be an unduly burden on our limited emergency resources. The purpose of developing an Alarm Ordinance is to establish reasonable standards for users and owners of alarms to ensure that they are held responsible for their use of alarm systems.

The Board of Selectmen supported Police Chief Bracy's recommendation to allow the Police Department to work with the Planning Director on the development of a new "Alarm Ordinance" to be considered for the November Referendum.

3. "5. Discussion: Street Opening & Culvert Ordinance for November 2016"

This proposed amendment to the Street Opening and Culvert Ordinance is to waive the application fees for the Water and Sewer Utility Districts. The Planning Director will be drafting the amendment to bring forward for the Board's consideration.

4. "6. Discussion and Possible Action: Selectmen's Policy Manual - Overview of Section 4, Town Buildings and Other Property"

Moved by Mr. Macdonald, seconded by Mr. Speers to request that the Energy Steering Committee review the Street Light Policy and return with any recommended amendments. And to direct the Town Manager to place the Gift of Land, Political Activities in Town Buildings Polices, and Construction Policy on future board agendas. Vote 5-0, motion passes.

5. "7. Discussion and Possible Action: Contingency Request"

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the use of contingency funds in the amount of \$10,031.47 to be allocated to the Appeals Board Salaries Line to account for payment of wages. Vote 5-0, motion passes.

6. "8. Discussion and Possible Action: Membership of the Sohier Park Committee"

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Ed MacGorman and Sally MacGorman to three year terms as alternates on the Sohier Park

Committee and Skip Hartwell and Tony Knox to three year terms as regular members of the Sohier Park Committee, effective July 1, 2016. Vote 5-0, motion passes.

7. "9. Discussion and Possible Action - Temporary Housing at 21 Lock Lane"

Moved by Mr. Macdonald, seconded by Mr. Speers to authorize rescinding the recreational vehicle approval at 19 Fort Hill Avenue and approve a recreational vehicle at 21 Lock Lane for a period of one year, while their home is being built. Vote 5-0, motion passes.

10. Special Events

- a. American Diabetes Association – Tour de Cure
- b. York Harbor Reading Room – July Independence Day Fireworks
- c. American Legion – Memorial Day Parade and Cemetery Ceremony
- d. York Garden Club – Plant Sale
- e. Maine Obsolete Autoleague Car Show

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following Special Event Permits, subject to all, if any conditions set by the Department Heads: American Diabetes Association's *New England Classic Tour de Cure* on July 10, 2016, York Harbor Reading Room's *Annual July Independence Day Fireworks* on July 2, 2016, American Legion Post #56's *Memorial Day Parade and Ceremony* on May 30, 2016, Old York Garden Club's *Plant Sale* on May 21, 2016, and Maine Obsolete Autoleague Car Show on May 1, 2016. Vote 5-0, motion passes.

**K. Future Agendas**

**L. Other Business**

**M. Citizens' Forum**

Public Comment: None

**Adjourn**

Moved by Mr. Macdonald, seconded by Mr. Speers to adjourn the meeting at 9:45PM. Without objection, so moved.

Respectfully Submitted,

Melissa M. Avery  
Assistant to the Town Manager