

SELECTMEN'S MEETING

7:00 P.M. MONDAY JANUARY 10th 2011

YORK LIBRARY

6:00 PM: Executive Session: Real Estate and Personnel-(Pursuant to MRSA Title 1, Section 405.6 C and Section 405.6 A)

Moved by Mr. Estes and seconded by Ms. Andrews to go into Executive Session Real Estate and Personnel-(Pursuant to MRSA Title 1, Section 405.6 C and Section 405.6 A) at 6:02 PM

Moved by Ms. Andrews and seconded by Mr. Estes to come out of Executive Session Real Estate and Personnel-(Pursuant to MRSA Title 1, Section 405.6 C and Section 405.6 A) at 6:40 PM

6:30 PM: Selectmen's Policy Manual

The Board of Selectmen continued their work on revising the Selectmen's Policy Manual

Call to Order- Chairman Jackson-McCarty called the meeting to order at 7:01 PM

Pledge of Allegiance

A. Minutes

-December 13th, 2010 Selectmen's Meeting Minutes

Moved by Ms. Andrews and seconded by Mr. Little to approve the Selectmen's Meeting Minutes for the December 13th 2010 Selectmen's Meeting Minutes with the recommended corrections. Without objection so ordered.

B. Chairman's Report

Chairman Jackson-McCarty wished everyone a Happy New Year

Chairman Jackson-McCarty extended our condolences to families in Tucson, Arizona in regards to the tragic shootings that happened this weekend. Our prayers are with those the families who were affected.

Chairman Jackson-McCarty reported that the Board is finishing up the town property tour and will soon be discussing what to do with some Town Properties.

Chairman Jackson-McCarty reported that a letter was submitted to Time Warner on behalf of the Town expressing our concern. We encourage residents who are frustrated to contact your state representatives and senators and urge them to continue to work towards opening the cable act of 1952.

Chairman Jackson-McCarty stated that the Board did have an executive session with the Town Attorney regarding the cliff path we are now waiting for some more information and once have that we will add this topic to the agenda for public discussion.

Chairman Jackson-McCarty stated that at the January 24th Board of Selectmen Meeting the engineers from Gorrill-Palmer will be here to discuss their findings on the York Beach Traffic Study.

Chairman Jackson-McCarty expressed her thanks to the crews working on the drainage project in York Beach.

Chairman Jackson-McCarty reported that the School Board will meet Tuesday night to continue their work on the school budgets.

C. Manager's Report

Mr. Yandow reported that next Monday, January 17th the Town will hold the annual Martin Luther King Day celebration at the York Middle School. Admission to the event is a warm hat or mittens that the middle school students will be donating.

Mr. Yandow stated that there is a York County budget hearing next Wednesday January 19th at the County Court House in Alfred.

D. Awards

E. Reports

1. Cape Neddick River Association

Paul McGowen, Linda Scotland and Julia Petersen made a presentation to the Board of Selectmen a presentation regarding restoring the Cape Neddick River.

Ms. Jackson-McCarty stated that this is a very passionate topic for the Board but there are some things that the Board needs to think about. We would like to put this on an agenda with possible action in the near future. There has been a lot of information was presented here that we need to digest.

Mr. Estes asked if the Board could be provided with a report of all the data over the past few years regarding the Cape Neddick River and how it has been progressing.

Steve Burns, Community Development Director, stated that the Community Development Department will be conducting Septic System surveys in the Cape Neddick Watershed Area and determining if there are any that have been failing. They will be starting with the highest risk areas and then work towards the lowest priority. They will be going to go door to door to ask about septic tanks and remind people that they need to be pumped every five years and if you have a failing one it needs to be replaced.

F. Citizens Forum - The citizen's forum is open to any member of the audience for comments on items listed on this meeting agenda or to propose items for future meeting agendas. 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

Ron Nowell

G. Approval of Warrant #28

Moved by Ms. Andrews and seconded by Mr. Little to approve Warrant #28. Without objection so moved

H. PUBLIC HEARINGS

I. ENDORSEMENTS

License Applications

-Lobster Barn Corp dba The Barn (Victualers, Liquor, Coin-Op Amusement)

-Norma Clark dba Norma's Restaurant Inc (Victualers)

-Qing Wen Wang dba Greenleaves Chinese Restaurant (Victualers, Liquor)

Moved by Mr. Little and seconded by Ms. Andrews to approve the following license applications: Lobster Barn Corp dba The Barn (Victualers, Liquor, Coin-Op Amusement), Norma Clark dba Norma's Restaurant Inc (Victualers) and Qing Wen Wang dba Greenleaves Chinese Restaurant (Victualers, Liquor), subject to taxes, fees and inspections being current and compliant with the usual noise stipulations.

J. Old Business

1. Discussion with SMRT Concerning Access Road from Route 1 to Ridge Road

At our last meeting SMRT was here to present the Board with information on the siting of the police station and on the Route One Access road. The question came up regarding utilities for the access road and SMRT was asked to come back with some updated cost analysis.

Dennis Jud, of SMRT reported to the Board that after they added a 12 inch water line, a force main, a sewer pump station, underground electrical for the lights every 200ft and align the road to add a sidewalk the cost of the access road would be approximately \$3.229 million, an increase of \$1.2 million. This new cost brings the utilities all the way out to Route 1 vs. the original plan which only brought the utilities to the police station.

The question was raised regarding using the Wild Kingdom road instead of building one ourselves and Mr. Yandow reported that we did explore the use of the Wild Kingdom road and discussed it with the York Wild Kingdom owners; however they were not interested in releasing control of that road. Our ability to expand the Wild Kingdom road would also be problematic due to the extensive vernal pools.

Moved by Mr. Estes and seconded by Mr. Little to include the Access Road in the FY 12 Capital Plan including all the utilities presented at the Jan 10th 2011 Selectmen's Meeting for \$3,229,475 and to forward the proposal to the building committee for a recommendation that will be presented to the board of Selectmen in preparation to be placed in front of the voters in May. Vote 3-1 motion passes, Ms. Andrews against.

K. New Business

1. Appointment of Municipal Building Committee

After interviewing all candidates for the Municipal Building Committee the Board decided to appoint all the applicants. The 2 police representatives and the Town Manager will be non-voting members.

Moved by Mr. Little and seconded by Ms. Andrews to appoint the following people to the Municipal Building Committee: Bob Reed, Scott Fiorentio, Jon Speers, Greg Gosslin, Howard Koepell, and alternate Albert Moulton. Without objection so ordered.

The first organizational meeting will be at the library on Thursday morning, January 13th at 9AM.

2. Appointment of Code Enforcement Officer

Moved by Ms. Andrews and seconded by Mr. Estes to cease all code enforcement related appointments for Timothy DeCoteau and to appoint Benjamin McDougal as the Primary Code Enforcement Officer, Primary Building Official, and Primary Local Plumbing Inspector, with the authority to enforce all state-adopted building codes and standards. The term of these appointments shall be indefinite, at the pleasure of the Town Manager. Vote 4-0 motion passes.

3. Request for Time Extension from Charter Commission

Moved by Mr. Estes and seconded by Ms. Andrews to approve a nine month extension for the Charter Commission. Vote 4-0 motion passes.

4. Quit Claim Deed for 21 Axholme Road

Moved by Mr. Estes and seconded by Ms. Andrews to approve the quitclaim deed transferring ownership of 21 Axholme Road to Frank Patstone. Vote 4-0 motion passes.

5. Budget Discussion FY12

Mr. Yandow presented to the Board updated FY12 budget information based of the direction given at the previous Board of Selectmen's Meeting.

Mr. Estes stated that he thought that we had talked about cutting \$150,000 in the paving program. Mr. Yandow stated that he thought that the reduction was \$60,000. Mr. Estes stated that he wouldn't normally suggest it but we have so many capital projects that include paving that we could get away with this year.

Mr. Yandow stated that he wants to make sure that the Board is aware that if we cut the paving program that we will fall a little further behind in our normal paving schedule.

Ms. Andrews stated that she did some research into salt use and we salt much heavier in this town then other towns. Ms. Andrews suggested that we could maybe cut some of the salt budget and not salt so aggressively.

Mr. Yandow stated that in terms of salt use it would take a change in our clear roads policy. We could cut back on the salt but it would take a policy change.

Mr. Yandow will take the suggestions of cutting the paving program further and the salt program and develop a revised budget. The Board will meet on Tuesday, January 18th 2011 to continue the budget discussion.

6. Request for Extension on Property Redemption

Moved by Mr. Estes and seconded by Ms. Andrews to approve the redemption extension request for 63 Cycad Avenue: Map 0028/ Lot 0125-A until February 22nd, 2011. Vote 4-0 motion passes.

7. Appointment of Registrar of Voters

Moved by Ms. Andrews and seconded by Mr. Estes to appoint Mary-Anne Szeniawski as the Registrar of Voters for the Town of York pursuant to MRSA Title 21-A, 101. Registrar. Vote 4-0 motion passes.

8. Special Event Permit: World Cup Bull Riders: Extreme Country

Moved by Mr. Estes and seconded by Ms. Andrews to approve the Special Event Permit Application for the World Cup Bull Riders: Extreme Country Tour for June 4th and June 5th from 12:00 PM to 8:00 PM with the conditions set forth by Town Department Heads. Vote 4-0 motion passes.

9. Special Event Permit: Light the Night-the Leukemia and Lymphoma Society

Moved by Ms. Andrews and seconded by Mr. Little to approve the Special Event Permit Application for the Leukemia and Lymphoma Society Light the Night Event on Saturday, October 1st, 2011 from 9:00 AM to 9:00 PM. Vote 4-0 motion passes.

10. Resignation of Clark James from Energy Steering Committee

Moved by Ms. Andrews and seconded by Mr. Little to accept the resignation of Clark James from the Energy Steering Committee with regrets. Without objection so ordered.

11. Board and Committee Appointments: Energy Steering Committee

Moved by Mr. Estes and seconded by Mr. Little to appoint Phyllis Newman as a regular member of the Energy Steering Committee to fill the position left vacant by Clark James and to appoint Michael Wacker to an alternate position on the Energy Steering Committee. Vote 4-0 motion passes.

12. Board and Committee Appointment: Senior Center Advisory Board

Moved by Ms. Andrews and seconded by Mr. Little to appoint Fern Dondero as a regular member of the Senior Center Advisory Board. Vote 4-0 motion passes

L. Other Business

-Ms. Andrews questioned what the franchise fee from Time Warner goes to that each household has to pay. This is paid to the Town of York, it is a general fund revenue around \$155,000.

Adjourn

Moved by Ms. Andrews and seconded by Mr. Little to adjourn at 9:50 PM

Respectfully Submitted By:

Kathryn Danylik, Recorder