



Town of York

186 York Street
York, Maine 03909-1314

SELECTMEN'S MEETING 7:00 PM MONDAY, SEPTEMBER 10, 2012 YORK LIBRARY

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/
Harbor Master
(207)363-1010

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

Grant House
(207)351-1204

Fax
(207)363-1009
(207)363-1019

www.yorkmaine.org

Present: Chair; Mary Andrews, Vice Chair; Scott Fiorentino, Edward Little, Kinley Gregg, Ronald Nowell, Town Manager; Robert G. Yandow, Recorder; Katie McWilliams and members of the press and public. Mary Andrews left at 10:40.

Call to Order

Pledge of Allegiance

A. Minutes- August 27, 2012 Selectmen's Meeting Minutes

Moved by Mr. Little, seconded by Ms. Gregg to approve August 27, 2012 Selectmen's Meeting Minutes, as amended. Without objection, so ordered.

B. Chairman's Report

Attorneys will be attending an upcoming Selectmen meeting regarding the Cliff Walk. This subject will be discussed in executive session and then later during public the meeting.

C. Manager's Report

1. Confirmed cases of West Nile Virus (WNV) and Eastern Equine Encephalitis (EEE) have been detected in New Hampshire and Massachusetts and now there are reported cases of both in Maine, one of which was a human case of WNV. Maine CDC officials are awaiting confirmation from the federal CDC in Atlanta, however the tests conducted in-state were both positive. In addition, WNV was identified in mosquitoes that were trapped and tested in York County. It is important to take the necessary precautions to protect yourself from being bitten by a disease carrying mosquito. Try to stay inside from dusk to dawn; wear long sleeve shirts and pants when going out during these times and use mosquito repellent with EPA approved DEET. Avoid standing pools of water on your property and be vigilant.

2. Due to holidays in both October and November the Selectman meetings scheduled for those months have been changed. Oct 15th/22nd and Nov. 19th/26th are the new proposed dates.

3. Town Manager, Mr. Yandow informed the public that an error had been made in the 2012 tax bills. The mistake was made on a form sent to the state to calculate the tax rate. Typically revenue is subtracted from total expenses. State revenue sharing, or money the state sends back to the communities, is also supposed to be subtracted from revenues. However, the town's finance director mistakenly added \$455,000 in state revenue sharing to Fiscal Year 2012 revenues of \$4,415,880, rather than subtracting it. The \$455,000 was also included in its own box on the state form for municipal tax rate calculation, causing the amount to be doubled to \$910,000, leaving the town short. Taxpayers should have been billed \$9.96 per \$1,000 of assessed valuation, instead of the \$9.72 per \$1,000 rate sent out in tax bills Aug. 21. The information mistakenly inflated the amount of revenue for York, leaving the town short \$910,000 in its budget. This mistake will be discussed during a future Selectman meeting.

D. Awards

None

E. Reports

None

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:

Peter Goodwin
Mike Micciche
Helen Rollins

G. Approval of Warrant #10

Moved by Mr. Little, seconded by Mr. Fiorentino, to approve Warrant #10. Vote 3-2, with Mr. Nowell and Ms. Gregg opposed. Motion passes.

H. Public Hearing

Motion was made by Mr. Little, seconded by Ms. Gregg to open the public hearing at 7:21 pm.

1. Draft Warrant for November 2012 General Referendum

Article ONE: Amendments of the **Zoning Ordinance** to refine the definitions and standards for all civic and public uses, specifically amending: Article 2, Definitions; Article 4, Schedule of Use Regulations; and Article 8, Shoreland Overlay District.

Public Comment: None

Article TWO: Amendment of the **Zoning Ordinances**, specifically amending: Article 17, Non-Conforming Situations.

Public Comment: Helen Rollins

Article THREE: Amendment of the **Supplemental Plumbing Ordinance**, specifically amending: Section 6, Administration; and Section 13, Pumping of Septic Tanks.

Public Comment: None

Article FOUR: Amendment of the **Street Opening and Culvert Ordinance**, specifically amending the Purpose, Applicability, and Street Opening Sections.

Public Comment: Mike Estes
Don Neumann
David Brinkman
Rick Boardman
Helen Rollins

Article FIVE: Shall the town vote to authorize the Board of Selectman to dispose of town owned land located at 430 Ridge Road, further described Map 26/Lot 0002-A, by issuance of a quitclaim deed to an abutting property owner at 440 Ridge Road.

Public Comment: None

Article SIX: Shall the Town vote to accept a certain easement from Harriet A. Sanclemente and Robert R. Ford of 8 Organug Road in York, Maine?

Public Comment: Helen Rollins, Roger Pratt

Article SEVEN: Shall the Town vote to accept a certain easement from Brandon Keirns and Tracy Fowler of 85 York Street in York, Maine?

Public Comment: Roger Pratt

Article EIGHT: Shall the Town vote to accept a certain easement from Daniel G. Peabody and Audrey C. Peabody of 85 Lindsey Road in York, Maine?

Public Comment: None

Article NINE: Shall the Town vote to accept a certain easement from Joseph V. Schlenker and Maria A. Schlenker of 8 Mitchell Road in York, Maine?

Public Comment: None

Article TEN: Shall the Town vote to accept a certain easement from Yorkholme Association of Seaward Way in York, Maine?

Public Comment: None

Article ELEVEN: Shall the Town vote to accept a certain easement from Atlantic/Kearsarge Parking Lot, LLC of 4 Main Street in York, Maine?

Public Comment: None

Article TWELVE: Shall the Town vote to accept a certain easement from David C. Woods and Judy A. Woods of 21 Railroad Avenue in York Beach, Maine?

Public Comment: None

Article THIRTEEN: Shall the Town vote to accept a certain easement from York's Wild Kingdom, Inc. of 23 Railroad Avenue in York Beach, Maine?

Public Comment: None

Article FOURTEEN: Shall the Town vote to accept a certain easement from The Union Bluff Hotel, Inc. of 14 Beach Street in York Beach, Maine?

Public Comment: Mike Estes

2. Street Opening and Culvert Ordinance Amendments

Staff Comment: Dean Lessard
Steve Burns

Public Comment: Helen Rollins
Roger Pratt
Mike Estes
Don Neumann
David Brinkman
Rick Boardman

Ms. Andrews closed the public hearing at 8:42pm.

I. Endorsements

License Applications

1. Sentry Hill York Harbor LLC (Victualers)
2. Nancy & John Stern DBA Pie in the Sky (Victualers)
3. Jason Miller DBA St. Joe's Coffee (Victualers)
4. Hannaford Bros. Co. DBA Hannaford Food & Drug (Victualers)

Moved by Mr. Little , seconded by Mr. Nowell to approve the following license applications, Sentry Hill York Harbor LLC (Victualers), Nancy & John Stern DBA Pie in the Sky (Victualers), Jason Miller DBA St. Joes's Coffee (Victualers) and Hannaford Bros. Co DBA Hannaford Food & Drug (Victualers) subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

J. Old Business

None

K. New Business-

1. Motion by Mr. Nowell, seconded by Ms. Gregg to place the revised amendment of the Street Opening and Culvert Ordinance on the November 2012 General Referendum. Vote 4-1, Mr. Fiorentino opposed.

2. Warrant Approval

Motion by Mr. Nowell, seconded by Mr. Little to approve Articles ONE, TWO, THREE, FOUR and FIVE from the 2012 General Referendum warrant. Vote 5-0, motion passes.

Article ONE: Amendments of the **Zoning Ordinance** to refine the definitions and standards for all civic and public uses, specifically amending: Article 2, Definitions; Article 4, Schedule of Use Regulations; and Article 8, Shoreland Overlay District. Board of Selectman recommends approval: 3-2

Article TWO: Amendment of the **Zoning Ordinances**, specifically amending: Article 17, Non-Conforming Situations. Board of Selectman recommends approval: 5-0

Article THREE: Amendment of the **Supplemental Plumbing Ordinance**, specifically amending: Section 6, Administration; and Section 13, Pumping of Septic Tanks. Board of Selectman recommends approval: 5-0

Article FOUR: Amendment of the **Street Opening and Culvert Ordinance**, specifically amending the Purpose, Applicability, and Street Opening Sections. Board of Selectman recommends approval: 3-2

Article FIVE: Shall the town vote to authorize the Board of Selectman to dispose of town owned land located at 430 Ridge Road, further described Map 26/Lot 0002-A, by issuance of a quitclaim deed to an abutting property owner at 440 Ridge Road. Board of Selectman recommends approval: 5-0

Motion by Mr. Little, Seconded by Mr. Nowell to remove Articles SIX through FOURTEEN from the 2012 General Referendum Warrant. Vote 5-0, motion passes.

Article SIX: Shall the Town vote to accept a certain easement from Harriet A. Sanclemente and Robert R. Ford of 8 Organug Road in York, Maine?

Article SEVEN: Shall the Town vote to accept a certain easement from Brandon Keirns and Tracy Fowler of 85 York Street in York, Maine?

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3. Preference Votes; see above.

4. Discussion of Police Department and Connector Road Project (Per Board of Selectman 8-27-12)

Motion was made by Ms. Gregg, seconded by Mr. Nowell to disband the Municipal Building Committee. No vote was taken.

After a lengthy discussion it was decided to remove new business item 5 and 6 from this week's agenda and schedule a new meeting for next week. This meeting would include discussion on the new Police Station and Connector road.

L. Other Business

After talking to a town clerk from another town Ms. Andrews learned that the seniors there can pay taxes on a 9 month schedule, rather than once or twice a year as a possible option. Ms. Andrews just wanted to let the board know of this idea.

M. Citizens Forum

Public Comment: Helen Rollins
Mike Estes

At 10:40 Chairman Ms. Andrews abruptly left the meeting. Vice Chairman Mr. Fiorentino presided over the remainder of the meeting.

Mike Micciche
David Brinkman

Adjourn

Moved by Mr. Nowell , seconded by Mr. Little to adjourn at 10:49 PM.

Respectfully Submitted By:

Katie McWilliams; Recorder