

**BOARD OF SELECTMEN'S
MEETING MINUTES
5:45/5:50/6:00/7:00PM MONDAY, MAY 9, 2016
YORK LIBRARY**

5:45PM: Executive Session: Pursuant to M.R.S. § 405.6.E (Legal)

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Torbert Macdonald, Dawn Sevigny-Watson, Todd A. Frederick, and Town Manager Stephen H. Burns.

Moved by Mr. Speers, seconded by Mr. Macdonald 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.

5:50PM: Executive Session: Pursuant to M.R.S. § 405.6.F (Poverty Abatement)

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Torbert Macdonald, Dawn Sevigny-Watson, Todd A. Frederick, and Town Manager Stephen H. Burns.

Moved by Mr. Speers, seconded by Mr. Macdonald 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.

6:00PM: Annual Meeting with Auditors

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Torbert Macdonald, Dawn Sevigny-Watson, Todd A. Frederick, Town Manager Stephen H. Burns, members of Budget Committee, along with Jenn Connors and Cayce Leonard of Runyon Kersteen Ouellette Certified Public Accountants.

7:00PM: Regular Meeting

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Torbert Macdonald, Dawn Sevigny-Watson, 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 25, 2016 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Frederick to approved the April 25, 2016 Meeting Minutes, as amended. Vote 5-0, motion passes.

B. Chairman's Report

Chairman Robert E. Palmer, Jr. read a letter he received from Rick Boardman of the York Sewer District regarding the workshop between the water/sewer districts and the Selectmen that was held previously and discussed the possibility of a Sewer Subcommittee. Also, Mr. Palmer reminded folks that the Town portion of the Voter Guide put out by the School Department was incorrect and the correct version is on the Town website.

C. Manager's Report

Town Manager Stephen H. Burns announce on behalf of Mary-Anne Szeniewski, Town Clerk, that already 1,500 absentee ballots have been taken out for the May Referenda. Mr. Burns also reminded citizens and visitors that parking meters will be put up and the speed limit on Long Beach Avenue will be reduced, coming up on May 15. A few more reminders were regarding the Open School Budget Meeting at 6:30PM tomorrow evening, and the May 21st Referenda held at York High School. Mr. Burns also announced that David Moulton and Alan Covell, who between the two of them, have 68 years of service to the Public Works Department, have been promoted to crew supervisors.

D. Awards

E. Reports

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: Carol Allen
Jim Carmody
Fred Knox
Howard Koeppel
Patty Hymanson
Dean Lessard, Director of Public Works
David Brinkman
Arthur Kyricos
David Chase

G. Public Hearings

H. Endorsements

Business Licenses:

- Chapman Family Realty Trust DBA: Chapman Cottage (Bed and Breakfast, Food Service, Liquor, Special Amusement); located at 370 York Street
- Garry Dominguez DBA: York Harbor Inn (Innkeeper, Food Service, Liquor, Special Amusement); located at 480 York Street
- Trustees of St. Aspinquid DBA: St. Aspinquid Lodge (Food Service, Flea Market); located at 101 Long Sands Road
- Karen McElmurry DBA: Simply Grown at Rocky Acres (Food Service); located at 81 Webber Road
- The Goldenrod DBA: The Goldenrod (Food Service); located at 2 Railroad Avenue
- Martha Danolowqicz DBA: Wicked Good Ice Cream (Food Service); located at 4 Main Street
- York Golf and Tennis Club DBA: York Gold and Tennis Club (Food Service, Liquor, Special Amusement); located at 62 Organug Road
- Kathleen Kelley DBA: Coppa Magic Gelato (Food Service); located at 852 US Route One
- Joseph and Garry Dominguez DBA: Harbor Hill Inn (Bed and Breakfast); located at 472 York Street
- Joseph and Garry Dominguez DBA: 1730 Harbor Crest (Bed and Breakfast); located at 378 York Street
- Joseph and Garry Dominguez DBA: Harbor Cliffs Bed and Breakfast (Bed and Breakfast); located at 484 York Street
- IOTB, LLC DBA: Guac-N-Roll (Food Service, Liquor); located at 9 Ocean Avenue
- Rising Tide, LLC DBA: Fun-O-Rama (Coin-Operated Amusement); located at 7 Beach Street

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following licenses: Chapman Family Realty Trust DBA: Chapman Cottage (Bed and Breakfast, Food Service, Liquor, Special Amusement); located at 370 York Street, Garry Dominguez DBA: York Harbor Inn (Innkeeper, Food Service, Liquor, Special Amusement); located at 480 York Street, Trustees of St. Aspinquid DBA: St. Aspinquid Lodge (Food Service, Flea Market); located at 101 Long Sands Road, Karen McElmurry DBA: Simply Grown at Rocky Acres (Food Service); located at 81 Webber Road, The Goldenrod DBA: The Goldenrod (Food Service); located at 2 Railroad Avenue, Martha Danolowqicz DBA: Wicked Good Ice Cream (Food Service); located at 4 Main Street, York Golf and Tennis Club DBA: York Gold and Tennis Club (Food Service, Liquor, Special Amusement); located at 62 Organug Road, Kathleen Kelley DBA: Coppa Magic Gelato (Food Service); located at 852 US Route One, Joseph and Garry Dominguez DBA: Harbor Hill Inn (Bed and Breakfast); located at 472 York Street, Joseph and Garry Dominguez DBA: 1730 Harbor Crest (Bed and Breakfast); located at 378 York Street, Joseph and Garry Dominguez DBA: Harbor Cliffs Bed and Breakfast (Bed and Breakfast); located at 484 York Street, IOTB, LLC DBA: Guac-N-Roll (Food Service, Liquor); located at 9 Ocean Avenue, Rising Tide, LLC DBA: Fun-O-Rama (Coin-Operated Amusement); located at 7 Beach Street, 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: Selectmen's Investment Policy

Finance Director Wendy Anderson and Northeast Municipal Advisor Richard Ranaghan proposed a draft Investment Policy for further edit or adoption by the Board of Selectmen.

The Board asked that the Policy be amended to page 7 to include the word "to".

Moved by Mr. Speers, seconded by Mr. Macdonald to approve the Investment Policy prepared by Northeast Municipal Advisors, as amended. Vote 5-0, motion passes.

2. Discussion and Possible Action: Selectmen's Fund Balance Policy

Finance Director Wendy Anderson and Northeast Municipal Advisor Richard Ranaghan proposed a draft Fund Balance Policy for further edit or adoption by the Board of Selectmen.

After discussion with the Board, Finance Director and Mr. Ranaghan, it was decided that an amended draft would come back after further discussion and possible action.

3. Discussion and Possible Action: Priorities for Comp Plan Implementation

As a result of the Town Manager's annual review, the Comprehensive Plan was an area in which he was asked to take a stronger role. Mr. Burns recommends implementation in the following priorities and seeks guidance from the Board: Expanding public sewer service, LED streetlights, Comprehensive assessment of fees, dedicated reserve funds, enterprise funds for stormwater and floodplain management, donation of properties to Habitat for Humanity, protection of un-fragmented habitat blocks, migration of tidal marsh with respect to rise and removed of existing tidal restrictions, creating a town forest, address circulation on the Nubble particularly on the Nubble Road loop, green enterprise Recreation Overlay, policies regarding the Cliff Walk, Revise the Capital Investment Plan, and a Multi-Generational Community Center.

The Board agreed that each item is important in its own rights, and that a workshop would be a great start to addressing these items.

J. New Business

1. Discussion and Possible Action: New Selectmen's Policy - Sunset Clauses

The purpose of adopting this policy is to establish an evaluation process for the need to incorporate such a clause within a standalone ordinance as well as to establish an assessment process prior to the ordinances expiration date.

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the attached Selectmen's Policy "Sunset Clause's and Town Ordinances", as amended. Vote 5-0, motion passes

2. Discussion and Possible Action: Traffic Safety Ordinance Amendments - Parking Restrictions along Route One

Moved by Mr. Macdonald, seconded by Mr. Frederick to direct the Town Manager to post proposed changes to the Traffic Safety ordinance for a public hearing and possible Board action on June 13, 2016.

3. Discussion and Possible Action: New Ordinance Amendments for November

This item was simply to inform the Board and get guidance on possible ordinance amendments coming up in November 2016.

4. Discussion and Possible Action: Appoint Warden for the Maine Primary Election

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the Town Clerk's appointment of David N. Ott as the warden for the State of Maine Primary election on June 14, 2016 pursuant to Title 21A, Section 501. Vote 5-0, motion passes.

5. Discussion and Possible Action: Historic District Commission Resignation

The Board chose to table this for more discussion with Scott Stevens.

6. Discussion and Possible Action: Special Event Permits

- a. York Parks and Recreation's *Four on the Fourth Road Race* on July 4, 2016
- b. York Parks and Recreation's *Amidon Family Dentistry York Days 5K* on July 24, 2016
- c. York Parks and Recreation's *York Days Craft Fair* on July 24, 2016
- d. York Parks and Recreation's *Christmas in July - Lighting of the Nubble* on July 24, 2016
- e. Josias River Farm Weddings on May 28, June 11, June 25, July 16, July 30, August 6, August 20, August 27, September 3, September 10, September 24 and October 1, 2016

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following Special Event Permit Applications subject to all, if any, conditions given by Department Heads: York Parks and Recreation's *Four on the Fourth Road Race* on July 4, 2016, York Parks and Recreation's *Amidon Family Dentistry York Days 5K* on July 24, 2016, York Parks and Recreation's *York Days Craft Fair* on July 24, 2016, York Parks and Recreation's *Christmas in July - Lighting of the Nubble* on July 24, 2016, and Josias River Farm Weddings on May 28, June 11, June 25, July 16, July 30, August 6, August 20, August 27, September 3, September 10, September 24 and October 1, 2016. Vote 5-0, motion passes.

7. Discussion and Possible Action: Poverty Abatement

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to grant an Abatement Request for Case 316-02 made pursuant to MRSA Title § 841.2 in the sum of \$5,928.60 for partial payment of FY15 taxes and FY16 taxes. Vote 5-0, motion passes.

K. Future Agendas

A request was sent to the Town Manager's Office requesting an ordinance providing a tax exemption be awarded to military families regarding their vehicle excise tax. The Board agreed to bring tax issue back on the agenda in June.

L. Other Business

Mr. Macdonald stated that due to the impending election on the 21st that this may be his last meeting with this board, he thanked the Board for all the cooperation between members and that it was a pleasure to serve with them.

M. Citizens' Forum

Public Comment: None

Adjourn

Moved by Mr. Speers, seconded by Mr. Macdonald to adjourn the meeting at 9:01PM. Without objection, so ordered.

Executive Session: Pursuant to M.R.S. § 405.6.A (Quarterly Review and Check-In with Town Manager)

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Torbert Macdonald, Dawn Sevigny-Watson, Todd A. Frederick and Town Manager Stephen H. Burns.

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

Moved by Mr. Macdonald, seconded by Mr. Frederick to exit out of executive session. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery
Assistant to the Town Manager