



Town of York

186 York Street
York, Maine 03909-1314

SELECTMEN'S MEETING 7:00PM MONDAY, JANUARY 23, 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
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

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

www.yorkmaine.org

Present: Chair; Tracy Jackson-McCarty, Vice Chair; Mary Andrews, Edward Little, Kinley Gregg, Scott Fiorentino, Town Manager; Robert G. Yandow, Recorder; Susan Scott, and members of the press and public.

Call to Order

Pledge of Allegiance

Call to Order

A. Minutes

- January 9, 2012 Selectmen's Meeting Minutes: Moved by Ms. Andrews, seconded by Mr. Little to approve the January 9, 2012 Selectmen's Meeting Minutes as amended. Vote 5-0, motion passes.

B. Chairman's Report

C. Manager's Report

Town Manager, Robert G. Yandow, reminded property owners that the second installment of taxes is due February 3, 2012 with interest penalties to apply should taxes not be paid on time. Dog licenses are due January 31, 2012, or interest penalties may apply. S.U.R. Construction has begun work on the previously Selectmen approved York Street and York Beach area drainage projects, and starting January 24th workers may be seen wearing protective gear with white suits due to possible removal of asbestos containing pipes.

D. Awards

None

E. Reports

1. **Municipal Social Services Review Board.**

Municipal Social Services Review Committee (MSSRB) Co-Chairman, Karen Brown, presented their annual recommendation for \$37,200 in funding for 15 social service agencies that provide services to local

residents. The MSSRB unanimously approved this report to be forwarded on to the Budget Committee for consideration for the May 2012 Warrant.

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 office of the Town Manager.

Public Comment: Tom Carnicelli, TTF Chairman
Helen Rollins
Doreen McGillis, York Land Trust

G. Approval of Warrant #30

Moved by Ms. Andrews, seconded by Mr. Little to approve Warrant #30, without objection, so ordered.

H. Public Hearing

I. Endorsements

License Applications

Moved by Mr. Little, seconded by Ms. Gregg to approve the following license applications: Andrew & Susan Wetzel DBA Inn at Tanglewood Hall (Bed & Breakfast), Arthur & Scott Berger DBA York Village Emporium (Victualers), Konstantina Giokas DBA York Pizza Company (Victualers and Liquor), Qing Wen Wang DBA Greenleaves Chinese Restaurant (Victualers and Liquor), Betty Weaver DBA "Lobster Barn" The Barn Seafood & Grill (Victualers, Liquor and Coin-OP Amusement), Norma Clark DBA Norma's Restaurant (Victualers), and Kathryn M. Weare DBA The Cliff House & Motels, Inc. (Victualers, Liquor and Special Amusement) 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. Approval of York Ambulance Contract.

Town Manager Yandow confirmed that the Town attorney reviewed and approved the contract. The contract remains contingent upon voter approval in May, and would require further voter approval should there be any fee renegotiations. Prior to Mr. Yandow's tenure as Town Manager, Town voters chose to appropriate monies for York Ambulance to offset unreimbursed fees for their services. Although a volunteer organization, York Ambulance maintains operating expenses for the services provided York citizens and its many visitors throughout the year.

Moved by Mr. Little, seconded by Ms. Gregg to approve a two year contract with York Ambulance for the provision of ambulance services in the Town of York in an amount of \$40,000 per year. Vote 4-0-1 with Ms. Andrews in abstention as a member of the York Ambulance Board of Directors, motion passes.

2. Approval of Request for Funding from Charter Commission.

Town Manager Yandow stated that voters previously approved establishment of the Charter Commission to review and update the Charter. Legal review of the document is required by State statute.

Chairman Jackson-McCarty understood the importance and relevance of this request but noted lack of adequate documentation provided for such a significant financial request. No proposal or backup information pertaining to the attorneys interviewed was attached for Selectmen consideration. The Chairman requested, for purposes of consistency and transparency, that the Charter Commission provide additional information for their funding request for continued review at the upcoming February Selectmen meeting.

Charter Commission Chairman, David Marshall, provided an overview of the first draft charter proposal as prepared by the Commission. Maine Municipal Association provided a list of attorneys with prior experience reviewing town charters. Mr. Marshall contacted five of the attorneys listed, and interviewed two. Attorney Keith Jacques from the Law firm of Woodman, Edmunds, Danylik & Austin in Biddeford was chosen and signed an agreement with an estimated not-to-exceed fee. Mr. Marshall will provide the Manager's office with a synopsis as to how the Charter Commission chose the attorney, and a copy of the proposed draft charter to be included with these minutes.

Moved by Ms. Andrews, seconded by Mr. Little to approve the request from the York Charter Commission for funding in an amount not to exceed \$6,000 for legal review of the draft charter proposal with the funding to come from the Selectmen's Contingency Account. Vote 5-0, motion passes.

3. Approval of Acceptance of MDOT Municipal Participation Initiative Program Award.

Director of Public Works, Dean Lessard, applied for, and was granted a \$500,000 Maine Department of Transportation's Municipal Participation Initiative Program award for approved work on state and state-aid highways. These additional funds will serve to increase the scope of previously voter-approved improvement projects located at the northern end of Long Sands Beach through the Short Sands area. Targeted items include the full width of paving beyond just trench paving for roadway from the Police Station through Short Sands village to the Fire Station. Additional improvement projects are now feasible including recommendations such as pedestrian and drainage enhancement as outlined in the Gorrill-Palmer Traffic Study.

Moved by Ms. Andrews, seconded by Mr. Little to approve acceptance of \$500,000 from the Maine Department of Transportation's Municipal Participation Initiative Program. Vote 5-0, motion passes.

Chairman Jackson-McCarty requested Mr. Lessard present an overview of the additional improvements including curb lines, intersection crossing, and pedestrian refuge areas at a future Selectmen meeting.

4. Budget FY13 Discussion.

Town Manager Yandow provided a revised budget reflecting a reduction from a 3.5% to a 2.5% increase in spending resulting in \$157,391 of additional cuts to the FY13 operating budget. The Town is in the third year of 3-year collective bargaining agreements for personnel. The Town is bound by these agreements for wage increases as previously approved by the Board of Selectmen. Mr. Yandow discussed overall taxation as including voter approved capital projects and not just the operating budget. In past years, the Tax Task Force recommended allocation of additional monies for capital projects as the TTF felt the Town was not meeting their goal of spending \$7 million over a 5-year period.

Moved by Mr. Little, seconded by Ms. Andrews to forward the approved revised budget reflecting a 3.5% increase in spending to the Budget Committee. Vote 2-3, motion fails with Mr. Fiorentino, Ms. Gregg and Ms. Andrews opposed.

Moved by Mr. Little to approve a 3.1% spending increase. Motion failed due to no second.

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve and forward the revised budget reflecting a 2.5% increase in spending to be forwarded on to the Budget Committee. Vote 3-2, motion passes with Ms. Jackson-McCarty and Mr. Little opposed.

5. FY13-17 Capital Plan.

The Capital Planning Committee, comprised of representatives from the Selectmen, Budget Committee, Tax Task Force and School Committee, meet each November to review the upcoming 5-year plan for capital projects. During this review, projects are prioritized in terms of need and timeframe for completion. Some of the FY13 capital projects include a culvert replacement project on Long Beach Avenue, Village Fire department renovations, purchase of Plaisted Field for open space, High School renovations, and windows and siding for Coastal Ridge Elementary School.

Mr. Little discussed the need for a new town hall facility, and recommended consolidating the municipal and school departments

Moved by Ms. Andrews, seconded by Ms. Gregg to approve the Capital Plan for FY2013-2017 as recommended by the Capital Planning Committee. Vote 5-0, motion passes.

6. Property Redemption Request: 6 Eastern Ave. (Tax Map 36, Lot 73-A)

Ms. Andrews withdrew her motion to approve the redemption request for 6 Eastern Avenue until the following Selectmen meeting on February 13, 2012 so that payment dates can be finalized.

7. Special Event Permit Application: York High School Polar Dip 2/4/12

Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application for the York High School Interact Club Polar Dip to be held Saturday, February 4, 2012 from approximately 9:30am to 10:15am at Long Sands Beach. Vote 5-0, motion passes.

8. **Special Event Permit Application: Ethel's Tree of Life Plunge 2/18/12**
Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application for Ethel's Tree of Life Plunge to be held Saturday, February 18, 2012 from approximately 12:00pm to 2:00pm at Harbor Beach in York Village. Vote 5-0, motion passes.
9. **Special Event Permit Application: Leukemia & Lymphoma Walk 9/22/12**
Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application for the Leukemia & Lymphoma Event to be held Saturday, September 22, 2012 from approximately 9:00am to 5:00. Vote 5-0, motion passes.

L. Other Business

Ms. Andrews requested letters be sent to Governor LePage and State legislators to voice strong support for services provided by the residential group home located on Woodbridge Road.

M. Citizens Forum

Public Comment: Helen Lord

Ms. Gregg requested the application for the Change of Use for the Mt. Agamenticus building.

Adjourn

Moved by Mrs. Andrews, seconded by Mr. Little to adjourn at 9:55 pm.

Respectfully Submitted By:



Susan H. Scott; Recorder