



# Town of York

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Treasurer  
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Code Enforcement  
(207)363-1002

Planning  
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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  
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Parks and  
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## SELECTMEN'S MEETING 6:00/7:00 P.M. MONDAY APRIL 22, 2013 YORK LIBRARY

**6:00 PM:** Executive Session: Real Estate - Pursuant to M.R.S.A. Title 1, Section 405 (6)(C) for the purpose of discussing the Town's position on various real estate matters.

**Present:** Chair; Mary Andrews, Vice Chair; Kinley Gregg, Ted Little, Ronald Nowell, Town Manager; Robert G. Yandow, Recorder; Katie McWilliams and members of the press and public.

**Call to Order** at 7:00pm

### **Pledge of Allegiance**

#### **A. Minutes**

None

#### **B. Chairman's Report**

- On March 25<sup>th</sup> Ms. Andrews and the Town Manager met with PC Construction regarding responsibility for environmental and financial issues resulting from unauthorized clear cutting. The town is awaiting approval from the Army Corps of Engineers on a plan that includes a restoration of only .8 tenths of an acres of approximately 1.8 acres near the Police Station. Once the information has been received we will be in a better position to better estimate the restoration cost. The Town Manager and Ms. Andrews have met with PC Construction on two occasions to discuss the clear cutting and stock piling errors that were made last summer. At the current time the Town Manager is researching all the projected costs associated with the clear cutting issues. The total projected cost and allocation to responsible part will be basic for future meetings with PC Construction.
- On Monday April 29<sup>th</sup> the Board will have a work session regarding the new Police Station Tower. A representative from the Planning Board the Chief

Bracy will be on hand to answer questions and provide more information on the project.

**C. Manager's Report**

- Due to Memorial Day in May the Selectmen's meetings will be the 2<sup>nd</sup> and 3<sup>rd</sup> Mondays in May, the 13<sup>th</sup> and 20<sup>th</sup>.
- Absentee ballots are now available, and can be picked up any time in the Town Clerks office. They cannot be returned until after the May 6<sup>th</sup> open school meeting, because if ballots are turned in before the meeting the vote regarding the school budget will not be counted. They can be returned up until 8pm on May 18<sup>th</sup>.
- On Saturday April 27<sup>th</sup> the Public Works will be holding their annual used tire drop off day at the Recycling center on Whitchtrot Road from 9am to 2pm. The following fees will apply: 16" or less \$3, 17-18" \$5 and 19" and up \$5 each. Cash only. Permits are required to use the recycling facility.

**D. Awards:**

1. Award for Turf Treatment Bid

The Parks and Recreation Department received three bids for turf treatment to school and municipal properties. Goodall Landscaping in Topsham, Maine \$20,834.73, Keystone Horticulturists in Kennebunk, Maine \$44,007.00 and Boston Company in South Berwick, Maine \$55,516.00. Mike Sullivan Director of Parks and Recreation met with the low bidder, Goodall Landscaping to discuss cost and the wide range of bids received and both feel confident the work can be done with this price quote. Mr. Sullivan has checked their references, many of which were communities similar to us and their company profile. He recommends they be awarded the turf treatment.

Mr. Little questioned the difference between PCA, 50% organic, 84% organic, and how we know what is best for York. Mr. Sullivan explained that York has a very sophisticated (IPM) Integrated Pest Management program, meaning they don't apply pesticides or herbicides unless it is called for. York Parks and Recreation will put a on a straight organic fertilizer unless they need to be reactive because there is a pest or some problem with weed control. There was a mandatory pre-bid meeting with all the bidders where they reviewed specifications to make sure everyone was on the same page. At this meeting it was decided they would have a minimum of 50%

organic matter. Goodall will apply when we need them to, based upon the IPM program.

Ms. Gregg asked why we are fertilizing grounds so close to the water that might not need to be fertilized. She feels that the town needs to set a better example and reminded us the Lawns for Lobsters campaign. She would support the athletic fields to be fertilized but does not feel any application of any substance particularly on waterfront properties is necessary. Mr. Sullivan informed the Board that staff member; Ryan Coite is a member of Lawns for Lobsters. They are very impressed with the IPM program and the willingness to step up and be ahead of the curve in terms of organic fertilization.

Moved by Mr. Little, seconded by Mr. Fiorentino to award the 2013 Turf Treatment Bid for school and municipal properties to Goodall Landscaping in the amount of \$20,834.73. Vote 3-1-1, Mr. Nowell abstained, Ms. Gregg opposed, motion passes.

**E. Reports:**

1. Promotion of Officer Owen Davis to Sergeant

This is the 1<sup>st</sup> promotion in the York Police Station in 13 years. Police Chief Doug Bracy said it will be the first of many in the coming years as much of the supervisory staff will be retiring as they have put in 25-40 years of service in to the town. A lot of training has been done and York has many younger officers that are willing and ready to take over, Officer Owen Davis being one of them.

Owen Davis has been with the York Police Department for 17 years. He graduated from York High School, has his Bachelor's Degree from the University of Maine in Political Science with an emphasis in prelaw. He started with the department in March of 1996. He is a certified Maine criminal justice instructor; currently certified to teach 27 different classes. He has been a leader in the town, coordinating both state and national law enforcement challenges, York finishing 1<sup>st</sup> in the state for the past five years and two first place finishes at the national level. Mr. Davis has also been instrumental helping write and administer a number of highway safety grants and the smart policing grant, bringing hundreds of thousands of dollars into the town. He has received numerous awards and is dedicated much of his own time to the department's community programs.

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.

Tracy Keirns  
Joe Lipton  
Beth Murphy  
Linda Sirois read a letter from Harold Anderson  
Charles Stacy  
Richard Spurling  
Gary Green

**G. Approval of Warrant #42**

Moved by Mr. Little, seconded by Mr. Fiorentino to approve Warrant # 42. Vote 4-1, Mr. Nowell opposed, motion passes.

**H. Public Hearings:**

- **Proposed amendments to the Traffic Safety Ordinance: Time Limited Parking Zone**

Moved by Mr. Little, seconded by Ms. Gregg to open the Public Hearing at 7:45 pm, without objection so ordered.

Joe Lipton  
Doug Trueman  
Bill Burnham  
Kevin LaConte

Moved by Mr. Little, seconded by Mr. Fiorentino to close the Public Hearing at 8:00 pm, without objection so ordered.

- **Proposed amendments to the Traffic Safety Ordinance: One-Way Designation of Country Road**

Moved by Mr. Little, seconded by Mr. Fiorentino to open the Public Hearing at 8:00 pm, without objection so ordered.

Fred Knox

Joe Lipton  
Jim Carmody  
Dean Lessard-Director of Public Works  
Rick Boston  
Doug Trueman  
Bill Burnham  
Charles Stacy  
John Clancy  
Jay Garfield

Moved by Mr. Little, seconded by Mr. Fiorentino to close the Public Hearing at 8:40 pm, without objection so ordered.

- **Proposed amendments to the Traffic Safety Ordinance: Increase Parking Meter Rates**

Moved by Mr. Little, seconded by Mr. Fiorentino to open the Public Hearing at 8:41 pm, without objection so ordered.

Fred Knox  
Bill Burnham  
Kevin LeConte  
Rick Boston  
Joe Lipton

Moved by Mr. Little, seconded by Mr. Fiorentino to close the Public Hearing at 9:01 pm, without objection so ordered.

- **Proposed amendments to the Traffic Safety Ordinance: Increase Fines**

Moved by Mr. Little, seconded by Mr. Fiorentino to open the Public Hearing at 9:01 pm, without objection so ordered.

Bill Burnham

Moved by Mr. Little, seconded by Mr. Fiorentino to close the Public Hearing at 9:06 pm, without objection so ordered.

- **Proposed amendments to the Traffic Safety Ordinance: Parking Spaces Reserved for the York Beach Fire Department**

Moved by Mr. Little, seconded by Mr. Fiorentino to open the Public Hearing at 9:06 pm, without objection so ordered.

Jim Carmody

Moved by Mr. Little, seconded by Mr. Fiorentino to close the Public Hearing at 9:11pm, without objection so ordered.

- **Proposed amendments to the Traffic Safety Ordinance: Amend the Parking Meter Zones Section**

Moved by Mr. Little, seconded by Mr. Fiorentino to open the Public Hearing at 9:11 pm, without objection so ordered.

None

Moved by Mr. Little, seconded by Mr. Fiorentino to close the Public Hearing at 9:13 pm, without objection so ordered.

#### **I. Endorsements- Business Licenses**

1. Jeremy Prescott DBA Kettle Boys Popcorn Co. (Victualers)
2. Carrie Yakola DBA York Art Association (Vicutalers)
3. Phyllis W. Fox DBA Fox's Lobster House ( Victualers/Liquor)
4. Raymond Ramsey DBA Anchorage Inn (Victualers/Liquor/Special Amusement)
5. Raymond Ramsey DBA Sun N Surf (Victualers/Liquor/ Special Amusement)
6. Mark Anastas DBA Liquid Dreams Surf Shop (Victualers)
7. Paul Karoutas DBA York House of Pizza (Vicutalers)
8. Janet B. Stone DBA Oceanside Store Inc. (Vicutalers)
9. Joseph Lipton & Chris Crane DBA Inn on the Blues (Victualers/Liquor/Special Amusement/Dance Hall/ Bed & Breakfast)

Moved by Mr. Little, seconded by Mr. Nowell to approve the following license applications; Jeremy Prescott DBA Kettle Boys Popcorn Co. (Victualers), Carrie Yakola DBA York Art Association (Vicutalers), Phyllis W. Fox DBA Fox's Lobster House (Victualers/Liquor), Raymond Ramsey DBA Anchorage Inn (Victualers/Liquor/Special Amusement), Raymond Ramsey DBA Sun N Surf (Victualers/Liquor/ Special Amusement), Mark Anastas DBA Liquid Dreams Surf Shop (Victualers), Paul Karoutas DBA York House of Pizza (Vicutalers), Janet B.

Stone DBA Oceanside Store Inc. (Vicutalers), Joseph Lipton & Chris Crane DBA Inn on the Blues (Victualers/Liquor/Special Amusement/Dance Hall/ Bed & Breakfast, subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 4-0, motion passes.

**J. Old Business**

None

**K. New Business**

**1. Amendments to Traffic Safety Ordinance**

- Time Limited Parking Zones -

This amendment would change the time limits of 11 parking spaces in York Beach. It distributes a series of 15 -minute and 30- minute spaces around the Village to help facilitate quick trips to the area businesses. It also establishes a couple loading spaces which can be used by delivery companies so they have a couple safe places to park without blocking traffic.

Moved by Ms. Gregg, seconded by Mr. Fiorentino to enact the following amendment to the Traffic Safety Ordinance: Time Limited Parking. Vote 5-0, motion passes.

- One- Way Designation of County Road -

Per direction of a prior Board during the re-construction work in York Beach, the physical design and construction of this road was changed to optimize for one-way southbound traffic. The physical changes have occurred, but the Ordinance was not enacted so the one-way requirement is not enforceable by the Police Department.

Moved by Ms. Gregg, seconded by Mr. Little to enact the following amendment to the Traffic Safety Ordinance: One-Way Designation of County Road. Vote 1-4, Mr. Fiorentino approves, motion fails.

- Increase Parking Meter Rates -

The proposal is to increase the meter rates from \$1.00 to \$1.50 per hour.

Moved by Ms. Gregg, seconded by Mr. Little to enact the following amendment to the Traffic Safety Ordinance: Increase Parking Meter Rates. Vote 0-5, all opposed, motion fails.

- Increase Fines -

Concurrent with the proposed 50% increase in meter rates, this amendment would increase fines by 40%.

Moved by Ms. Gregg, seconded by Mr. Little to enact the following amendment to the Traffic Safety Ordinance: Increase Fine. Vote 0-5, motion fails.

- Parking Spaces Reserved for the York Beach Fire Department -

This amendment reserves 7 parking spaces near the station for exclusive use of firefighters.

Moved by Ms. Gregg, seconded by Mr. Little to enact the following amendment to the Traffic Safety Ordinance: Parking Spaces Reserved for the York Beach Fire Department when on official business. Vote 5-0, motion passes.

- Amend the Parking Meter Zones section -

This amendment inserts a cross-reference to the Parking permit Program, and to remove language that limits payment for parking to coins. The language about payment as opposed to deposit of coin or coins is intended to open the option of machines which can accept credit cards. It does not mandate credit card options, but allows it.

Moved by Ms. Gregg, seconded by Mr. Nowell to enact the following amendment to the Traffic Safety Ordinance: Amend the Parking Meter Zones section. Vote 5-0, motion passes.

## **2. Possible MDOT MPI Grant Opportunity for York Street**

On May 22, 2010 the York voters approved a sum of \$1,000,000 for the York Street Renovation Project. This project involves roadway and culvert work on York Street and Organug Road along with sidewalk, paving and other drainage work. The

project also involved the reconstruction of the intersection at York Street and Organug.

On June 1, and August 23, 2011 the public works department, along with CLD Consulting Engineers, met with project abutters and neighbors to discuss the project and receive citizen input. The need for better pedestrian safety along York Street was expressed by most of the meeting participants. Many spoke of the need for a continuous sidewalk on both sides of the road.

On November 14, 2011 the Board of Selectmen approved DPW to finalize the design and solicit construction bids to reconstruct York Street including the upgrade of the existing drainage system, road and sidewalks. To date the project as approved is substantially complete.

DPW has had discussions with the Maine Department of Transportation (MDOT) about the availability of State funding through the Municipal Partnership Initiative (MPI) grant program that would allow for additional improvements in conjunction with the Town project. The proposed additional improvements funded by State funds (MPI grant) would continue to improve pedestrian safety on York Street as well as provide money for improvements that would ultimately come out of the York Village committee. The pedestrian safety improvements would include the construction of a sidewalk on the northerly side of York Street from the intersection of Route 1 (York Corner) to Hilltop Drive. It would also include the construction of a sidewalk on the southerly side of York Street from Georgia Street to Lindsay Road. The addition of the sidewalk on the southerly side of York Street would allow for the installation of safer crossings at the Village Elementary School.

Moved by Ms. Gregg, seconded Mr. Little to schedule a public hearing for May 13, 2013 on construction of additional infrastructure improvements on York Street in conjunction with the York Street improvement project and to notify abutters and the York Village Study Committee. Vote 5-0, motion passes.

### **3. Approve School Budget Town Meeting Warrant**

Moved by Mr. Little, seconded by Mr. Nowell approve the warrant to call the Town of York School Budget Town Meeting on May 6, 2013 at 6:30 for the purpose of determining the articles set forth in the warrant. Vote 5-0, motion passes.

### **4. Discuss Gift Left from Estate for York Senior Center**

A former member at the Senior Citizens Center, Marjorie T Duffy recently passed away and left an estimate of \$105,000 - \$110,000 to the Center to provide capital and operating funds for the senior's transportation needs. Once the funds have been accepted and placed into a Town account designated for this purpose, the York Parks and Recreation will come to the board with specific recommendations on how to use the funds for senior transportation needs.

Moved by Mr. Nowell, seconded by Mr. Little to accept a donation from the estate of Marjorie T. Duffy and to place the funds in a special account pursuant to the provisions of the Last Will and Testament of Marjorie Duffy. Vote 5-0, motion passes.

**L. Other Business**

**M. Citizens Forum**

Sam Horn

**Adjourn**

Moved by Mr. Little, seconded by Ms. Andrews to adjourn at 10:04 PM.

Respectfully Submitted By:

\_\_\_\_\_  
Katie McWilliams; Recorder