



# Town of York

186 York Street  
York, Maine 03909-1314

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

## SELECTMEN'S MEETING 7:00 P.M. MONDAY MARCH 21st, 2011 YORK LIBRARY

### Call to Order-

### Pledge of Allegiance

### A. Minutes

-March 14th, 2011 Selectmen's Meeting Minutes

### B. Chairman's Report

### C. Manager's Report

### D. Awards

### E. Reports

**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.

### G. Approval of Warrant #38

### H. PUBLIC HEARINGS

1. May 2011 Budget Referendum
2. May 2011 Budget Referendum Warrant

### I. ENDORSEMENTS

#### License Applications

- Robert Witham dba Bob's Beach Rentals (Floats)
- Diana Hickey dba Windbreaker Restaurant-Mimmo's (Victualers)

**J. Old Business**

1. Birch Hill Road Culvert Project

**K. New Business**

1. Discussion on Proposed Beach Street Underground Utilities.
2. Preference votes on the May 2011 Budget Referendum
3. Approval of the May 2st, 2011 Budget Referendum Warrant and forward to the voters.
4. Revisions to Transfer Station Permit Program
5. Adopt Amendments to Selectmen's Policy on Transaction of Business and Public Participation
6. Special Event Permit Application: York Hospital 5K Road & Cross Country Race
7. Special Event Permit Application: Masonic Youth Charities Motorcycle Run

**L. Other Business**

**Adjourn**

## SELECTMEN'S MEETING

7:00 P.M. MONDAY MARCH 14<sup>th</sup>, 2011

### YORK LIBRARY

**Call to Order-** Chairman Jackson-McCarty called the meeting to order at 7:02 PM.

#### **Pledge of Allegiance**

#### **A. Minutes**

-February 28th, 2011 Selectmen's Meeting Minutes

Moved by Ms. Andrews and seconded by Mr. Estes to approve the February 28<sup>th</sup>, 2011 Selectmen's Meeting Minutes as amended. Vote 4-0 motion passes.

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

Chairman Jackson-McCarty, on behalf of the Board, sends out support and prayers to those who have been affected by the recent tsunami and earthquake in Japan. If you are a group doing some sort of effort to help the victims please let us know so that it can be broadcast on public access TV.

Chairman Jackson-McCarty reminded the residents about the Community Dialogue Forum that is scheduled on Saturday, March 26<sup>th</sup> from 8:30 AM to 12:00 PM at the York High School. Participants will be broken into groups to discuss topics that are concerns and issues for York. This is a forum that brings up topics of interest and allows participants to have an open dialogue about issues facing York.

#### **C. Manager's Report**

Mr. Yandow reminded the public that there will be a public hearing on Thursday, March 17<sup>th</sup> at 7:00 PM in the York Library on the proposed Police Station and Connector Road.

Mr. Yandow stated that nominations papers for elected officials are available in the Clerk's Office. Papers are due back to the Town Clerk by Wednesday, April 6<sup>th</sup> 2011.

Mr. Yandow congratulated the York High School Boys Hockey Team for their win in that State Championship game! Also congratulations to York High School Girls Basketball player Nikki Taylor who was voted Gatorade's player of the year.

#### **D. Awards**

##### **1. Award for Partial Completion of Short Sands Drainage Project.**

Moved by Mr. Estes and seconded by Ms. Andrews to award a contract to Shaw Brothers Construction in an amount not to exceed \$180,440 for construction of the Main Street section of the voter approved Short Sands Capital Drainage Project. Vote 4-0 motion passes.

### **E. Reports**

**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:     Bob Reed  
  
                              Ron Nowell  
  
                              Paul McGowen  
  
                              Jim Smith  
  
                              Jack McDonald

### **G. Approval of Warrant #37-**

Moved by Ms. Andrews and seconded by Mr. Little to approve Warrant #37. Without objection so ordered.

### **H. PUBLIC HEARINGS**

#### **1. Application for a Community Development Block Grant, Economic Development Program Grant for Maine Coast Shellfish.**

Chairman Jackson-McCarty recused herself.

Moved by Mr. Estes and seconded by Mr. Little to open the public hearing on the Application for a Community Development Block Grant, Economic Development Program Grant for Maine Coast Shellfish.

Public Comment:     Jim Smith

Moved by Ms. Andrews and seconded by Mr. Little to close the public hearing on the Application for a Community Development Block Grant, Economic Development Program Grant for Maine Coast Shellfish.

## **I. ENDORSEMENTS**

### **License Applications**

- Raymond Ramsey dba Sun and Surf (Victualers, Liquor, and Special Amusement)
- CNLP Inc. dba cape Neddick Lobster Pound (Victualers, Liquor, Special Amusement)
- Victor Guay and Ralph Goddard dba Bittersweet Bed and Breakfast (Bed and Breakfast )
- Longhorn Trading Company dba Wild Willy's Burgers (Victualers, Liquor)
- Michael Specker dba Brixham General Store (Victualers, Liquor)
- Stephen Dunne dba Brown's Ice Cream (Victualers)
- Garry Dominguez dba York Harbor Inn (Victualers, Liquor, Special Amusement)
- Joseph and Garry Dominguez dba Harbor Cliffs Bed and Breakfast (Bed and Breakfast)
- Richard, Leigh, Joseph and Garry Dominguez dba Harbor Hill (Bed and Breakfast)
- Rebecca Sacchetti, Joseph and Garry Dominguez dba 1730 Harbor Crest Inn (Bed and Breakfast)

Moved by Mr. Little and seconded by Ms. Andrews to approve the following licenses: Raymond Ramsey dba Sun and Surf (Victualers, Liquor, and Special Amusement), CNLP Inc. dba cape Neddick Lobster Pound (Victualers, Liquor, Special Amusement), Victor Guay and Ralph Goddard dba Bittersweet Bed and Breakfast (Bed and Breakfast ), Longhorn Trading Company dba Wild Willy's Burgers (Victualers, Liquor), Michael Specker dba Brixham General Store (Victualers, Liquor), Stephen Dunne dba Brown's Ice Cream (Victualers), Garry Dominguez dba York Harbor Inn (Victualers, Liquor, Special Amusement), Joseph and Garry Dominguez dba Harbor Cliffs Bed and Breakfast (Bed and Breakfast), Richard, Leigh, Joseph and Garry Dominguez dba Harbor Hill (Bed and Breakfast) and Rebecca Sacchetti, Joseph and Garry Dominguez dba 1730 Harbor Crest Inn (Bed and Breakfast), subject to taxes, fees, and inspections being current and complaint with the usual noise stipulations. Vote 4-0 motion passes.

## **J. Old Business**

### **K. New Business**

#### **1. Discussion and approval to move the Application for the Economic Development Program Grant Application Package for Maine Coast Shellfish forward to the Maine State Department of Economic and Community and Development.**

Chairman Jackson-McCarty recused herself.

Moved by Mr. Estes and seconded by Mr. Little to forward the Application for Economic Development Program Grant Application package on behalf of Maine Coast Shellfish to the Maine Department of Economic and Community Development and to forwarded it to the May 21<sup>st</sup>, 2011 referendum for voter approval. Vote 3-0-1 motion passes, Ms. Jackson-McCarty abstained.

## **2. Discussion on Peterson Easement for the Cliff Path.**

On September 13<sup>th</sup>, 2010 the Board of Selectmen conducted a public hearing to receive public input on a pedestrian easement offered by the York trust. The pedestrian easement offered by the York Trust would provide access to Millbury Lane along side of the York trust property in exchange for the town relinquishing any right to a right-of-way along the rear of the York Trust property parallel to the shore. After the public hearing the Selectmen voted to place the easement on the May 2011 warrant. At that time the Board stated that they would explore the issue further and come up with better information to present to the public. The Board has met with the Town Attorney multiple times concerning this easement and at this time the Board does not feel there is enough information to provide the public with an informed decision.

Moved by Ms. Andrews and seconded by Mr. Little to rescind the motion that was passed on September 13<sup>th</sup> 2010 to put the pedestrian easement offered by the York Trust on the May 21<sup>st</sup> 2011. Vote 3-1 motion passes, Mr. Estes against.

## **3. Discussion on Including Town Properties on May Referendum.**

Moved by Ms. Andrews and seconded by Ms. Andrews to place all 49 town properties on the warrant as listed. Vote 4-0 motion passes.

The list of town properties will be posted on the town website for the public to view.

Moved by Mr. Estes and seconded by Mr. Little to move 32 Longs Sands Road, Map 50 Lot 49A to the May 21<sup>st</sup> 2011 warrant for authorization from the voters to sell the property. Amended by Mr. Little and seconded by Mr. Estes to replace the word sell with dispose of. Vote 4-0 motion passes.

## **4. Property Redemption Requests:**

**-62 Hooper Shores Road**-Moved by Mr. Estes and seconded by Mr. Little to approve the redemption of Map 0087/Lot 0022: 62 Hooper Shores Road, as requested, on condition that all taxes, interest and administrative costs are paid in full by no later than September 10<sup>th</sup>, 2011. Vote 4-0 motion passes.

**-120 Cider Hill Road**-Moved Mr. Estes and seconded by Mr. Little to approve the redemption of Map 0090/ Lot 0008: 120 Cider Hill Road with the condition that the 2009 taxes are paid within 60 days and the balance paid out over the remaining 9 months or until December 14<sup>th</sup> 2011. Vote 4-0 motion passes.

**-15 Leisure Lane**-Moved by Mr. Estes and seconded by Mr. Little to approve the redemption of Map 0090/Lot 0007A; 15 Leisure Lane on condition that the 2009 taxes are paid within 60 days of this agreement and the balance be paid no later than December 14<sup>th</sup> 2011. Vote 4-0 motion passes.

**-35 Long Beach Avenue Unit #27**-Moved by Mr. Estes and seconded by Mr. Little to approve the redemption of Map 0027/ Lot 0058-0027 27; 35 Long Beach Avenue Unit #27, as requested, on the condition that all taxes, interest and administrative costs are paid in full by no later than May 14<sup>th</sup>, 2011. Vote 4-0 motion passes.

**5. Board and Committee Appointments: Tax Task Force and Planning Board Alternate.**

Moved by Ms. Andrews and seconded by Mr. Little to appoint Anthony Mont as a regular member to the Tax Task Force and David Glazebrook as an alternate member of the Planning Board. Vote 4-0 motion passes.

**6. Request for Flea Market License Approval-St. Aspinquid Lodge No. 198.**

Moved by Mr. Estes and seconded by Ms. Andrews to approve the flea market operation request for the St. Apsinquid Lodge No. 198 for the months of May 2011 through December 2011. Vote 4-0 motion passes.

**7. Special Event Permit Application: York Village Marketfest.**

Moved by Ms. Andrews and seconded by Mr. Estes to approve the special event permit application for the York Village Business Association's Marketfest to be held on Friday and Saturday, October 14<sup>th</sup> and 15<sup>th</sup> from 9:00AM to 4:00 PM on Friday and 9:00 AM to 9:00 PM on Saturday. Vote 4-0 motion passes.

**8. Special Event Permit Application: Nubble Light Challenge.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for the Nubble Light Challenge that will be held on Saturday, July 9<sup>th</sup> 2011 with a rain date of Sunday, July 10<sup>th</sup> 2011 from 7:30 AM to 1:00 PM with the stipulation that all regulation set by the York Police Department and the York Fire Department are met. Vote 4-0 motion passes.

**9. Special Event Permit Application: York Little League Parade.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for the York Little League Parade that will be held on Saturday, April 30<sup>th</sup> 2011 from 11:00 AM to 12:00 PM. Vote 4-0 motion passes.

**10. Special Event Permit Application: Annual York Beach Fire Fighter Field Day.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for the York Fire Department's Field Day Parade that will be held on Sunday, June 26<sup>th</sup> 2011 from 11:00 AM to 3:00 PM. Vote 4-0 motion passes.

**11. Special Event Permit Application: York Days Fireworks.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for the York Days Fireworks Display on Sunday, August 7<sup>th</sup> from 9:00 PM to 10:00 PM. Vote 4-0 motion passes.

**12. Special Event Permit Application: Old York Designers Show House.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for 22<sup>nd</sup> Annual Designers Show House that will be held every day with the exception of Tuesdays from July 16<sup>th</sup> through August 13<sup>th</sup>, 2011. Vote 4-0 motion passes.

**13. Special Event Permit Application: Ellis Park Fireworks.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for the Ellis Park Fire Works Display to be held on July 3<sup>rd</sup> at 9:30 PM with a rain date on July 4<sup>th</sup>. Vote 4-0 motion passes.

**L. Other Business**

**Adjourn**

Moved by Ms. Andrews and seconded by Mr. Little to adjourn at 9:30 PM.

Town of York-Form of Warrant Articles-Draft-Rev-3-18-11

**Article 39** Shall the Town (1) approve the design and construction of the proposed Public Safety Building (the "Project") (2) appropriate a sum not to exceed \$6,810,539 for the costs of this project; and (3) to fund this appropriation authorize Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$6,810,539 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates \$153,237 from taxation which is the first year cost of interest and financing.**

**Statement of Fact:** This article would approve funding for the proposed Police Station building project. The Municipal Building Committee has worked with SMRT Architects to develop a project plan for a Police Station building that meets the size, design, and budget needs of the Town. Revisions have been made to the building program which have significantly reduced original project costs

**FINANCIAL STATEMENT**

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$ 22,322,866
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>6,810,539</u>
Total	\$ 29,133,405

Costs:

At an estimated interest rate of 4.50% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

Principal	\$ 6,810,539
Interest	<u>3,371,217</u>
Total Debt Service	\$ 10,181,756

Total estimated project costs including debt service: \$ 10,181,756

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends \_\_\_\_\_

Board of Selectmen recommends \_\_\_\_\_

**Article 40.** Shall the Town (1) approve the design and construction of the proposed Route One/York Beach Connector Road (the "Project") (2) appropriate a sum not to exceed \$1,626,882 for the costs of this project; and (3) to fund this appropriation authorize Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation

Legal Notice  
Town of York  
**PUBLIC HEARING NOTICE**  
March 21, 2011  
7:00 PM  
York Library

The Selectmen will hold a Public Hearing on March 21st,  
2011 regarding:

- May 2011 Budget Referendum
- May 2011 Budget Referendum Warrant

#6195

2tYW 3/9, 16



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## **PUBLIC HEARING NOTICE**

**March 21, 2011**

**7:00 PM**

**York Library**

The Selectmen will hold a Public Hearing on March 21st, 2011 regarding:

- **May 2011 Budget Referendum**
- **May 2011 Budget Referendum Warrant**

**TOWN OF YORK  
BUDGET REFERENDUM WARRANT  
ARTICLES TO BE ACTED UPON AT THE BUDGET REFERENDUM  
YORK, MAINE MAY 21<sup>st</sup>, 2011**

TO: Douglas P. Bracy, Constable of the Town of York, Maine

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of York, in said County, qualified by law to vote in Town affairs, to meet at the Robert E. Butler Gymnasium at York High School on Saturday, May 21<sup>st</sup>, 2011 between the hours of 8:00 o'clock in the forenoon and 8:00 o'clock in the evening, then and there to act on Articles One through XXXXX said articles being set out below to wit:

**ONE: To elect the following:**

**Two (2) Selectmen and Overseers of the Poor – Three Year Term**

**One (1) Moderator-Three Year Term**

**One (1) Trustee for York Water District - Five-Year Term**

**One (1) Trustee for York Sewer District - Five-Year Term**

**Two (2) Members Budget Committee - Three-Year Term**

**One (1) Member Superintending School Committee - Three-Year Term**

**TWO:** Shall the Town require the first payment of taxes (1/2 of taxes) to be paid not later than forty-five days from date of mailing; second payment (1/2 of taxes) to be paid by February 3, 2012? Taxes not paid by these dates shall be charged interest at the rate of 7% per annum.

Board of Selectmen recommends approval ().

YES \_\_\_\_ NO \_\_\_\_

**THREE:** Shall the Town set an interest rate of 3% per annum to reimburse taxpayers for taxes determined in FY 2012 to have been overpaid or abated?

Board of Selectmen recommends approval ().

YES \_\_\_\_ NO \_\_\_\_

**MUNICIPAL OPERATING BUDGET FISCAL YEAR 2012**

Preface: The Municipal Operating Budget presented here has been approved by the Budget Committee and reviewed by the Board of Selectmen. Their recommendations are shown separately under each article.

**IF THE MAJORITY OF VOTERS VOTE IN THE NEGATIVE ON AN ARTICLE, THE BUDGET AMOUNT WILL REVERT EITHER TO THE FY2011 APPROPRIATION OR TO \$0.**

**FOUR:** Shall the Town raise and appropriate a sum not to exceed **\$2,050,477 for the Town Manager's Department, Finance Department, Assessor's Department, Community Development Department, Town Clerk/Tax Collector's Department, Elections, Town Hall Operations and Maintenance, Printing and Records Management, Earned Account, Circuit Breaker, Academic Reimbursement, and Contingency** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Department</u>	<u>FY2011</u>	<u>FY2012</u>
Town Manager's Department	\$ 235,785.	\$ 238,649.
Finance Department	\$ 419,558.	\$ 430,658.
Assessor's Department	\$ 277,120.	\$ 288,451.
Community Development	\$ 309,565.	\$ 334,055.
Town Clerk/Tax Collector	\$ 321,760.	\$ 338,021.
Elections	\$ 31,805.	\$ 31,805.
Town Hall Operations/Maintenance	\$ 262,225.	\$ 256,838.
Printing/Records Mgmt.	\$ 10,000.	\$ 10,000.
Earned Account	\$ 20,000.	\$ 20,000.
Circuit Breaker	\$ 50,000.	\$ 50,000.
Academic Reimbursement	\$ 2,000.	\$ 2,000.
Contingency	\$ 50,000.	\$ 50,000.
<b>Total</b>	<b>\$1,989,818.</b>	<b>\$2,050,477</b>

Budget Committee recommends approval (6-0).

Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$2,050,477**.

A **NO** vote authorizes the previous year's appropriation of **\$1,989,818**

YES \_\_\_\_ NO \_\_\_\_

**FIVE:** Shall the Town raise and appropriate a sum not to exceed **\$1,109,827 for Debt Service** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-0).

Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$1,109,827**.

A **NO** vote authorizes the previous year's appropriation of **\$850,197**.

YES \_\_\_\_ NO \_\_\_\_

**SIX:** Shall the Town raise and appropriate a sum not to exceed **\$2,000 for Unemployment Costs** and furthermore shall the Board of

Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

YES \_\_\_ NO \_\_\_

**Statement of Fact:** The Town is self-insured and pays unemployment claims as they arise. Any unspent funds from this account may be carried forward to future years because expenditures are unpredictable.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$2,000**.  
A **NO** vote authorizes the previous year's appropriation of **\$2,000**.

YES \_\_\_ NO \_\_\_

**SEVEN:** Shall the Town raise and appropriate a sum not to exceed **\$417,000 for Property, Health Contingency, Liability and Workers' Compensation Insurance** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$417,000**.  
A **NO** vote authorizes the previous year's appropriation of **\$407,000**.

YES \_\_\_ NO \_\_\_

**EIGHT:** Shall the Town raise and appropriate a sum not to exceed **\$3,652,584 for the Police Department, Communications, Animal Control and Harbor Management and to authorize the Selectmen to expend any revenues received for dispatching and other Public Safety services** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Department</u>	<u>FY2011</u>	<u>FY2012</u>
Police	\$2,923,310.	\$3,041,959.
Communications	\$ 518,564.	\$530,865.
Animal Control	\$ 41,517.	\$32,719.
Harbor Management	\$ 52,197.	\$47,041.
<b>Total</b>	<b>\$3,535,588.</b>	<b>\$3,652,584.</b>

**Statement of Fact:** The Town of York provides dispatching services for the Town of Ogunquit and PSAP (Public Safety Answering Point) E911 service for several surrounding towns, for which the Town will receive approximately \$310,000. In addition, the Police Department provides outside services for which it expects to receive approximately \$110,000 in revenues. These revenues are reflected in the budget request shown in this article.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$3,652,584**.  
A **NO** vote authorizes the previous year's appropriation of **\$3,535,588**.

YES \_\_\_ NO \_\_\_

**NINE:** Shall the Town raise and appropriate a sum not to exceed **\$58,000 for the Vehicle Replacement Account for Police Vehicles** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Budget Item</u>	<u>FY2011</u>	<u>FY2012</u>
Police Vehicles	\$ 78,000.	\$ 58,000.
<b>Total</b>	<b>\$ 78,000.</b>	<b>\$58,000.</b>

**Statement of Fact:** Police vehicles are replaced by utilizing a replacement guideline that provides the flexibility to allow purchases to be made at the most opportune times and to get the best prices.

Budget Committee recommends approval (5-1).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$58,000**.  
A **NO** vote authorizes the previous year's appropriation of **\$78,000**.

YES \_\_\_ NO \_\_\_

**TEN:** Shall the Town raise and appropriate a sum not to exceed **\$887,667 for the York Village and York Beach Fire Departments and for Volunteer Firefighter Training** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Department</u>	<u>FY2011</u>	<u>FY2012</u>
Village Fire Dept.	\$444,974.	\$453,003.
York Beach Fire Dept.	\$419,740.	\$424,864.
Volunteer Firefighter Training	\$ 19,800.	\$ 9,800.
<b>Total</b>	<b>\$884,514.</b>	<b>\$887,667.</b>

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$887,667**.  
A **NO** vote authorizes the previous year's appropriation of **\$884,514**.

YES \_\_\_ NO \_\_\_

**ELEVEN:** Shall the Town raise and appropriate a sum not to exceed **\$856,500 for Hydrants for Fire Protection** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$856,500**.  
A **NO** vote authorizes the previous year's appropriation of **\$853,500**.

YES \_\_\_ NO \_\_\_

**TWELVE:** Shall the Town raise and appropriate a sum not to exceed **\$7,500 for Public Access Broadcast** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

YES \_\_\_\_ NO \_\_\_\_

**Statement of Fact:** This is the only funding that provides for stipends for cameramen, repairs and maintenance of broadcast equipment.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$7,500**.  
A **NO** vote authorizes the previous year's appropriation of **\$7,500**.

YES \_\_\_\_ NO \_\_\_\_

**THIRTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$40,000 for a one-year contract with the York Ambulance Association** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Board of Directors of the York Ambulance Association has contracted with the Town to offset operating expenses for the York Ambulance Association.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$40,000**.  
A **NO** vote authorizes the previous year's appropriation of **\$40,000**.

YES \_\_\_\_ NO \_\_\_\_

**FOURTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$2,757,054 for General Maintenance of Town Roads and Bridges, Tree Care & Planting, Streetlights and Signals, Traffic Lights, White Goods Disposal, Solid Waste Disposal, and Household Hazardous Waste Disposal and expend any revenues received** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Department</u>	<u>FY2011</u>	<u>FY2012</u>
Gen. Maintenance Town Roads & Bridges	\$1,155,549.	\$1,166,231
Tree Care & Planting	\$ 27,010.	\$ 27,010.
Streetlights and Signals	\$ 130,000.	\$ 110,000.
Traffic Lights	\$ 2,050.	\$ 2,100.
White Goods Disposal	\$ 72,750.	\$ 72,713.
Solid Waste Disposal	\$1,250,000.	\$1,350,000.
Household Hazardous Waste Disposal	\$ 29,000.	\$ 29,000.
<b>Total</b>	<b>\$2,666,359.</b>	<b>\$2,757,054.</b>

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$2,757,054**.

A **NO** vote authorizes the previous year's appropriation of **\$2,666,359**.

**FIFTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$1,079,367 for FY12 Winter Maintenance and Snow Removal and to authorize the Board of Selectmen and Treasurer to transfer an amount not to exceed \$100,000 from the unappropriated Fund Balance in the event winter weather conditions necessitate an over-expenditure of budgeted funds for the purpose of winter maintenance** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$1,079,367**.  
A **NO** vote authorizes the previous year's appropriation of **\$1,114,954**.

YES \_\_\_\_ NO \_\_\_\_

**SIXTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$25,000 for the continuing construction and maintenance of Bell Marsh Road** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (3-3).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$25,000**.  
A **NO** vote authorizes the previous year's appropriation of **\$25,000**.

YES \_\_\_\_ NO \_\_\_\_

**SEVENTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$417,600 for the paving of Town Roads** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (5-1).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$417,600**.  
A **NO** vote authorizes the previous year's appropriation of **\$492,600**.

YES \_\_\_\_ NO \_\_\_\_

**EIGHTEEN:** Shall the Town raise and appropriate a sum not to exceed **\$126,016 for the Maintenance of School Grounds and Athletic Fields** and furthermore shall the Board of Selectmen adopt

this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$126,016**.  
A **NO** vote authorizes the previous year's appropriation of **\$121,122**.

YES \_\_\_\_ NO \_\_\_\_

**NINETEEN:** Shall the Town raise and appropriate a sum not to exceed **\$561,954 for the Maintenance of Town Buildings, Grounds and Beaches** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$561,954**.  
A **NO** vote authorizes the previous year's appropriation of **\$559,468**.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY:** Shall the Town raise and appropriate a sum not to exceed **\$25,250 for the Mt. A Conservation Coordinator** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Mt. A Conservation Coordinator is responsible for grant development and management, overall supervision of the Mt. A trails system, planning trail management, and directing trail remediation crews. In addition, this position coordinates support and donations in the amount of \$33,600 from regional environmental groups, the York Water District and the town of South Berwick to cover the total cost of the position, which is \$59,527.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$25,250**.  
A **NO** vote authorizes the previous year's appropriation of **\$25,250**.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY- ONE:** Shall the Town raise and appropriate a sum not to exceed **\$37,076 for Maintenance of the Short Sands Park Bathhouse** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$37,076**.

A **NO** vote authorizes the previous year's appropriation of **\$37,076**.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY- TWO:** Shall the Town raise and appropriate a sum not to exceed **\$450,218 for the Operation of the Library** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$450,218**.  
A **NO** vote authorizes the previous year's appropriation of **\$439,314**.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY- THREE:** Shall the Town raise and appropriate a sum not to exceed **\$267,035 for the Senior Citizens' Center and General Assistance Program** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Department</u>	<u>FY2011</u>	<u>FY2012</u>
Senior Center	\$224,590.	\$231,534.
General Assistance	\$ 35,445.	\$35,501.
<b>Total</b>	<b>\$260,035.</b>	<b>\$267,035.</b>

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$267,035**.  
A **NO** vote authorizes the previous year's appropriation of **\$260,035**.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY- FOUR:** Shall the Town raise and appropriate a sum not to exceed **\$36,200 for Social Services and authorize the Board of Selectmen to reduce this amount if recommended by the Social Services Committee**, and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Agency</u>	<u>Amount Recommended by the Social Services Committee</u>
Aids Response Seacoast	\$ 1,500.
American Red Cross	\$ 2,600.
Caring Unlimited	\$ 3,250.
Child Abuse Prevention Council	\$ 900.
Crossroads House	\$ 2,000.
Home Health/Visiting Nurse of So. Maine	\$ 2,000.
Hospice of York	\$ 1,200.
Southern Maine Agency on Aging (Note: Includes Southern Y.C. Meals on Wheels)	\$ 8,500.
Southern Maine Parent Awareness	\$ 1,000.
York County Community Action Corp.	\$ 5,500.
York County Shelters, Inc.	\$ 3,000.

Counseling Services	\$ 2,800.
Ethel's Tree of Life, Inc	\$ 500.
York County Food Rescue	\$ 1,000.
Sexual Assault Support Services	\$ 250.
Biddeford Free Clinic	\$ 200.
<b>Total</b>	<b>\$ 36,200.</b>

**Statement of Fact:** The Board of Selectmen appointed a Social Services Committee to review all of the Social Service requests from agencies serving York residents. This list is a compilation of the committee's recommendations.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$36,200**.  
A **NO** vote authorizes an appropriation of **\$0**.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY- FIVE:** Shall the Town raise and appropriate a sum not to exceed **\$43,210 for the Board of Selectmen, Veterans' Graves, Cemetery, Cable TV Regulatory Commission, Conservation Commission, Historic District Commission, Recycling Committee, Shellfish Commission, Appeals Board, Budget Committee, and Planning Board** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

<u>Committee</u>	<u>FY 2011</u>	<u>FY 2012</u>
Board of Selectmen	\$ 12,730.	\$ 13,780.
Veterans' Graves	\$ 3,000.	\$ 3,000.
Cemetery	\$ 4,000.	\$ 4,000.
Cable TV Regulatory Comm.	\$ 400.	\$ 400.
Conservation Commission	\$ 2,830.	\$ 2,830.
Historic District Commission	\$ 1,040.	\$ 1,040.
Recycling Committee	\$ 1,000.	\$ 1,000.
Shellfish Commission	\$ 1,725.	\$ 1,725.
Appeals Board	\$ 6,535.	\$ 6,535.
Budget Committee	\$ 100.	\$ 100.
Planning Board	\$ 8,800.	\$ 8,800.
<b>Total</b>	<b>\$ 42,160.</b>	<b>\$ 43,210.</b>

Budget Committee recommends approval (5-1).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$43,210**.  
A **NO** vote authorizes the previous year's appropriation of **\$ 42,160**.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY- SIX:** Shall the Town raise and appropriate a sum not to exceed **\$127,879 for the Recreation Department and authorize the Selectmen to expend all revenues generated by the Recreation Programs** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This Article represents that portion of the Recreation Department budget supported by tax appropriations,

which fund the 1.5 full-time positions necessary for administration of the program.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote: 1) authorizes a tax appropriation of **\$127,879** as proposed by the Budget Committee and 2) authorizes the expenditure of all revenues generated by the Recreation Programs in FY 2012, which are estimated to be **\$429,000**.

A **NO** vote: 1) authorizes the previous year's tax appropriation of **\$123,640** and 2) authorizes the expenditure of all FY 2012 revenues generated by the Recreation Programs.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY-SEVEN:** Shall the Town appropriate **all revenues generated by the Grant House at Goodrich Park, Mount Agamenticus, and Sohier Park, which are estimated to be \$300,000, for the operation and maintenance of the aforementioned properties** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This request represents no expenditure of tax dollars.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes the expenditure of all revenues generated in FY 2012, which are estimated to be **\$300,000**.  
A **NO** vote authorizes the expenditure of all FY 2012 revenues.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY-EIGHT:** Shall the Town appropriate **9.5% of the revenues generated by parking ticket collections and parking permits to pay the cost of cleaning and maintaining the bathhouse at Harbor Beach** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Town maintains the bathhouse at the Harbor Beach and this article allows those costs to be covered by beach revenues rather than by tax appropriation.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes the expenditure of 9.5% of the revenues generated by parking ticket collections and parking permits in FY2012, which are estimated to be **\$14,135**.  
A **NO** vote authorizes the expenditure of FY2012 revenues.

YES \_\_\_\_ NO \_\_\_\_

**TWENTY-NINE:** Shall the Town fund the **Beach Reserve Account with 14% of the revenues generated by parking meter collections and 4.5% of revenues generated by parking permits**

**and parking ticket collections** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget as proposed by the Budget Committee?

**Statement of Fact:** The Board of Selectmen determined that revenues collected from parking meters can only be expended for qualified beach projects and therefore the Beach Reserve Account will be funded by 14% of revenues generated by parking meter collections and 4.5% of revenues generated by parking permits and parking ticket collections, estimated to be \$47,500. Future expenditures will be authorized by budget referendum warrant article.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes the collection of 9.5% of the revenues generated by parking meter collections, parking ticket collections and parking permits in FY2012, which are estimated to be \$47,500.  
A **NO** vote authorizes the collection of FY 2012 revenues.

YES \_\_\_\_ NO \_\_\_\_

**THIRTY:** Shall the Town raise and appropriate a sum not to exceed \$40,000 for the purpose of conducting a Mosquito Control Program for FY2012 and furthermore shall the Board of Selectmen adopt this line item of the Town Budget as proposed by the Budget Committee?

**Statement of Fact:** This is a community-based program conducted for mosquito- and tick-borne diseases and is designed to minimize human risk by utilizing various prevention strategies.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of \$40,000.  
A **NO** vote authorizes the previous year's appropriation of \$65,000.

YES \_\_\_\_ NO \_\_\_\_

**THIRTY- ONE:** Shall the Town authorize the use of up to \$100,000 from the Town's Fund Balance for the Supplementary Contingency Account if deemed necessary by the Board of Selectmen and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** If approved by voters, up to \$100,000 from the Town's fund balance will be available by majority vote of the Board of Selectmen to be used only for emergencies and opportunities which are unknown to the Board at the time of budget preparation, and which are recognized as Town responsibilities or are deemed by the Board to be in conformity with the Comprehensive Plan or latest Capital Plan.

Examples include (but are not limited to):

- A down payment or earnest money for securing unusual buying opportunities for parcels of land, buildings, or significant capital assets; to hold such potential purchase under contract until the next viable opportunity to offer the choice to the voters in a referendum;

- Unforeseen and therefore unbudgeted environmental or weather related repairs or precautions;
- Unusual or unpredicted spikes in the costs of materials or goods regularly purchased by the Town and declared essential by the Board.

In an uneventful year, it would be expected that none of the available money would be expended.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes the expenditure from the fund balance of up to \$100,000, if necessary, to cover supplementary contingencies.  
A **NO** vote authorizes the previous year's authorization to use up to \$100,000 from the fund balance, if necessary, to cover supplementary contingencies.

YES \_\_\_\_ NO \_\_\_\_

**THIRTY-TWO:** Shall the Town raise and appropriate a sum estimated to be \$4,415,880 consisting of the estimated revenues listed below for FY2012 and apply such funds to the FY 2012 Tax Commitment?

Auto Excise	\$ 2,680,000.
Boat Excise	27,000.
R/E Interest	135,000.
Town Clerk Fees	95,000.
Miscellaneous Income	55,000.
Plumbing Inspection Fees	30,000.
Appeals Board Fees	3,500.
Lien Administrative Fees	2,500.
Ordinance Fines	2,000.
Meter Collections	195,000.
Tickets/Meter Fines	105,000.
Parking Stickers	87,500.
Bad Check Charges	750.
Ellis Park	29,000.
Revenue Sharing	455,000.
General Assistance Reimbursement	9,000.
Investment Interest	125,000.
Cable TV Franchise Fees	175,000.
Photocopies	1,500.
Local Roads Subsidy	165,000.
Refrigerant Disposal Fee	3,130.
Transfer Station Permits	35,000.
<b>Total</b>	<b>\$ 4,415,880.</b>

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes the use of \$4,415,880 to reduce the tax commitment.  
A **NO** vote authorizes the use of the previous year's use of \$4,436,580 in revenues to reduce the tax commitment.

YES \_\_\_\_ NO \_\_\_\_

**THIRTY- THREE:** Shall the Town appropriate \$790,000 from the Fund Balance and apply these funds to the FY2012 Tax

**Commitment as a reduction in the amount to be raised from taxation, as proposed by the Board of Selectmen?**

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an appropriation from the fund balance of **\$790,000** to reduce the tax commitment.  
A **NO** vote authorizes the previous year's appropriation from the fund balance of **\$790,000**.

YES \_\_\_\_\_ NO \_\_\_\_\_

**THIRTY-FOUR:** Shall the Town authorize the Board of Selectmen to accept grants, donations and aid from State and Federal Agencies, as well as private sources, such as Foundations, Trusts and Individuals and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Board of Selectmen recommends approval ().

YES \_\_\_\_\_ NO \_\_\_\_\_

**THIRTY- FIVE:** Shall the Town authorize the Board of Selectmen to make one of the following decisions for each Tax Lien Acquired Property?

1. To dispose of the property by allowing the immediate former owner, or the immediate former owner's estate, to buy back title to the property from the Town. Buy-back of the property shall require: payment of all taxes due plus interest and lien costs; payment of all other costs; and an amount determined by the Board of Selectmen of up to ten (10%) percent of the then current assessed valuation as set by the Tax Assessor; and satisfaction of all other conditions established by the Board of Selectmen.
2. To dispose of the property by public sealed bid auction or other public process.
3. To dispose of the property by conducting a limited public sale among the parties who own property that directly abuts this property.
4. To hold Town title to the property.

The decision of the Board of Selectmen to use any of the above options shall adhere to the Board of Selectmen Procedural Policy for the Disposition of Foreclosed Property.

Board of Selectmen recommends approval ().

YES \_\_\_\_\_ NO \_\_\_\_\_

**THIRY-SIX:** Shall the Town authorize the Town Treasurer to waive foreclosure of any tax lien during the 2011 and 2012 calendar years, said waiver requiring approval of the Board of Selectmen. The Board of Selectmen shall grant said approval only in circumstances where foreclosures would prove injurious to the Town of York, such as, but not limited to, the presence of hazardous waste upon the property, or the presence on the property of one or more substandard structure(s) for which the cost of removal or repair would exceed the value of the property?

Board of Selectmen recommends approval ().

YES \_\_\_\_\_ NO \_\_\_\_\_

**THIRTY-SEVEN:** Shall the Town vote to authorize the Selectmen to dispose of the following unused town properties in a manner determined to serve the best interests of the town and to deposit any funds received from the disposition into the Town's fund balance?

Map-Lot		Location	Acreage
404-011	276	Bell Marsh Road	20.10
404-019	288	Bell Marsh Road	3.49
404-042	361	Bell Marsh Road	42.02
404-043	341	Bell Marsh Road	18.04
404-051	281	Bell Marsh Road	36.00
237-085	216	Clay Hill Road	5.74
225-184	12	County Road	0.50
151-092	6	Foresters Circuit	0.64
227-051	23	Greenleaf Parsons Road	1.58
130-225	27	Haskell Way	0.14
130-271	26	Juniper Road	0.33
130-348	11	Juniper Road	0.51
152-073	10	Lake Carolyn Way	0.42
239-005	302	Mountain Road	6.75
404-079	470	Mountain Road	0.51
132-271	23	Oceanside Avenue West	0.19
238-055	206	Ogunquit Road	1.38
406-003	270	Ogunquit Road	5.64
406-004	260	Ogunquit Road	5.62
406-025	250	Ogunquit Road	6.46
406-035	280	Ogunquit Road	5.81
406-037	290	Ogunquit Road	4.75
406-075	174	Ogunquit Road	18.26
151-083	1	Passaic Court	0.64
152-021	32	Pine Mountain Road	0.56
136-277	43	Railroad Ave Ext	0.14
136-297	41	Railroad Ave Ext	0.14
123-092	23	Ridge Road	0.58
123-097	47	Ridge Road	0.33
131-532	327	Ridge Road	0.15
221-059	86	Scituate Road	0.19
136-017	18	Surfore Road	0.23
136-019	11	Surfore Road	0.50
151-096	5	Sylvan Circuit	0.25
406-039	191	Tatnic Road	11.01
406-047	155	Tatnic Road	10.44
406-002	101	Third Hill Road	6.28
406-015	103	Third Hill Road	5.18
406-019	95	Third Hill Road	5.84
406-026	80	Third Hill Road	37.24
406-027	105	Third Hill Road	3.60
406-029	65	Third Hill Road	32.40

132-118	32	Trafton Street	0.46
121-081	571	Us Route 1	2.02
143-025	1216	Us Route 1	0.34
229-074	60	Vineyard Lane	8.92
229-080	66	Vineyard Lane	11.63
228-070	40	Walt Kuhn Road	5.00
229-081	70	Walt Kuhn Road	10.00

**Statement of Fact:** The Town owns property that is currently not in use and is not necessary for future town operations. The Selectmen would like to dispose of these properties and generate revenue that would be put back into the Town's fund balance. The Board of Selectmen would conduct a public hearing before any property is sold or otherwise disposed of.

Board of Selectmen recommend approval ( ).

A **YES** vote authorizes the Board of Selectmen to dispose of properties in an appropriate manner.

A **NO** vote does not authorize the Board of Selectmen to dispose of these properties.

YES \_\_\_\_\_ NO \_\_\_\_\_

**THIRTY-EIGHT:** Shall the Town vote to authorize the Selectmen to dispose of the 5.9 acre parcel located at 32 Long Sands Road that was approved for purchase in May 2006. This land was originally authorized for purchase by the voters for construction of a municipal facility. Any funds received from the disposition of this property would be put into the Town's fund balance.

**Statement of Fact:** The voters approved the purchase of approximately six acres of land located at 32 Long Sands Road in May, 2006 for the purpose of constructing a municipal facility on the site. Plans for a new municipal facility were submitted to the voters on two occasions and both times the plans were rejected. The Board of Selectmen is asking for voter authorization to dispose of the land at 32 Long Sands although there is no plan at the current time to dispose of the property. If the voters approve this article and the property is sold at some point in the future any funds received from the sale of the property would be placed back in the Town's fund balance.

Selectmen recommend approval ( ).

A **YES** vote authorizes the Board of Selectmen to dispose of the property in an appropriate manner.

A **NO** vote does not authorize the Board of Selectmen to dispose of the property.

**MUNICIPAL AND SCHOOL CAPITAL PLAN**

**THIRTY-NINE:** Shall the Town (1) approve the design and construction of the proposed Public Safety Building (the "Project") (2) appropriate a sum not to exceed \$6,810,539 for the costs of this project; and (3) to fund this appropriation (a) re-appropriate up to \$350,000 of unused proceeds from the sale of the Town of York, Maine \$8,624,500 aggregate principal amount of 2010 General Obligation Bonds dated July 1, 2010 to fund a portion of the costs of this Project; and (b) authorize Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general

obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$6,460,539 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates \$145,362 from taxation which is the estimated first year cost of interest and financing.**

**Statement of Fact:** This article would approve funding for the proposed Police Station building project. The Municipal Building Committee has worked with SMRT Architects to develop a project plan for a Police Station building that meets the size, design, and budget needs of the Town. Revisions have been made to the building program which have significantly reduced original project costs

**FINANCIAL STATEMENT**

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$ 22,322,866
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>6,460,539</u>
Total	\$ 28,783,405

Costs:

At an estimated interest rate of 4.50% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

Principal	\$ 6,460,539
Interest	<u>3,197,967</u>
Total Debt Service	\$ 9,658,506

Total estimated project costs including debt service: \$ 9,658,506

**Validity:** The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (6-0)

Board of Selectmen recommends approval ( )

YES \_\_\_\_\_ NO \_\_\_\_\_

**FORTY:** Shall the Town (1) approve the design and construction of the proposed Route One/York Beach Connector Road (the "Project") (2) appropriate a sum not to exceed \$1,626,882 for the costs of this project; and (3) to fund this appropriation authorize Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$1,626,882 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates \$36,605 from**

**taxation which is the estimated first year cost of interest and financing.**

**Statement of Fact:** This article would approve funding for the proposed Route One/York Beach Connector Road. This would be a public road that connects Route One to Ridge Road and would provide for more efficient deployment of public safety and emergency vehicles throughout the town. Response times for both the police department and all other emergency services would improve in most areas of the town.

Costs:

At an estimated interest rate of 4.50% for a five (5) year maturity, the estimated cost of the bond issue will be:

Principal	\$ 137,000
Interest	<u>21,578</u>
Total Debt Service	\$ 158,578

Total estimated project costs including debt service: \$ 158,578

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (4-2)  
Board of Selectmen recommends approval ()

YES \_\_\_ NO \_\_\_

**FORTY-TWO:** Shall the Town raise and appropriate a sum not to exceed **\$44,296 for Bond Financing Costs** and furthermore shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The issuance of bonds carries with it substantial costs of approximately \$44,296. With multiple proposed bondable projects it is not feasible to spread the cost over the various articles, as approval of all articles is not guaranteed and there would not be sufficient funds to cover these costs. If the funds are not needed they would revert to the general fund balance.

Budget Committee recommends approval (6-0).  
Board of Selectmen recommends approval ().

A **YES** vote authorizes an expenditure of **\$44,296**.  
A **NO** vote authorizes an appropriation of **\$0**.

YES \_\_\_ NO \_\_\_

**FORTY-THREE:** Shall the Town adopt the **Five (5) Year Capital Improvements Plan** as proposed by the Board of Selectmen?

**Statement of Fact:** The Town Charter requires the Board of Selectmen to adopt a Five Year Capital Improvements Plan. A Capital Improvements item is generally defined as something costing in excess of \$10,000. Approval of this Article does not authorize any expenditure.

Board of Selectmen recommends approval ().

YES \_\_\_ NO \_\_\_

**FORTY-FOUR:** Do you favor raising the **levy limit of the Town of York municipal budget** for the purpose of funding all of the preceding articles of the municipal budget approved by the voters hereunder?

**FINANCIAL STATEMENT**

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$ 22,322,866
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>1,626,882</u>
Total	\$ 23,949,748

Costs:

At an estimated interest rate of 4.50% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

Principal	\$ 1,626,882
Interest	<u>805,307</u>
Total Debt Service	\$ 2,432,189

Total estimated project costs including debt service: \$ 2,432,189

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (5-1)  
Board of Selectmen recommends ()

YES \_\_\_ NO \_\_\_

**FORTY-ONE:** Shall the Town (1) approve the purchase of a Heavy Plow Truck for the Department of Public W (the "Project") (2) appropriate a sum not to exceed \$137,000 for the costs of this project; and (3) to fund this appropriation authorize Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$137,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates \$3,083 from taxation which is the estimated first year cost of interest and financing.**

**Statement of Fact:** This is a scheduled replacement of a 2000 International 4900 Heavy Duty Plow Truck/Dump Truck used year-round by the Public Works Department.

Total Town Indebtedness:

A. Bonds outstanding and unpaid	\$ 22,322,866
B. Bonds authorized and un-issued	0
C. Bonds to be issued if the Article is approved	<u>137,000</u>
Total	\$ 22,459,866

**Statement of Fact:** The state law known as LD 1 requires an affirmative vote to allow a municipality to raise the property tax limit higher than allowed under LD 1. Under LD 1 the maximum property tax levy for the Town of York municipal budget is \$8,843,916. If all articles contained herein concerning the municipal budget are approved, the amount appropriated will be \$10,082,902.

Board of Selectmen recommends approval ().

A **YES** vote will allow the appropriation of all voter-approved articles.

A **NO** vote may result in an appropriation less than what has been approved.

YES \_\_\_\_ NO \_\_\_\_

\*\*\*\*\*

Dated at York this \_\_\_\_ day of \_\_\_\_ Two Thousand Eleven

## **BOARD OF SELECTMEN**

\_\_\_\_\_  
Tracy Jackson-McCarty, Chairman

\_\_\_\_\_  
Mary Andrews, Vice Chairman

\_\_\_\_\_  
Edward W. Little

\_\_\_\_\_  
Michael L. Estes

**NOTICE OF INTENT  
TO PROCESS ABSENTEE BALLOTS**

**Title 21-A, Section 759**

I certify that pursuant to State of Maine, Title 21-A, Section 759, absentee ballots will be processed commencing at **8:00 A.M.** at the Budget Referendum to be held at York High School Gymnasium on:

**DATE: MAY 21, 2011**

Dated at York this \_\_\_\_\_ day of \_\_\_\_\_ Two Thousand Eleven

\_\_\_\_\_  
Tracy Jackson-McCarty, Chairman

\_\_\_\_\_  
Mary Andrews, Vice Chairman

\_\_\_\_\_  
Edward W. Little

\_\_\_\_\_  
Michael L. Estes

**BOARD OF SELECTMEN**

**YORK SCHOOL DEPARTMENT  
VALIDATION AND PROCESS WARRANT ARTICLES**

**Warrant Articles to be voted on the Referendum Ballot May 21, 2011.**

**Validation Referendum**

**ARTICLE ONE:** Do you favor approving the York School budget for the upcoming school year that was adopted at the latest school budget meeting? M.R.S.A. 20-A Sec. 1486(3)(F)

Yes \_\_\_\_\_ No \_\_\_\_\_

**Warrant Article to Establish and Transfer Funds to Fuel Cost Stabilization Fund**

**ARTICLE TWO:** Shall the York School Committee be authorized to establish a fuel cost stabilization fund under the authority of 20-A MRS section 15008, and to transfer up to \$50,000 to that fund from year end available balances?

**Statutory Disclosure Statement:** The fuel cost stabilization fund balance is currently zero, and no funds have been expended in each of the three preceding years from the fund proposed to be established by this article. If this article is approved as written, the fuel cost stabilization fund balance will be \$50,000.

**Recommend** **\$50,000**

School Committee recommends approval ( - ).  
Budget Committee recommends approval ( - ).

Yes \_\_\_\_\_ No \_\_\_\_\_



# Town of York

186 York Street  
York, Maine 03909-1314

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

**TO:** Board of Selectmen

**FROM:** Kathryn Newell *K. Newell*  
Code Enforcement Officer

**DATE:** March 17, 2011

**RE: LICENSE INSPECTIONS AND RECOMMENDATIONS**

Based on my review, I recommend the following position on the Licenses to be heard on March 21, 2011.

## ENDORSEMENTS

Diana Hickey  
**DBA: Windbreaker Restaurant (Mimmo's)**      **MAP 33/LOT 34**  
Victualers

Diana Hickey  
P. O. Box 572  
York Harbor, ME 03911

<b>FACILITY</b>	Restaurant/80 Seats
<b>ZONE</b>	RES-7
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval

lah 3/17/2011



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> 3/16/2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input type="checkbox"/> Formal Action  <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> 3/21/2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Proposed Birch Hill Road culvert replacement on the York River adjacent to Roger's Brook/Shorey's Pond.	

<b>TO: BOARD OF SELECTMEN</b>
<b>FROM: Dean Lessard, Director of Public Works</b>
<b>RECOMMENDATION:</b> That the Town of York continue to work with Innovative Green Solutions (IGS), CLD Engineers and Parsons Brinckerhoff Engineers to secure environmental permits, finalize a design and construct a thermoplastic bridge structure to replace the existing concrete box culvert on Birch Hill Rd.
<b>PROPOSED MOTION: I move to authorize the Department of Public Works to secure environmental permits and to finalize a design for a thermoplastic bridge structure to replace the existing concrete box culvert adjacent to Roger's Brook/Shorey's Pond on Birch Hill Rd.</b>

### Discussion:

Since the Mother's day storm in 2006 the Department of Public Works has observed and documented the water from Roger's brook/Shorey's pond over topping Birch Hill Rd causing damage to the road and shoulder. With the financial help of FEMA Town crews have repaired the damage numerous times On May 17, 2008 the voters of York approved \$220,000 to replace the existing functionally deficient concrete box culver.

This project involves removing the existing undersized road culvert. Removing the existing pavement surface for approximately 500' and adding new base gravel raising the elevation of the road 2 feet at the proposed new drainage structure. The new base gravel will be graded then base and surface paved.

The combination of the larger structure size, increase capacity and additional road base elevation will prevent Roger's brook/ Shorey's pond from overtopping Birch Hill Road.

This project will extend the life of the road and pavement surface, reduce shoulder gravel erosion into the York River and eliminate road closures during weather events. It will reduce the cost to the town to maintain the road and will make the road safer for motorist during all driving conditions.

I prefer the Thermo plastic bridge option for a couple of reasons: From an environmental perspective the bridge will provide a natural stream bed with no artificial bottom structure that could be exposed, cause erosion etc. This option would achieve a creek bed elevation that would allow fish movement from tidewater to freshwater and back again on a regular basis in the spring and fall. From a historical or aesthetic perspective the Thermo Plastic Bridge uses a time tested wooden bridge type of design but uses new cutting edge materials. The proposed structure is a simple pile supported bridge, with structural beams and deck boards, all produced from thermoplastic composite materials. Thermoplastic Composite is a material made from virtually 100% recycled plastics. The innovative blend of plastics provides excellent strength and vastly improves the creep resistance over traditional plastics, offering superior durability over traditional materials. The recycled plastic formulation is impervious to moisture and insects, it offers excellent UV resistance, and it will not corrode or rot. These properties made the Thermoplastic Composite material ideal for structural applications in harsh environments.

We are still waiting for additional bids for construction of the Thermo plastic bridge and will return to the Board of Selectmen for approval to award the construction bid.

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<b>FISCAL IMPACT: \$150,000</b>
<b>DEPARTMENT LINE ITEM ACCOUNT: 100.0303.9616</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By: \_\_\_\_\_

Reviewed By: Robert H. Gandon



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> 3/17/2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action  <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> 3/21/11	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> _____	
<b>Subject:</b> Proposed Beach Street underground utilities.	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Dean Lessard, Director of Public Works
<b>RECOMMENDATION:</b> Contract with Shaw Brothers Inc. for the installation of the granite curb, brick paver sidewalk widening, underground conduit, transformer and street light foundations
<b>PROPOSED MOTION:</b> I move to authorize an expenditure of up to \$72,426 from the Voter approved York Beach capital infrastructure improvements to Shaw Brothers, Inc.

**Discussion:** On May 29, 2009 the voters of York approved \$100,000 for York Beach capital infrastructure improvements. The approved improvements included installing underground utilities, street lights and sidewalk enhancements in conjunction with the existing drainage project on Beach Street. It is my opinion that the Town of York should enter into an agreement directly with Shaw Brothers for the installation of the granite curb, brick paver sidewalk widening, underground conduit, transformer and street light foundations rather than going out to a competitive bid process. My reasons are as follows:

- Shaw Brothers Inc. (SB) is currently on site and additional mobilization costs would be eliminated. This would provide a substantial cost savings to the project.

- SB is an excellent and very reputable contractor and has been exceeding our expectations on the current FEMA Short Sands Drainage project.
- If this part of the project goes out to bid there will be additional engineering costs associated with the preparation of more detailed plans and specifications. The project would then go through a public bidding process which requires additional costs for advertising, addressing contractors questions, pre-bid, bid opening, evaluation of bids and recommendation of award.
- Bidding runs the risk of awarding the contract to a different contractor that would require the work to wait until next winter
- Bidding the project now does not allow adequate time for the bidding process and getting the work done before spring. This means another construction project next winter that the abutting residents and businesses will not appreciate.
- Negotiating with SB reduces construction costs associated with duplication of traffic control (flagging, construction signing, etc) bonding and other common contractor's costs that could be spared by hiring SB.
- SB unit costs are in line with the bid items costs for the FEMA drainage project and have been reviewed with SB to clarify their pricing and project savings.
- Shared construction inspection between the two projects would also reduce the Short Sands inspection. If it is done now while both projects are going on we can split the consultant costs for inspection.

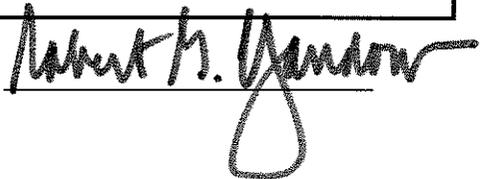
**FISCAL IMPACT:** \$72,426 or less.

**DEPARTMENT LINE ITEM ACCOUNT:**

**BALANCE IN LINE ITEM IF APPROVED:** \$27,574

Prepared By: \_\_\_\_\_

Reviewed By: \_\_\_\_\_





AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 16, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action  <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> March 21, 2011	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
<b>Subject:</b> FY12 Budget Referendum PH and Preference Votes	

<b>TO:</b> Board of Selectmen
<b>FROM:</b> Robert G. Yandow, Town Manager
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the May 21, 2011 Budget Referendum Warrant and to forward the warrant to the voters.
<b>Discussion:</b> This agenda item constitutes our annual exercise regarding the budget referendum. We will conduct a public hearing on the May 21, 2011 Budget Referendum and then go through the preference voting before approving the budget referendum warrant and moving it forward to the voters. On March 28, 2011 we will go through the same exercise for the Special General Referendum warrant.
<b>FISCAL IMPACT:</b>
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By: Robert G. Yandow      Reviewed By: \_\_\_\_\_



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 16, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> March 21, 2011	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
<b>Subject:</b> Revisions to Transfer Station Permit Program	

<b>TO:</b> Board of Selectmen
<b>FROM:</b> Robert G. Yandow, Town Manager
<b>RECOMMENDATION:</b> Approve Changes
<b>PROPOSED MOTION:</b> I move to approve the recommended changes to the Transfer Station Permit Program

**Discussion:** Last year the Selectmen approved the Transfer Station Permit Program. The purpose for the program was to formally limit use of the transfer station (recycling center) to town residents and to charge a use fee for both residents and commercial users. Town staff ran into a series of administrative issues last year when relatives or friends of town residents, acting on the resident's behalf, were denied access to the transfer station because they did not qualify for a permit. As written, only residents or property owners were eligible to use the facility. This created difficulties when the resident was either physically unable to use the facility or did not have an appropriate vehicle. Friends or relatives who tried to help the resident found that they did not qualify for a permit. Each time we were presented with this situation we provided the permit to the friend or relative so as to keep with the spirit of the program. The language in the program guidelines has been amended to allow for a "Designated Party" to act on behalf of a resident or property owner. This should address the unforeseen circumstances that surfaced last year. The proposed changes are illustrated in *Italics with underlining and bold font*.

<b>FISCAL IMPACT:</b>
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**DEPARTMENT LINE ITEM ACCOUNT:**

**BALANCE IN LINE ITEM IF APPROVED:**

Prepared By: Robert H. Gannon Reviewed By: \_\_\_\_\_

# Town of York Transfer Station Permit Program

## 1. Purpose:

- A. To regulate use of the Town of York Transfer Station and Composting Facility to York Residents and York Business owners.

## 2. Definitions:

- A. York Resident: Any person who resides within the geographic boundaries of the Town of York or who may own property in the Town.
- B. York Business: Any person or company with a base of operations in York that performs work for compensation within the Town.
- C. Fiscal Year: July 1 through June 30.
- D. Transfer Station Permit: Transfer Station stickers, hereafter called “permits”, issued for use of the Town of York Transfer Station and Composting Facility.
- E. Commercial Permit: Transfer Station permit needed for any commercial business vehicle located in York that utilizes the Transfer Station or Composting Facility.
- F. Residential Permit: Transfer Station permit needed for any resident/taxpayer vehicle in the Town of York that utilizes the Transfer Station and Composting Facility.
- G. *Designated Party: Any person who is either related to a York resident, or who will be acting on behalf of a York resident, providing no fee is being charged. A Designated Party must be identified and authorized in writing by a resident/taxpayer.*

## 3. Issuance / Costs:

- A. A person is eligible for a Transfer Station Permit upon demonstrating to the satisfaction of the Town Clerk:
  - 1. That he/she is a York resident or a property owner in the Town of York.
  - 2. That he/she is the owner of a business located in the Town of York.
  - 3. *That he/she qualifies as a Designated Party as described in 2(G) above.*

Residency/Business Ownership is demonstrated by:

Vehicle registration showing the name and address in York;

**or**

Town property tax bill showing name and address in York;

**or**

a State of Maine vehicle registration designating the York business name or other proof of valid registration satisfactory to the Town Clerk.

- B. Residential permits will be issued upon application and payment of the required fee of \$25.00 per fiscal year per vehicle. Residential permits, not issued previously, will be sold at a half-rate basis during the months of May and June, upon application and payment of the required fee of \$12.50 per vehicle. The permit will expire June 30<sup>th</sup> of each year.
- C. Commercial permits will be issued upon application and payment of the required fee of \$100.00 per fiscal year per vehicle. Commercial permits, not issued previously, will be sold at a half-rate basis during the months of May and June, upon application and payment of the required fee of \$50.00 per vehicle. The permit will expire June 30<sup>th</sup> of each year.
- D. Duplicate permits may be issued only upon the submission of the remains of the original permit for a fee of \$10.00.
- E. Application contents:
  - 1. Name of registrant of motor vehicle, which must include the resident's name or the York business owner's name.
  - 2. Residential/Business address in York.
  - 3. Make, model, color, year of manufacture and number plate and state of issue of resident's vehicle or vehicle of designated party.

## **5. Attaching Permits**

- A. Permits shall be permanently affixed to the vehicle's front bumper on the driver's side, as to be clearly visible.

## **6. Authority and Restrictions**

- A. The Board of Selectmen is hereby granted authority, after a duly noticed public hearing, to establish detailed operating rules and regulations for the York Transfer Station and

Composting Facility.

- B. Only waste generated in the Town of York will be accepted at the Transfer Station and Composting Facility.
- C. Any person wishing to dispose of waste at the York Transfer Station and Composting Facility shall obtain a permit from the Town Clerk's Office during normal business hours.
- D. Any York resident, designated party or taxpayer may obtain a Residential permit at the cost of \$25.00 per vehicle that shall be valid from July 1<sup>st</sup> to June 30<sup>th</sup> of each year.
- E. Any commercial business located in York may obtain a Commercial permit at the cost of \$100.00 per vehicle that shall be valid from July 1<sup>st</sup> to June 30<sup>th</sup> of each year.
- F. A Resident or Commercial Transfer Station Permit shall not authorize the holder thereof to dispose of waste generated by non York residents or businesses.
- G. No person shall furnish false information to the Town in connection with the issuance of any permit authorized hereunder. Any permit issued based upon false information, or attached to a different vehicle than registered shall be null and void.
- H. No person shall transfer any permit or allow use by any other person. Any permit attempted to be transferred shall be null and void. Upon disposal of a vehicle already permitted, a resident may apply for a permit for the new vehicle for a transfer fee of \$10.00. Permittees must surrender the old permit.
- I. Anyone who violates any provision of this order shall be subject (the owner and/or operator) to a notice of violation issue by a York Police Officer. Violations of any subsection of this order shall result in a fine of \$50.00.

ADOPTED



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 18, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> March 21, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Amend Selectmen's Policy on Transaction of Business and Public Participation	

<b>TO:</b> Board of Selectmen
<b>FROM:</b> Robert G. Yandow, Town Manager
<b>RECOMMENDATION:</b> Approve Amendments
<b>PROPOSED MOTION:</b> I move to amend the Selectmen's policy on Transaction of Business to include a second citizen's forum at the end of each meeting and to initiate a 10:00 curfew for new discussion at Selectmen's meetings. I further move to amend the Public Participation policy to include a reference to the 10:00 curfew.

**Discussion:** Per our previous discussions, I am attaching amendments to the Selectmen's Policy on Transaction of Business and Public Participation. The amendments include a second citizen's forum at the end of each meeting and a 10:00 curfew on new discussion.

<b>FISCAL IMPACT:</b>
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By:

*Robert G. Yandow*

Reviewed By: \_\_\_\_\_

### **Public Participation at Selectmen's Meeting**

All regular and special meetings of the Board shall be open to the public and the media. Only those executive session meetings, where the Board discusses personnel, labor negotiations, or other matters where private sessions are required or permitted pursuant to State Statute, shall be closed to the public and media. Pursuant to State Law, matters discussed during such executive sessions may require public action at a regular or special Board of Selectmen's Meeting.

The Selectmen desire to hear the viewpoints of citizens throughout the Town, but also need to conduct the Board's business in an orderly and efficient manner. The Board shall schedule two periods during each regular Selectmen's Meeting for public participation and comment. The Board may set a time limit on the length of these periods and/or a time limit for individual speakers.

If a presentation requires more than such time limits allow, the Town Manager shall be contacted at least one week in advance of a regular meeting so that the presentation may be considered for inclusion as a formal agenda item.

The Board shall accept comments and questions from the public concerning any pending agenda item during a short period at the beginning of the agenda following public hearings (if any). The Chair shall be responsible for recognizing all speakers (who properly identify themselves for the record).

Prior to the end of each regular meeting, the Board shall accept comments and questions from the public of a general nature either responding to action taken by the Board during that regular meeting or on any other Town concern. The Selectmen shall be given an opportunity to respond to the concerns or questions the Selectmen wish to address officially which are not in response to public comment or questions at said meeting, must be held over for the next available agenda and handled pursuant to the Selectmen Policy on Transaction of Business except that, by unanimous consent, the Selectmen may deal with emergency or special items.

The Selectmen shall give due attention to comments and contributions from the audience, but shall not be required to respond or take action immediately. Audience inquiries, other than simple questions, shall be referred to the Town Manager or that item may be included in the agenda for a subsequent meeting if necessary.

Citizens shall not be recognized by the Chair as the Board conducts its official business, except when the Board schedules, in advance, an interim public discussion period on a particular item or the majority of the Board feels that such input is pertinent to the discussion subject matter.

During the Citizens Forum and the Citizens/Selectmen's Forum sections of the regular meeting, Citizens will be required to limit their comments to no more than five

minutes. At the request of the individual citizen, and if also requested by at least one Board member, the Board shall extend the time for an additional five minutes. Any additional extensions of time requested by the individual Citizen may be similarly granted, unless objected to by a majority vote of the Board. Members of public may speak more than once during each of these sections of the meeting unless objected to by a majority vote of the Board. **The Citizens/Selectmen's Forum may not be conducted at the end of a meeting if the Selectmen invoke a 10:00 p.m. limit for new discussion prior to the start of the Forum.**

## **Transaction of Business**

The Board of Selectmen shall transact all official business at a public meeting. The following items deal with the transaction of business at official meetings of the Board of Selectmen.

### **Right to Know**

Except for Executive Sessions, the proceedings of all meetings of the Board of Selectmen are open to the public.

### **Rules of Order**

Roberts Rules of Order shall govern the proceedings of all Board of Selectmen meetings.

### **Regular Meetings and Work Sessions**

Regular meetings and work sessions of the Board of Selectmen shall be held on the days and the time and place determined by the Board at the annual Organizational Meeting. Abbreviated Regular Meetings may be held at the same time as Work Sessions.

Selectmen will be furnished with the date, time and place for each meeting along with an agenda. This information will be provided by the Town Manager's Office no later than two (2) workdays prior to the Regular Meeting.

### **Special and Emergency Meetings**

Special and Emergency Meetings of the Board may be called by the Chairman, or in the absence of the Chairman, by the Vice Chairman, or by a majority of the Board. The Selectmen will be furnished with the date, time and place and an agenda (if necessary) by the Town Manager's Office. Meeting notification requirements are pursuant to State Statute.

### **Requests for Agenda Items**

All Selectmen requests for regular meeting agenda items must be submitted to the Chairman of the Board of Selectmen along with supporting background material, or a position paper not less than one (1) week prior to the scheduled meeting date. The Chairman of the Board shall review agenda requests with the Town Manager to assure proper background and staff support has been afforded the item requested. If, in the opinion of the Chairman additional information and/or study are required, the requested agenda item will be postponed until proper preparation has been made. The Chairman of the Board will subsequently notify the affected Selectman.

If the Chair refuses to place an item on the agenda that has been properly prepared, the written request of two Selectmen is sufficient to place the item on the Agenda for the next regular meeting.

- I. Call to Order
- II. Pledge of Allegiance
- III. Minutes
- IV. Chair's Report
- V. Manager's Report
- VI. Public Hearings
- VII. Citizen Forums (Open to audience for comments or questions on items to be addressed on this agenda; or, to propose items for board consideration.)
- VIII. Approval of Warrants
- IX. Bid Opening & Award
- X. Endorsements
- XI. Old Business
- XII. New Business
- XIII. Other Business
- XIV. Citizen's Forum**
- XV. Adjournment

**Majority Vote**

Three affirmative votes are required for the transaction of business.

**Meeting Curfew**

**No new discussion shall be initiated after 10:00 P.M. The Selectmen may, on a case by case basis, waive this restriction if requested by a member of the board and a majority of the board is in agreement.**

Original Adoption 3/29/82  
Amended 7/8/91  
Amended 3/11/92  
Amended 3/11/97  
Amended 5/13/97  
Amended 5/26/98  
Amended 5/20/2004  
Amended 12/12/2005



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 17, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action  <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> March 21 <sup>st</sup> , 2011	
Regular <u>  X  </u> Work Session	
<b>Subject:</b> Special Event Permit: York Hospital 5K Road and Cross Country Race	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the special event permit for the York Hospital's 5K Road and Cross Country race that will be held on Saturday, June 4 <sup>th</sup> 2011 from 8:30 AM to 10:30 AM.

**Discussion:** This special event permit is for the York Hospital's 5K Road and Cross Country Race. This is an annual event and all appropriate departments have been notified and given approval

<b>FISCAL IMPACT:</b>
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By:

*Kathryn Danylik*

Reviewed By:

*Robert L. Gannon*



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## Town of York, Maine Special Event Permit Application

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Application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: **March 10, 2011**

Event Applicant Name: **York Hospital 5K Road & Cross Country Race 2011**  
Phone # **207-351-2021**

Address: **15 Hospital Drive City: York State: ME Zip: 03909**

Organization Name: **York Hospital Phone #: 207-351-2021 (Jean's direct line)**

Organization Address: **15 Hospital Drive**

City: **York State: ME Zip: 03909**

Date of Event: **June 4, 2011 Day of Week: Saturday**

Starting Time: **8:30am Ending Time: 10:30am**

Assembly Area: **York Hospital Campus – In front of Strater Wing**

Dispersal Area: **York Hospital Campus – In front of Strater Wing**

Event Route: **Begins in back parking lot near ER at York Hospital, right on York Street, right on Route 103, Right onto Path to Wiggly Bridge continue through Steedman Woods onto Mill Dam Road, Exit left onto Lindsay Road, Right onto Organug Road and follow to end. Right onto York Street, right onto Lindsay Road, then around cemetery, hairpin/u-turn onto the other side Lindsay Road, right onto York Street, then Right onto Hospital Drive, up through hospital parking lot, ends at crosswalk in front of the Strater Wing Entrance.**

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Approximate Number of Persons (If more than 500, Insurance coverage needed) **~400...we have secured a certificate of liability for this event naming the Town of York and Old York Historical Society (for Steedman Woods section) as additional insured.**

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc): **Approximately 350-400 Runners and Walkers will participate in a 3.1 mile/5K race. A few may be pushing baby carriages, the remainder will not be carrying anything.**

Describe how group is organized and supervised to insure order: **The participants will be encouraged to park on-site at the hospital. The registration will take place on site with over 15 volunteers handling this process. The race will begin on site with police escort, as in years past. The police car will remain in front of lead runner during entire race. Runners will also be guided by over 25 volunteers waving orange flags stationed throughout the course and town. At the end, the racers will then be guided/flagged back into the hospital entrance (across from Monument) with the help of orange cones to keep**

all participants safe at this intersection, and also with help of a volunteer...taking a right up Hospital Drive, then crossing the finish line in front of the Strater Wing, with a professional timing company. Staff remaining on site (The Friendraising Office staff of nine) will be there from 6am until the last person leaves, available for any questions/problems that may arise. Note: York Ambulance has been notified and will have a presence on hospital premises, while having a bike following the racers along the route also.

Purpose of Event: **Fundraising for York Hospital**

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Jean E. Kolak-Mercer

**For Town Use Only:**

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>✓</u>
Public Works	<u>✓</u>
Parks/Recreation	<u>✓</u>
Village Fire	<u>✓</u>
York Beach Fire	<u>✓</u>
Code Enforcement	<u>✓</u>

Special Conditions \_\_\_\_\_  
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\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



AGENDA ITEM NUMBER: \_\_\_\_\_

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 17, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> March 21, 2011	
<b>Regular</b> _____ <b>Work Session</b> _____	
<b>Subject:</b> Special Event Application: Masonic Youth Charities Motorcycle Run	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the special event application for the Masons York Lodge #22 AF &AM for the May 21 <sup>st</sup> 2011 Masonic Youth Charities Motorcycle from 10:00 AM to 2:30 PM.

**Discussion:** Masons York Lodge #22 is sponsoring this motorcycle run that will take place on May 21<sup>st</sup> starting at 10:00 AM. The run will leave from Bentley's Saloon in Arundel Maine and pass through York with a stop at the Lobster Barn, and then return to Bentley's Saloon. All appropriate departments have been notified and have given approval.

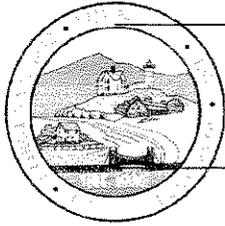
<b>FISCAL IMPACT:</b>
<b>DEPARTMENT LINE ITEM ACCOUNT:</b>
<b>BALANCE IN LINE ITEM IF APPROVED:</b>

Prepared By:

*Kathryn Danylik*

Reviewed By:

*Robert H. Gannon*



# Town of York, Maine

## Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 3/14/11\_\_\_\_\_

Name of Event: Masonic Youth Charities Motorcycle run

Type of Event: Group Motorcycle Ride

Organization Name: Masons York Lodge #22 AF & AM Phone #:490-0990/cell-205-0009

Organization Address: Po. Box 55 City West Kennebunk\_ State: Me. Zip: 04094

Applicant Name: Steve Michaels\_\_\_\_\_ Phone #:490-0990

Applicant Address: 4 Eastveiw Dr,\_\_\_\_\_ City:Sanford State:Me Zip: 04073

Contact Name for Day of Event:Steve Michaels Contact Phone # cell 205-0009

Date of Event: 5/21/11\_\_\_\_\_ Day of Week: Saturday

Starting Time: 10:00am Ending Time: 2:30pm

Assembly Area: Bentley's Saloon Arundel Me.

Dispersal Area: Bentley,s Saloon Arundel Me.

Event Route: Entering York on Shore Rd., continuing on Rt.1A to Long Sands Rd.to Post Rd.to Rt.1 north to The Lobster Barn. Leaving The Lobster Barn on Rt. 1 south to to Rt. 91, leaving York on Rt. 91

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)  
up to 200

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

up to 200 motorcycles passing through town with one stop for food & refreshment

Describe how group is organized and supervised to insure order: There is a safety meeting & briefing on riding protocol prior to departure. The ride is lead by an experienced road captain.

Purpose of the Event: To raise money for Masonic Youth Charity Programs

The above information is true to the best of my knowledge and belief.

Signature of Applicant: S.D. Michaels

**For Town Use Only:**

Reviewed by:

**Department**

**Initials**

Police Department

\_\_\_\_\_

Public Works

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Parks/Recreation

\_\_\_\_\_

Village Fire

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York Beach Fire

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Code Enforcement

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Special Conditions \_\_\_\_\_

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Town Manager

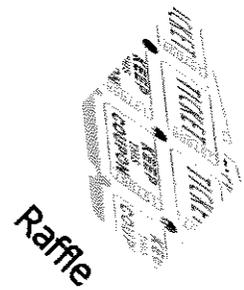
\_\_\_\_\_

Date

You may submit your completed application to the Town of York Town Manager at 186 York Street, York, ME 03909, for approval, or you may submit the form electronically from the link on our website: [www.yorkmaine.org/](http://www.yorkmaine.org/)



**BENTLEY'S**  
*Saloon*  
**Arundel, Maine**



**Run to Benefit  
 Masonic Youth Charities**  
 Sponsored by York Lodge #22

**Saturday, May 21, 2011**

**(Rain date May 22)**

**REG. FEE \$20.00 per bike (includes t-shirt)**

**8:00 AM Sign-Up**

**Optional Breakfast Buffet—\$5.00**

**10:00 AM On The Road**

**Stop for refreshment**

**Return to Bentley's for a Raffle,**

**Live Music & Dancing**

**PIG ROAST AND BBQ**



Sponsoring many  
 Youth Programs



Maine CHIP  
 Child Identification Program



Scholarships

**US ROUTE 1, ARUNDEL ME 04046**  
**(207) 985-8966**  
**For Registration and Additional Information:**  
**Call Steve 207.490.0990 or 207.205.0009**