



# 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

## SELECTMEN'S MEETING 7:00 P.M. MONDAY SEPTEMBER 12, 2011 YORK LIBRARY

### Call to Order-

### Pledge of Allegiance

### A. Minutes

- August 22, 2011 Selectmen's Meeting Minutes
- August 31, 2011 Selectmen's Special Meeting Minutes

### B. Chairman's Report

### C. Manager's Report

### D. Awards

### E. Reports

1. Update from Peter Mills, MTA Executive Director
2. Assessor's Annual Report
3. Report on Summer Activities from Parks and Recreation Department

**F. Citizens Forum** - The citizen's forum is open to any member of the audience for comments on items listed on this meeting agenda. All comments should be respectful in tone and should be directed to the chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the town manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the town manager's office.

### G. Approval of Warrant #11

### H. Public Hearing

November 8, 2011 General Referendum Warrant

**I. Endorsements**

**License Applications**

- Jeremy A. Prescott; DBA: Blues Burger (Liquor)
- Michael Specker (Aiden & Olivers Artisan Foods); DBA: The Brixham General Store (Liquor)

**J. Old Business**

**K. New Business**

1. Preference Votes for November Ordinance Amendments
2. Approve November 8, 2011 General Referendum Warrant
3. Corrected Deed for Previously Approved Property Redemption Request at 35 Long Beach Avenue, Unit #27
4. Appointments to York Housing Authority Board of Directors
5. Appointments to York Energy Efficiency Steering Committee
6. Appointment to Municipal Social Services Review Board
7. Request for Extension for Redemption of Property at 62 Hooper Shores Road
7. Special Event Permit Application: Harvest Cup 2011
8. Application License for Incorporated Civic Organization: 3S Artspace

**L. Other Business**

**M. Citizens Forum**

**Adjourn**



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[www.yorkmaine.org](http://www.yorkmaine.org)

## MEETINGS

### WEEK OF SEPTEMBER 12, 2011

#### MONDAY, SEPTEMBER 12, 2011

7:00PM Board of Selectmen, York Library

#### TUESDAY, SEPTEMBER 13, 2011

7:00PM Conservation Commission, Senior Center

#### WEDNESDAY, SEPTEMBER 14, 2011

9:00AM York Housing Authority, Baldwin Center

3:00PM Water District Board of Trustees, Water District

5:00PM Charter Review Commission, York Library

7:00PM Board of Appeals, York Library

#### THURSDAY, SEPTEMBER 15, 2011

9:00AM Municipal Building Committee, York Library

5:00PM Sewer District Board of Trustees, Sewer District

6:30PM Energy Steering Committee, York Library

7:00PM Budget Committee, York Library

#### FRIDAY, SEPTEMBER 16, 2011

No Meetings Scheduled

**SELECTMEN'S MEETING**  
**7:00 PM MONDAY AUGUST 22, 2011**  
**YORK LIBRARY**  
**MINUTES**

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

Chairman Jackson-McCarty called the meeting to order at 7:03 PM.

**Pledge of Allegiance**

**A. Minutes**

- July 25, 2011 and August 8, 2011 Selectmen's Meeting Minutes: Moved by Ms. Andrews, seconded by Mr. Little to approve the July 25, 2011 and August 8, 2011 Selectmen's Meeting Minutes, as amended. Vote 5-0, motion passes.

**B. Chairman's Report**

None

**C. Manager's Report**

Town Manager, Robert G. Yandow, stated that CLD Engineers will conduct a meeting at York Middle School on Tuesday, August 23, 2011 at 6:00pm to discuss the design of the intersection on York Street, and concerns of the York Street neighbors. CMP has replaced about 21% of meters within York per the Smart Meter program. Superior Court issued a temporary restraining order for the Old York Quarry based on a land use violation. As a civil violation, enforcement is provided through the courts and the Town's Code Enforcement office, and is not criminal in nature. A preliminary injunction hearing is scheduled for tomorrow. This afternoon, the Town created a strengthened version of the existing restraining order to address additional regulations important to the Town, and if all involved parties agree to this document, tomorrow's hearing will be postponed until September 6<sup>th</sup> or 9<sup>th</sup> depending on the courts schedule. This new document will be in effect until such time as a final ruling is given by Superior Court, and the Town will be in a better position of enforcement including police enforcement per the authority of the judge. If all parties do not agree to this new document, the Town will proceed with the preliminary injunction and this same request. Prior to this Selectmen's meeting, the Municipal Building Committee held a public input session at 6:00pm during which the public provided insightful information regarding the new Police Department

building and connector road project. These ideas will be further explored at an upcoming joint meeting with the Energy Efficiency Committee.

**D. Awards**

1. Heating Oil Contract FY12: The Town Manager provided the Selectmen a spreadsheet illustrating several bids for an estimated 31,900 gallons of fuel oil for the fiscal year 2012. Estes Oil provided the lowest bid.

Moved by Ms. Andrews, seconded by Mr. Little to award the FY12 heating oil bid to Estes Oil in the amount of \$3.19 per gallon. Vote 5-0, motion passes.

2. Police Cruiser Bid and Purchase of Additional Cruiser: Police Chief, Douglas Bracy, requested approval to purchase a 2011 cruiser to replace the aging vehicle that will be traded-in upon new vehicle purchase. A police cruiser acquires upwards of 60 miles a year although actual engine time can be increased 2 to 3 times the odometer reading due to maintaining internal moderate temperatures during extreme seasons. Replacement parts and service will not be an issue although Ford is no longer producing this vehicle model.

Moved by Ms. Andrews, seconded by Mr. Little to accept the transfer of \$18,289.00 from the police capital vehicle account to Quirk Ford for the purchase of one (1) Ford Crown Victoria police vehicle. Vote 5-0, motion passes.

Moved by Ms. Andrews, seconded by Mr. Little to accept the transfer of \$22,266.24 from the police capital vehicle account to The Irwin Zone for the purchase of one (1) 2011 Ford Crown Victoria police vehicle. Vote 5-0, motion passes.

3. Geotechnical and Environmental Engineering Services: Acting as the Town's agent, SMRT requested bids for geotechnical and environmental engineering services for the Police Station and Connector Road projects. Four proposals were received, and although not the lowest bid, SMRT endorses SW Cole Engineering as a difference in \$280.00 will provide the Town a total of 73 probes/ borings opposed to 35 probes/borings as proposed by the lowest bidder, Terracon. The SW Cole contract price is \$12, 790.00.

Moved by Ms. Andrews, seconded by Mr. Little to award the Explorations and Geotechnical Services Contract to SW Cole. Vote 5-0, motion passes.

4. Land Survey Services: Acting as the Town's agent, SMRT requested bids for land surveying services for the Police Station and Connector Road projects. Four proposals

were received. SMRT endorses BH2M based on them providing the lowest bid at \$9,540.00.

Moved by Ms. Andrews, seconded by Mr. Little to award a contract for land survey services for the Police Station and Connector Road projects to Berry, Huff, McDonald, Milligan, Inc. d/b/a BH2M in an amount not to exceed \$9,540.00. Vote 5-0, motion passes.

**E. Reports**

None

**F. Citizens Forum** – The citizen’s forum is open to any member of the audience for comments on items listed on this meeting agenda. All comments should be respectful in tone and should be directed to the chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the town manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the town manager’s office.

Public Comment: Jim Carmody and Walter Woods.

**G. Approval of Warrant #6**

Moved by Ms. Andrews, seconded by Mr. Little to approve Warrant #6, without objection, so ordered.

**H. PUBLIC HEARINGS**

**1. Purchase and Sale Agreement for 61 Pine Mountain Road.**

Public Comment: None

Moved by Ms. Andrews, seconded by Ms. Gregg to close public hearing. Vote 5-0, motion passes.

**2. November, 2011 Ordinance Amendments.**

Moved by Ms. Andrews, seconded by Mr. Little to open public hearing on the November 2011 Ordinance Amendments.

**Ord-1 Amend Standards in the Beach Ordinance Relative to Ellis Short Sands Park**

Public Comment: None

Community Development Director, Steve Burns, clarified the purpose of this amendment is to make the Beach Ordinance consistent with the existing Ellis Short Sands Park and related policies.

**Ord-2 Change to Date Range for Fires on Public Beaches**

Public Comment: Chief David Bridges, York Beach Fire Department, and Mr. Truman.

**Ord-3 Wireless Communications Facilities Ordinance – Municipal Towers**

Public Comment: None

**Ord-4 Reformat the Use Regulations**

Public Comment: None

**Ord-5 Performance Standard to Control Soil Erosion**

Public Comment: None

**Ord-6 Revisions to Sign Standards**

Public Comment: None

**I. ENDORSEMENTS**

None

**J. Old Business**

None

**K. New Business**

**1. Move Ordinance Amendments to November Special General Referendum**

- Ord-1 Amend Standards in the Beach Ordinance Relative to Ellis Short Sands Park  
Moved by Ms. Andrews, seconded by Mr. Little to move forward the amendment to amend standards in the Beach Ordinance relative to Ellis Short Sands Park for the November General Referendum. Vote 5-0, motion passes.
- Ord-2 Change the Date Range for Fires on Public Beaches  
Moved by Ms. Andrews, seconded by Mr. Little to move amendment forward for the November General Referendum, motion passes. Motion by Ms. Andrews, second by

Mr. Little to withdraw the motion and not move forward the amendment to change the date range for fires on public beaches for the November General Referendum on the condition that a revised amendment be presented for the May 2012 Special Referendum. Vote 5-0, motion passes.

- Ord-3 Wireless Communications Facilities Ordinance – Municipal Towers  
Moved by Ms. Andrews, seconded by Mr. Little to move forward the amendment for Wireless Communications Facilities Ordinance – Municipal Towers for the November General Referendum. Vote 4-1, motion passes with Ms. Gregg in opposition.
- Ord-4 Reformat the Use Regulations  
Moved by Ms. Andrews, seconded by Mr. Fiorentino to move forward the amendment to reformat the use regulations for the November General Referendum. Vote 4-1, motion passes with Ms. Gregg in opposition.
- Ord-5 Performance Standards to Control Soil Erosion  
Moved by Ms. Andrews, seconded by Mr. Fiorentino to move forward the amendment for performance standards to control soil erosion for the November General Referendum. Vote 5-0, motion passes.
- Ord-6 Revisions to Sign Standards  
Moved by Ms. Andrews, seconded by Mr. Fiorentino to move forward the amendment for revisions to Sign Standards for the November General Referendum. Vote 5-0, motion passes.

**2. Final Approval of Purchase and Sale Agreement for 61 Pine Mountain Road**

Moved by Ms. Andrews, seconded by Mr. Little to authorize the town manager to sign a purchase and sale agreement with Erik Heyland in the amount of \$78,000 for the sale of .88 acres of town-owned property (map 11/lot 225) located at 61 Pine Mountain Road. Vote 5-0, motion passes.

**3. Special Event Permit Application: Salefest**

Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application by the Greater York Chamber of Commerce for Salefest to be held October 8<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> from 10:00 A.M. to 4:00 P.M. on Ocean Avenue, Beach Street, Main Street, Railroad Avenue and Church Street with the stipulation that there be no set up in any public parking spaces and that all roadways remain open. Vote 5-0, motion passes.

**4. Special Event Permit: Carfest**

Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application by the Greater York Chamber of Commerce for Carfest to be held October 8<sup>th</sup>, 2011 from 7:00 A.M. to 2:00 P.M. at the York Beach Ball Field with the stipulation that the event will be cancelled if the ball field is wet so as to avoid damage to the field. Vote 5-0, motion passes.

**5. Special Event Permit: Harvestfest/Kidsfest**

Moved by Ms. Andrews, seconded by Mr. Little to move, for purpose of discussion, the special event permit application by the Greater York Chamber of Commerce for Harvestfest/Kidsfest to be held October 15<sup>th</sup> and 16<sup>th</sup> from 7:00 A.M. to 8:00 P.M. on Ocean Avenue, Church Street, Railroad Avenue, Ridge Road and the York Beach Ball Field with the stipulation that there be no set up in any public parking spaces and that all roadways remain open.

The Town Manager confirmed that both Police and Fire departments have reviewed and approved this application with the understanding that all safety conditions remain the same as in the previous year. Selectmen continued to have public safety concerns. The Town Manager will coordinate a meeting with the Chamber, public safety officials and Selectmen to further review this application with a plan for Selectmen's consideration outlining public and traffic safety concerns and stipulations, and parking requirements.

**6. Special Event Permit Application: Sarah's Ride II – Motorcycle Poker Run**

Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application for Sarah's Run II, a motorcycle poker run, which will be held on Saturday, September 17, 2011 from 8:30 A.M. to 1:00 P.M. Vote 5-0, motion passes.

**7. Application for License for Incorporated Civic Organization: Old York Historical Society**

Moved by Ms. Andrews, seconded by Mr. Little to approve the Application for License for Incorporated Civic Organization for the Old York Antiques Show: Preview Party to be held on September 9 from 5:00 P.M. to 8:00 P.M. Vote 4-0-1, motion passes with Ms. Gregg in abstention as she is an abutter.

**8. Greater York Chamber of Commerce Brick Project**

Moved by Ms. Andrews, seconded by Mr. Little to approve the proposal from the Greater York Chamber of Commerce to conduct a benefit brick project in conjunction with the town's Short Sands Drainage Project. Vote 5-0, motion passes.

**L. Other Business**

None

**M. Citizens Forum**

None

**Adjourn**

Moved by Ms. Andrews, seconded by Mr. Little to adjourn at 9:29 P.M.

Respectfully Submitted By:

Susan K. Scott

Susan Scott; Recorder

**SELECTMEN'S SPECIAL MEETING  
8:00 AM MONDAY AUGUST 31, 2011  
YORK TOWN HALL - CONFERENCE ROOM  
MINUTES**

**Present**

Board of Selectmen: Chair; Tracy Jackson-McCarty, Vice Chair; Mary Andrews, Edward W. Little, Kinley Gregg, and Scott Fiorentino.

Town Staff: Robert G. Yandow, Town Manager, Police Chief Doug Bracy, Det. Sgt. Tom Cryan, and Recorder; Susan Scott.

The Greater York Region Chamber of Commerce representatives: Elaine Burnham, Chris Kehl and Holly Roberts.

Media: Susan Morse, York Weekly.

Chairman Jackson-McCarty called the meeting to order at 8:03 AM.

**Pledge of Allegiance**

**A. Old Business**

1. Special Event Permit Application: Harvestfest/Kidsfest

Police Chief Bracy confirmed that both the Police and Fire Departments' public safety issues and related traffic patterns have been adequately addressed by the applicants as these are the predominant concerns for this event. Additional fire apparatus and personnel will be staged on Ridge Road with personnel also available at the York Beach fire station. Traffic patterns will remain the same as those for previous years' events: Railroad Avenue will be closed during event hours, and Ocean Avenue will alternate between one-way, two-way and back to one-way traffic flow with two-way traffic occurring solely between 7:00AM and 5:00PM.

The Town received a letter dated August 26, 2011 from York's Wild Kingdom granting permission to The Greater York Region Chamber of Commerce to use Animal Park Road and adjacent parking for Harvestfest customers and vendors October 15 and 16, 2011.

Chairman Jackson-McCarty recommended this type of application be submitted months in advance of the event in order to provide adequate time for Selectmen review and consideration.

Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application by The Greater York Region Chamber of Commerce for Harvestfest/Kidsfest to be held October 15<sup>th</sup> and 16<sup>th</sup> from 7:00AM to 8:00PM on Ocean Avenue, Church Street, Railroad Avenue, Ridge Road and the York Beach Ball Field with the stipulation that all public safety concerns are addressed to include the staging of additional fire personnel and equipment on Saturday as well as the deployment of appropriate police personnel to ensure traffic and pedestrian safety. Vote 5-0, motion passes.

**Adjourn**

Moved by Ms. Andrews, seconded by Ms. Gregg to adjourn at 8:21 AM.

Respectfully Submitted By:

A handwritten signature in cursive script that reads "Susan H. Scott". The signature is written in black ink and is positioned above a horizontal line.

Susan Scott; Recorder



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> September 8, 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> September 12, 2011	
Regular <input checked="" type="checkbox"/> Work Session	
<b>Subject:</b> Assessor's 2011 Report	

<b>TO:</b> Board of Selectmen
<b>FROM:</b> Robert G. Yandow, Town Manager
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b>

**Discussion:** Rick Mace will present his 2011 Assessor's Report to the Board of Selectmen.

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

Prepared By:

*Robert M. Yandow*

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

# 2011 Assessor's Report to the Board of Selectmen

## General Information

- The new tax rate is \$9.35, up .25¢.
- The new total taxable valuation of the town is \$3,909,591,408. That's down \$57,469,832 from last year.
- We have a certified assessment ratio of 100%, with an actual of 100%.
- This year we only picked up \$34,122,700 in new construction, this includes additions and renovations. Last year we picked up \$8,238,100.
- We had 221 qualified sales in 2010/2011, compared to 179 the previous year.
- 19 of the 66 neighborhoods saw a decrease in value due to lower market values. Two neighborhoods actually experienced increases in value from the previous year. The remaining neighborhood stayed the same as last year.
- The average selling price of a single family home, April 2, 2010 –April 1, 2011, was \$445,611.
- The average assessed value of those same homes is \$436,648.
- This year's overlay is \$76,907.66.
- The 2011 TIF Financing Plan Amount is \$0; there was a percentage decrease in building values town wide as well as in the TIF District.

## Assessment Statistics

- Total properties in the Town of York: 10,603.
- 901 properties had an increase in valuation, due to new construction or renovation.
- 4,217 properties stayed the same.
- 5,485 properties went down in value:
  - 2,106 properties had a decrease of \$100 - \$9,900
  - 2,108 properties had a decrease of \$10,000 - \$24,900
  - 939 properties had a decrease of \$25,000 - \$49,900
  - 289 properties had a decrease of \$50,000 - \$100,000
  - 43 properties had a decrease of over \$100,000

- The average ratio of assessment to sale price for single family homes (non-waterfront) is 100%. The median ratio of assessment to sale price for 2011 is 100%. (138 sales)
- The average ratio of assessment to sale price for waterfront properties is 98%. The median ratio of assessment to sale price for waterfront properties is 101%. (5 sales)
- The average ratio of assessment to sale price for vacant land is 100%. The median ratio of assessment to sale price for vacant land is 98%. (23 sales)
- The average ratio of assessment to sale price for condominium properties is 99%. The median ratio of assessment to sale price for condominium properties is 100%. (31 sales)
- The average ratio of assessment to sale price for commercial properties is 98%. The median ratio of assessment to sale price for commercial properties is 95%. (10 sales)
- A home, assessed at \$400,000, with no increase/decrease in assessed value, will see an increase in their tax bill of \$100.00.

## **Historic View of Taxable Value, Tax Rates, and Budgets**

The new tax rate is \$9.35 per thousand dollars of value. This up from the 2010/2011 rate of \$9.10. This is the fourth time since 2002 that the tax rate has gone up. This year we had a 1.45% decrease in the Town's assessed value. As you can see by the table below, for the tax rate to be reduced, the percent increase in assessed values needs to be higher than the percent increase in the budget.

<b>Fiscal Year</b>	<b>Taxable Valuation</b>	<b>% Change in Valuation</b>	<b>Tax Rate/1000</b>	<b>% Change in Tax Rate</b>	<b>Annual Budget</b>	<b>% Change in Annual Budget</b>
2000	\$1,302,388,100	+3.26%	\$15.70	+7.53%	\$20,447,493	+11.04%
2001	\$1,325,347,800	+1.76%	\$17.00	+8.25%	\$22,530,913	+10.19%
2002	\$1,356,442,300	+2.35%	\$19.00	+11.76%	\$25,772,404	+14.39%
2003	\$2,564,460,490	+89.06%	\$10.25	-46.05%	\$26,285,720	+1.99%
2004	\$2,794,142,350	+8.96%	\$9.70	-5.37%	\$27,103,181	+3.11%
2005	\$3,188,015,020	+14.10%	\$8.75	-9.79%	\$27,895,131	+2.92%
2006	\$3,465,999,200	+8.72%	\$8.46	-3.31%	\$29,322,353	+5.12%
2007	\$3,794,235,030	+9.47%	\$8.14	-3.78%	\$30,736,026	+4.82%
2008	\$3,988,361,710	+5.12%	\$8.10	-0.49%	\$32,160,100	+4.63%
2009	\$4,100,916,830	+2.82%	\$8.26	+1.98%	\$33,722,498	+4.86%
2010	\$4,037,653,357	-1.54%	\$8.58	+3.87%	\$34,485,161	+2.26%
2011	\$3,967,061,240	-1.78%	\$9.10	+6.06%	\$35,961,240	+4.28%
2012	\$3,909,591,408	-1.45%	\$9.35	+2.75%	\$36,406,723	+1.24%

Respectfully Submitted,  
Rick Mace, Assessor



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> September 8, 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> September 12, 2011	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
<b>Subject:</b> Report on Parks and Recreation Summer activity	

<b>TO:</b> Board of Selectmen
<b>FROM:</b> Robert G. Yandow, Town Manager
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b>

**Discussion:** Mike Sullivan will present a report on the summer activity for Parks and Recreation, Sohier Park and Mount Agamenticus.

<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: \_\_\_\_\_

**GENERAL REFERENDUM WARRANT  
ARTICLES TO BE ACTED UPON AT THE GENERAL REFERENDUM  
YORK, MAINE  
NOVEMBER 8, 2011**

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

Town to help offset the cost of improving the communications system.

Greetings:

Board of Selectmen recommends approval (\_\_\_)

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 **York High School Robert E. Butler Gymnasium in said Town on Tuesday, the 8<sup>th</sup> day of November, 2011**, between the hours of 8:00 AM and 8:00 PM, then and there to act on Articles 1 through 9, said Articles being set out below as follows:

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

**THREE:** The Town hereby ordains amendment of the **Zoning Ordinance** to change the format of the Schedule of Use Regulations, specifically amending: Article 4, Use Regulations; Article 8, Shoreland Overlay District; and Article 18, Administration.

**ONE:** The Town hereby ordains amendment of the **Beach Ordinance** to bring it into conformity with the policies of the Ellis Short Sands Park Ordinances, specifically relating to dressing, fires, grills and surfing.

**Statement of Fact:** This amendment improves the format of the Ordinance to make it simpler for the public to use, and simpler for Town staff and boards to administer. The new format presents allowed uses as a list, by zone, rather than by lengthy tables with multiple pages of footnotes. The content of the many footnotes which supplemented the use tables will now be incorporated directly into the list of permitted uses, which simplifies the look-up process. The list of permitted uses in the Shoreland Overlay District is moved to Article 8 so it will now be located with all other information about the Shoreland Overlay District. The new format should be far more efficient for the vast majority of users. This amendment does not introduce policy changes – existing text was retained throughout, and only its presentation format was changed. This amendment is consistent with the Comprehensive Plan, and specifically with Policy #2.5.5, which calls for making the Town’s land use codes more user-friendly. It is expected to have no significant fiscal impact on Town administration.

**Statement of Fact:** This amendment brings the Beach Ordinance into consistency with the Ellis Short Sands Park Ordinances, as required. The two codes currently conflict with one another. Proposed changes include: a total prohibition of fires and the use of grills on Short Sands Beach; the prohibition of surfing during the summer season; and changing the age limits for changing clothes on the beach.

Board of Selectmen recommends approval (\_\_\_)

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

Planning Board recommends approval (5-0)  
Board of Selectmen recommends approval (\_\_\_)

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

**TWO:** The Town hereby ordains amendment of the **Wireless Communications Facilities Ordinance** to exempt Town wireless communications facilities (towers) from the Ordinance.

**FOUR:** The Town hereby ordains amendment of the **Zoning Ordinance** to establish a new performance standard to control soil erosion throughout Town, specifically amending Article 6, Supplemental Use Requirements.

**Statement of Fact:** This amendment allows the Town to construct new towers needed to ensure it has a highly functional communications system for emergency services, public works and other Town purposes. Current prohibitions will prevent new towers from being constructed at virtually all Town facilities, including the existing and proposed Police Station, both fire stations, and the Public Works barn. Improvement of public communications systems is an important goal, particularly for the Town’s emergency services providers. A limit is placed on this exemption to prevent new towers from being constructed in or near historic districts. This amendment would allow the Town to make space on a Town tower available for private communications companies to collocate on a Town tower, and this is intended to both improve the areas of coverage for private “cell phone” providers in York and to generate a revenue stream for the

**Statement of Fact:** This amendment establishes a simple requirement for everyone to practice effective soil erosion control. Being a true performance standard, this amendment does not specify a required method for controlling soil erosion – it simply requires achievement of the standard. The standard is to keep water-borne eroded soil, silt and sediment caused by man-made activity from reaching a waterbody, wetland or drainage facility. There are a variety of erosion control standards currently in effect

in Town codes, but none apply to all zones and all types of land uses. This amendment is consistent with Comprehensive Plan Policy #5.6.3, which calls for Low Impact Development standards to help manage contaminated urban runoff. It is expected to have no significant fiscal impact on Town administration.

Planning Board recommends approval (5-0)  
Board of Selectmen recommends approval (\_\_\_)

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

**FIVE:** The Town hereby ordains amendment to the **Zoning Ordinance**, specifically amending Article 2, Definitions, and Article 16, Sign Standards.

**Statement of Fact:** This amendment is a reorganization of the existing Sign Standards. In addition to reorganizing these standards, the amendment defines sign types, makes provisions for temporary events, revises and adds dimensional standards, and clarifies review jurisdiction. This amendment is generally consistent with the Comprehensive Plan, and is expected to have no fiscal impact on Town administration.

Planning Board recommends approval (5-0)  
Board of Selectmen recommends approval (\_\_\_)

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

**SIX:** The Town hereby ordains amendment to the **Comprehensive Plan**, specifically adding a new Future Land Use Area to Section 3, Future Land Use Area # 22, Green Enterprise Recreation Overlay District.

**Statement of Fact:** This amendment adds a new section to Section 3 of York's **Comprehensive Plan**, which identifies issues and recommendations for all areas of Town. The proposal for this new Land Use Area is the result of an extensive two year public planning process conducted by the Planning Board on nearly 300 acre area spanning Route 1 to the West, Main Street to the north and east, Horn and Rogers Roads to the south, and to the parking lot across from the York Beach Fire Station to the east. The land encompasses a variety of natural conditions, much of it ecologically sensitive and significant, as well as a multitude of zoning districts. The proposal for Future Land Use Area #22 is to create an overlay zone for this complex and varied area that proposes to allow for careful development where the land can support it, conservation of the most sensitive lands, and low impact recreation and environmental tourism that befits the character of the land location of this rare, largely undeveloped coastal parcel. The overlay zone also calls for innovative zoning tools to be implemented that will allow for replicating building patterns of York Beach, avoiding strip development patterns along Route 1, and integrating recreation and conservation measures wherever possible. It is expected to have no fiscal impact on Town administration.

Planning Board recommends approval (5-0)

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

**SEVEN:** The Town hereby ordains amendment to the **Comprehensive Plan**, specifically amending Section 2, State Goal 1, by adding a new section, Town Goal 1.4: Sustainability.

**Statement of Fact:** This amendment establishes a broad sustainability policy for the Comprehensive Plan, specifically adding Town Goal 1.4: Support a broad vision of sustainability as a basis for policy decisions regarding growth, development, and protection of natural and scenic resources.

Planning Board recommends approval (5-0)

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

**EIGHT:** The Town hereby ordains amendment to the **Comprehensive Plan**, specifically amending Section 2, State Goal 2, by adding a new section, Town Goal 2.6: Support Accessibility in the Built Environment.

**Statement of Fact:** This amendment establishes a policy supporting the creation of roads, buildings, and public spaces that are accessible to people with a range of ages and abilities, and that meet or exceed the standards of the American with Disabilities Act whenever possible. Town Goal 2.6: Support Accessibility in the Human-Made Environment has been added to Volume 1 of the Comprehensive Plan.

Planning Board recommends approval (5-0)

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

**NINE:** The Town hereby ordains amendment to the **Comprehensive Plan** to amend Section 2, Town of York Goals and Actions, specifically adding a new Town Goal 3.4: **Policies on Formula Businesses**.

**Statement of Fact:** This amendment establishes a policy regarding formula businesses, specifically recognizing the Town's ban on formula restaurants, and establishing policies for the scale and design of other types of formula businesses such as banks, supermarkets, gas stations, etc. Town Goal 3.4: Policies on Formula Businesses has been added to Volume 1 of the Comprehensive Plan.

Planning Board recommends approval (5-0)

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

\_\_\_\_\_  
Kinley Gregg

\_\_\_\_\_  
Scott Fiorentino

**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 General Referendum to be held at York High School Robert E. Butler Gymnasium on:

**DATE: NOVEMBER 8, 2011**

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

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

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

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

\_\_\_\_\_  
Kinley Gregg

\_\_\_\_\_  
Scott Fiorentino

**BOARD OF SELECTMEN**

**Officer's Return**

**TOWN OF YORK  
WARRANT  
GENERAL REFERENDUM  
(20-A M.R.S.A, Sections 1486 and 2307)  
YORK, MAINE                      NOVEMBER 8, 2011**

County of York, SS.

I certify that I have notified the voters of York of the above-referenced General Referendum by posting an attested copy of the within Warrant for same at:

York Town Hall, York, Maine

York Police Building, York Beach, Maine

York Harbor Post Office, York Harbor, Maine

York Beach Post Office, York Beach, Maine

York Village Post Office, York, Maine

Cape Neddick Post Office, Cape Neddick, Maine

a conspicuous public place within York on \_\_\_\_\_, 2011 which is at least seven days next prior to the General Referendum.

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

\_\_\_\_\_  
Douglas P. Bracy  
Constable

OBITUARIES/WORLD/VIATION

ROMNEY, PERRY SPAR OVER JOBS AND SOCIAL SECURITY

Candidates contradict each other during Republican campaign debate

BY KASIE HUNT Associated Press

SIMI VALLEY, Calif. — Quick to tangle, Republican presidential rivals Rick Perry and Mitt Romney sparred vigorously over job creation and Social Security on Wednesday night in a feisty campaign debate that marked a contentious new turn in the race to pick a 2012 challenger to President Barack Obama.

Far more than in earlier GOP debates this summer, the candidates mixed it up in their first faceoff since Perry entered the race and almost instantly overtook Romney as front-runner in opinion polls. Those two — as well as other contenders on stage — sniped at one another, contradicted allegations and interrupted media questioners to demand opportunities to take each other on.

"Michael Dukakis created jobs three times faster than you did, Mitt," Perry jabbed in the debate's opening moments, referring to one of Romney's Democratic predecessors as governor of Massachusetts.

"As a matter of fact, George Bush and his predecessors created jobs at a faster rate than you did," Romney shot back at Perry, the 10-year incumbent Texas governor.

The debate was the first of three in as many weeks, at a time when the economy is struggling, unemployment is seemingly stuck at 9.1 percent and Obama's popularity is sinking in the polls — all events that could make the GOP nomination worth more than it appeared only a few months ago.

Perry and Romney stood next to each other on the debate stage at the Ronald Reagan Presidential Library, a setting that invoked the memory of the conservative Republican who swept to two terms as president. And for much of the evening, the two men were at the center of the action, largely reducing their rivals to the roles of spectators looking for a way into the action.

Former Utah Gov. Jon Huntsman sided with Perry when he turned to Romney and said, "47th isn't going to cut it, my friend," a reference to the rank Massachusetts had among the 50 states in creating jobs during Romney's term.

But he also sought to rebut Perry's claim to be chief executive of the country's top job-producing state. "I hate to rain on the parade of the great Lone Star State governor, but as governor of Utah, we were the No. 1 job creator during my years in service," Huntsman said.

Businessman Herman Cain, Minnesota Rep. Michele Bachmann, Texas Rep. Ron Paul, former House Speaker Newt Gingrich and former Sen. Rick Santorum of Pennsylvania shared the stage for the debate hosted by MSNBC and Politico.

Not surprisingly, the GOP contenders had little good to say about Obama, either his record on creating jobs or the health care law they have vowed to repeal if they win the White House. Perry was an exception, volunteering his praise for the presidential order that bin Laden in a U.S. military raid in Pakistan. He also said he was happy the U.S. prison at Guantanamo has been kept open.

On another foreign policy issue, Bachmann criticized Obama's decision to join an international military campaign in Libya.

Bachmann also said she would provide the "strong, bold leader in the presidency who will lead" the effort to repeal the health care law passed at Obama's behest. "None of us should ever think that the repeal bill will just come to our desk," she said in a pledge that drew applause from the audience.

Gingrich resisted an effort to draw him into conflict with other Republicans on stage. "I'm frankly not interested in your efforts to get Republicans fighting each other," he said, sparking an even louder round of applause. He said all Republicans should "leave efforts to the news media" to spark an internal struggle when the real objective is to defeat Obama in 2012.

But moments later, Cain said that after trying to defeat Democratic efforts to create national health care, "I'm running against Romney-care," the legislation that passed requiring residents of Massachusetts to purchase coverage.

The ousted leader, who ruled Libya for nearly 42 years, hasn't been seen in public for months, and has released only audio messages trying to rally his supporters and lash out at his opponents. He went into hiding after opposition fighters swept into Tripoli on Aug. 21. The former rebels are still battling regime loyalists in three Gadhafi strongholds — Band Waid, Sabhan and Sirte.

Hunting down Gadhafi would help seal the new rulers' hold on the country, and likely trigger the collapse of the remaining regime loyalists still fighting the former rebels.

Amis Sharif, a spokesman for Tripoli's military council, told The Associated Press that Gadhafi was still in Libya and had been tracked using advanced technology and human intelligence. Rebel forces have taken up positions on all sides of the fugitive leader's presumed location, with none more than 40 miles away, he said, without elaborating.

Legal Notice ATTENTION LOBBYISTEMER Lobbist Zone Council F Meeting September 15, 2011 6:00 PM

Legal Notice TOWN OF YORK, MAINE PUBLIC HEARING NOTICE September 12, 2011 7:00 PM York Public Library

Legal Notice The Selectmen will hold a Public Hearing on September 12, 2011 regarding: November 2011 General Referendum Warrant

Sandra J. LeBreux

PORT MYERS BEACH, Fla. — Sandra J. (Quintilian) LeBreux, 72, of Fort Myers Beach, died Wednesday, Sept. 7, 2011, after a period of declining health.

Sandra was born June 14, 1939, in Lynn, Mass., the daughter of Thomas and Medora (Gilbert) Quintilian.

She had resided in West Peabody, Mass., and Brentwood, N.H., for many years before moving to Florida in 1998.

She is survived by her husband of 53 years, Richard E. LeBreux of Fort Myers Beach; four daughters, Susan M. Pomerantz and her husband, Steve, of New Jersey; Donna J. LeBreux-Sambrook and her husband, Michael, of Maine; Barbara A. Smith and her husband, Randy, of New Hampshire; and Linda K. LeBreux of California; grandchildren David and Melissa Pomerantz of New Jersey; brother Steven Quintilian of Massachusetts; sister Carol Gavin of New Hampshire; Elaine Kellier of Massachusetts; and Lisa DeLorenti and her husband, Dave, of Florida.

Sandra was predeceased by her parents and brothers Thomas and Daniel.

WE REMEMBER: Sandra was formerly employed by the Rockingham County Superior

Court prior to starting her own business endeavors at LeBreux Fir Salon and later Sandra LeBreux Realty in Brentwood. She was active in many community and professional organizations. She was a charter member and president of the Brentwood Youth Center; Realtor of the Year, Rockingham Board of Realtors, 1992; President of the Tri-Board Chapter, Women's Council of Realtors, 1993; and Governor of New Hampshire Women's Council of Realtors, 1995.

In retirement, Sandra enjoyed traveling, visiting with her children and grandchildren, and her many friends and activities in Bayside Estates, Fla.

SERVICES: Calling hours will be held from 4 to 7 p.m. Sunday, Sept. 11, at the Brewitt Funeral Home, 14 Pine St., Exeter, N.H. Graveside services will be held at 10 a.m. Monday, Sept. 12, at the Brentwood Cemetery, Brentwood, N.H. Memorial donations, in lieu of flowers, may be made to Sandra's favorite organizations: VIP (Visually Impaired) Persons of Southwest Florida, www.vipcenter.org or Hope Hospice of Fort Myers (www.hopeshospice.org). To sign the online guest book, visit www.brewittfuneralhome.com.

Angeliki Diamond

HAMPTON — Angeliki "Anne" Diamond, 89, of 203 Landing Road, Hampton, died peacefully Tuesday, Sept. 6, 2011, at her home, following a period of failing health.

Born Aug. 10, 1922, in Somersworth, she was the daughter of the late Alexander and Helen (Chryssaki) Diamond.

In addition to her parents, Anne is survived by her sisters, Eunice Madison, Phyllis (Mrs. Joseph) Goullis and Sylvia (Mrs. Ron) Batchelder; her beloved niece, Sandra D. (Mrs. Kevin) Parker of Hampton, with whom she resided; grandnieces Jennifer (Mrs. Jeremy) Tetreault of Hampton and Kimberly (Mrs. David) Jones of Hampton; great-grandnieces Sydney, Samantha, Daniel and Alexa; and several nieces, nephews and extended family.

Anne was predeceased by her sisters Freda Karavas, Pat Polychronis, Effie Pansios, and Evtchokia Diamond.

WE REMEMBER: Anne always

gave of herself generously. Quick to help a friend in need, she never forgot the kindnesses extended to her by family and friends and she never forgot to give of herself in return. Her friendship and generous manner will be cherished forever by those she held most dear.

SERVICES: Family and friends are invited to call from 2 to 4 p.m. Sunday, Sept. 11, at the Robert K. Gray Jr. Funeral Home, 24 Winnacumet Road, Hampton. Funeral services will be held at 10 a.m. Monday, Sept. 12, at the funeral home. Interment in the family lot in Forest Glade Cemetery, Somersworth, will immediately follow her services. In Anne's memory, her family asks to make someone else's life a little brighter, whether through a thoughtful word, a friendly gesture or a "random act of kindness" to pay it forward to a stranger in need. Arrangements under the direction of the Robert K. Gray Jr. Funeral Home; www.robertkgrayjr.funeralhome.com.

Isaac C. Stalnaker

FLATWOODS, W.Va. — Isaac C. Stalnaker died Sunday, Sept. 4, 2011, as a result of a four-wheeler accident in West Virginia.

He lived in Kittery and South Berwick, Maine, from 2006 to 2010, when he moved back to West Virginia be close to his biological family. While he was living on the Seacoast, he was employed by Aqua Paradise Pools and

Spas in Portsmouth, N.H., and Paul Lawrence Wood Floors of Kittery.

He was a kind and gentle person who would do anything to help anyone. Those who knew and spent time with Isaac would agree that their lives were brighter for knowing him. Isaac will be dearly missed by all his friends and his "adopted" Lawrence family.

Obituary Guidelines For guidelines on how to submit an obituary, visit www.seacoastonline.com/SubmitObit

Mary Margaret Cummings

YORK, Maine — Mary Margaret M. Cummings, 49, of 34 Calverton Road, died Monday, Sept. 5, 2011, at home.



and John Reppucci of York. She was a sister, Patricia Morlang of Strafford, N.H.; a granddaughter, Maclain M. Zuk; and several nieces and nephews.

She was born March 16, 1962, in Cambridge, Mass., a daughter of the late Ernest J. and Margaret B. (Murray) Reppucci II. She was a graduate of York High School and had later worked in the lunch room for many years.

She enjoyed spending time with family and friends. She leaves three sons, Michael P.A. Cummings and his wife, Randi, of Springvale, Maine; and John E. Cummings and William R. Pratt, both of York; a daughter, Melissa M. Zuk and her husband, Stephen, of York; five brothers, Robert Reppucci of York Beach, Richard Reppucci of Burlington, Mass., Edward Reppucci of Wells, Maine, Charles Reppucci of Augusta, Maine,

Reppucci, predeceased her.

SERVICES: Calling hours for Mary Margaret will be held from 5 to 8 p.m. Friday, Sept. 9, in the Lucas and Eaton Funeral Home, 91 Long Sands Road, York. A funeral Mass will be celebrated at 10 a.m. Saturday, Sept. 10, in St. Christopher Church, 4 Barrell Lane, York. Burial will follow in the First Parish Cemetery. Please omit flowers. Memorial contributions may be made to Melissa M. Zuk, 33 Newtown Road, York, ME 03902, to help fund a monument for Mary Margaret at the cemetery. Visit www.lucasestatefuneralhome.com.

Kathleen S. Meats

PORTSMOUTH — Kathleen Starkey Meats, 62, beloved mother of Kathleen and Lauren and wife of Larry Meats, died Friday, Sept. 2, 2011.



She was born Oct. 23, 1948, to Charles and Kathleen Floros Starkey.

SERVICES: Visiting hours will be held from 4 to 7 p.m. Friday, Sept. 9, 2011, with a wake service at 6 p.m., at the J. Verne Wood Funeral Home - Buckminster Chapel, 84 Broad St., Portsmouth. A funeral service will be held at 11 a.m. Saturday, Sept. 10, at St. Nicholas Greek Orthodox Church, 40 Andrew Jarvis Drive, Portsmouth. Interment will

follow in the Harmony Grove Cemetery, Portsmouth. Everyone who felt touched by Kathleen or who wants to show support for her family is welcomed to all services. In lieu of flowers, any gifts can be made payable to The Kathleen & Lauren Meats Fund, and mailed c/o TB Bank, 1500 Lafayette Road, Portsmouth, NH 03801 - this would be greatly appreciated to help complete the education of the girls she so deeply loved. Visit www.jvwoodfuneralhome.com to sign an online guest book, send a private condolence and/or a sympathy card, and for a more detailed account of Kathleen's life.

Barbara F. D'Anna

PORTSMOUTH — Barbara Frances (Doll) D'Anna, of 258 Melbourne St., Portsmouth, died Monday, Sept. 5, 2011.

Survivors include two sons, James of Orange Park, Fla., and Robert of Portsmouth; two daughters, Mary K. Roberge of York, Maine, and Mary A. D'Anna of Merrimack; brother Albert Doll of Portsmouth; nine grandchildren; nine great-grandchildren; and many nieces and nephews.

She was born Sept. 29, 1922, the daughter of Albert F. and Katherine (Grace) Doll. She graduated from St. Patrick School, Portsmouth High School and the Sacred Heart Hospital School of Nursing in Manchester.

She served in the Army Nurse Corps during World War II and later at Portsmouth Hospital. She was a communicant of St. James Church, and was a member of the Seacoast Right To Life and the Disabled American Veterans Aux-

iliary. There are no calling hours.

Fielding's Oil & Propane Co. FUEL OIL 3.399 Per Gal. Portsmouth (603) 436-2005 Dover (603) 742-4800 Rochester (603) 335-6003 1-800-491-3194

LEGAL NOTICE PUBLIC NOTICE The Health Services Planning and Review Board will convene a public meeting on September 15, 2011, Thursday, 9:30 a.m. Merrimack County Nursing Home, 325 Daniel Webster Hwy, Stockton, NH. 1. Consent Agenda, Approve July 21, 2011 Board Meeting Minutes, Approve Findings of Fact - Northeast Rehabilitation Hospital, LLC, 11-02, 24, 762, 440; 2. Determine (ASC) RFA (He-Hea 1900); 3. Portsmouth Regional Hospital, Change of Scene AC 06-07, 8587, 209; 4. Board Discussion - Physical Rehabilitation Rules (He-Hea 700); 5. Approve Interior Rule He-Hea 700; 6. Board Discussion - MRI Rules (He-Hea 600); 7. Board Discussion - Not Subject to Review (NSR) Process; 8. Other Administrative Business. Further information may be obtained from the Office of Health Services Planning and Review, Department of Health and Human Services web site: www.dhs.nh.gov/dhs/hspr or at 29 Hazen Drive, Concord, NH, (603) 271-4606, 8:00 a.m. to 4:00 p.m. Interpreter services for the hearing impaired are available upon request. #1897 11/19/11

Celebrating 64 Years of Service Ron-Bet Home Improvements Screen & Glass Porches Beautify with Windows and Siding 207-439-5868 www.ronbet.com

TRIPOLI, Libya (AP) — A Tripoli military official said Wednesday that Moammar Gadhafi is cornered and the days before he is captured or killed are numbered, but another senior defense official contended that Libya's new rulers have no idea where the fugitive former leader is. The comments are the lat-



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> September 8, 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> September 12, 2011	
Regular <input checked="" type="checkbox"/> Work Session _____	
<b>Subject:</b> Maine Dept. of Public Safety Division - Liquor Licensing & Inspection Application: Jeremy A. Prescott; DBA Blues Burger.	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Susan Scott
<b>RECOMMENDATION:</b> Approve Maine Dept. of Public Safety Division, Liquor Licensing & Inspection Application
<b>PROPOSED MOTION:</b> I move to approve the following license: Jeremy A. Prescott; DBA Blue Burger (Liquor) subject to taxes, fees and inspection being current and compliant with the usual noise stipulations.

**Discussion:** Please see attached application for details.

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

Prepared By:

*Susan Scott*

Reviewed By:

*Robert H. Gardner*

**Department of Public Safety  
Division**



**Liquor Licensing & Inspection**

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

<b><u>BUREAU USE ONLY</u></b>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

**PRESENT LICENSE EXPIRES** \_\_\_\_\_

**INDICATE TYPE OF PRIVILEGE:**  MALT  SPIRITUOUS  VINOUS

**INDICATE TYPE OF LICENSE:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)       |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A)           | <input type="checkbox"/> HOTEL (Class I,II,III,IV)          |
| <input type="checkbox"/> CLASS A LOUNGE (Class X)                  | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V)                            | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)      |
| <input type="checkbox"/> TAVERN (Class IV)                         | <input type="checkbox"/> OTHER: _____                       |

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S)</b> –(Sole Proprietor, Corporation, Limited Liability Co., etc.)			<b>2. Business Name (D/B/A)</b>		
JEREMY A. PISCOPO DOB: 9/7/59			Blurs Burger		
Lorena Pisco DOB: 11/4/60					
Address			Location (Street Address)		
14 BONICA RD			15 RAILROAD AVE		
City/Town State Zip Code			City/Town State Zip Code		
York ME 03909			York Beach ME 03910		
Mailing Address			Mailing Address		
PO 1962			PO 1962		
City/Town State Zip Code			City/Town State Zip Code		
York ME 03909			York Beach ME 03910		
Telephone Number Fax Number			Business Telephone Number Fax Number		
C: 207-451-7997			207-363-5552		
Federal I.D. #			Seller Certificate #		
27-534/3114					

3. If premises are a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_
5. Is applicant a corporation, limited liability company or limited partnership? YES  NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES  NO
7. If manager is to be employed, give name: \_\_\_\_\_
8. If business is NEW or under new ownership, indicate starting date: 5/28/11  
Requested inspection date: \_\_\_\_\_ Business hours: \_\_\_\_\_
9. Business records are located at: 19 RAILROAD AVE York Beach ME 03910
10. Is/are applicants(s) citizens of the United States? YES  NO

11. Is/are applicant(s) residents of the State of Maine? YES  NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:  
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Jeremy A Prescott	9/7/59	Summit, NJ

Residence address on all of the above for previous 5 years (Limit answer to city & state)  
York, Maine

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES  NO

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?  
Yes  No  If Yes, give name: \_\_\_\_\_

15. Has/have applicant(s) formerly held a Maine liquor license? YES  NO

16. Does/do applicant(s) own the premises? Yes  No  If No give name and address of owner: \_\_\_\_\_

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) 1200 Square Foot/32  
Scot Burger Restaurant - Seasonal

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?  
YES  NO  Applied for: \_\_\_\_\_

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mi. Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES  NO

If YES, give details: Real Estate was owned/financed by previous owners

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: York Beach ME on 7/1, 20 11  
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name *JEREMY A. PISCOTT*

Print Name *Jeremy A. Piscott*

**NOTICE – SPECIAL ATTENTION**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

**THIS APPROVAL EXPIRES IN 60 DAYS.**

**FEE SCHEDULE**

<b>Class I</b>	Spirituous, Vinous and Malt .....	\$ 900.00
	<b>CLASS I:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
<b>Class I-A</b>	Spirituous, Vinous and Malt, Optional Food (Hotels Only) .....	\$1,100.00
	<b>CLASS I-A:</b> Hotels only that do not serve three meals a day.	
<b>Class II</b>	Spirituous Only .....	\$ 550.00
	<b>CLASS II:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
<b>Class III</b>	Vinous Only .....	\$ 220.00
	<b>CLASS III:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class IV</b>	Malt Liquor Only .....	\$ 220.00
	<b>CLASS IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
<b>Class V</b>	Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) .....	\$ 495.00
	<b>CLASS V:</b> Clubs without catering privileges.	
<b>Class X</b>	Spirituous, Vinous and Malt – Class A Lounge .....	\$2,200.00
	<b>CLASS X:</b> Class A Lounge	
<b>Class XI</b>	Spirituous, Vinous and Malt – Restaurant Lounge .....	\$1,500.00
	<b>CLASS XI:</b> Restaurant/Lounge; and OTB.	

**FILING FEE**..... \$ 10.00

**UNORGANIZED TERRITORIES** \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: \_\_\_\_\_, Maine \_\_\_\_\_ SS  
City/Town (County)

On: \_\_\_\_\_  
Date

The undersigned being: \_\_\_\_\_ Municipal Officers \_\_\_\_\_ County Commissioners of the  
\_\_\_\_\_ City \_\_\_\_\_ Town \_\_\_\_\_ Plantation \_\_\_\_\_ Unincorporated Place of: \_\_\_\_\_, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]

2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]

C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]

E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c.730, §27 (rp).]

4. **No license to person who moved to obtain a license. (REPEALED)**

5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.



**PREMISE DIAGRAM**



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> September 8, 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> September 12, 2011	
Regular <input checked="" type="checkbox"/> Work Session _____	
<b>Subject:</b> Maine Dept. of Public Safety Division - Liquor Licensing & Inspection Application: Michael Specker; DBA The Brixham General Store	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Susan Scott
<b>RECOMMENDATION:</b> Approve Maine Dept. of Public Safety Division, Liquor Licensing & Inspection Application
<b>PROPOSED MOTION:</b> I move to approve the following license: Michael Specker; DBA The Brixham General Store (Liquor) subject to taxes, fees and inspection being current and compliant with the usual noise stipulations.

**Discussion:** Please see attached application for details.

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

Prepared By:

*Susan Scott*

Reviewed By:

*Robert S. Gannon*

**Department of Public Safety  
Division**



**Liquor Licensing & Inspection**

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

<b><u>BUREAU USE ONLY</u></b>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

**PRESENT LICENSE EXPIRES** 9-3-11

**INDICATE TYPE OF PRIVILEGE:**  MALT  SPIRITUOUS  VINOUS

**INDICATE TYPE OF LICENSE:**

- |  |   |
|--|---|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV)  | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)       |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV)          |
| <input type="checkbox"/> CLASS A LOUNGE (Class X)        | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V)                  | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)      |
| <input type="checkbox"/> TAVERN (Class IV)               | <input type="checkbox"/> OTHER: <u>Qualified catering</u>   |

**REFER TO PAGE 3 FOR FEE SCHEDULE** class III, class IV

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S)</b> –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Aidan + olives</u> DOB: <u>2-28-07</u>		<b>2. Business Name (D/B/A)</b> <u>The Brixham general store</u>	
<u>Artisan foods</u> DOB:		<u>function room</u>	
DOB:		<b>Location (Street Address)</b> <u>435 Ciderhill Rd.</u>	
<b>Address</b> <u>435 Ciderhill Rd.</u>		<b>City/Town</b> <u>York</u>	<b>State</b> <u>ME</u>
<b>City/Town</b> <u>York</u>		<b>Zip Code</b> <u>03909</u>	
<b>State</b> <u>ME</u>		<b>Mailing Address</b> <u>//</u>	
<b>Zip Code</b> <u>03909</u>		<b>City/Town</b> <u>//</u>	
<b>State</b> <u>//</u>		<b>State</b> <u>//</u>	
<b>Zip Code</b> <u>//</u>		<b>Zip Code</b> <u>//</u>	
<b>Telephone Number</b> <u>(207) 363-6600</u>		<b>Business Telephone Number</b> <u>(207) 363-6600</u>	
<b>Fax Number</b>		<b>Fax Number</b>	
<b>Federal I.D. #</b> <u>20856 7870</u>		<b>Seller Certificate #</b> <u>1134307</u>	

3. If premises are a hotel, indicate number of rooms available for transient guests: \_\_\_\_\_
4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ 41,026<sup>06</sup> LIQUOR \$ 66,286<sup>63</sup>
5. Is applicant a corporation, limited liability company or limited partnership? YES  NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES  NO
7. If manager is to be employed, give name: \_\_\_\_\_
8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_  
Requested inspection date: \_\_\_\_\_ Business hours: \_\_\_\_\_
9. Business records are located at: on site
10. Is/are applicants(s) citizens of the United States? YES  NO

11. Is/are applicant(s) residents of the State of Maine? YES  NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:  
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Michael Specker	2/10/67	Ames, Iowa

Residence address on all of the above for previous 5 years (Limit answer to city & state)  
199 Yorkwoods rd. South Berwick ME 03908

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES  NO

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_  
Offense: \_\_\_\_\_ Location: \_\_\_\_\_  
Disposition: \_\_\_\_\_

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?  
Yes  No  If Yes, give name: \_\_\_\_\_

15. Has/have applicant(s) formerly held a Maine liquor license? YES  NO

16. Does/do applicant(s) own the premises? Yes  No  If No give name and address of owner:  
AZME properties 141 Little Jean rd. Yarmouth ME

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required)  
Brixham General Store function room

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?  
YES  NO  Applied for: \_\_\_\_\_

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 5 miles Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES  NO   
If YES, give details: \_\_\_\_\_

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: York ME on Sept 6, 20 11  
Town/City, State Date



Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

STATE OF MAINE

Dated at: \_\_\_\_\_, Maine \_\_\_\_\_ SS
City/Town (County)

On: \_\_\_\_\_
Date

The undersigned being: \_\_\_\_\_ Municipal Officers \_\_\_\_\_ County Commissioners of the
\_\_\_\_\_ City \_\_\_\_\_ Town \_\_\_\_\_ Plantation \_\_\_\_\_ Unincorporated Place of: \_\_\_\_\_, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A,
Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE - SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

- 1. Hearing. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses.
A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
[1993, c730, §27 (amd).]
3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
A. [1993, c.730, §27 (rp).]
4. No license to person who moved to obtain a license. (REPEALED)
5. (TEXT EFFECTIVE 3/15/01) Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

STATE OF MAINE  
**Liquor Licensing & Inspection Unit**  
 164 State House Station  
 Augusta, Maine 04333-0164  
 Tel: (207) 624-7220 Fax: (207) 287-3424

**SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS**

1. Exact Corporate Name: Aidan + Oliver's Artisan Foods

Business D/B/A Name: The Brixham General Store

2. Date of Incorporation: 2-28-07

3. State in which you are incorporated: MAINE

4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:  
 \_\_\_\_\_

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Michael Specker	199 Yatewoods Rd.	2/10/67	100	owner

6. What is the amount of authorized stock? \_\_\_\_\_ Outstanding Stock? \_\_\_\_\_

7. Is any principal officer of the corporation a law enforcement official? ( ) YES (  ) NO

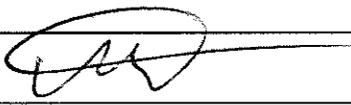
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? ( ) YES (  ) NO.

9. If yes, please complete the following: Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_ Offense: \_\_\_\_\_

Location: \_\_\_\_\_ Disposition: \_\_\_\_\_

Dated at: \_\_\_\_\_ City/Town \_\_\_\_\_ On: \_\_\_\_\_ Date \_\_\_\_\_



Date: 9-6-11

Signature of Duly Authorized Officer

Michael Specker

Print Name of Duly Authorized Officer



# State of Maine



DEPARTMENT OF PUBLIC SAFETY  
Bureau of Liquor Licensing

License Number	Date of Issue	Date of Expiration
7653	09/04/2010	09/03/2011

THIS CERTIFICATE IS VALID ONLY BETWEEN THE DATE ISSUED AND EXPIRATION DATE APPEARING HEREIN. IT MAY BE USED ONLY FOR THE NAMED HOLDER AT THE LOCATION FOR WHICH ISSUED

THE PERSON NAMED HEREIN IS AUTHORIZED TO SELL OR DISPENSE ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT PERMITTED BY LAW FOR THE PERMITS DESIGNATED BELOW

THIS CERTIFICATE AND/OR EACH TYPE OF PERMIT REPRESENTED IS SUBJECT TO SUSPENSION, REVOCATION OR CANCELLATION AS AUTHORIZED BY TITLE 28-A OF THE REVISED STATUTES

**Owner(s):** AIDAN & OLIVER'S ARTISAN FOODS, LLC  
**Business:** BRIXHAM GENERAL STORE FUNCTION ROOM,  
 THE  
 435 CIDERHILL ROAD  
 YORK, ME

CODE	PERMIT TYPE/DESCRIPTION	FEE
1132	CLASS III - VINOUS ONLY - QUALIFIED CATERING SERVICE	\$220.00
1138	CLASS IV - MALT ONLY - QUALIFIED CATERING SERVICE	\$220.00
2630	FILING FEE	10.00

Total Fees: \$ 450.00

Every license shall be displayed on the licensed premises in a conspicuous location in that part of the premises where liquor is served or sold, where it can easily be seen.

Bureau of  
Liquor Licensing

Commissioner

License fee is non-refundable

AIDAN & OLIVER'S ARTISAN FOODS, LLC  
435 CIDERHILL ROAD  
YORK, ME 03909



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> August 25, 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> September 12, 2011	
Regular <input checked="" type="checkbox"/> Work Session	
<b>Subject:</b> Execution of Corrective Deed: Redeemed Property - Map 0027/ Lot 0058-0027, 35 Long Beach Avenue Unit #27	

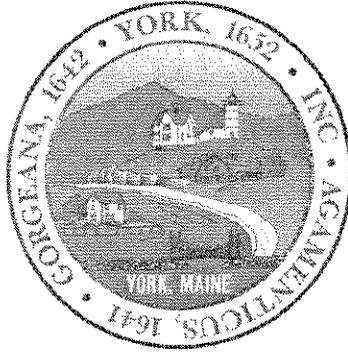
<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Susan Scott
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the execution of the Corrective Deed for property located at Map 0027/ Lot 0058-0027: 35 Long Beach Avenue Unit #27 previously redeemed by the Board of Selectmen on March 14, 2011.

**Discussion:** Please see attached memo for details.

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

Prepared By: Susan Scott

Reviewed By: Robert M. Gandon



---

TO: Board of Selectmen

FROM: Susan Scott

DATE: August 25, 2011

RE: Execution of Corrective Deed: Redeemed Property –  
Map 0027, Lot 0058-0027, 35 Long Beach Avenue, Unit 27

At their March 14, 2011 meeting the Board of Selectmen unanimously approved the redemption of property located at Map 0027, Lot 0058-0027; 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, 2011. Following approval, members of the Board signed the Municipal Quitclaim Deed that incorrectly referenced the property Map/Lot number.

We are recommending to the Selectmen that the newly drafted Corrective Deed be executed for resubmission and recording at the York County Registry of Deeds.

Please Return To:  
Susan H. Scott  
186 York Street  
York, Me 03909

**MUNICIPAL QUITCLAIM DEED**  
**CORRECTIVE DEED**

The **INHABITANTS OF THE MUNICIPALITY OF YORK**, a body corporate located at York, Maine, for consideration paid, releases to Joanne Boyle, all of their right, title and interest in and to certain land, together with any improvements thereon, in the Town of York, County of York and State of Maine, shown on the Tax Assessor's maps of the Town of York as Map 0027, Lot 0058-0027; and located at 35 Long Beach Avenue Unit 27, York, Maine 03909.

Meaning and intending to release and hereby releasing to the Grantee any right, title and interest the Town of York may have acquired by virtue of the following tax liens:

1. Tax Collector's Lien Certificate dated July 16<sup>th</sup>, 2009 from the Tax Collector for the Town of York v. Joanne Boyle, for unpaid real estate taxes, interest and costs dated and recorded at the York County Registry of Deeds on July 16<sup>th</sup>, 2009 in Book 15681, Page 0616.
2. Tax Collector's Lien Certificate dates June 15<sup>th</sup>, 2010 from the Tax Collector for the Town of York v. Joanne Boyle, for unpaid real estate taxes, interest and costs dated and recorded at the York County Registry of Deeds on June 15<sup>th</sup>, 2010 in Book 15879, Page 449.

IN WITNESS WHEREOF the undersigned have set their hands and seals on behalf of the Inhabitants of the Town of York thereunto duly authorized as of this \_\_\_\_ day of \_\_\_\_\_, 2011.

Signed and Delivered in Presence of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Tracy Jackson-McCarty  
\_\_\_\_\_  
Mary Andrews  
\_\_\_\_\_  
Edward W. Little  
\_\_\_\_\_  
Scott Fiorentino  
\_\_\_\_\_  
Kinley Gregg

STATE OF MAINE  
York County, ss.

\_\_\_\_\_, 2011

Personally appeared the above-named Tracy Jackson-McCarty, Mary Andrews, Edward W. Little, Scott Fiorentino and Kinley Gregg, and acknowledged the foregoing instrument to be their free act and deed and duly authorized in their said capacities.

Before me,

\_\_\_\_\_  
Attorney at Law/Notary Public



# 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

August 22, 2011

Joanne Boyle  
7 Granton Park  
Arlington, MA 02174

RE: Municipal Quitclaim Deed - 35 Long Beach Avenue Unit 27, York, Maine

Dear Ms. Boyle:

Please find enclosed the Municipal Quitclaim Deed for property shown on the Tax Assessor's maps of the Town of York as Map 0027, Lot 0028-0027; and located at 35 Long Beach Avenue Unit 27, York, Maine 03909.

Please note that you should keep this original record in a secure location as with any other property deeds you may have. A copy has been recorded on June 13, 2011 in Book 16110, Pages 647-648 with the York County Registry of Deeds in Alfred, Maine.

Should you have any questions or concerns, please feel free to contact the York Town Hall.

Sincerely,

Susan H. Scott  
Assistant to the Town Manager

\* Correction needed  
b/c incorrect  
Map/Lot #

Doc# 2011022334  
Bk 16110 Ps 647 - 648  
Received York SS  
06/13/2011 12:24PM  
Debra L. Anderson  
Register of Deeds

2 →  
Please Return To:  
Kathryn Danylik  
186 York Street  
York, Me 03909

**MUNICIPAL QUITCLAIM DEED**

The **INHABITANTS OF THE MUNICIPALITY OF YORK**, a body corporate located at York, Maine, for consideration paid, releases to Joanne Boyle, all of their right, title and interest in and to certain land, together with any improvements thereon, in the Town of York, County of York and State of Maine, shown on the Tax Assessor's maps of the Town of York as Map 0027, Lot 0028-0027; and located at 35 Long Beach Avenue Unit 27, York, Maine 03909. 58

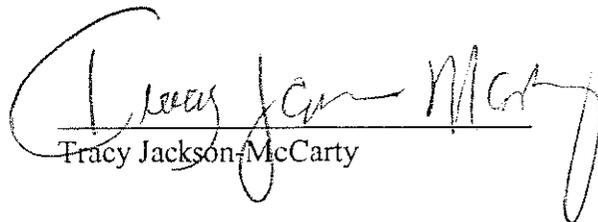
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1. Tax Collector's Lien Certificate dated July 16th, 2009 from the Tax Collector for the Town of York v. Joanne Boyle, for unpaid real estate taxes, interest and costs dated and recorded at the York County Registry of Deeds on July 16<sup>th</sup>, 2009 in Book 15681, Page 0616.
2. Tax Collector's Lien Certificate dates June 15<sup>th</sup>, 2010 from the Tax Collector for the Town of York v. Joanne Boyle, for unpaid real estate taxes, interest and costs dated and recorded at the York County Registry of Deeds on June 15<sup>th</sup>, 2010 in Book 15879, Page 449.

IN WITNESS WHEREOF the undersigned have set their hands and seals on behalf of the Inhabitants of the Town of York thereunto duly authorized as of this 2<sup>nd</sup> day of June, 2011.

Signed and Delivered in Presence of:

\_\_\_\_\_  
\_\_\_\_\_

  
Tracy Jackson-McCarty

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

Please Return To:  
Kathryn Danylik  
186 York Street  
York, Me 03909

**MUNICIPAL QUITCLAIM DEED**

The **INHABITANTS OF THE MUNICIPALITY OF YORK**, a body corporate located at York, Maine, for consideration paid, releases to Joanne Boyle, all of their right, title and interest in and to certain land, together with any improvements thereon, in the Town of York, County of York and State of Maine, shown on the Tax Assessor's maps of the Town of York as Map 0027, Lot 0028-0027; and located at 35 Long Beach Avenue Unit 27, York, Maine 03909.

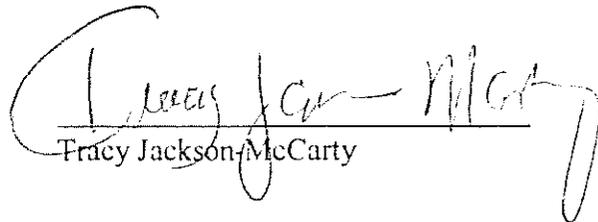
Meaning and intending to release and hereby releasing to the Grantee any right, title and interest the Town of York may have acquired by virtue of the following tax liens:

1. Tax Collector's Lien Certificate dated July 16th, 2009 from the Tax Collector for the Town of York v. Joanne Boyle, for unpaid real estate taxes, interest and costs dated and recorded at the York County Registry of Deeds on July 16<sup>th</sup>, 2009 in Book 15681, Page 0616.
2. Tax Collector's Lien Certificate dates June 15<sup>th</sup>, 2010 from the Tax Collector for the Town of York v. Joanne Boyle, for unpaid real estate taxes, interest and costs dated and recorded at the York County Registry of Deeds on June 15<sup>th</sup>, 2010 in Book 15879, Page 449.

IN WITNESS WHEREOF the undersigned have set their hands and seals on behalf of the Inhabitants of the Town of York thereunto duly authorized as of this 2<sup>nd</sup> day of June, 2011.

Signed and Delivered in Presence of:

\_\_\_\_\_  
\_\_\_\_\_

  
Tracy Jackson-McCarty

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

\_\_\_\_\_  
\_\_\_\_\_

Edward W. Little  
Edward W. Little

Mary Andrews  
Mary Andrews

STATE OF MAINE  
York County, ss.

June 2, 2011

Personally appeared the above-named ~~Michael L. Estes~~, Tracy Jackson-McCarty, Edward W. Little, and Mary Andrews and acknowledged the foregoing instrument to be their free act and deed and duly authorized in their said capacities.

Before me,

Gretchen D. Seaver  
Attorney at Law/Notary Public

Gretchen D. Seaver  
NOTARY PUBLIC  
State of Maine  
Expires March 8, 2014



---

TO: Board of Selectmen

FROM: Kathryn Danylik

DATE: March 10<sup>th</sup>, 2011

RE: Tax Foreclosure Redemption –Map 0027 Lot 0058-0027 27; 35 Long Beach Avenue Unit #27

Joanne Boyle, former owner of property which the Town identifies as Map 0027 Lot 0058-0027 27, located at 35 Long Beach Avenue Unit #27, York, Maine, is requesting the authority to redeem this property on which the Town has tax liens for Fiscal Years FY2009, and FY2010. The Town has foreclosed on this property as of January 18th, 2011, for non-payment of the FY2009 tax lien. Joanne Boyle has requested redemption of this property.

We are recommending to the Selectmen that Joanne Boyle be allowed to redeem this property providing the following conditions are met:

*Condition #1* – Joanne Boyle pay all current taxes, interest and lien costs owed, which totals \$4,727.30 as of May 14th, 2011 which is within 60 days of approval. (Please note this figure may have added interest due on the date payment is made.)

*Condition #2* – Joanne Boyle pay Town Administrative costs involved with the processing of the foreclosure disposition, a total of \$200.00. This amount covers the cost of issuing a Quit Claim Deed and the Administrative cost to process this redemption.

*Condition #3* – Joanne Boyle shall pay in full all current taxes, interest, administrative costs and lien costs, which totals \$4,927.30 by no later than May 14th, 2011. (Please note this figure may have added interest due on the date payment is made.)

**PARCEL INFORMATION**

**MAP/LOT/UNIT** Map 0027 Lot 0058-0027 27

**OWNER (S)** Owner listed is Joanne Boyle

**PARTY REQUESTING REDEMPTION** Joanne Boyle has requested he be allowed to redeem the property.

**SIZE OF LOT**

**ASSESSED VALUE** \$157,300

**DESCRIPTION OF FORECLOSURE ACTION** The Town has filed tax liens on this property for the fiscal year(s) FY2009 and FY2010. The FY2009 lien matured and was foreclosed on January 18<sup>th</sup>, 2011.

**TAXES OWED/PAID** The Tax Collector has confirmed taxes have been outstanding on this property since FY2009. The total amount of taxes, interest and lien cost owed is \$4,727.30 as of September 10th, 2011 which breaks down as follows:

<b>FY2011</b>	<b>\$ 1,475.90</b>
<b>FY2010</b>	<b>\$ 1,562.47</b>
<b>FY2009</b>	<b>\$ 1,668.93</b>

**PLANNING DEPARTMENT ANALYSIS:** No conditions set forth.

**Town of York**  
**Tax Map # 0027 0058 0027 27**  
**Parcel Id 8351**  
**35 LONG BEACH AVENUE**  
**BOYLE JOANNE Since Mar 2008**  
**7 GRANTON PARK**  
**ARLINGTON MA 02174**

<b>Class</b>	1020 Condo	<b>Property Type</b>	1 Residential
<b>Tax Code</b>	10869 10869	<b>Size Total</b>	3.07 Acres
<b>FY</b>	2011		

**Tax Assessment**

**CURRENT YEAR INFO 2011**

<b>Land Value</b>	<b>Improvements</b>	<b>Total Value</b>	<b>Tax Rate</b>	<b>True Taxes</b>	<b>Total Taxes</b>
\$19,800	\$137,500	\$157,300	9.10000	\$1,431.43	\$1,431.43

**PRIOR YEAR INFO 2010**

<b>Land Value</b>	<b>Improvements</b>	<b>Total Value</b>	<b>Total Taxes</b>
\$19,800	\$137,500	\$157,300	\$0.00

**A/R Inquiry**

<b>Bill Number</b>	<b>Sub System</b>								
2011 RE942	Real Property Tax								
<b>Install</b>	<b>Billed</b>	<b>Adjt Bill</b>	<b>Int/Pen</b>	<b>Fee(s)</b>	<b>Refunded</b>	<b>Adjt.</b>	<b>Abated</b>	<b>Paid</b>	<b>Balance</b>
1 st	\$715.72								\$715.72
2 nd	\$715.71								\$715.71
	<b>\$1,431.43</b>								<b>\$1,431.43</b>
									<b>5/14/2011 - Late Charges:</b>
									<b>\$44.47</b>
									<b>Total Due:</b>
									<b>\$1,475.90</b>

<b>Entry Date</b>	<b>Install</b>	<b>Trans Type</b>	<b>Amount</b>	<b>Balance Due</b>	<b>Amount Billed</b>	<b>Posted Flag</b>
8/17/2010	1 st	Billed	\$715.72	\$715.72		Posted
8/17/2010	2 nd	Billed	\$715.71	\$1,431.43	\$1,431.43	Posted

**A/R Inquiry**

<b>Bill Number</b>	<b>Sub System</b>								
2010 TT128047	Tax Title								
<b>Install</b>	<b>Billed</b>	<b>Adjt Bill</b>	<b>Int/Pen</b>	<b>Fee(s)</b>	<b>Refunded</b>	<b>Adjt.</b>	<b>Abated</b>	<b>Paid</b>	<b>Balance</b>
1 st	\$1,349.63		\$102.02						\$1,451.65
									<b>5/14/2011 - Late Charges:</b>
									<b>\$110.82</b>
									<b>Total Due:</b>
									<b>\$1,562.47</b>

<b>Entry Date</b>	<b>Install</b>	<b>Trans Type</b>	<b>Amount</b>	<b>Balance Due</b>	<b>Amount Billed</b>	<b>Posted Flag</b>
6/14/2010	1 st	Transferred Principal	\$1,349.63	\$1,349.63		Posted
6/14/2010	1 st	Transferred (Int./Pen.)	\$34.54	\$1,384.17		Posted
6/14/2010	1 st	Transferred (Int./Pen.)	\$67.48	\$1,451.65		Posted

<b>Bill Number</b>	<b>Sub System</b>								
2009 TT117143	Tax Title								
<b>Install</b>	<b>Billed</b>	<b>Adjt Bill</b>	<b>Int/Pen</b>	<b>Fee(s)</b>	<b>Refunded</b>	<b>Adjt.</b>	<b>Abated</b>	<b>Paid</b>	<b>Balance</b>
1 st	\$1,358.77		\$318.60	\$8.54				\$108.54	\$1,577.37
									<b>5/14/2011 - Late Charges:</b>
									<b>\$91.56</b>
									<b>Total Due:</b>
									<b>\$1,668.93</b>

<b>Entry Date</b>	<b>Install</b>	<b>Trans Type</b>	<b>Amount</b>	<b>Balance Due</b>	<b>Amount Billed</b>	<b>Posted Flag</b>
7/16/2009	1 st	Transferred Principal	\$1,358.77	\$1,358.77		Posted
7/16/2009	1 st	Transferred (Int./Pen.)	\$40.08	\$1,398.85		Posted
7/16/2009	1 st	Transferred (Int./Pen.)	\$96.94	\$1,495.79		Posted
2/10/2010	1 st	Interest	\$86.77	\$1,582.56		Posted
2/10/2010	1 st	Payment	(\$8.54)	\$1,574.02		Posted
10/1/2010		Interest	\$94.81	\$1,668.83		Posted
10/1/2010		Payment	(\$100.00)	\$1,568.83		Posted
12/13/2010		Fee	\$5.54	\$1,574.37		Posted
12/13/2010		Fee	\$3.00	\$1,577.37		Posted

**Town of York**  
**Tax Map # 0027 0058 0027 27**  
**Parcel Id 8351**  
**35 LONG BEACH AVENUE**  
**BOYLE JOANNE Since Mar 2008**  
**7 GRANTON PARK**  
**ARLINGTON MA 02174**

<b>Class</b>	1020 Condo	<b>Property Type</b>	1 Residential
<b>Tax Code</b>	10869 10869	<b>Size Total</b>	3.07 Acres
<b>FY</b>	2011		

<b>Bill Number</b>		<b>Sub System</b>							
2008 TT106085		Tax Title							
<b>Install</b>	<b>Billed</b>	<b>Adjst Bill</b>	<b>Int/Pen</b>	<b>Fee(s)</b>	<b>Refunded</b>	<b>Adjst.</b>	<b>Abated</b>	<b>Paid</b>	<b>Balance</b>
1 st	\$1,351.08		\$358.34					\$1,709.42	\$0.00
								<b>5/14/2011 - Late Charges:</b>	<b>\$0.00</b>
								<b>Total Due:</b>	<b>\$0.00</b>

<b>Entry Date</b>	<b>Install</b>	<b>Trans Type</b>	<b>Amount</b>	<b>Balance Due</b>	<b>Amount Billed</b>	<b>Posted Flag</b>
8/12/2008	1 st	Transferred Principal	\$1,351.08	\$1,351.08		Posted
8/12/2008	1 st	Transferred (Int./Pen.)	\$26.64	\$1,377.72		Posted
8/12/2008	1 st	Transferred (Int./Pen.)	\$105.06	\$1,482.78		Posted
2/10/2010	1 st	Interest	\$226.64	\$1,709.42		Posted
2/10/2010	1 st	Payment	(\$1,351.08)	\$358.34		Posted
2/10/2010	1 st	Payment	(\$105.06)	\$253.28		Posted
2/10/2010	1 st	Payment	(\$226.64)	\$26.64		Posted
2/10/2010	1 st	Payment	(\$26.64)	\$0.00		Posted

<b>Bill Number</b>		<b>Sub System</b>							
2007 TT94529		Tax Title							
<b>Install</b>	<b>Billed</b>	<b>Adjst Bill</b>	<b>Int/Pen</b>	<b>Fee(s)</b>	<b>Refunded</b>	<b>Adjst.</b>	<b>Abated</b>	<b>Paid</b>	<b>Balance</b>
1 st	\$1,251.12		\$329.00	\$8.32				\$1,588.44	\$0.00
								<b>5/14/2011 - Late Charges:</b>	<b>\$0.00</b>
								<b>Total Due:</b>	<b>\$0.00</b>

<b>Entry Date</b>	<b>Install</b>	<b>Trans Type</b>	<b>Amount</b>	<b>Balance Due</b>	<b>Amount Billed</b>	<b>Posted Flag</b>
7/18/2007	1 st	Transferred Principal	\$1,251.12	\$1,251.12		Posted
7/18/2007	1 st	Transferred (Int./Pen.)	\$26.42	\$1,277.54		Posted
7/18/2007	1 st	Transferred (Int./Pen.)	\$91.94	\$1,369.48		Posted
12/11/2008	1 st	Fee	\$8.32	\$1,377.80		Posted
12/11/2008	1 st	Interest	\$195.35	\$1,573.15		Posted
1/16/2009	1 st	Interest	\$15.29	\$1,588.44		Posted
1/16/2009	1 st	Payment	(\$1,251.12)	\$337.32		Posted
1/16/2009	1 st	Payment	(\$91.94)	\$245.38		Posted
1/16/2009	1 st	Payment	(\$210.64)	\$34.74		Posted
1/16/2009	1 st	Payment	(\$34.74)	\$0.00		Posted

<b>Bill Number</b>		<b>Sub System</b>							
2006 TT82619		Tax Title							
<b>Install</b>	<b>Billed</b>	<b>Adjst Bill</b>	<b>Int/Pen</b>	<b>Fee(s)</b>	<b>Refunded</b>	<b>Adjst.</b>	<b>Abated</b>	<b>Paid</b>	<b>Balance</b>
1 st	\$974.59		\$195.54	\$8.21				\$1,178.34	\$0.00
								<b>5/14/2011 - Late Charges:</b>	<b>\$0.00</b>
								<b>Total Due:</b>	<b>\$0.00</b>

<b>Entry Date</b>	<b>Install</b>	<b>Trans Type</b>	<b>Amount</b>	<b>Balance Due</b>	<b>Amount Billed</b>	<b>Posted Flag</b>
8/9/2006	1 st	Transferred Principal	\$974.59	\$974.59		Posted
8/9/2006	1 st	Transferred (Int./Pen.)	\$25.28	\$999.87		Posted
8/9/2006	1 st	Transferred (Int./Pen.)	\$54.66	\$1,054.53		Posted
12/28/2007	1 st	Fee	\$8.21	\$1,062.74		Posted
12/28/2007	1 st	Interest	\$106.16	\$1,168.90		Posted
2/12/2008	1 st	Interest	\$9.44	\$1,178.34		Posted
2/12/2008	1 st	Payment	(\$974.59)	\$203.75		Posted
2/12/2008	1 st	Payment	(\$54.66)	\$149.09		Posted
2/12/2008	1 st	Payment	(\$115.60)	\$33.49		Posted
2/12/2008	1 st	Payment	(\$33.49)	\$0.00		Posted

<b>Bill Number</b>		<b>Sub System</b>							
2004 TT59770		Tax Title							
<b>Install</b>	<b>Billed</b>	<b>Adjst Bill</b>	<b>Int/Pen</b>	<b>Fee(s)</b>	<b>Refunded</b>	<b>Adjst.</b>	<b>Abated</b>	<b>Paid</b>	<b>Balance</b>
1 st	\$1,102.89		\$207.23	\$12.42				\$1,322.54	\$0.00
								<b>5/14/2011 - Late Charges:</b>	<b>\$0.00</b>
								<b>Total Due:</b>	<b>\$0.00</b>

**Town of York**  
**Tax Map # 0027 0058 0027 27**  
**Parcel Id 8351**  
**35 LONG BEACH AVENUE**  
**BOYLE JOANNE Since Mar 2008**  
**7 GRANTON PARK**  
**ARLINGTON MA 02174**

<b>Class</b>	1020 Condo	<b>Property Type</b>	1 Residential
<b>Tax Code</b>	10869 10869	<b>Size Total</b>	3.07 Acre
<b>FY</b>	2011		

Entry Date	Install	Trans Type	Amount	Balance Due	Amount Billed	Posted Fla
8/18/2004	1 st	Transferred Principal	\$1,102.89	\$1,102.89		Poste
8/18/2004	1 st	Transferred (Int./Pen.)	\$33.42	\$1,136.31		Poste
8/18/2004	1 st	Transferred (Int./Pen.)	\$56.29	\$1,192.60		Poste
8/18/2004	1 st	Fee	\$5.00	\$1,197.60		Poste
8/18/2004	1 st	Fee	\$7.42	\$1,205.02		Poste
8/18/2004	1 st	Interest	\$108.73	\$1,313.75		Poste
8/18/2004	1 st	Interest	\$8.79	\$1,322.54		Poste
8/18/2004	1 st	Payment	(\$1,102.89)	\$219.65		Poste
8/18/2004	1 st	Payment	(\$56.29)	\$163.36		Poste
8/18/2004	1 st	Payment	(\$117.52)	\$45.84		Poste
8/18/2004	1 st	Payment	(\$45.84)	\$0.00		Poste

<b>Balance:</b>	<b>\$3,029.02</b>
<b>5/14/2011 - Total Late Charges:</b>	<b>\$202.38</b>
<b>Total Due:</b>	<b>\$3,231.40</b>

State of Maine  
Tax Lien Certificate  
2008

008906

BOYLE JOANNE  
7 GRANTON PARK  
ARLINGTON, MA 02174

I, MARY-ANNE SZENIAWSKI, Collector of Taxes for the Town of York, a municipal corporation located in the County of York, State of Maine, hereby give you notice that a tax in the amount of \$1,358.77 has been assessed, and was committed to me for collection on July 29, 2008, against real estate in said Town of York, and against BOYLE JOANNE as owner(s) thereof, said real estate being described as follows:

Real Estate located at: 35 LONG BEACH AVENUE

Map Lot Description: 0027-0058-0027

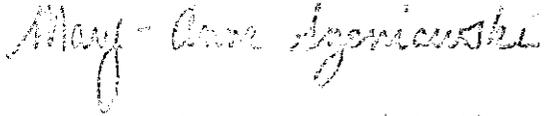
Registry of Deeds reference: B15379P910

Map and Lot numbers refer to such numbers as found on tax maps of the Town of York, prepared by: Town of York Maine and dated April 2008, on file at the Town of York municipal office.

I give you further notice that said tax, together with interest in the amount of \$96.94, which has been added to and has become part of said tax, remains unpaid; That a lien is claimed on said real estate, above described, to secure the payment of said tax; that proper demand for payment of said tax has been made in accordance with Title 36, Section 942, revised statutes of 1964, as amended.

Costs to be paid by taxpayer:

Statutory Fees and	
Mailing Costs	: \$40.08
Principal	: \$1,358.77
Interest	: \$96.94
	-----
Total	: \$1,495.79

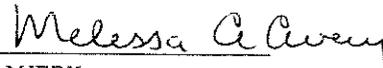
  
MARY-ANNE SZENIAWSKI  
Tax Collector  
Town of York

NOTICE: The municipality has policy under 36 M.R.S.A. Section 906 to apply all payments to the oldest outstanding tax obligation. If you are uncertain of the status on this property, contact the Tax Collector.

NOTICE: Partial payments do not waive a lien.

York, SS. State of Maine York, Maine July 16, 2009

Then personally appeared the above named MARY-ANNE SZENIAWSKI, Collector of Taxes, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before Me,   
MELISSA A. AVERY  
Notary Public  
December 29, 2012

State of Maine  
Tax Lien Certificate  
2009

Doc# 2010023340  
Bk 15879 Pg 449  
Received York SS  
06/15/2010 9:21AM  
Debra L. Anderson  
Register of Deeds

008906

BOYLE JOANNE  
7 GRANTON PARK  
ARLINGTON, MA 02174

I, MARY-ANNE SZENIAWSKI, Collector of Taxes for the Town of York, a municipal corporation located in the County of York, State of Maine, hereby give you notice that a tax in the amount of \$1,349.63 has been assessed, and was committed to me for collection on August 4, 2009, against real estate in said Town of York, and against BOYLE JOANNE as owner(s) thereof, said real estate being described as follows:

Real Estate located at: 35 LONG BEACH AVENUE

Map Lot Description: 0027-0058-0027

Registry of Deeds reference: B15379P910

Map and Lot numbers refer to such numbers as found on tax maps of the Town of York, prepared by: Town of York Maine and dated April 2009, on file at the Town of York municipal office.

I give you further notice that said tax, together with interest in the amount of \$67.48, which has been added to and has become part of said tax, remains unpaid; That a lien is claimed on said real estate, above described, to secure the payment of said tax; that proper demand for payment of said tax has been made in accordance with Title 36, Section 942, revised statutes of 1964, as amended.

Costs to be paid by taxpayer:

Statutory Fees and	
Mailing Costs	: \$34.54
Principal	: \$1,349.63
Interest	: \$67.48
	-----
Total	: \$1,451.65

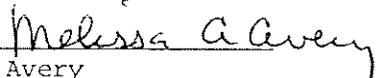
  
\_\_\_\_\_  
MARY-ANNE SZENIAWSKI  
Tax Collector  
Town of York

NOTICE: The municipality has policy under 36 M.R.S.A. Section 906 to apply all payments to the oldest outstanding tax obligation. If you are uncertain of the status on this property, contact the Tax Collector.

NOTICE: Partial payments do not waive a lien.

York, SS. State of Maine York, Maine June 15, 2010

Then personally appeared the above named MARY-ANNE SZENIAWSKI, Collector of Taxes, and acknowledged the foregoing instrument to be her free act and deed in her said capacity.

Before Me,   
Melissa A. Avery  
Notary Public  
December 29, 2012

## Kathryn Danylik

---

**From:** Mary-Anne Szeniaewski  
**Sent:** Friday, February 25, 2011 8:39 AM  
**To:** Kathryn Danylik  
**Subject:** RE: Redemption

None here.

*Mary-Anne Szeniaewski*  
Town Clerk/Tax Collector  
Town of York, Maine  
186 York Street, York, ME 03909-1314  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
e: [mszeniaewski@yorkmaine.org](mailto:mszeniaewski@yorkmaine.org)  
p: (207) 363-1003, Ext. 272  
f: (207) 363-1009

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**From:** Kathryn Danylik  
**Sent:** Wednesday, February 23, 2011 9:05 AM  
**To:** Richard C. Mace; Mary-Anne Szeniaewski; Stephen H. Burns; Jennie McCann  
**Subject:** Redemption

Hi  
Joanne Boyle has requested to redeem her property at 35 Long Beach Avenue, Unit #27. Please let me know if you have any concerns, conditions, or if you are all set with this redemption request.  
Thanks  
Kathryn

*Kathryn M. Danylik*  
Assistant to the Town Manager  
Town of York, Maine  
186 York Street, York, ME 03909-1314  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
e: [kdanylik@yorkmaine.org](mailto:kdanylik@yorkmaine.org)  
p: (207) 363-1000, Ext. 222  
f: (207) 363-1019

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## Kathryn Danylik

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**From:** Stephen H. Burns  
**Sent:** Monday, February 28, 2011 9:02 AM  
**To:** Kathryn Danylik; Richard C. Mace; Mary-Anne Szeniaowski; Jennie McCann  
**Subject:** RE: Redemption

Hi Kathryn,

I have no issues with this request.

Steve

Stephen Burns  
Community Development Director  
Town of York, Maine  
186 York Street, York, ME 03909  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
e: [sburns@yorkmaine.org](mailto:sburns@yorkmaine.org)  
p: (207) 363-1007

---

**From:** Kathryn Danylik  
**Sent:** Wednesday, February 23, 2011 9:05 AM  
**To:** Richard C. Mace; Mary-Anne Szeniaowski; Stephen H. Burns; Jennie McCann  
**Subject:** Redemption

Hi  
Joanne Boyle has requested to redeem her property at 35 Long Beach Avenue, Unit #27. Please let me know if you have any concerns, conditions, or if you are all set with this redemption request.  
Thanks  
Kathryn

*Kathryn M. Danylik*  
Assistant to the Town Manager  
Town of York, Maine  
186 York Street, York, ME 03909-1314  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
e: [kdanylik@yorkmaine.org](mailto:kdanylik@yorkmaine.org)  
p: (207) 363-1000, Ext. 222  
f: (207) 363-1019

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## Kathryn Danylik

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**From:** Mary-Anne Szeniaewski  
**Sent:** Monday, May 16, 2011 9:22 AM  
**To:** Richard C. Mace; Jennie McCann; Kathryn Danylik  
**Subject:** Boyle M27 L58 U27

The Boyle's have paid their taxes and \$200.00. You all can do whatever you do.

*Mary-Anne Szeniaewski*

*Town Clerk/Tax Collector*

Town of York, Maine

186 York Street, York, ME 03909-1314

i: [www.yorkmaine.org](http://www.yorkmaine.org)

e: [mszeniaewski@yorkmaine.org](mailto:mszeniaewski@yorkmaine.org)

p: (207) 363-1003, Ext. 272

f: (207) 363-1009

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## Kathryn M. Danylik

---

**From:** Mary-Anne Szeniaewski  
**Sent:** Monday, May 16, 2011 9:22 AM  
**To:** Richard C. Mace; Jennie McCann; Kathryn Danylik  
**Subject:** Boyle M27 L58 U27

The Boyle's have paid their taxes and \$200.00. You all can do whatever you do.

*Mary-Anne Szeniaewski*

*Town Clerk/Tax Collector*

Town of York, Maine

186 York Street, York, ME 03909-1314

i: [www.yorkmaine.org](http://www.yorkmaine.org)

e: [mszeniaewski@yorkmaine.org](mailto:mszeniaewski@yorkmaine.org)

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February 16, 2011

Board of Selectmen  
Town of York  
186 York Street  
York, ME 03909-1314

Re: Taxes for 35 Long Beach Avenue, Unit #27

To Whom It May Concern:

I spoke with Elizabeth McCann regarding the above-referenced matter. I am writing to let you know that we are interested in paying the taxes and buying back the property. We would need a couple of months to do so. Please let us know at your earliest convenience what you need us to do in order to start this process.

Thank you for your time.

Sincerely,



Joanne D. Boyle  
7 Granton Park  
Arlington, MA 02474  
781-641-4654



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> September 8, 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> September 12, 2011	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
<b>Subject:</b> Request for Extension of Property Redemption	

<b>TO:</b> Board of Selectmen
<b>FROM:</b> Robert G. Yandow, Town Manager
<b>RECOMMENDATION:</b> Approve Request for Extension
<b>PROPOSED MOTION:</b> I move to approve an extension in the redemption of Map 0087/ Lot 0022 located at 62 Hooper Shores Road on the condition that all taxes; interest and administrative costs are paid in full by March 10, 2012.

**Discussion:** Attached you will find a request from the former owner of property at 62 Hooper Shores Road for an extension in paying all back taxes, interest and administrative costs. On March 14, 2011 the Board of Selectmen approved a redemption request which required that all taxes, interest and administrative fees be paid by September 10, 2011. The former owner has indicated that he was unable to make the necessary payments by September 10<sup>th</sup> due to personal circumstances and is asking for additional time. I recommend that the Selectmen approve this **final extension** and allow Mr. Weller until March 10, 2012 to make all required payments to the town.

<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: \_\_\_\_\_

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

8/11/2011

Earl Geo. Weller  
PO Box 132  
62 Hooper Shores Rd.  
York, ME 03909-0132

Board of Selectmen  
Town of York  
186 York St.  
York, ME 03909-1314

Dear Sirs,

I come to you to request an amendment to our existing agreement on the back taxes on the property at 62 Hooper Shores Rd. I wish to explain my circumstances in which I find myself; I am on a fixed income, Social Security Disability and Disability Pension from the federal government. And I have had several serious setbacks since entering in the original agreement.

I have had to replace my deep well pump; I have lost my boiler, and so look forward to heating with my woodstove alone.

And so I would like to propose the following, that I shall pay the Town of York \$1,000.00 on the third of every month until the taxes are brought current. Once I am current, I will be able to keep the property taxes current. I have not proposed something I hope I will be able to complete, but something I am sure of completing and may be able to increase during the course of the agreement.

I wish to thank you for your consideration, and await your decision.

Sincerely yours,



Earl Geo. Weller  
PO Box 132



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> March 10, 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 14, 2011	
Regular <u>  X  </u> Work Session	
<b>Subject:</b> Redemption of Property: Map 0084/ Lot 0022: 62 Hooper Shores Road	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the redemption of Map 0087/ Lot 0022: 62 Hooper Shore Road, as requested, on the condition that all taxes, interest and administrative costs are paid in full by no later than September 10th, 2011.

**Discussion:** Please see attached memo for details. The former owner has requested 6 months to pay what is owed on the property. It is up to the Board to allow the extension. If the Board does not agree with the time extension then the time allotted will revert back to the policy of 60 days or May 14<sup>th</sup>, 2011.

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

Prepared By:

Kathryn Dayli

Reviewed By:

Robert S. Yandow



---

TO: Board of Selectmen

FROM: Kathryn Danylik

DATE: March 10<sup>th</sup>, 2011

RE: Tax Foreclosure Redemption –Map 0084 Lot 0022; 62 Hooper Shores Road

George R. Weller, former owner of property which the Town identifies as Map 0084 Lot 0022, located at 62 Hooper Shores Road, York, Maine, is requesting the authority to redeem this property on which the Town has tax liens for Fiscal Years FY2009, and FY2010. The Town has foreclosed on this property as of January 18th, 2011, for non-payment of the FY2009 tax lien. George R. Weller has requested redemption of this property.

We are recommending to the Selectmen that George R. Weller be allowed to redeem this property providing the following conditions are met:

*Condition #1* – George R. Weller pay all current taxes, interest and lien costs owed, which totals \$8,931.63 as of September 10th, 2011 which is within 6 months of approval. (Please note this figure may have added interest due on the date payment is made.)

*Condition #2* – George R. Weller pay Town Administrative costs involved with the processing of the foreclosure disposition, a total of \$200.00. This amount covers the cost of issuing a Quit Claim Deed and the Administrative cost to process this redemption.

*Condition #3* – George R. Weller shall pay in full all current taxes, interest, administrative costs and lien costs, which totals \$9,131.63 by no later than September 10th, 2011. (Please note this figure may have added interest due on the date payment is made.)

**PARCEL INFORMATION**

**MAP/LOT/UNIT** Map 0084 Lot 0022

**OWNER (S)** Owner listed is George R. Weller

**PARTY REQUESTING REDEMPTION** George R. Weller has requested he be allowed to redeem the property.

**SIZE OF LOT**

**ASSESSED VALUE** \$287,700

**DESCRIPTION OF FORECLOSURE ACTION** The Town has filed tax liens on this property for the fiscal year(s) FY2009 and FY2010. The FY2009 lien matured and was foreclosed on January 18<sup>th</sup>, 2011.

**TAXES OWED/PAID** The Tax Collector has confirmed taxes have been outstanding on this property since FY2009. The total amount of taxes, interest and lien cost owed is \$8,931.63 as of September 10th, 2011 which breaks down as follows:

<b>FY2011</b>	<b>\$ 2,605.71</b>
<b>FY2010</b>	<b>\$ 3,004.19</b>
<b>FY2009</b>	<b>\$ 3,321.73</b>

**PLANNING DEPARTMENT ANALYSIS:** No conditions set forth.

Town of York  
 Tax Map # 0084 0022  
 Parcel Id 9718  
 62 HOOPER SHORES ROAD  
 WELLER GEORGE R Since Apr 1984  
 PO BOX 132  
 YORK ME 03909-0132

Class	1013 SFR WATER	Property Type	1 Residential
Tax Code	12641 12641	Size Total	27878 Square Feet
FY	2011		

**Tax Assessment**

**CURRENT YEAR INFO 2011**

Land Value	Improvements	Total Value	Tax Rate	True Taxes	Total Taxes
\$146,400	\$141,300	\$287,700	9.10000	\$2,618.07	\$2,472.47

**PRIOR YEAR INFO 2010**

Land Value	Improvements	Total Value	Total Taxes
\$175,700	\$141,300	\$317,000	\$0.00

**A/R Inquiry**

Bill Number		Sub System							
2011 RE10061		Real Property Tax							
Install	Billed	Adj't Bill	Int/Pen	Fee(s)	Refunded	Adj't.	Abated	Paid	Balance
1 st	\$1,236.24								\$1,236.24
2 nd	\$1,236.23								\$1,236.23
	\$2,472.47								\$2,472.47
									\$133.24
									\$2,605.71
Entry Date	Install	Trans Type	Amount	Balance Due	Amount Billed	Posted Flag			
8/17/2010	1 st	Billed	\$1,236.24	\$1,236.24		Posted			
8/17/2010	2 nd	Billed	\$1,236.23	\$2,472.47	\$2,472.47	Posted			

**A/R Inquiry**

Bill Number		Sub System							
2010 TT126835		Tax Title							
Install	Billed	Adj't Bill	Int/Pen	Fee(s)	Refunded	Adj't.	Abated	Paid	Balance
1 st	\$2,556.84		\$162.38						\$2,719.22
									\$284.97
									\$3,004.19
Entry Date	Install	Trans Type	Amount	Balance Due	Amount Billed	Posted Flag			
6/14/2010	1 st	Transferred Principal	\$2,556.84	\$2,556.84		Posted			
6/14/2010	1 st	Transferred (Int./Pen.)	\$34.54	\$2,591.38		Posted			
6/14/2010	1 st	Transferred (Int./Pen.)	\$127.84	\$2,719.22		Posted			

Bill Number		Sub System							
2009 TT115929		Tax Title							
Install	Billed	Adj't Bill	Int/Pen	Fee(s)	Refunded	Adj't.	Abated	Paid	Balance
1 st	\$2,501.95		\$218.59	\$8.54					\$2,729.08
									\$592.65
									\$3,321.73
Entry Date	Install	Trans Type	Amount	Balance Due	Amount Billed	Posted Flag			
7/16/2009	1 st	Transferred Principal	\$2,501.95	\$2,501.95		Posted			
7/16/2009	1 st	Transferred (Int./Pen.)	\$40.08	\$2,542.03		Posted			
7/16/2009	1 st	Transferred (Int./Pen.)	\$178.51	\$2,720.54		Posted			
12/13/2010		Fee	\$5.54	\$2,726.08		Posted			
12/13/2010		Fee	\$3.00	\$2,729.08		Posted			

Balance:	\$5,448.30
9/10/2011 - Total Late Charges:	\$877.62
Total Due:	\$6,325.92

State of Maine  
Tax Lien Certificate  
2008

007507

WELLER GEORGE R  
PO BOX 132  
YORK, ME 03909

I, MARY-ANNE SZENIAWSKI, Collector of Taxes for the Town of York, a municipal corporation located in the County of York, State of Maine, hereby give you notice that a tax in the amount of \$2,501.95 has been assessed, and was committed to me for collection on July 29, 2008, against real estate in said Town of York, and against WELLER GEORGE R as owner(s) thereof, said real estate being described as follows:

Real Estate located at: 62 HOOPER SHORES ROAD

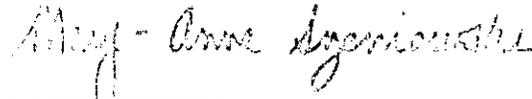
Map Lot Description: 0084-0022

Registry of Deeds reference: B3272P311

Map and Lot numbers refer to such numbers as found on tax maps of the Town of York, prepared by: Town of York Maine and dated April 2008, on file at the Town of York municipal office.

I give you further notice that said tax, together with interest in the amount of \$178.51, which has been added to and has become part of said tax, remains unpaid; That a lien is claimed on said real estate, above described, to secure the payment of said tax; that proper demand for payment of said tax has been made in accordance with Title 36, Section 942, revised statutes of 1964, as amended.

Costs to be paid by taxpayer:  
Statutory Fees and  
Mailing Costs : \$40.08  
Principal : \$2,501.95  
Interest : \$178.51  
-----  
Total : \$2,720.54

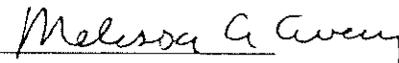
  
\_\_\_\_\_  
MARY-ANNE SZENIAWSKI  
Tax Collector  
Town of York

NOTICE: The municipality has policy under 36 M.R.S.A. Section 906 to apply all payments to the oldest outstanding tax obligation. If you are uncertain of the status on this property, contact the Tax Collector.

NOTICE: Partial payments do not waive a lien.

York, SS. State of Maine York, Maine July 16, 2009

Then personally appeared the above named MARY-ANNE SZENIAWSKI, Collector of Taxes, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before Me,   
MELISSA A. AVERY  
Notary Public  
December 29, 2012

State of Maine  
Tax Lien Certificate  
2009

Doc# 2010023632  
Bk 15879 Pg 741  
Received York SS  
06/15/2010 9:21AM  
Debra L. Anderson  
Register of Deeds

007507

WELLER GEORGE R  
PO BOX 132  
YORK, ME 03909

I, MARY-ANNE SZENIAWSKI, Collector of Taxes for the Town of York, a municipal corporation located in the County of York, State of Maine, hereby give you notice that a tax in the amount of \$2,556.84 has been assessed, and was committed to me for collection on August 4, 2009, against real estate in said Town of York, and against WELLER GEORGE R as owner(s) thereof, said real estate being described as follows:

Real Estate located at: 62 HOOPER SHORES ROAD

Map Lot Description: 0084-0022

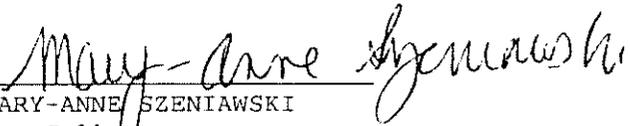
Registry of Deeds reference: B3272P311

Map and Lot numbers refer to such numbers as found on tax maps of the Town of York, prepared by: Town of York Maine and dated April 2009, on file at the Town of York municipal office.

I give you further notice that said tax, together with interest in the amount of \$127.84, which has been added to and has become part of said tax, remains unpaid; That a lien is claimed on said real estate, above described, to secure the payment of said tax; that proper demand for payment of said tax has been made in accordance with Title 36, Section 942, revised statutes of 1964, as amended.

Costs to be paid by taxpayer:

Statutory Fees and	
Mailing Costs	: \$34.54
Principal	: \$2,556.84
Interest	: \$127.84
	-----
Total	: \$2,719.22

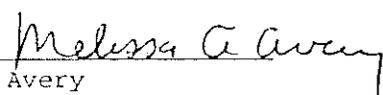
  
MARY-ANNE SZENIAWSKI  
Tax Collector  
Town of York

NOTICE: The municipality has policy under 36 M.R.S.A. Section 906 to apply all payments to the oldest outstanding tax obligation. If you are uncertain of the status on this property, contact the Tax Collector.

NOTICE: Partial payments do not waive a lien.

York, SS. State of Maine York, Maine June 15, 2010

Then personally appeared the above named MARY-ANNE SZENIAWSKI, Collector of Taxes, and acknowledged the foregoing instrument to be her free act and deed in her said capacity.

Before Me,   
Melissa A. Avery  
Notary Public  
December 29, 2012



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> September 8, 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> September 12, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> _____	
<b>Subject:</b> Special Event Permit Application: Harvest Cup 2011 (Soccer Tournament)	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Susan Scott
<b>RECOMMENDATION:</b> Approve Permit Application
<b>PROPOSED MOTION:</b> I move to approve the Special Event Permit Application for Harvest Cup 2011, a three-day soccer tournament, which will be held starting Saturday, October 8, 2011 at 8:00AM through Monday, October 10, 2011 until 2:00PM.

**Discussion:** This 18<sup>th</sup> annual, three-day event will take place at the fields behind Village Elementary, fields on Bog Road, and the fields at the High School. In the past, support has been requested of the Police Department for assistance on York Street for the busiest part of the first two days. Volunteers assist with parking and directing traffic in parking lots for Village Elementary and Bog Road. All department heads have approved the event.

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

Prepared By: Susan Scott

Reviewed By: Robert M. 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: 8-22-2011

Name of Event: Harvest Cup 2011

Type of Event: Soccer Tournament

Organization Name: York Soccer Club Phone #: \_\_\_\_\_

Organization Address: PO BOX 527 City: York State: ME Zip: 03909

Applicant Name: Tim Corbett Phone #: 207 576 6330

Applicant Address: 511 Cider Hill City: York State: ME Zip: 03909

Contact Name for Day of Event: Tim Corbett Contact Phone # 207 576 6330

Date of Event: Oct 8 2011 Day of Week: Saturday

Starting Time: 0800 AM Saturday 10/8 Ending Time: 0200 pm Monday 10/10

Assembly Area: Box Roof fields, Village Plaza fields, High School fields

Dispersal Area: Same as above.

Event Route: N.A.

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

≈ 1900

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

Describe how group is organized and supervised to insure order: York Soccer Club

Board Members & Volunteers

Purpose of the Event: Soccer tournament

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

Signature of Applicant: \_\_\_\_\_

**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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date



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# Town of York, Maine

## Special Event Permit Application

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A Special Event Permit will be required for any event which is proposed to occur on any public street, sidewalk or other public way which will have any potential impact on motor vehicle or pedestrian traffic, parking or other potential community impact.

Your application must be submitted to the Town Manager, Town of York, 186 York Street, York, ME 03909, at least 30 days prior to the date of the event.

Event organizers and participants will be required to adhere to any conditions specified in the special event permit application and the Town of York Special Event Guidelines.

Approved Special Event Permits will be mailed to the sponsoring organization, and will be marked to the attention of the applicant, unless otherwise requested on the application.

### **Instructions for Completing Special Event Permit Application**

**Event Applicant:** Must be the name of the person completing the form.

**Route:** The application must indicate the event route street by street. An example would be: York Street to Lindsay Road to Organug Road. You may attach a map to help show the route, but this does not replace the need to list the streets.

**Approximate Number of Persons:** This is the estimate of the number of persons who will actually participate in, or attend, the event. If this is more than 500, proof of insurance as described below will be required before the permit will be approved. You must submit a Certificate of Insurance with your application.

**Insurance:** General Liability Insurance shall include coverage for contractual liability with minimum limits of \$500,000 per occurrence for bodily injury and property damage. The Certificate of Insurance shall name the Town of York as "Additional Insured."

**Describe Number of Participants:** Indicate the number of participants that will be involved with the event. Indicate if any signs, banners, or other objects will be carried by participants. Also indicate how individuals will participate, i.e. walking, marching, riding bicycles or motorcycles etc.

**Explain How Group is Organized:** Explain how the participants will be supervised to insure the event runs smoothly. After reviewing the event application, the York Police Department will determine if additional police officers are necessary at the event and, if so, will advise how many additional officers are needed and where they will be used.

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/)

## Susan Scott

---

**From:** Susan Scott  
**Sent:** Monday, August 29, 2011 4:43 PM  
**To:** 'tcorbett@maine.rr.com'  
**Subject:** RE: Harvest Cup 2011  
**Attachments:** Special Event Permit Application 2010.pdf; Special Event Permit Application 2010.doc

Hi Tim,

The Town Manager confirmed that you will need to obtain a Special Use Permit for the Harvest Cup Tournament.

I know you mentioned you had a hard copy of the application but I attached it above in both Word/PDF versions just in case.

The next Board of Selectmen meeting is scheduled for Monday, September 12, 2011 at 7:00pm. We will need your materials as soon as possible at which time I can contact the appropriate public safety offices for their review and response.

Please feel free to contact me if you have any questions or concerns.

Thank you, Susie.

*Susan Scott*  
*Administrative Assistant to the Town Manager*  
Town of York, Maine  
186 York Street, York, Maine 03909-1314  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
e: [sscott@yorkmaine.org](mailto:sscott@yorkmaine.org)  
p: (207) 363-1000, Ext. 222  
f: (207) 363-1019

 Please consider the environment before printing this email.

---

**From:** Tim Corbett [<mailto:tcorbett@maine.rr.com>]  
**Sent:** Friday, August 26, 2011 11:20 AM  
**To:** Susan Scott  
**Subject:** RE: Harvest Cup 2011

Thanks Susie for taking my call and getting back to me so quickly.

I believe that Charlie Szeniewski is the person who told us that we need a Special Event Permit.

The event I am asking you about is the 18<sup>th</sup> Annual York Harvest Cup Tournament. Here is a link to the our clubs web page for the event [http://www.yorksoccerclub.com/harvest\\_cup.html](http://www.yorksoccerclub.com/harvest_cup.html)

The tournament is a three day event where we use the fields behind Village Elementary, the fields on Bog Road, and the fields at the High School. Historically the temp. parking signs are placed on Bog Road and York Street. Again this year we will seek assistance from the police Dept for assistance on York Street for the busiest part of the first two days. We also use volunteer support to assist with parking at Village and Bog Road (volunteers are specifically instructed to only direct traffic in the parking lots).

We of course work closely with Sara Franke from Parks and Recreation as well as Ted Welch, Athletic Director from the High School, to arrange the use of the athletic fields.

Thanks again and please let me know if you need any further information and or want me to give you a filled out application.

Tim Corbett  
VP Harvest Cup  
York Soccer Club  
576-6336

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## Susan Scott

---

**From:** Stephen H. Burns  
**Sent:** Thursday, September 08, 2011 12:58 PM  
**To:** Susan Scott  
**Subject:** RE: Special Event Permit Application: Harvest Cup 2011

Hi Suzie,

No issues with respect to my Department.

Steve

Stephen Burns  
Community Development Director  
Town of York, Maine  
186 York Street, York, ME 03909  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
e: [sburns@yorkmaine.org](mailto:sburns@yorkmaine.org)  
p: (207) 363-1007

---

**From:** Susan Scott  
**Sent:** Tuesday, September 06, 2011 1:35 PM  
**To:** David Apgar; David K. Bridges; Dean Lessard; Stephen H. Burns; Christine Grimando  
**Subject:** FW: Special Event Permit Application: Harvest Cup 2011

Hi again,

I still need a your respective department's review of this application. At your earliest convenience, could you email me back as to the status of your approval.

Thanks so much!

Susie

*Susan Scott*  
*Administrative Assistant to the Town Manager*  
Town of York, Maine  
186 York Street, York, Maine 03909-1314  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
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f: (207) 363-1019

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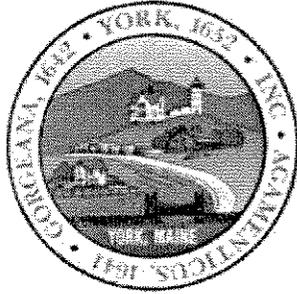
**From:** Susan Scott  
**Sent:** Tuesday, August 30, 2011 2:56 PM  
**To:** Charles J. Szeniawski; Christopher Balentine; David Apgar; David K. Bridges; Dean Lessard; Kevin M. LeConte; Michael J. Sullivan; Stephen H. Burns  
**Subject:** Special Event Permit Application: Harvest Cup 2011

## Susan Scott

---

**From:** Michael J. Sullivan  
**Sent:** Tuesday, August 30, 2011 4:30 PM  
**To:** Susan Scott  
**Subject:** RE: Special Event Permit Application: Harvest Cup 2011

Ok with me.



**Michael J. Sullivan, Director  
Parks and Recreation**

Town of York, Maine  
186 York Street, York, ME 03909  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
e: [msullivan@yorkmaine.org](mailto:msullivan@yorkmaine.org)  
p: (207) 363-1040  
f: (207) 351-2967

---

**From:** Susan Scott  
**Sent:** Tuesday, August 30, 2011 2:56 PM  
**To:** Charles J. Szeniewski; Christopher Balentine;  
David Apgar; David K. Bridges; Dean Lessard;  
Kevin M. LeConte; Michael J. Sullivan; Stephen H.  
Burns

**Subject:** Special Event Permit Application: Harvest Cup 2011

Hi Everyone,

Could you all review the attached application, and email me back your response.

Feel free to contact me if you have any questions or concerns.

Thank you,  
Susie.

*Susan Scott*  
*Administrative Assistant to the Town Manager*  
Town of York, Maine  
186 York Street, York, Maine 03909-1314  
i: [www.yorkmaine.org](http://www.yorkmaine.org)  
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**From:** Tim Corbett [<mailto:tcorbett@maine.rr.com>]  
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The event I am asking you about is the 18<sup>th</sup> Annual York Harvest Cup Tournament. Here is a link to the our clubs web page for the event [http://www.yorksoccerclub.com/harvest\\_cup.html](http://www.yorksoccerclub.com/harvest_cup.html)

## Susan Scott

---

**From:** Kevin M. LeConte  
**Sent:** Thursday, September 01, 2011 12:00 PM  
**To:** Susan Scott  
**Subject:** RE: Special Event Permit Application: Harvest Cup 2011

Susan

The police will post no parking on york street for this event. The event is ok with the police.



**Kevin M. LeConte**

*Captain*

Town of York, ME Police Department  
36 Main Street, York, ME 03909-6244

i: [www.yorkpolice.org](http://www.yorkpolice.org)

e: [kleconte@yorkpolice.org](mailto:kleconte@yorkpolice.org)

p: (207) 363-1031, Ext. 102

f: (207) 363-1033

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Thank you,  
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*Susan Scott*

*Administrative Assistant to the Town Manager*

Town of York, Maine

186 York Street, York, Maine 03909-1314

i: [www.yorkmaine.org](http://www.yorkmaine.org)

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**From:** Tim Corbett [<mailto:tcorbett@maine.rr.com>]

**Sent:** Friday, August 26, 2011 11:20 AM

## Susan Scott

---

**From:** Christine Grimando  
**Sent:** Tuesday, September 06, 2011 1:39 PM  
**To:** Susan Scott; Stephen H. Burns  
**Subject:** RE: Special Event Permit Application: Harvest Cup 2011

I don't see any Zoning issues with this application.

Christine

Christine Grimando, AICP  
Town Planner  
Town of York  
186 York Street  
York, ME 03909  
phone: (207) 363-1007

---

**From:** Susan Scott  
**Sent:** Tuesday, September 06, 2011 1:35 PM  
**To:** David Apgar; David K. Bridges; Dean Lessard; Stephen H. Burns; Christine Grimando  
**Subject:** FW: Special Event Permit Application: Harvest Cup 2011

Hi again,

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Thanks so much!

Susie

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**Subject:** Special Event Permit Application: Harvest Cup 2011

Hi Everyone,

## Susan Scott

---

**From:** Dean Lessard  
**Sent:** Wednesday, September 07, 2011 8:21 AM  
**To:** Susan Scott  
**Subject:** RE: Special Event Permit Application: Harvest Cup 2011

Susan  
DPW does not see any problems with this event.

Dean

---

**From:** Susan Scott  
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Susie

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*Administrative Assistant to the Town Manager*  
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Feel free to contact me if you have any questions or concerns.

Thank you,  
Susie.

*Susan Scott*

## Susan Scott

---

**From:** David K. Bridges  
**Sent:** Tuesday, September 06, 2011 7:33 PM  
**To:** Susan Scott  
**Subject:** RE: Special Event Permit Application: Harvest Cup 2011

I have no problem with this . It's in the Village Fire District. Dave

---

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Susie.

*Susan Scott*  
*Administrative Assistant to the Town Manager*  
Town of York, Maine  
186 York Street, York, Maine 03909-1314

## Susan Scott

---

**From:** David Apgar  
**Sent:** Tuesday, September 06, 2011 4:44 PM  
**To:** Susan Scott  
**Subject:** RE: Special Event Permit Application: Harvest Cup 2011

Village Fire Approval.

David Apgar  
Deputy Fire Chief  
York Village Fire Dept  
Fire Inspector  
207-451-8258

---

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Susie

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Administrative Assistant to the Town Manager Town of York, Maine  
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Thank you,  
Susie.



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> September 8, 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> September 12, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> _____	
<b>Subject:</b> Application for License for Incorporated Civic Organization: 3S Artspace	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Susan Scott
<b>RECOMMENDATION:</b> Approve Permit Application
<b>PROPOSED MOTION:</b> I move to approve the Application for License for Incorporated Civic Organization for the 3S Artspace event, "21 Rooms", to be held on September 23, 2011 from 5:00PM to 9:00PM.

**Discussion:** This application will allow 3S Artspace to serve alcohol at this social event. This is a one-time license that will solely cover this event.

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

Prepared By: Susan Scott

Reviewed By: Robert H. Gendron

**MAINE DEPT OF  
PUBLIC SAFETY**

STATE OF MAINE  
*Liquor Licensing & Inspection Division*  
164 State House Station  
Augusta ME 04333-0164  
Tel: (207) 624-7220 Fax: (207) 287-3424



**APPLICATION FOR LICENSE FOR  
INCORPORATED CIVIC ORGANIZATION**

**\$50.00 Fee / \$10.00 Filing Fee**  
**Check Payable: Treasurer State of Maine**

1. (a) Full Name of Applicant: 3S Artspace  
(Corporate Name)
- (b) Corporate Address: P.O. Box 4435 Portsmouth NH 03802  
Street Address City/Town State Zip Code
- (c) Authorized Corporate Office: N/A
- (d) Address: N/A  
Street Address Town/City State Zip Code
- (e) Telephone Number: 603-205-6439 Fax: \_\_\_\_\_

**INFORMATION PERTAINING TO SPECIAL EVENTS OR GATHERINGS**

2. (a) Title and Purpose of Event: "21 Rooms" Art Exhibition & reception
- (b) Date of Event: 9/23/11 Time - From: 5pm AM/PM To: 9pm AM/PM
- (c)  Inside  Outside Event (If **Outside**, attach diagram of area)
- (d) Location of Event: Nevada Motel, 139 Long Sands Rd, York, ME 03909
- (e) Number of Persons Attending: 100-200
- (f) Name and Address of Sponsor: N/A  
Address: N/A Town/City: N/A State: N/A
- (g) Name and Address of Caterer: Inn on the Blues  
Address: PO Box 700 7 Ocean Ave Town/City: York Beach State: Maine  
(If other than licensee): \_\_\_\_\_  
(If food is to be served): \_\_\_\_\_
- (h) Type of building to be occupied: Motel

(i) Area to be licensed: see attached image - We are planning on having music, food, and beverage on the 2nd floor deck & are also planning on making the corner room on the 1st floor a 2nd location for food & drink and also as a back-up in case of bad weather

Dated at: York, Maine on September 7<sup>th</sup>, 2011  
Town/City, State Month/Day

**NOTE:**

This application must be signed by a duly authorized officer of the corporation executing the application and approved by the Municipal Officer/Country Commissioners and filed with the Liquor Licensing & Inspection Division.

35 ARTSPACE  
NAME OF CORPORATION

BY: [Signature] - CO-FOUNDER  
CORPORATE OFFICER'S SIGNATURE - TITLE

CHRISTOPHER GREINER - CO-FOUNDER  
PRINTED NAME & TITLE

**STATE OF MAINE**

Dated at: \_\_\_\_\_, Maine \_\_\_\_\_ SS  
City/Town (County)

On: \_\_\_\_\_  
Date

The undersigned being:  Municipal Offices  County Commissioners of the  
 City  Town  Plantation  Unincorporated Place of: \_\_\_\_\_, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

Signature	Print

**72 Hours in Advance of Said Event or Gathering  
REQUESTED**

N.B. If said event or gathering is located in an unincorporated place, the application must be approved by the County Commissioners of the County wherein the event or gathering is to take place and the above approval form may be changed in accordance with the fact.

