



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

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BOARD OF SELECTMEN'S MEETING AGENDA

6:00PM/7:00PM MONDAY, OCTOBER 7TH, 2013
YORK LIBRARY

6:00PM Executive Session: Discussion with Town Attorney Regarding Kittery Water District Quitclaim Deed

6:45PM Sohier Park Committee Interview

Call to Order

Opening Ceremonies

A. Minutes

B. Chairman's Report

C. Manager's Report

D. Awards

E. Reports

1. Town Assessor's Annual Report

F. Citizens' Forum – The Citizens' Forum is open to any member of the audience for comments on items listed on this meeting agenda. All 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 #14

H. Public Hearings

I. Endorsements

Business Licenses:

1. TCF Corp DBA Clay Hill Restaurant (*Victualers/Liquor/Special Amusement*); Located at 220 Clay Hill Road

J. **Old Business**

K. **New Business**

1. Discussion of Next Steps for Police Station/Connector Road Project
2. Appointment of Election Warden and Set Polling Hours
3. YVFD's Request to Sponsor and Host the Maine State Federation of Firefighters Convention
4. Discussion and Possible Action on Chamber of Commerce Purchase and Sale Agreement
5. Discussion and Possible Action on Carry Forwards from FY13
6. Discussion and Possible Action on Kittery Water District Quitclaim Deed
7. Property Redemption: 4 Hemlock Avenue
8. Special Event Permit: York Village Marketfest
9. Special Event Permit: Turkey Trot 5K
10. Special Event Permit: Drive Through Nativity
11. Pole Permit: Old County Road/Barrells Lane Extension

L. **Other Business**

M. **Citizens' Forum**

Adjourn



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 3, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Assessor's Annual Report for 2013	

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

Discussion: Town Assessor Rick Mace will present his 2013 Report (attached).

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: _____

Robert G. Yandow

Reviewed By: _____

2013 Assessor's Report to the Board of Selectmen

General Information

- The new tax rate is \$10.43, up .47¢.
- The new total taxable valuation of the town is \$3,855,034,616. That's up \$5,320,272 from last year.
- We have a certified assessment ratio of 100%, with an actual of 100%.
- This year we picked up \$28,562,500 in new construction, this includes additions and renovations. Last year we picked up \$40,422,600.
- We had 282 qualified sales in 2012/2013, compared to 225 the previous year.
- 7 of the 71 neighborhoods saw a decrease in value due to lower market values. The remaining neighborhoods stayed the same as last year.
- The average selling price of a single family home, April 2, 2012 – April 1, 2013, was \$475,878.
- The average assessed value of those same homes is \$466,986.
- This year's overlay is \$233,314.04.
- The 2013 TIF Financing Plan Amount is \$0; there was a increase in building values town wide, but a decrease in the building values in the TIF District.

Assessment Statistics

- Total properties in the Town of York: 10,586.
- 664 properties had an increase in valuation due to new construction, renovation, or correction.
- 6,625 properties' values stayed the same.
- 3,432 properties went down in value:
 - 2,776 properties had a decrease of \$100 - \$9,900
 - 421 properties had a decrease of \$10,000 - \$24,900
 - 127 properties had a decrease of \$25,000 - \$49,900
 - 65 properties had a decrease of \$50,000 - \$100,000
 - 42 properties had a decrease of over \$100,000
- The 2013 average ratio of assessment to sale price for single family homes (non-waterfront) is 100%. The median ratio of assessment to sale price is 99%. (186 sales)



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Date Submitted: October 3, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Business License Application (1)	

TO: BOARD OF SELECTMEN
FROM: Kathryn Newell, Code Enforcement Officer
RECOMMENDATION: Approve Business License Application (1)
PROPOSED MOTION: <i>I move to approve the following license:</i> 1. TCF Corp DBA: Clay Hill Restaurant; Located at 220 Clay Hill Road for Victualers, Liquor, and Special Amusement <i>... subject to taxes, fees and inspections being current and compliant with the usual noise stipulations</i>

Discussion: All appropriate departments have been notified and given approval, see attached.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Melina M. Arvey

Reviewed By: Robert B. Gandon



Town of York

186 York Street
York, Maine 03909-1314

TO: Board of Selectmen

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

DATE: October 2, 2013

RE: LICENSE INSPECTIONS AND RECOMMENDATIONS

Based on my review, I recommend the following position on the Licenses to be heard on October 7, 2013.

ENDORSEMENTS

DBA: Clay Hill Farm Restaurant
Victualers/Liquor/Special Amusement

MAP 0099/LOT 0070

TCF Corporation
P.O. Box 2202
Qgunquit, ME 03907

**FACILITY
ZONE
USE
RECOMMENDATION**

Restaurant/200 Seats
RES-2
Conforming, Existing
Approval

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

Code Enforcement
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www.yorkmaine.org

Ceh 10/2/2013

TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION



Business Name Clay Hill Farm Rest.
 Business Location 220 Clay Hill Rd
York
 Telephone Number 361-2272

OWNER'S Name and Mailing Address Donna Lewis
PO Box 1730
Ogunquit, ME 03907

APPLICANT'S Name and Mailing Address TLF Corp
PO Box 2202
Ogunquit ME 03907

Is applicant same operator as prior year? Yes No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use		
Building Structural		
Electrical		
Plumbing		
Fire		
Tax Collector		

Handwritten in table: K.M. Lewis, 27 SEPT 13

APPLICATION FEE IS \$50.00 PLUS \$25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: <u>99-70 Res-2</u> License Year: <u>2014</u> No. Of Seats: <u>200</u> No. Of Parking Spaces: <u>unlimited</u> New License (One Time \$30 Fee): YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> License Renewal: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Bed and Breakfast License: # of Rooms _____ Hotel/Motel with Cooking Facilities: # of Rooms _____ Is Your Establishment Closed for More Than 120 Consecutive Days? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	REQUESTING THE FOLLOWING LICENSES: <input checked="" type="checkbox"/> \$25.00 Victualers <input checked="" type="checkbox"/> \$25.00 Liquor <input checked="" type="checkbox"/> \$25.00 Special Amusement <input type="checkbox"/> \$25.00 Bottle Club <input type="checkbox"/> \$25.00 Theater <input type="checkbox"/> \$25.00 Dance Hall <input type="checkbox"/> Coin-OP Amusement (\$75 each or \$250 for 3 or more) Nature of Entertainment (If Applicable): <u>Piano / DJ</u> _____ _____ Bed and Breakfast (\$10 Per Room): Total _____ _____ Hotel/Motel with Cooking Facilities (\$25 Per Every 10 Rooms): Total _____
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Have you ever been convicted of a Felony? YES (Please Explain) _____ NO

I certify the above statements are true and understand false statements may be cause to revoke a license.

Date 9/17/13 Applicant's Signature Donna Lewis

Please Read and Initial the Following Statements:

- I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
- I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
- I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
- I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
- I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature Donna Lewis Business Manager Signature (If Applicable) _____
 Date _____ Town Manager for the Board of Selectmen _____

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. \$125.00 RECEIPT NO. 16043 RECEIPT DATE 9/23/13 MI PM MM MS
mm



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 4, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: Police Station Connector Road and Environmental Restoration	

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

Discussion: On September 25, 2013 I sent a memorandum (attached) to the Board of Selectmen entitled "Police Station and Connector Road Projects-Next Steps". The memorandum addressed a number of police station/connector road issues; however one focus of the memorandum was the clear cutting that occurred to allow for two large stockpiles on site, one rock pile and one loam pile. The US Army Corps of Engineers has mandated that the Town restore the area that had been damaged by the clear cutting; however the two large stockpiles are encumbering the area that needs to be restored. The material in the stockpiles was intended to be used in the construction of the connector road but the Board of Selectmen has not authorized SMRT to finalize plans for the connector road as of yet. At the end of the memorandum three questions were posed pertaining to the connector road and the US Army Corps of Engineers mandated restoration of the environmentally disturbed area near the police station site. The three questions are as follows:

1. Is the Board of Selectmen going to approve finalizing plans for the connector road as currently designed? If not, the issue of the two stock piles needs to be addressed immediately. As indicated previously in this memorandum, and in the August 15, 2013 memorandum, the cost to relocate the two stockpiles so the mandated restoration can be accomplished ranges from \$147,200 to \$590,200.

2. If the Board of Selectmen does not approve finalizing plans for the connector road as currently designed, does the board have an alternative to the existing design or does the board want to scrap the whole idea of Route 1 access?
3. Is the Board of Selectmen going to approve a partial restoration of the 1.8 acres based on the draft proposal (attached) by Steve Burns dated April 8, 2013? If the draft proposal for alternative uses, or a similar proposal, is approved the amount of restoration would be reduced to approximately one acre. All costs for restoration of the area will be borne by PC Construction, so the proposed alternative use should be judged on its own merits, not in connection with restoration costs.

I would ask that the Board of Selectmen discuss these three questions so as to provide direction for short term and long term planning.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert B. Yandon Reviewed By: _____



TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager *RAY*

RE: Police Station and Connector Road Projects-Next Steps

DATE: September 25, 2013

On August 15, 2013 I provided a memorandum to the Board of Selectmen (attached) along with updated financial information on the police station and connector road projects. In this memorandum I also addressed the issue of the rock and loam stockpiles on the police station site as well as the utility easement across the Norton property currently being negotiated by the York Water and Sewer Districts. The purpose of this memorandum is to follow-up on the August 15, 2013 memorandum.

As indicated in the August 15, 2013 memorandum, I have had discussions with Jay Clement, Senior Project Manager for the USACE, regarding the restoration of the areas that were clear cut in July, 2012. Mr. Clement had previously advised the Town that he would like to see the restoration done by the fall of 2013, however I inquired as to whether an extension might be possible. The reasoning for the request is two-fold; the first is to determine if the Town would like to formally propose a use for part of the disturbed area thereby limiting the area to be restored and the second reason is that the two stockpiles currently sitting at the police station site will need to be moved in order for the restoration to occur. I have formally requested an extension until July 15, 2014. In my request to the USACE (attached) I request **“the US Army Corps approve an extension to no later than July 15, 2014 at which time the Town of York would produce all necessary permits to proceed with construction with the projects. If the Town is able to produce all necessary permits, or if the project is under construction by July 15, 2014, the two stockpiles will be moved as part of the project. If, by July 15, 2014, the Town does not have the necessary permits to move forward with the project the restoration will begin immediately with plans to complete the restoration within weeks.”** Mr. Clement has advised me that he will formally respond to my request in approximately two weeks.

As you are aware, the plans for the connector road call for crushing the rock pile into gravel which can then be used as a base for the connector road. Much of the loam pile is also planned to be used on site. The issue facing the Town right now is the cost to move the two piles if we are not going to pursue construction of the connector road as it is currently designed. As indicated in the August 15, 2013 memorandum, PC Construction has estimated that it will cost between \$147,120.00 and \$590,200.00 to relocate the two piles depending on which of three options is selected. Simply put, there are no funds in the project budgets to cover these costs. If the connector road is not built, the material relocation expense, in my view, will have to be found somewhere other than the voter approved funds for the connector road as the warrant article requests funding for **“the design and construction of the proposed Route One/York Beach Connector Road (the “project”).”** Use of these funds for something other than the design and construction of the road should, again in my view, be approved by the voters. For these same reasons I don't believe that the voter approved funds for the police station project (“Public Safety Building”) should be used for the material relocation expense without additional voter approval.

In the August 15, 2013 memorandum I also referenced the 50 foot utility easement necessary from the Norton estate in order to extend water and sewer from Caddy's Way to the police station site. On July 22, 2013 the Board of Selectmen authorized the York Water District and the York Sewer District to negotiate utility easements with the Norton estate for the police station project. At some point after that it was mentioned that the two districts were negotiating a proposal under which the Town would purchase the required easement. As I indicated in the August 15, 2013 memorandum, any acquisition of a property interest, through purchase or otherwise, will need to be approved by the voters. On August 27, 2013 I emailed the water and sewer superintendents requesting an update on the status of the negotiations. On August 28, 2013 I received an email from the Superintendent of the York Sewer District advising that the Sewer District Board of Trustees had authorized the negotiations to move forward and that they hoped to have the matter wrapped up soon at which time they would notify the Board of Selectmen accordingly. I have not heard anything since. At this point the Board of Selectmen will need to consider a special budget referendum if there is to be a proposal for the Town to purchase the utility easement and a source of funds would need to be identified. *** I was told by a staff member today (9.25.13) that the Superintendent of the Sewer District made a statement that they (Sewer District) will be purchasing the easement. If that is the case the Town's concern regarding public approval of an easement goes away.** On 9.27.13 I learned that the utility easement had been purchased by the York Sewer District. I am not sure if the York Water District was involved in the purchase. If the York Sewer District is interested in transferring or selling the property or easement to the Town, voter approval will be necessary. On 9.30.13 I spoke with the York Sewer Superintendent who informed me that the York Sewer

District now owns the property in question so the utility easement is no longer an issue. The York Sewer District will pass along the \$30,000 purchase price as a project cost. If, at some point in the future, the Town wants to take ownership of the property voter approval will be required. Voter approval is not required however, for the project to move forward.

SMRT is continuing to finalize the project plans. The two utility districts continue to provide comments and those comments are incorporated into the plans. The York Wild Kingdom boundary survey was recently completed and that survey will be reviewed as we address our remaining survey issues. One of the remaining survey issues is that of subdividing the Blinn property. The voters and the Board of Selectmen previously approved selling the Blinn house and up to four acres. The Selectmen further authorized Greg Gosselin to market the property and a price tag of \$875,000 was attached. The property cannot be sold however, until it is legally subdivided which requires Planning Board approval. At the current time, it would not be possible to pursue subdividing the property given the outstanding shoreland violation near the two stockpiles. The Board of Selectmen will need to decide when the subdivision approval should be requested. If, and when, the property is sold some of the income from the sale could be used for Route 1 improvements at the connector road intersection with voter approval.

The revised layout for the Cragin parking lot will also need additional approval from the Planning Board. The board had previously approved the reconfigured parking lot; however that was prior to voter approval for the land swap on May 18, 2013. Pursuant to the signed agreement with the Cragin Trust, the Town of York has certain obligations which are conditioned upon **“The Town receiving all necessary permits, approvals and any required zoning variances, modifications or revisions under applicable local, state and federal laws, ordinances and regulations in order to permit the Town’s development of a new public safety facility on the Town’s abutting land with all appeal periods relating hereto having expired without any appeals having been filed or, if filed, having been resolved in favor of the Town.”** Once all approvals etc. have been received and the Town has notified Cragin of that fact, closing on the land swap will occur within 90 days. Once the property exchange has closed and the deeds have been exchanged, the Town has certain “Post Closing Obligations.” One obligation consist of “stubbing” water and sewer connections to the corner of the Cragin property after the water and sewer lines have been extended to, or past, the Cragin property. The Town has no obligation to extend either the water or sewer lines and, in fact, will not be involved in extending either line. The York Water District will construct the water line past the Cragin property as part of the system loop and the York Sewer District is working with residents on Ridge Road to extend the sewer main up Ridge Road from Church Street to the Cragin property. The cost of the sewer extension is being borne by the Ridge Road residents. The only cost to the Town will be to install a section of pipe from the water and sewer mains to the corner of the Cragin property. In both cases this

should be a matter of 20-30 feet of pipe or less. The water line will be located under the access roadway from Ridge Road to the police station and the sewer line main will be located on Ridge Road. I do not know at this point if the sewer main will be located in the right of way on the side of Ridge Road or actually under Ridge Road.

A second obligation is for the Town to construct the parking lot and related landscaping in accordance with plans approved by the Planning Board. This will require the Town to perform earth moving and site work to reconfigure the parking lot. This will allow Mr. Cragin to maintain the number of parking spaces required by the Planning Board. The work will include some fill at the rear of the new section along with site work and grading. My recommendation is that the Town Public Works Department perform this work as it will be much less expensive and the Town crew is experienced in this type of work.

The remaining issue with the Horn family is the boundary line agreement that is specified in the Purchase and Sale Agreement. After much discussion between the lawyers involved, the Town was informed that the Horn brothers (at least two of them) wanted to wait until the road was actually constructed before signing a boundary line agreement. Since that time (April 26, 2013) a civil suit was filed against Sam and Noreen Horn by Harry Horn. This civil suit was filed as a result of Sam and Noreen Horn refusing to consent to the sale of the property remaining when the Town purchased a portion of the original Horn parcel for the police station. I learned last week that the civil suit will be going to mediation soon so there may be some resolution to the suit in the near future. I am not certain but I believe the boundary line agreement will need to be signed by all parties when the Horn parcel is sold as the road is the boundary line between the two properties.

To summarize, SMRT continues to finalize plans for the police station site and the Ridge Road access point. I expect that we will have final utility (water and sewer) plans by the end of October. When those plans are complete and all survey issues have been addressed, we will be in a position to submit an application to the Planning Board and the DEP providing the Town does not need to seek voter approval to accept a utility easement. With that being said I recommend that the Board of Selectmen formally address the following in the very near future, preferably at the October 7, 2013 Selectmen's meeting.

1. Is the Board of Selectmen going to approve finalizing plans for the connector road as currently designed? If not, the issue of the two stock piles needs to be addressed immediately. As indicated previously in this memorandum, and in the August 15, 2013 memorandum, the cost to relocate the two stock piles so the mandated restoration can be accomplished ranges from \$147,200 to \$590,200.

2. If the Board of Selectmen does not approve finalizing plans for the connector road as currently designed, does the board have an alternative to the existing design or does the board want to scrap the whole idea of Route 1 access?
3. Is the Board of Selectmen going to approve a partial restoration of the 1.8 acres based on the draft proposal (attached) by Steve Burns dated April 8, 2013? If the draft proposal for alternative uses, or a similar proposal, is approved the amount of restoration would be reduced to approximately one acre. All costs for restoration of the area will be borne by PC Construction, so the proposed alternative use should be judged on its own merits, not in connection with restoration costs.



TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager *RUY*

RE: Updated Police Station and Connector Road Costs and Next Steps

DATE: August 15, 2013

On February 11, 2013 I presented financial information to the Board of Selectmen concerning the costs to date (at that time) for the police station and connector road projects. I have updated that information as of today and I am attaching it to this memorandum.

As you would expect, there have been no construction-related expenditures aside from sewer redesign costs from the York Sewer District. We continue to have on-going administrative costs such as Attar Engineering as the Third Party Inspector and SMRT charges (mostly for additional permitting work). Additionally, we have incurred costs for the restoration work that has been done, however we have received payment from PC Construction in the amount of \$46,751.28 which covers all expenses to date. All future direct restoration costs will also be borne by PC Construction.

SMRT has been advised that they have been authorized to finalize plans for the police station and Ridge Road access point. We also have the outstanding issue of a 50' utility easement from the Norton estate which I am told is being negotiated by the Water and Sewer Districts as they have been authorized to do. If there is going to be a proposal for the Town to purchase an easement that will have to be decided quickly as any real estate purchase or property interest will need to be approved by the legislative body, the voters.

In addition, we must address the issue of the two stockpiles on the police station site. The USACE has informed the Town that the disturbed area around those stockpiles must be fully restored this fall which will require moving both of the piles. As you know, the Army Corps has advised the Town that full restoration would not be necessary if a viable alternative can be established. Regardless of the total area, the restoration must be addressed. I have discussed the restoration with Jay Clement and specifically asked him if the Town could be

granted an extension until next spring given that the Town will not be in a position to move the stockpiles as part of the planned construction process. Mr. Clement indicated that an extension may be possible; however a clear justification must be provided.

I have received estimates from PC Construction to move the stockpiles prior to the start of construction in the event it becomes necessary due to the required restoration. PC provided costs for three scenarios as follows:

1. Moving only the portion of the two stockpiles that will interfere with restoration, which means moving the piles back 120' from the existing tree line. **\$147,120.00**
2. Moving the two stockpiles to another area of the site and removing all loam off site that will not be needed for the project. **\$284,200.00**
3. Move both stockpiles off site and move material back onsite at appropriate time **\$590,200.**



TO: Jay Clement, Senior Project Manager
US Army Corps of Engineers

FROM: Robert G. Yandow, York Town Manager *RGY*

RE: Request for Extension Regarding Police Station Project Environmental
Restoration

DATE: September 23, 2013

The purpose for this memorandum is to request an extension for restoration of areas subject to unauthorized clear cutting in connection with the Town of York Police Station and Connector Road projects. My request is extend the deadline for restoration of the affected areas from the fall of 2013 to 2014.

In May, 2009 the voters in the Town of York authorized the expenditure of \$2,000,000 for the purchase of land for a new police station. In May, 2010 the Town purchased land from the Horn Family for \$1,000,000 and in June, 2010 the Town purchased land from Donald Blinn for \$1,000,000. As a result of these purchases the Town became the owner of contiguous property from US Route 1 to Ridge Road in York Beach.

In May, 2011 the voters in the Town of York approved the expenditure of \$6,810,539 for construction of a new police station and \$1,626,882 for construction of a new connector road between US Route 1 and the approved police station on Ridge Road. Subsequent to the expenditure approvals, SMRT was awarded a contract for final design of the projects and PC Construction was approved as the Town's Construction Manager at Risk. On June 4, 2012 the Board of Selectmen approved a Guaranteed Maximum Price (GMP) from PC Construction for both the police station and connector road projects. The York Planning Board ultimately gave final approval for the police station project and preliminary approval for the connector road project. The project also received approvals from the US Army Corps of Engineers and the Maine Department of Environmental Protection.

In July, 2012 subcontractors working for PC Construction clear cut two areas on site for the storage of materials. This work was not authorized by the Town of York. The clear cutting also resulted in damage to a wetland near the proposed police station. The wetland (wetland #3) has since been restored. As a result of the unauthorized clear cutting, and property ownership issues on the police station site, the York Planning Board rescinded all previous project approvals.

Since the project approvals were rescinded the Town of York has confirmed that it owns all of the land necessary to construct the police station. Various meetings have been held with project partners and interested parties. SMRT has been authorized by the Board of Selectmen to complete revised plans and the York Water and Sewer Districts have been authorized to negotiate a utility easement with the Norton estate which will allow both water and sewer lines to be extended from Caddy's Way to the police station building. As soon as the utility easement is obtained, and the revised plans are complete, the Town will be in a position to submit an amended application to the Planning Board and the Maine DEP.

Based on Previous discussions with the US Army Corps and the Maine DEP, the Town was to have completed restoration of the environmentally disturbed areas by the fall of 2013. Due to delays in receiving Board of Selectmen approval to once again move forward, completion of amended and revised plans and successfully obtaining a utility easement from the Norton estate, the Town is not currently in a position to complete the restoration. The primary reason is due to the two large stockpiles currently located where restoration is scheduled to be done. One of these stockpiles is comprised of rock and the second pile is comprised of loam material.

The rock stockpile is intended to be crushed into gravel to be used when construction of the connector road is accomplished. As indicated above, the Town does not yet have any approvals to restart the project so it will not be possible to use the rock material as part of the connector road construction at this time. The same holds true for the loam pile.

While it is true that the Town could move the two stockpiles and cause the restoration to be completed by the end of this fall, it would come at great financial cost to the Town. I asked PC Construction to provide cost estimates to move the two stockpiles prior to the start of construction. The cost estimates, as provided by PC Construction are as follows:

- **Option #1-** Move only the portion of the two stockpiles that will interfere with restoration, which means moving the piles back 120' from the tree line. **\$147,120.00**
- **Option #2-** Move the two stockpiles to another area on site and remove all loam material that will not be needed for the project. **\$284,200.00**

- **Option #3**- Move both stockpiles offsite and move material back onsite when needed. **\$590,200.00**

As you can see, all of these options are expensive and the Town has no money included in the voter approved spending to cover these expenses. While I do appreciate and recognize the need to restore the environmentally affected area, I am requesting an extension in performing the required restoration. I would ask that the US Army Corps approve an extension to no later than July 15, 2014 at which time the Town of York would produce all necessary permits to proceed with construction of the projects. If the Town is able to produce all necessary permits, or if the project is under construction by July 15, 2014, the two stockpiles will be moved as part of the project. If, by July 15, 2014, the Town does not have the necessary permits to move forward with the project the restoration will begin immediately with plans to complete the restoration with weeks. Additionally, if the Town is not in a position to move forward by July 15, 2014 the Town will provide a plan to ensure the long term stability of the affected areas.

cc: Bill Bullard, Maine DEP

MEMO



TO: Robert Yandow, Town Manager
FROM: Stephen H. Burns, Community Development Director **SHB**
DATE: April 8, 2013
RE: Proposal for Use in Un-Restored Buffer Area

Background

You have asked about a concept for future municipal uses for the area around the impacted vernal pool. As I understand it, this needs to pass a straight-face test as to why it would be located here rather than elsewhere, outside the 750' radius.

The area in question is roughly an acre in size, more or less. The shape is irregular, but could be described generally as a bowtie shape, narrower in the middle than on each end. The entire area is upland. Roughly half falls within the Mixed Use Subdistrict of the Shoreland Overlay District. The Comp Plan policies for the Green Enterprise Recreation Overlay District are applicable. This is Future Land Use Area #22.

Proposal

As a starting point, I propose the Town develop a **multi-purpose, green-tourism facility** at this site. The following would apply:

- **Information kiosk/booth.** Dual purpose. First, this site would offer tourist information. The new road will likely become the main access road into the York Beach area for tourists, so this is a location-specific opportunity. It wouldn't function as well anywhere else. Second, this would offer information about green recreation and green tourism. This site is located in York's new Green Recreation Enterprise District, which is all about advocating for lower-impact, more sustainable tourism and recreation. This facility should become a focal point in this effort, and again, it wouldn't be as effective if located elsewhere. This facility should also highlight the site's LID design features. Spreading this gospel will be increasingly important because York will be included in MS4 starting next July 1st. In fact this site could be a significant component of the Town's response to the MS4-mandated minimum control measures. Wetland and vernal pool education might also be a possible focal point, too, as the site would also be able to safely accommodate school busses.

- Car Parking. There could be room for a couple dozen vehicles. Perhaps half are short-term for the information kiosks/booth, so people can get out to stretch their legs and get oriented. The remaining spaces should be longer duration, available for anyone using the 8' wide mixed-use path along the new connector road. This is envisioned as the first link in a walking/biking path leading from York Beach to Mount Agamenticus, so recreation users would be expected to increase over time. It would also be a place for people to park to access the trail network in the new Town parklands along either side of the connector road. I would note that I don't envision the site remaining un-wooded post-development. This shouldn't end up as a big hot parking lot in the summer – it should be shady, with ample full-size trees integrated into the design.
- Bus and Trolley Interface. There should be off-street space created for busses and trolleys to drop off and pick up passengers. In the long term, this could facilitate longer-distance bussing in to York Beach for tourists (as an alternative to each driving their own car), with trolley's picking up the passengers for delivery to the village, or one of the beaches. Tour busses might also be able to use this as an intermediate stop, coordinating with local trolleys for shorter-duration visits. A shelter of some sort for waiting passengers would be advisable. Parking for a few busses or trolleys might be useful.
- Low Impact Design (LID) features. Porous asphalt and porous concrete throughout – because this would be a great high-profile public demonstration project. Water quality treatment after leaving the subsurface storage would require another method, perhaps artificial wetlands or some sort of vegetative filter. Without knowing the specific water quality issues to be addressed, this is a complete guess up front. LID can be used to address suspended solids, hydrocarbons, metals, nitrogen and phosphorous and specific measures address each differently.

Reasons

I have based my recommendations on our Comp Plan. In particular, the following 4 Comp Plan Recommendations relating to Future Land Use Area #22 are of greatest significance:

- #7 The Town should pursue transportation and parking solutions that ensure safe pedestrian access and movement, including safe paths and roads for all users, ADA compliant sidewalks, multi-modal transportation options, and new parking programs that ease York Beach's current parking constraints. The purchase of Town property in a portion of the study area provides the opportunity to create parking for downtown York Beach; ideally the cost of creating and maintaining new parking would be self-sustaining.

- #10 Expanded development in this area cannot be allowed to negatively impact the health of the beaches. To that end, all development should have Low Impact Development standards in place that ensure that the quantity of additional stormwater runoff is kept to a minimum and that stormwater quality is not impaired.

- #12 The creation of the Green Enterprise Recreation District provides an opportunity to define and promote green recreation, eco-tourism, and a vision of sustainable tourism based around the natural beauty of York. Promoting green recreation should be prominent in all Zoning changes and land management plans for this area.

- #13 New development proposals, public and private, should be reviewed keeping in mind the feedback received from the public of the need for more amenities to families vacationing in York Beach, providing seating, shade, bathrooms, and other facilities to make trips to York Beach more convenient and welcoming for visitors.



Conceptual Sketch

Multi-Purpose, Green-Tourism Facility

- Info about Green Recreation Enterprises District
- Demonstration of LID techniques / MS4 public education.
- Parking for trail users and limited tourist orientation.
- Bus & Trolley stop/exchange. (Intermodal hub)

SHB 1/22/13



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: September 24, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session _____	
Subject: Appointment of Election Warden and set polling hours	

TO: Board Of Selectmen
FROM: Mary-Anne Szeniaewski, Town Clerk/Tax Collector
RECOMMENDATION: N/A
PROPOSED MOTION: A motion to appoint David N. Ott as the Warden for the November 5, 2013 Referendum Election and further, to set polling hours on that date as 8:00 a.m. until 8:00 p.m.

Discussion:

FISCAL IMPACT: N/A
DEPARTMENT LINE ITEM ACCOUNT: N/A
BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared By: Mary-Anne Szeniaewski (mji)

Reviewed By: Robert S. Gandon



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 3, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: York Village Fire Department's Request to Sponsor and Host the Maine State Federation of Firefighters Convention	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery
RECOMMENDATION: Endorsement of the York Village Fire Department's bid to sponsor and host the Maine State Federation of Firefighters Convention.
PROPOSED MOTION: I move to approve the Board of Selectmen's Endorsement of the York Village Fire Department's bid to sponsor and host the Maine State Federation of Firefighters Convention in September of 2016

Discussion: On September 18, 2013 York Village Fire Department Chief, Chris Balentine requested the Board of Selectmen's endorsement on sponsoring and hosting the Maine State Firefighters Convention in York on September 16-18, 2016.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Melissa M. Avery

Reviewed By: Robert S. Gannon

Melissa M. Avery

From: Robert G. Yandow
Sent: Wednesday, September 18, 2013 9:38 AM
To: Melissa M. Avery
Subject: FW: Board of Selectmen- Endorsement

Follow Up Flag: Follow up
Flag Status: Flagged

Robert G. Yandow, Town Manager
Town of York, Maine
186 York Street
York, Maine 03909
207.361.4740
ryandow@yorkmaine.org
www.yorkmaine.org

From: Christopher Balentine
Sent: Tuesday, September 17, 2013 6:09 PM
To: Robert G. Yandow
Cc: Nicholas Hilton; Paul Balentine; Peter Humphrey; Gardner Marshall; David Apgar; Dave Butler; Eric Humphrey; Mike Bruno; Jamie Eslinger; Zach Apgar
Subject: Board of Selectmen- Endorsement

Dear Rob,
Dear Selectmen,

York Fire Dept is celebrating its 100th anniversary as a volunteer fire department in the year 2016. I know it is a few years away yet, however we would like to sponsor & host the Maine State Federation of Firefighters Convention on September 16,17 and 18th in 2016. We are asking for the Town of York Board of Selectmen's endorsement for this event. We must place our bid for this event at this time with the Federation's Board of Directors. The Directors are meeting in early October and our endorsements must be in place for presentation to them at this meeting. We respectfully request that a memo be drafted and signed by the Chairman of the Board of Selectmen endorsing our bid for this event. In past years, the York Beach Fire Dept. has sponsored & hosted this event with huge success. With our 100th birthday coming in 2016, it would only be fitting for us to sponsor & host such a tremendous event in our town. This is a statewide convention bringing many firefighters & their families to the host town for a weekend of events, including the Annual Meeting, Parade and Muster.

Thank you for your consideration in this matter.

Respectfully,

Chris Balentine,
Chief
YFD



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 3, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session	
Subject: Proposed Purchase and Sale with Chamber of Commerce	

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

Discussion: The Chamber of Commerce has submitted a Purchase and Sale Agreement to the Town offering to purchase 2.02 acres of Town owned land located next to the Chamber at 571 US Route 1 for \$150,000. The Chamber has indicated that they are interested in expanding the farmer's market as they do not have sufficient space for all the vendors that would like to participate. The proposed Purchase and Sale Agreement is attached. Also attached is a list of allowed uses for the property pursuant to the Zoning Code.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

PURCHASE AND SALE AGREEMENT - LAND ONLY
("days" means business days unless otherwise noted, see paragraph 20)

Offer Date August 14, 2013

Effective Date is defined in Paragraph 20 of this Agreement. Effective Date

CK September 23, 2013

1. PARTIES: This Agreement is made between The Greater York Region Chamber of Commerce ("Buyer") and Town of York ("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy (all part of; If "part of" see para. 22 for explanation) the property situated in municipality of York, County of York, State of Maine, located at 571 U.S. Route 1 and described in deed(s) recorded at said County's Registry of Deeds Book(s) 4503, Page(s) 182.

3. PURCHASE PRICE/EARNEST MONEY: For such Deed and conveyance Buyer agrees to pay the total purchase price of \$ 150,000.00. Buyer has delivered; or will deliver to the Agency within 2 days of the Offer Date, a deposit of earnest money in the amount \$ 1,000.00. If said deposit is to be delivered after the submission of this offer and is not delivered by the above deadline, this offer shall be void and any attempted acceptance of this offer in reliance on the deposit being delivered will not result in a binding contract. Buyer agrees that an additional deposit of earnest money in the amount of \$ N/A will be delivered N/A. Failure by Buyer to deliver this additional deposit in compliance with the above terms shall constitute a default under this Agreement. The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

4. ESCROW AGENT/ACCEPTANCE: Coldwell Banker Yorke Realty ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until September 18, 2013 (date) 5:00 AM PM; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.

5. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on December 12, 2013 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or this Agreement shall become null and void in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

6. DEED: The property shall be conveyed by a Quit Claim Warranty deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

7. POSSESSION: Possession of premises shall be given to Buyer immediately at closing unless otherwise agreed in writing.

8. RISK OF LOSS: Until the closing, the risk of loss or damage to said premises by fire or otherwise, is assumed by Seller. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

9. PRORATIONS: The following items, where applicable, shall be prorated as of the date of closing: rent, association fees, (other) N/A Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing, they shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained, which latter provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

January 2013 Page 1 of 4 - P&S-LO Buyer(s) Initials _____ Seller(s) Initials _____

Coldwell Banker Yorke Realty 529 US Route 1, Suite 101 York, ME 03909
Phone: (207)363-4300 Fax: (207)363-1458 Wesley Cook

Untitled

10. DUE DILIGENCE: Buyer is encouraged to seek information from professionals regarding any specific issue or concern.

Neither Seller nor Licensee makes any warranties regarding the condition, permitted use or value of Sellers' real property. This Agreement is subject to the following contingencies, with results being satisfactory to Buyer:

CONTINGENCY	YES	NO	DAYS FOR COMPLETION	OBTAINED BY	TO BE PAID FOR BY
1. SURVEY Purpose: <u>Update 1998 A & L survey showing current improvements & easements.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>30</u>	<u>Buyer</u>	<u>Buyer</u>
2. SOILS TEST Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
3. SEPTIC SYSTEM DESIGN Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
4. LOCAL PERMITS Purpose: <u>Farmers Market expansion.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>30</u>	<u>Buyer</u>	<u>Buyer</u>
5. HAZARDOUS WASTE REPORTS Purpose: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>30</u>	<u>Seller</u>	<u>Seller</u>
6. UTILITIES Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
7. WATER Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
8. SUB-DIVISION APPROVAL Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
9. DEP/LURC APPROVALS Purpose: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>30</u>	<u>Buyer</u>	<u>Buyer</u>
10. ZONING VARIANCE Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
11. HABITAT REVIEW/ WATERFOWL Purpose: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>30</u>	<u>Seller</u>	<u>Seller</u>
12. FARMLAND ADJACENCY Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
13. MDOT DRIVEWAY/ ENTRANCE PERMIT Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
14. DEED RESTRICTION Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
15. TAX STATUS/ TREE GROWTH Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
16. OTHER Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____

Further specifications regarding any of the above: None

Unless otherwise specified above, all of the above will be obtained and paid for by Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, Buyer will declare the Agreement null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement, Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an investigation is unsatisfactory within the time period set forth above, this contingency is waived by Buyer. In the absence of inspection(s) mentioned above, Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

~~21. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the entire closing statement to release a copy of the closing statement to the parties and their licensees prior to, at and after the closing.~~

22. OTHER CONDITIONS: Coldwell Banker Yorke Realty will receive "NO" commission on this transaction. 2. The portion of the real estate to be sold is York Tax Map 42, Lot 9, containing about 2.02 Ac. and being parcel B on Boundary Survey for Stonewall Kitchen by A & L dated 1998-1999 Plan # 1644.981101.

23. GENERAL PROVISIONS:

- a. A copy of this Agreement is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine.
- b. Seller acknowledges that State of Maine law requires buyers of property owned by non-resident sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Revenue Services.
- c. Buyer and Seller acknowledge that under Maine law payment of property taxes is the legal responsibility of the person who owns the property on April 1, even if the property is sold before payment is due. If any part of the taxes is not paid when due, the lien will be filed in the name of the owner as of April 1 which could have a negative impact on their credit rating. Buyer and Seller shall agree at closing on their respective obligations regarding actual payment of taxes after closing. Buyer and Seller should make sure they understand their obligations agreed to at closing and what may happen if taxes are not paid as agreed.
- d. Buyer acknowledges that Maine law requires continuing interest in the property and any back up offers to be communicated by the listing agent to the Seller.

24. ADDENDA: Yes Explain: _____ No

Buyer's Mailing address is 1 Stonewall Lane, York, ME 03909

<u><i>[Signature]</i></u>	<u>8/14/13</u>		
BUYER	DATE	BUYER	DATE
The Greater York Region		Chamber of Commerce	

Seller accepts the offer and agrees to deliver the above-described property at the price and upon the terms and conditions set forth and agrees to pay agency a commission for services as specified in the listing agreement.

Seller's Mailing address is _____

<u>SELLER Town of York</u>	<u>DATE</u>	<u>SELLER</u>	<u>DATE</u>
----------------------------	-------------	---------------	-------------

COUNTER-OFFER

Seller agrees to sell on the terms and conditions as detailed herein with the following changes and/or conditions:

The parties acknowledge that until signed by Buyer, Seller's signature constitutes only an offer to sell on the above terms and the offer will expire unless accepted by Buyer's signature with communication of such signature to Seller by (date) _____ (time) _____ AM _____ PM.

<u>SELLER</u>	<u>DATE</u>	<u>SELLER</u>	<u>DATE</u>
---------------	-------------	---------------	-------------

The Buyer hereby accepts the counter offer set forth above.

<u>BUYER</u>	<u>DATE</u>	<u>BUYER</u>	<u>DATE</u>
--------------	-------------	--------------	-------------

EXTENSION:

The time for the performance of this Agreement is extended until _____

DATE

<u>SELLER</u>	<u>DATE</u>	<u>SELLER</u>	<u>DATE</u>
---------------	-------------	---------------	-------------

<u>BUYER</u>	<u>DATE</u>	<u>BUYER</u>	<u>DATE</u>
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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 4, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <u> X </u> Work Session	
Subject: FY13 Carry Forwards	

TO: Board of Selectmen
FROM: Robert G. Yandow, Town Manager
RECOMMENDATION: Approve Carry Forward Request
PROPOSED MOTION: I move to approve carrying forward the recommended funds from FY13 to FY14.

Discussion: Each year the Board of Selectmen must vote to carry forward funds from one fiscal year to the next. This procedure does not apply to funding for capital projects that have been specifically approved by the voters. Attached you will find a spreadsheet that details the specific funds that are being recommended for carry forward to FY14. Additionally, you will find a memorandum that addresses the recommended carry forwards.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: _____

Robert G. Yandow

Reviewed By: _____



TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager *RGY*

RE: FY13 Carry Forwards

DATE: October 4, 2013

Attached is a spreadsheet with information regarding potential carry forward items. Some of the items are self-explanatory; others have been carried forward for several years, and some are unexpended FY13 appropriations.

Village Plan – This appropriation was originally \$95,000 for the design of a municipal facility on town owned property on Long Sands Road. On two occasions voters rejected a plan for construction of a new town hall on the property. I recommend that the remaining **\$44,541.75** be carried forward until final use of the property is determined or the property is sold.

Voting Machines- The state has finally made their decision regarding voting machines and this money was actually spent after July 1, 2013. **\$45,000**

Legal – Funds were carried forward to FY10 and beyond in anticipation of an action with regards to the Maine Turnpike Authority and the relocation of the toll booth. **\$10,738.40**

Legal – Funds were carried forward to FY13 to be set aside for any legal action required regarding the Cliff path. **\$32,674.08**

Information Technology – FY13 funds were budgeted for server reconfiguration and software however due to research requirements and third party vendor availability the funds could not be expended during the fiscal year. **\$10,380.10**

Debt Service – Through warrant articles, the Town collected debt service on the Long Sands Road project in excess of the actual payments; these excess funds will be depleted in the FY14 budget. **\$14,769.61**

Cable TV – These funds are for the broadcast operations at the library. The needs always exceed the funding; these funds will be combined with FY14 funds for upgrades to audio and video components. **\$7,129.74.** (\$2218.76 + \$4910.98)

Public Safety Engineering and Site Design – These funds were approved after the voters authorized the purchase of land for a public safety building. **\$60,684.00**

Police Vehicles – As the Police Chief has been given the ability to buy when it is most advantageous rather than by the end of the fiscal year, this funding plan has saved the Town quite a bit of money over the years and continues to do so. There is a replacement plan in place that is funded by this warrant article and the funds carried forward each year. **\$69,452.68**

Bell Marsh Road – These funds are appropriated for the ongoing maintenance of Bell Marsh Road. **\$24,675.79**

Road Repair and Reconstruction – These funds are appropriated for specific large projects which in this case include the engineering and construction of drainage improvements to a section of Main Street, and the Shore Road sidewalk extension project. **\$273,921.93**

FEMA Funds – These funds were appropriated for the completion of specific projects that will be completed in FY14. **\$8,094.56**

York Village Fire Department – Funds were carried forward to FY13 to assist with a long term worker's comp injury which requires filling shifts. The balance of the funds should be carried forward to FY14 as the issue is ongoing. **\$18,122.61**

Fishermen's Walk (Cliff Path) Maintenance and Repair – these funds are appropriated for the ongoing improvements along the York River and Harbor Beach. **\$31,676.54**

Seawall Repair – The seawall is the Town's responsibility, according to the State, and repairs are necessary after severe storms. **\$19,563.71**

Broadway/Airport Drive Drainage – These funds are for the design of this project. **\$11,043.11**

Cow Beach Phase II Drainage – These funds will allow the completion of the drainage project at Cow Beach. **\$18,200.00**

New for FY14

Selectmen's Contingency – It is requested that the Selectmen carry forward **\$44,800** in FY13 contingency funds to be used in connection with the police station and connector road projects.

White Goods- Maintenance/Paving- This will allow for improvements and paving of an expanded area at the recycling center which will improve traffic flow. **\$10,500.00**

York Beach Fire Department Roof – These funds have actually been spent as the roof has been repaired. **\$35,720.00**

**Carryforward Request to Board of Selectmen
FY13 Carried Forward to FY14**

Line Item	FY13		FY13	FY13		Available	Recommended to	
	Appropriations	Prior Carry-Forwards		Revenues	Expenditures		Carry Forward	Approved Carry-Forward to FY14
Village Plan	-	44,541.75	-	-	44,541.75	44,541.75	44,541.75	-
Voting Machines	-	45,000.00	-	-	45,000.00	45,000.00	45,000.00	-
Legal (MTA issue)	-	10,738.40	-	-	10,738.40	10,738.40	10,738.40	-
Legal (Cliff Path)	70,000.00	32,674.08	-	41,535.58	61,138.50	32,674.08	32,674.08	-
Information Technology	187,291.90	10,555.07	-	187,466.87	10,380.10	10,380.10	10,380.10	-
Debt Service (YSD)	21,700.00	14,736.38	-	21,666.77	14,769.61	14,769.61	14,769.61	-
Cable TV Contracts	4,308.00	2,823.14	-	4,912.38	2,218.76	2,218.76	2,218.76	-
Cable TV Equipment	5,000.00	-	-	89.02	4,910.98	4,910.98	4,910.98	-
Police Vehicles	68,000.00	47,354.92	-	45,902.24	69,452.68	69,452.68	69,452.68	-
Public Safety Site Design & Engineering	-	60,684.00	-	-	60,684.00	60,684.00	60,684.00	-
Hot Top	537,409.00	36,054.43	-	281,362.73	292,100.70	292,100.70	292,100.70	-
White Goods - Maintenance/Paving	10,500.00	-	-	-	10,500.00	10,500.00	10,500.00	-
Contract Services - Traffic Lights	2,100.00	-	-	1,507.79	592.21	592.21	592.21	-
FEMA Funds	-	8,094.56	-	-	8,094.56	8,094.56	8,094.56	-
Bog Road	-	1,228.57	-	1,228.57	-	-	-	-
Contingency	50,000.00	15,082.56	-	5,200.00	59,882.56	44,800.00	44,800.00	-
Contingency (Cape Neddick River)	-	20,214.00	-	18,814.00	1,400.00	1,400.00	1,400.00	-
Contingency (VVF)	239,734.00	25,000.00	-	246,611.39	18,122.61	18,122.61	18,122.61	-
YBF Roof Repair	453,371.59	-	-	377,473.21	75,898.38	35,720.00	35,720.00	-
Bellmarsh Road	25,000.00	415.79	-	740.00	24,675.79	24,675.79	24,675.79	-
Woodbridge Road Sidewalk	-	3,770.43	-	-	3,770.43	-	-	-
Signal Maintenance	7,400.00	3,284.50	-	8,922.00	1,762.50	1,762.50	1,762.50	-
Road Repair and Reconstruction	-	273,921.93	-	-	273,921.93	273,921.93	273,921.93	-
Ocean Avenue Curb	-	34,000.00	-	34,000.00	-	-	-	-
Fishermen's Walk Renovations	-	33,476.54	-	1,800.00	31,676.54	31,676.54	31,676.54	-
Route 1&91 Reconstruction	-	-	-	-	-	-	-	-
Seawall Repair	-	19,563.71	-	-	19,563.71	19,563.71	19,563.71	-
Broadway/Airport Drive Drainage	-	29,504.65	-	18,461.54	11,043.11	11,043.11	11,043.11	-
Cow Beach Phase II Drainage	-	18,200.00	-	-	18,200.00	18,200.00	18,200.00	-
Totals	1,681,814.49	790,919.41	-	1,297,694.09	1,175,039.81	1,087,544.02	-	-



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 1, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Redemption Request: Tax Map 0032-0014-I; 4 Hemlock Avenue	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery
RECOMMENDATION: To allow the redemption of Tax Map 0032-0014-I; 4 Hemlock Avenue
PROPOSED MOTION: I move to approve the redemption of Tax Map 0032-0014-I; 4 Hemlock Avenue, as requested, subject to the attached conditions being met and that all taxes, interest and administrative costs are paid in full by no later than December 6, 2013.

Discussion: Please see attached Memo and documents for details.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Melina M. Avery

Reviewed By: Robert B. Gardner



TAX LIEN MEMO

TO: Board of Selectmen
FROM: Melissa M. Avery
DATE: October 1, 2013
RE: Tax Foreclosure Redemption: Map 0032, Lot 0014-I; 4 Hemlock Avenue

Edward and Anita Goldman, former property owners of property identified as Tax Map 0032, Lot 0014-I, located at 4 Hemlock Avenue in York, Maine, requests to redeem this property for which the Town has a tax lien for Fiscal Years 2010, 2011 and 2012. The Town foreclosed on this property as of December 15, 2011 for non-payment of the FY2010 tax lien.

We are recommending to the Selectmen that Edward and Anita Goldman be allowed to redeem this property providing the following conditions are met:

Condition #1 – Edward and Anita Goldman pay all current taxes, interest and lien costs owed, which totals \$4,376.40 as of December 6, 2013.

Condition #2 – Edward and Anita Goldman 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 costs in processing this redemption.

Condition #3 – Edward and Anita Goldman shall pay in full, to the Town of York, all current taxes, interest, administrative costs and lien costs, which total **\$4,576.40** by no later than **December 6, 2013**.

Parcel Information

Map-Lot

0032-0014-I

Former Owner(s)

Edward and Anita Goldman

Party Requesting Redemption

Edward and Anita Goldman

Size of Lot

0.45 Acres

Assessed Value

\$197,200

Description of Foreclosure Action

The Town has filed a tax lien on this property for the Fiscal Years 2010, 2011 and 2012; The FY10 lien matured and was foreclosed on December 15, 2011.

Taxes Owed

The total amount of taxes, interest and lien costs owed is \$4,376.40 as of December 6, 2013; which breaks down as follows:

FY2010	\$785.46
FY2011	\$1,824.81
FY2012	\$1,766.13

Taxes for Fiscal Years 2013 and 2014, totaling approximately \$3,262.40 (varying due to daily interest) will be supplemented upon redemption of the above taxes



GIS Map Print
4 Hemlock Avenue

Subject Property Data

Parcel ID	129-081
Old Parcel ID	0032-0014-1
Owner Name	YORK TOWN OF
Prop Location	4 HEMLOCK AVENUE
Co-Owner	
Owner Addr	186 YORK STREET
Owner City	YORK, ME 03909
Land Area (Acres)	0.45
Land Value	143600
Building Value	53600
Total Value	197200

Disclaimer

Town of York, ME makes no warranty or representation as to the accuracy, timeliness or completeness of any of the data. The Town of York, ME shall have no liability for the data or lack thereof, or any decision made or action taken or not taken in reliance upon any of the data.

Summary

Detail

Notes

Payment Plan

Access

- Tax Map # 0032 0014 |
- Linked to Tax Map # 0032 0014 |
- Parcels Linked to Tax Map # 0032 0014 |

- YORK TOWN OF
- Linked to YORK TOWN OF

Filters

Year Active A/R
 Hide zero balance

Sub System

Late Charges

As of Date Display
 Keep Setting

Daily Interest Amount \$0.73

Year id	Sub System	Bill Number	Billed	Interest	Fee	Paid	Balance Due	Late Charges	Total Due	Up To 1st Due	Bar Code
2012	Tax Title	RE3817	\$1,621.24				\$1,621.24	\$144.89	\$1,766.13	\$1,766.13	286578
2011	Tax Title	RE3820	\$1,572.57		\$8.75		\$1,581.32	\$243.49	\$1,824.81	\$1,824.81	169381
2010	Tax Title	TT125534	\$1,474.04	\$225.27	\$8.59	\$1,069.63	\$638.27	\$147.19	\$785.46	\$785.46	46802
2009	Real Property Tax	RE119891	\$1,586.75	\$145.67		\$1,732.42	\$0.00	\$0.00	\$0.00		16447
2007	Tax Title	TT91884	\$1,505.90	\$320.67		\$1,826.57	\$0.00	\$0.00	\$0.00		38441
2006	Tax Title	TT79965	\$1,351.91	\$317.33	\$8.21	\$1,677.45	\$0.00	\$0.00	\$0.00		36388

			\$9,112.41	\$1,008.94	\$25.55	\$6,306.07	\$3,840.83	\$535.57	\$4,376.40		
--	--	--	------------	------------	---------	------------	------------	----------	------------	--	--

Refresh

Search

Robert G. Yandow

From: Edward Goldman [egoldies@yahoo.com]
Sent: Monday, September 16, 2013 4:55 PM
To: Robert G. Yandow
Subject: 4 Hemlock redemption

Edward and Anita Goldman
10 Gilmore Rd
Wrentham, MA 02093

September 16, 2013

Dear Mr. Yandow:

Thank you for meeting with me last week concerning the property at 4 Hemlock Ave, York. We appreciate the opportunity to redeem the property at this time, and keep things current going forward.

Kind regards,

Edward and Anita Goldman

Devon Bettinson

From: Mary-Anne Szeniaewski
Sent: Thursday, June 20, 2013 9:38 AM
To: Devon Bettinson
Subject: RE: Redemption Request 4 Hemlock Ave

My only thoughts are they went through the process last year and did not pay. Perhaps the Board might want to look at the reason why and assess additional monies to cover last years work.

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

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From: Devon Bettinson
Sent: Wednesday, June 19, 2013 9:58 AM
To: Mary-Anne Szeniaewski; Stephen H. Burns
Cc: Devon Bettinson; Melissa M. Avery
Subject: Redemption Request 4 Hemlock Ave

Hello,

Attached is the letter from the owners from 4 Hemlock Ave (32-14-l). They are wanting to buy back their property. Let me know when you've had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: Stephen H. Burns
Sent: Friday, July 19, 2013 1:49 PM
To: Devon Bettinson
Subject: RE: Redemption Request 4 Hemlock Ave

Devon,

I have no code issues with this redemption.

Steve

Stephen H. Burns
Community Development Director

From: Devon Bettinson
Sent: Wednesday, June 19, 2013 9:58 AM
To: Mary-Anne Szeniaowski; Stephen H. Burns
Cc: Devon Bettinson; Melissa M. Avery
Subject: Redemption Request 4 Hemlock Ave

Hello,

Attached is the letter from the owners from 4 Hemlock Ave (32-14-l). They are wanting to buy back their property. Let me know when you've had a chance to review.

Thank you,
Devon

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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 1, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Special Event Permit Application: York Village Marketfest	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery
RECOMMENDATION: Approve Permit Application
PROPOSED MOTION: I move to approve the Special Event Permit for the York Village Marketfest on October 18 th and 19 th .

Discussion: All appropriate departments have been notified and given approval, see attached.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Melina M. Avery

Reviewed By: Robert S. Gansow



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: 2-27-13

Name of Event: York Village Marketfest

Type of Event: Art + Craft Festival

Organization Name: York Village Business Assoc. Phone #: 363-4687

Organization Address: PO Box 650 City York State: ME Zip: 03909

Applicant Name: Gloria Gustafson, Pres Phone #: 363-4687

Applicant Address: 19 Organug Rd City: York State: ME Zip: 03909

Contact Name for Day of Event: Wendy Tapley Contact Phone # 207-337-0213

Date of Event: Oct. 18 + 19 Day of Week: Friday + Saturday

Starting Time: 10AM-5PM Fri Ending Time: 9AM-4PM Sat.

Assembly Area: York Village Green / 1st Parish Church + Old York

Dispersal Area: N/A MUSEUM

Event Route: N/A

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

5,000

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

N/A

Describe how group is organized and supervised to insure order: Police + Volunteers

assist with parking + traffic Emergency vehicles

Purpose of the Event: Acraft + food festival to benefit non-profit onsite

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

Signature of Applicant: Gloria Gustafson President, YVBA

For Town Use Only

Reviewed by:

<u>Department</u>	<u>Initials</u>
Police Department	<u>Szeniawski 9-23-2013</u>
Public Works	<u>Lessard 2-28-2013</u>
Parks/Recreation	<u>Sullivan 2-28-2013</u>
Village Fire	<u>Apgar 3-01-2013</u>
York Beach Fire	<u>N/A</u>
Code Enforcement	<u>Burns 3-06-2013</u>
York Ambulance	<u>Prince 9-03-2013</u>

Special Conditions:

Szeniawski: Requires two detail officers on Friday and three on Saturday to monitor pedestrian and foot traffic as well as parking. Area will be posted "No Parking" as YPD has done in years past

Apgar: Approved providing the Police Department will provide their normal traffic, parking and flow patterns as in previous years

Town Manager

Date

Melissa M. Avery

From: Charles J. Szeniaowski
Sent: Monday, September 23, 2013 2:32 PM
To: Melissa M. Avery
Subject: RE: Special Event Permit - York Village Marketfest

The event will require two detail officers on Friday and three on Saturday in order for us to safely monitor pedestrian and foot traffic as well as parking. The area will also be posted no parking as it has been done in years past.

Lieutenant Charles J. Szeniaowski

Commander, Patrol Division

Town of York, Maine Police Department

36 Main Street, York, ME 03909-6244

i: www.yorkpolice.org

e: cszeniaowski@yorkpolice.org

p: (207) 363-1031, Ext. 104

f: (207) 361.6818

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From: Melissa M. Avery
Sent: Monday, September 23, 2013 11:51 AM
To: Charles J. Szeniaowski
Subject: FW: Special Event Permit - York Village Marketfest

Morning Lieutenant,

Have you had a chance to review the Special Event Application for York Village Marketfest? I am hoping to get them on the October 7th Selectmen's Agenda.

Thanks!

Missy

____ Melissa M. Avery ____
Assistant to the Town Manager
Town of York, Maine
186 York Street, York, ME 03909
Phone: (207) 363-1000 | Fax: (207) 363-1019
www.yorkmaine.org

Please consider the environment before printing this email.

From: Melissa M. Avery
Sent: Tuesday, September 03, 2013 11:48 AM
To: Charles J. Szeniaowski; David K. Bridges; Ellen Prince
Subject: Special Event Permit - York Village Marketfest

Good Morning!

Erin O'Dea

From: David Apgar
Sent: Friday, March 01, 2013 1:29 PM
To: Erin O'Dea
Cc: Charles J. Szeniewski; Christopher Balentine
Subject: RE: Special Event - York Village Marketfest

Village fire approval providing the PD will provide their normal traffic parking and flow patterns as in previous years.

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

From: Erin O'Dea
Sent: Thursday, February 28, 2013 1:10 PM
To: Charles J. Szeniewski; Dean Lessard; Michael J. Sullivan; Christopher Balentine; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Subject: Special Event - York Village Marketfest

Hi everyone,

Attached you will find a special event application for the York Village Marketfest to be held on Friday, October 18, 2013 and Saturday, October 19, 2013.

Please review when you have a chance and recommend approval/denial.

Thank you,
Erin

Erin M. O'Dea
Administrative Assistant to the Town Manager
Town of York, Maine
186 York Street
York, Maine 03909
Phone: (207) 363-1000 x222
Fax: (207) 363-1019
Email: eodea@yorkmaine.org

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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 1, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Special Event Permit Application: York Parks and Recreation's "Turkey Trot 5K"	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery
RECOMMENDATION: Approve Permit Application
PROPOSED MOTION: I move to approve the Special Event Permit for York Parks and Recreation's "Turkey Trot 5K" on November 30, 2013

Discussion: All appropriate departments have been notified and given approval, see attached.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By:

Melissa M. Avery

Reviewed By:

Robert B. Gardner



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: 4.8.13

Name of Event: TURKEY TROT 5K

Type of Event: 5K Road Race

Organization Name: York Parks & Recreation Dept Phone #: 363.1040

Organization Address: 186 York Street City: York State: ME Zip: 03909

Applicant Name: Robin Logger / Ryan Avery Phone #: 363.1040

Applicant Address: 186 York St. City: York State: ME Zip: 03909

Contact Name for Day of Event: Robin Logger / Ryan Avery Contact Phone #: 752.1685

Date of Event: Nov. 30, 2013 Day of Week: Saturday

Starting Time: 11:00am Ending Time: 1:00pm

Assembly Area: Village Elementary school

Dispersal Area: Village Green / Town Hall Entrance

Event Route: application / map attached.

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

300-400 runners

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

300-400 runners w/ Road Marshalls on roadway

Describe how group is organized and supervised to insure order: York Parks & Rec. Staff

and volunteers with support from YPD and York Ambulance

Purpose of the Event: community event - Road Race in collaboration with

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

York Rotary Club

Signature of Applicant: Robin Logger, for York Parks & Recreation Dept.

For Town Use Only

Reviewed by:

Department

Initials

Police Department

Szeniawski 9-23-2013

Public Works

Lessard 4-11-2013

Parks/Recreation

Sullivan 4-11-2013

Village Fire

Apgar 4-11-2013

York Beach Fire

Bridges 4-10-2013

Code Enforcement

Burns 4-10-2013

York Ambulance

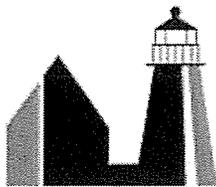
Prince 9-23-2013

Special Conditions:

Szeniawski: Will supply a lead cruiser. Should registration climb over 400, a detail officer will need to be hired for the intersection.

Town Manager

Date



The York Rotary Club in cooperation with York Parks and Recreation Department presents The Sixty-First Annual

TURKEY TROT



Town of York Inc. 1652

Date: Saturday, November 30, 2013
 Time: 11:00 a.m.
 Start at: York Village Elementary School
 Finish at: York Town Hall
 Course: 5K USATF – Certified Road Race
 Entry Fee: \$15 pre-registration/\$20 Race Day, space permitting

Visit our website at www.yorkmaine.org

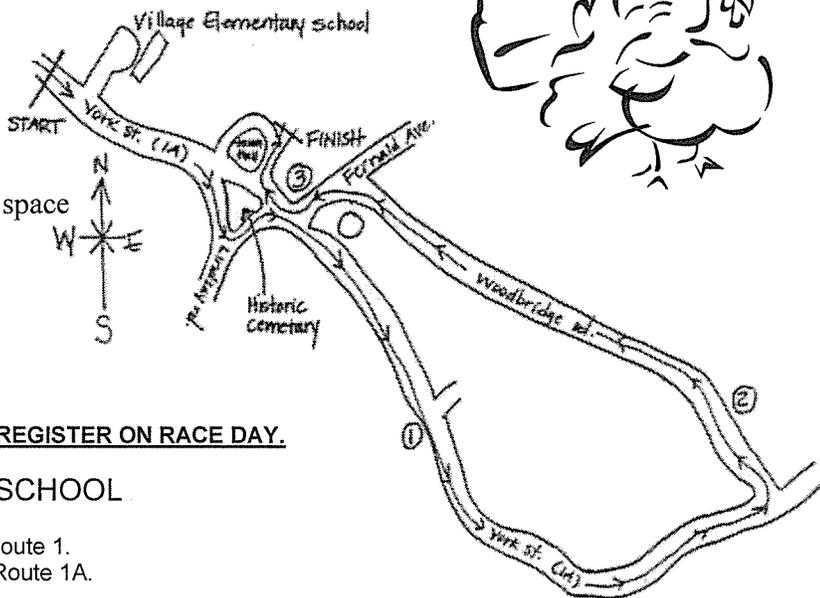
CHECK-IN & REGISTRATION

Opens 9:30 a.m., Closes 10:45 a.m.

T-shirts to the first 150 registrants!

PRE-REGISTRATION DEADLINE IS NOVEMBER 25th.

ANYONE WANTING TO REGISTER AFTER THAT MUST REGISTER ON RACE DAY.



DIRECTIONS TO VILLAGE ELEMENTARY SCHOOL

124 York Street, York, ME 03909

From I-95: take the York Exit, bear right at the lights onto Route 1. Travel to the top of the hill and take a left at the lights onto Route 1A. Village Elementary School is six-tenths of a mile on the left.

Awards will be given to all Division Winners.
 Race includes Water, snacks, professional timing, and Police.

NO DOGS PLEASE for their safety and ours

ALL RACE PROCEEDS BENEFIT THE YORK FOOD PANTRY – WE INVITE YOU TO BRING A NON-PERISHABLE FOOD ITEM FOR OUR COLLECTION!

Tee Shirt Size

S M L XL

"York Rotary Club Turkey Trot"

Registration Form - Please Print Clearly

Road Race Division

	12 & Under	13 - 17	18 - 29	30 - 39	40 - 49	50 - 54	55 - 59	60 - 64	65 - 69	70 - 79	80 & Up	Walking	Wheelchair
MEN	<input type="checkbox"/>												
WOMEN	<input type="checkbox"/>												

Name: _____
 Address: _____
 Town: _____ State: _____ Zip: _____
 Sex: _____ Age: _____ Telephone: _____
 Email Address: _____

Make checks payable to:

York Rotary Club

Mail Application to:
 York Parks & Recreation Department
 186 York St., York, ME 03909

For information on applications, call the York Parks & Recreation Department at 363-1040.

WAIVER *must be signed

In signing this entry, I for myself, my heirs, executors and administrators, release the manager of the race, all sponsors and promoters, York Rotary Club, the Town of York, for any and all liability in case of death or injury received during participation in this race. In the case of a minor, this entry must be signed by a parent or guardian of entrant.

Signature _____

Parent/Guardian _____

Visit our website at www.yorkmaine.org or www.running4free.com

Melissa M. Avery

From: Charles J. Szeniaowski
Sent: Monday, September 23, 2013 4:19 PM
To: Melissa M. Avery
Cc: Robin Cogger
Subject: RE: Special Event - Turkey Trot 5K

We will supply a lead cruiser should registration start to climb over 400 a detail officer will need to be hired for the intersection . We will review this one and see how this year goes when they re enter the village that was our issue again last year .

Lieutenant Charles J. Szeniaowski

Commander, Patrol Division

Town of York, Maine Police Department

36 Main Street, York, ME 03909-6244

i: www.yorkpolice.org

e: cszeniaowski@yorkpolice.org

p: (207) 363-1031, Ext. 104

f: (207) 361.6818

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From: Melissa M. Avery
Sent: Monday, September 23, 2013 11:53 AM
To: Charles J. Szeniaowski; Ellen Prince
Subject: Special Event - Turkey Trot 5K

Hello!

Have either of you had a chance to review the Special Event Permit for Parks and Recreation's Turkey Trot 5K in November?

Let me know when you have ☺ Thank you!

Missy

____ Melissa M. Avery ____
Assistant to the Town Manager
Town of York, Maine
186 York Street, York, ME 03909
Phone: (207) 363-1000 | Fax: (207) 363-1019
www.yorkmaine.org

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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 1, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Special Event Permit Application: The Journey to Bethlehem, Annual "Drive-Through Nativity"	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery
RECOMMENDATION: Approve Permit Application
PROPOSED MOTION: I move to approve the Special Event Permit for The Journey to Bethlehem, Annual "Drive-Through Nativity" on December 14, 2013

Discussion: All appropriate departments have been notified and given approval, see attached.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Melina M. Avery

Reviewed By: Robert S. Gandon



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: September 17, 2013

Name of Event: The Journey to Bethlehem, the annual "Drive-through Nativity"

Type of Event: display of Christmas scenes, live people and animals, viewed only from cars

Organization Name: First Parish Church Phone #: 363-3758

Organization Address: 180 York St City York State: ME Zip: 03909

Applicant Name: Lawrence & Janet Cassidy Phone #: 363-4237

Applicant Address: 4 Georgia St City: York State: ME Zip: 03909

Contact Name for Day of Event: Lawrence / Janet Cassidy Contact Phone # 363-4237 ^{husband cell:} 207-752-4620
(York no.)

Date of Event: December 14, 2013 Day of Week: Saturday

Starting Time: 4:50 PM (advertised as 5:00) Ending Time: 7:30 PM

Assembly Area: Entire event takes place in "Parish Lane," which horseshoes ^{around Town Hall and First Parish Chch.}

Dispersal Area: Visitors, still in cars, depart west exit of Parish Lane

Event Route: Visitors enter Parish Lane at either entry, pass in front of church to Town Hall, drive counter-clockwise to west exit. Staging of vehicles both in drive in front of church and the east, beginning, leg of horseshoe drive.

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)
450-500 vehicles

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

Visitors pass in vehicles. They observe 7 still scenes of actors, incl. some animals - penned or tethered.

Describe how group is organized and supervised to insure order: We have our own "Traffic Committee" and will hire two policemen from YPD.

Purpose of the Event: The "drive-through Nativity" is a Christmas display offered by the church as a gift to the community.

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

Signature of Applicant: Janet M. Cassidy

No changes, and we appreciate the village's indulgence. (me)

For Town Use Only

Reviewed by:

Department

Initials

Police Department	<u>Szeniawski</u>	<u>9-23-2013</u>
Public Works	<u>Lessard</u>	<u>9-23-2013</u>
Parks/Recreation	<u>Sullivan</u>	<u>9-23-2013</u>
Village Fire	<u>Apgar</u>	<u>9-23-2013</u>
York Beach Fire	<u>Bridges</u>	<u>9-23-2013</u>
Code Enforcement	<u>Burns</u>	<u>9-23-2013</u>
York Ambulance	<u>Prince</u>	<u>9-23-2013</u>

Special Conditions:

Szeniawski: Requires two detail officers and will barricade as well as cone off certain sections in order that the traffic does not cause a York Street issue.

Town Manager

Date

Melissa M. Avery

From: Charles J. Szeniawski
Sent: Monday, September 23, 2013 2:37 PM
To: Melissa M. Avery; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince; Michael J. Sullivan
Subject: RE: Special Event Permit - Drive Through Nativity

We are all set with this detail we will require two detail officers and we will barricade and cone off certain sections in order that the traffic does not cause a York Street issue as well.

Lieutenant Charles J. Szeniawski

Commander, Patrol Division

Town of York, Maine Police Department

36 Main Street, York, ME 03909-6244

i: www.yorkpolice.org

e: cszeniawski@yorkpolice.org

p: (207) 363-1031, Ext. 104

f: (207) 361.6818

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From: Melissa M. Avery
Sent: Monday, September 23, 2013 2:10 PM
To: Charles J. Szeniawski; Dean Lessard; David K. Bridges; David Apgar; Stephen H. Burns; Ellen Prince; Michael J. Sullivan
Subject: Special Event Permit - Drive Through Nativity

Afternoon!

Attached is the Special Event Permit Application and proof of insurance for the Drive Through Nativity on December 14th. Please let me know when you've had a chance to review!

Thank you!
Missy

____ Melissa M. Avery ____
Assistant to the Town Manager
Town of York, Maine
186 York Street, York, ME 03909
Phone: (207) 363-1000 | Fax: (207) 363-1019
www.yorkmaine.org

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AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: October 1, 2013	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: October 7, 2013	
Regular <input checked="" type="checkbox"/> Work Session <input type="checkbox"/>	
Subject: Pole Location Permit: Old County Road/Barrells Lane Extension	

TO: BOARD OF SELECTMEN
FROM: Melissa M. Avery
RECOMMENDATION: Approve Pole Location Permit
PROPOSED MOTION: I move to approve the Pole Location Permit for 1 pole on Old County road/Barrells Lane Extension in a southeasterly direction, 50 feet from pole #4.

Discussion: The Permit Request has been reviewed by Dean Lessard, Director of Public Works and an onsite inspection of the area completed; Mr. Lessard has given his approval of the permit requested.

FISCAL IMPACT:
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared By:

Melina M. Avery

Reviewed By:

Robert S. Gannon

Form 4503

Notification: 101729225

Work Order: 1000494338

LOCATION PERMIT

Upon the Application of Center Maine Power Company and Northern New England Telephone Operations LLC ME, dated 08/29/2013, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the City / Town of York, approximately located as follows:

- 1. Starting Point: 4
2. Road (State & CMP): Old County Road /Barrells Lane Ext
3. Direction: southwesterly
4. Distance: 50 feet
5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By:
By:
By:
By:
By:
Municipal Officers

Office of the

Received and Recorded in Book, Page

Attest:
Clerk

Form 4501

Notification: 101729225

Work Order: 1000494338

CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: York, Maine

To the: City
 Town
 County of: York, Maine

- Central Maine Power hereby applies for permission to:
 - Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.
 - Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

Central Maine Power Company and Northern New England Telephone Operations LLC ME jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: 4
2. Road (State & CMP): Old County Road /Barrells Lane Ext
3. Direction: southwesterly
4. Distance: 50 feet
5. Number of Poles: 1

- Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.
- Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

Public Notice of this application has been given by publishing the text of the same Not Published

In: _____
On: _____

CENTRAL MAINE POWER COMPANY

Northern New England Telephone Operations LLC ME

By: Elaine Titherington

Date: 08/29/2013

By: Jayne P. [Signature] Date: 9-2-13

Central Maine Power
Town Pole Permit Fax Cover Sheet

Date 9/6/13

To: Town/City of York

Fax # 363-1019

From: Pat Shore CMP Fax # 621-4552

ATT: Debbie
Burns

Subject: Town pole permits

Town York

Road Old Country Rd/Barrells Lane EXT

Please sign and fax back to 621-4552

Thank you

If there is any problem, please contact me (490-3033)

Melissa M. Avery

From: Dean Lessard
Sent: Tuesday, October 01, 2013 3:30 PM
To: Melissa M. Avery
Subject: RE: Pole Permits

There is no Old County Road in the Harbor. The pole is on Barrell's Lane by the intersection of York Street.

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine Department of Public Works

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

E-Mail: dlessard@yorkmaine.org

Online: www.yorkmaine.org

From: Melissa M. Avery
Sent: Tuesday, October 01, 2013 3:29 PM
To: Dean Lessard
Subject: RE: Pole Permits

Do you mean the Old County Road/Barrell's Lane Extension permit? The Barrell's Lane (AKA Western Point Road) one has already gone in front of the Selectmen.

The two left are:

Old County Road/Barrells Lane Extension

Back Road

____ Melissa M. Avery ____
Assistant to the Town Manager
Town of York, Maine
186 York Street, York, ME 03909
Phone: (207) 363-1000 | Fax: (207) 363-1019
www.yorkmaine.org

Please consider the environment before printing this email.

From: Dean Lessard
Sent: Tuesday, October 01, 2013 3:01 PM
To: Melissa M. Avery
Subject: RE: Pole Permits

Hi Missy

Barrel lane is all set.

Thanks
Dean

Dean A. Lessard, P.E. | Director of Public Works

Town of York, Maine Department of Public Works

186 York Street | York, Maine 03909

Phone: (207) 363-1010, Ext. 6201

Fax: (207) 363-1012

E-Mail: dlessard@yorkmaine.org

Online: www.yorkmaine.org

From: Melissa M. Avery
Sent: Tuesday, October 01, 2013 2:59 PM
To: Dean Lessard
Subject: Pole Permits

Hi Dean,

Just checking on the status of these pole permits

Thanks!
Missy

____ Melissa M. Avery ____
Assistant to the Town Manager
Town of York, Maine
186 York Street, York, ME 03909
Phone: (207) 363-1000 | Fax: (207) 363-1019
www.yorkmaine.org

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