

**BOARD OF SELECTMEN'S
MEETING MINUTES
5:00/5:55/6:00/7:00PM MONDAY, MARCH 14, 2016
YORK LIBRARY**

5:00PM: Executive Session: Pursuant to M.R.S.A § 405.6.A (Town Manager's Review)

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Todd A. Frederick, Torbert Macdonald, Dawn Sevigny-Watson, Town Manager Stephen H. Burns, and Director of Human Resources Liam Gallaher.

Moved by Mr. Speers, seconded by Mr. Macdonald to enter into executive session. Without objection, so ordered.

Moved by Mr. Macdonald, seconded by Mr. Speers to exit out of executive session. Without objection, so ordered.

5:55PM: Executive Session: Pursuant to M.R.S.A § 405.6.C (Real Estate)

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Todd A. Frederick, Torbert Macdonald, Dawn Sevigny-Watson and Town Manager Stephen H. Burns.

Moved by Mr. Speers, seconded by Mr. Macdonald to enter into executive session. Without objection, so ordered.

Moved by Mr. Macdonald, seconded by Mr. Speers to exit out of executive session. Without objection, so ordered.

6:00PM: Utilities Workshop

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Todd A. Frederick, Torbert Macdonald, Dawn Sevigny-Watson, Town Manager Stephen H. Burns, Water District Superintendent Don Neumann, Sewer District Superintendent Tim Haskell, Director of Public Works Dean Lessard, Town Planner Dylan Smith, and members of the public.

7:00PM: Regular Meeting

Present: Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Todd A. Frederick, Torbert Macdonald, Dawn Sevigny-Watson, Town Manager Stephen H. Burns and members of the press and public.

Call to Order

Chairman Robert E. Palmer, Jr. called the meeting to order at 7:00PM.

Opening Ceremonies

A. Minutes

1. February 29, 2016 Meeting Minutes

Moved by Mr. Macdonald, seconded by Ms. Sevigny-Watson to approve the February 29, 2016 Meeting Minutes, as amended. Vote 4-0-1, motion passes.

B. Chairman's Report

Chairman Robert E. Palmer, Jr. congratulated the Town Manager on a good municipal side of the current budget season and reminded citizens to vote on the upcoming Budget Referenda on May 21, 2016.

C. Manager's Report

Town Manager Stephen H. Burns announced that the Town FY17 Budget, if approved, has only a 0.6% increase from last year. Mr. Burns also announced that the Town Clerk and Tax Collector's office will be closed on March 23 for training. Also, the annual trap cleanup day falls on April 23 this year.

D. Awards

E. Reports

1. Municipal Building Committee - Police Station
2. Village Study Committee Semi-Annual Report

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

Public Comment: Judy Romano

G. Public Hearings

1. Property Tax Relief Ordinance

Moved by Mr. Macdonald, seconded by Mr. Speers to open the public hearing. Without objection, so ordered.

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Speers to close the public hearing. Without objection, so ordered.

H. Endorsements

Business Licenses:

- *Sam Ciardiello DBA: The Lynwood Inn (Innkeeper); located at 41 Broadway*
- *Trevor Fitzgerald DBA: Hawaiian Jim's Shaved Ice (Food Service); located at 7 Railroad Avenue*
- *Ray Ramsey DBA: Sun 'N Surf (Food Service, Liquor, Special Amusement); located at 264 Long Beach Avenue*
- *Kenneth West DBA: York River Landing (Food Service, Liquor); located at 150 US Route One*
- *Cumberland Farms, Inc. DBA: Cumberland Farms #5567 (Food Service); located at 230 York Street*
- *Gail Stacy DBA: Flo's Take-Out (Food Service); located at 1359 US Route One*
- *Joseph A. Young DBA: Cape Neddick Lobster Pound (Food Service, Liquor, Special Amusement); located at 60 Shore Road*
- *Downeast Resorts, LLC. DBA: Cape Neddick Inn (Food Service, Liquor, Special Amusement); located at 1273 US Route One*
- *W. Mark Foster DBA: Stage Neck Inn, Inc. (Food Service, Liquor, Special Amusement, Innkeeper); located at 8 Stage Neck Road*
- *Victor Guay and Ralph Goddard DBA: Bittersweet Bed and Breakfast (Bed & Breakfast); located at 167 Cape Neddick Road*
- *York Harbor Reading Room, Inc. DBA: The York Harbor Reading Room (Food Service, Liquor, Special Amusement); located at 491 York Street*

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following licenses: Sam Ciardiello DBA: The Lynwood Inn (Innkeeper); located at 41 Broadway, Trevor Fitzgerald DBA: Hawaiian Jim's Shaved Ice (Food Service); located at 7 Railroad Avenue, Ray Ramsey DBA: Sun 'N Surf (Food Service, Liquor, Special Amusement); located at 264 Long Beach Avenue, Kenneth West DBA: York River Landing (Food Service, Liquor); located at 150 US Route One, Cumberland Farms, Inc. DBA: Cumberland Farms #5567 (Food Service); located at 230 York Street, Gail Stacy DBA: Flo's Take-Out (Food Service); located at 1359

US Route One, Joseph A. Young DBA: Cape Neddick Lobster Pound (Food Service, Liquor, Special Amusement); located at 60 Shore Road, Downeast Resorts, LLC. DBA: Cape Neddick Inn (Food Service, Liquor, Special Amusement); located at 1273 US Route One, W. Mark Foster DBA: Stage Neck Inn, Inc. (Food Service, Liquor, Special Amusement, Innkeeper); located at 8 Stage Neck Road, Victor Guay and Ralph Goddard DBA: Bittersweet Bed and Breakfast (Bed & Breakfast); located at 167 Cape Neddick Road, York Harbor Reading Room, Inc. DBA: The York Harbor Reading Room (Food Service, Liquor, Special Amusement); located at 491 York Street, subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

I. Old Business

1. Discussion and Possible Action: Trash Contract Committee

On September 21, 2015 the Board of Selectmen asked that a charter be drafted and presented back to them to establish a committee to review the Town's solid waste and recycling options, make recommendations for changes to the existing program and request proposals from water and recycling collection and disposal contractors for pricing on different programs.

After discussion, the Board asked that the Director of Public Works to do additional research into the possible options in front of the Board - Regional Contracts, "Pay-as-you-throw" programs, etc.

2. Discussion and Possible Action: Property Tax Relief Ordinance

Moved by Mr. Macdonald, seconded by Mr. Frederick to hold a public hearing on the Property Tax Relief Ordinance, as amended, on March 28, 2016. Vote 5-0, motion passes.

3. Discussion and Possible Action: Voter Actions Relating to the Connector Road

The Town Manager addressed a question that was raised as to whether or not the Town has authorization to complete the Connector Road with existing approvals granted by voters. Mr. Burns believes the Town has all required authorizations for the design as originally approved, although an end across the York's Wild Kingdom property will require voter approval after design and property transaction negotiations have been completed.

4. Discussion and Possible Acton: Acquisition of Property Adjacent to Long Sands Bathhouse

Moved by Mr. Macdonald seconded by Mr. Speers, to accept the offer relating to the property in the wrought portion of the Long Beach Avenue right-of-way in front of the Long Sands Bathhouse, and direct the Town Manager to complete this

transaction of behalf of the Town, with attorney costs to be paid from the Town legal budget and all other costs paid to the seller to come from project bond funds. Vote 5-0, motion passes.

J. New Business

1. Discussion and Possible Action: Review of the Draft Special General Referendum Warrant

The Board was presented with a draft version of the Special General Referendum Warrant for the May 21, 2016 election.

2. Discussion and Possible Action: School Budget Validation Referendum

Every three years the Town can decide whether or not to retain the school budget validation process – whether or not to stay with the open school meeting or to return to the old Home Rule Charter-mandated system. The Budget Committee vote 6-0 to indicate its preference for a return to the Charter-based approach. Town Attorney Mary Costigan provided the Town Manager with guidance on this matter, and found the Town Manager’s draft ballot question to be acceptable.

After discussion regarding the possible wording of the article, the Board agreed to let School Committee draft the wording of the article for the Selectmen to review.

Moved by Mr. Frederick, seconded by Mr. Speers to place a preference vote by the Board of Selectmen to accompany the school budget validation referendum article. Vote 4-1, Mr. Macdonald against, motion passes.

3. Discussion and Possible Action: Budget Committee Requests

- a. Authorize funds from the Open Space Special Revenue Account for the Fuller Forest Purchase

The Budget Committee is in favor of using funds in the Open Space Special Revenue Account to offset a portion of the \$300,000 to be provided to the York Land trust for the Fuller Forest purchase, if approved by voters.

Moved by Mr. Macdonald, seconded by Mr. Frederick to authorize the use of all remaining funds in the Open Space Special Revenue Account (#464), for the York Land Trust’s purchase of the Fuller Forest property, the amount being approximately \$81,975, to reduce the dollars to be bond-funded if approved by the voters in May. Vote 5-0, motion passes.

- b. Authorize a Supplemental Contingency Funding Request for LED Streetlights

Moved by Mr. Macdonald, seconded by Ms. Sevigny-Watson to authorize a Supplemental Contingency Funding Request, not to exceed \$65,000, for the contingency funds relating to the Led street light project. Vote 5-0, motion passes.

4. Special Event Permits
 - a. York Hospitals 5K Road and Cross Country Race
 - b. Lion's Annual Fund Raising Auction
 - c. Ellis Short Sands Park 4th of July Fireworks
 - d. Marketfest - York Village

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following Special Event Permit applications subject to all, if any, conditions given by Department Heads: York Hospitals 5K Road and Cross Country Race, Lion's Annual Fund Raising Auction, Ellis Short Sands Park 4th of July Fireworks and Marketfest - York Village. Vote 5-0, motion passes.

5. Property Redemption: 87 Cider Hill Road

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the property redemption of Tax Map 0090-0080, located at 87 Cider Hill Road, as requested, subject to the condition that all taxes, interest and administrative costs are paid in full by no later than May 13, 2016 with cash or certified bank check. Vote 5-0, motion passes.

6. Pole Location Permit: Acorn Street

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the Pole Location Permit for one pole on Acorn Street, in a northerly direction, 50 feet from Pole #8. Vote 5-0, motion passes.

K. Future Agendas

L. Other Business

Mr. Macdonald expressed his disappointment in the alteration to the Mount Agamenticus parking area article. He argued that it should have stayed at the original \$35,000 for the construction, rather than reducing it to \$10,000 for a needs assessment, putting something that he feels is obviously and desperately needed.

M. Citizens' Forum

Public Comment: None

N. Executive Session Pursuant to M.R.S. § 405.6.C (Real Estate, Cliff Walk)

Moved by Mr. Macdonald, seconded by Mr. Speers to enter into executive session. Without objection, so ordered.

Moved by Mr. Macdonald, seconded by Mr. Speers to exit out of executive session.
Without objection, so ordered.

Adjourn

Moved by Mr. Macdonald, seconded by Mr. Speers to adjourn the meeting at
9:35PM. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery
Assistant to the Town Manager