

**BOARD OF SELECTMEN'S  
MEETING MINUTES  
6:20/7:00PM MONDAY, NOVEMBER 16, 2015  
YORK LIBRARY**

**6:20PM:** Executive Session – Quarterly Review and Check-In with Town Manager; Pursuant to MRSA Title 1, Section 405.6.D

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

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to enter into executive session. Without objection, so moved.

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to exit out of executive session. Without objection, so moved.

**6:50PM:** Committee Interviews

**7:00PM:** Regular Meeting

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

**Call to Order**

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

**Opening Ceremonies**

**A. Minutes**

1. June 8, 2015 Meeting Minutes
2. June 22, 2015 Meeting Minutes

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the June 8, 2015 and June 22, 2015 Meeting Minutes, as amended. Vote 5-0, motion passes.

**B. Chairman's Report**

**C. Manager's Report**

Town Manager Stephen H. Burns announced that there were 2,888 voters at the November General Referendum this year. Mr. Burns also reminded citizens that the Annual Shellfish Clam-flats Clean-up Day will be December 6, 2015 from 7:00AM to 10:00AM. Mr. Burns also congratulated York High School on their win in the Southern Maine School Spirit Challenge, where they collected over 100,000 pounds of food.

**D. Awards**

1. Bid Award: Special Services Vehicle

Moved by Mr. Macdonald, seconded by Mr. Speers to award the bid for the purchase of a 2016 Chevrolet Tahoe Special Services 4x4 Vehicle to Quirk Auto Group of Hallowell, Maine in the amount of \$29,024.00 from the capital cruiser account of the Police Department. Vote 5-0, motion passes.

**E. Reports**

1. Summer 2015 Gift Shop Overview

2. Parks and Recreation Board

**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: Ron Nowell  
Helen Rollins  
Brenda Knapp

**G. Public Hearings**

1. Proposed Changes to the Traffic Safety Ordinance and Parking Permit Program (Increasing the cost of Parking Meters, Parking Passes and Parking Fines)

Moved by Mr. Macdonald, seconded by Mr. Speers to open the Public Hearing. Without objection, so ordered.

Public Comment: Rick Boston

Moved by Mr. Macdonald, seconded by Mr. Speers to close the Public Hearing. Without objection, so ordered.

**H. Endorsements**

1. Games of Chance

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the 2016 blanket letter of approval for Games of Chance. Vote 5-0, motion passes.

2. Business Licenses

- a. Joseph Hogan DBA: Sentry Hill for Food Service; located 2 Victoria Court
- b. Boardman Ellis VFW Post #6977 for Food Service, Special Amusement, Coin-Operated Amusement and Liquor Licenses; Located at 75 Cape Neddick Road
- c. Hannaford Bros. Company, LLC DBA: Hannaford Food and Drug #8384 for Food Service; Located at 5 Hannaford Drive
- d. Mark Graziano DBA Anthony's Food Shop, Inc. for Food Service; Located at 679 US Route One
- e. David and David Rowland DBA; Some Brewing Co., LLC for Liquor License; Located at 1 York Street Unit 3

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following business license applications: Joseph Hogan DBA: Sentry Hill for Food Service; located 2 Victoria Court, Boardman Ellis VFW Post #6977 for Food Service, Special Amusement, Coin-Operated Amusement and Liquor Licenses; Located at 75 Cape Neddick Road, Hannaford Bros. Company, LLC DBA: Hannaford Food and Drug #8384 for Food Service; Located at 5 Hannaford Drive, Mark Graziano DBA Anthony's Food Shop, Inc. for Food Service; Located at 679 US Route One, David and David Rowland DBA; Some Brewing Co., LLC for Liquor License; Located at 1 York Street Unit 3, 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: Amending the Traffic Safety Ordinance and Parking Permit Program

Moved by Mr. Macdonald, seconded by Mr. Speers that the Traffic Safety Ordinance, Section 18: Violations and Penalties for Parking Tickets (tags) bullet points 1, 2 and 7 be amended with the following fee increase; Meters \$50.00, Overtime \$50.00, Other Violations \$50.00 per violation. Also moved to amend the Traffic Safety Ordinance, Schedule E: Parking Meters to increase the hourly fee to

\$2.00 per hour for all posted meters. Also moved to amend the Permit Parking Program Ordinance, Section 4-A with the following fee increase; resident parking permit required fee \$40.00, senior citizens 65 years and over required fee \$20.00 per calendar year. Vote 5-0, motion passes.

2. Discussion and Possible Action: Connector Road Engineering

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the ward of the conceptual planning and layouts of a new alignment for the Connector Road between Ridge Road and US Route One, utilizing a portion of the previously designed access road and apportion of the existing Wild Kingdom Road and its US Route One entrance to Ransom Consulting, Inc. at no cost to the Town. Vote 5-0, motion passes.

3. Discussion and Possible Action: Vernal Pool Violation

Moved by Mr. Macdonald, seconded by Mr. Speers to direct the Town Manager to create a timeline for specific actions, and solicitation of bids for the restoration work, to correct violations cited by the US Army Corps of Engineers. All necessary work to be completed by June 30, 2016. Further, the Town Manager shall work with the Town Attorney to address the responsibilities of PC Construction for payment. Vote 5-0, motion passes.

4. Discussion: Beach Management Topic #1 – Trash

Parks and Recreation Director Michael Sullivan and Director of Public Works Dean Lessard started a discussion with the Board of Selectmen regarding the Beach Management Plan by which we manage the large volume of trash that accumulates daily during the busy tourist season. There are approximately 97 public trash receptacles located throughout York and the majority of them are located at York's Beaches. The Board was receptive to the idea of a doing more research on a possible trial period of Waste Management maintaining the public trash containers as part of a new waste removal contract.

5. Discussion and Possible Action: Special General Referendum Request – Building Height Amendment

Moved by Mr. Frederick, seconded by Ms. Sevigny-Watson to hold a public hearing on the proposed ordinance amendment regarding Municipal School Buildings on December 14, 2015. Vote 5-0, motion passes.

6. Discussion and Possible Action: Long Beach Drainage Projects

Moved by Mr. Macdonald, seconded by Mr. Frederick to approve that the Department of Public Works and Ransom Consultants finalize the drainage designs and solicit construction bids for the installation of both Long Beach Drainage projects from qualified contractors. Vote 5-0, motion passes.

**J. New Business**

1. Discussion: Fire Tower Issues on Mount Agamenticus – Ownership, Consolidation, etc.

Parks and Recreation Director Michael Sullivan and Village Fire Chief Christopher Balentine began the discussion regarding the Fire Tower located on Mount Agamenticus with the Board of Selectmen looking for guidance on the future of the tower. There are currently questions regarding ownership and other issues with the Maine Forest Service, who stopped manning the fire tower in 1991.

2. Discussion and Possible Action: Required Legal Training

Several months ago it was suggested to the Board that the Charter should be amended to insert a requirement for periodic legal training for various board that have decision-making authority (Board of Appeals, Planning Board, Historic District Commission, etc.). Mr. Burns suggested that this could also be approached as a new Selectmen’s Policy, as a quicker, less forceful way to move forward. The Board of Selectmen were all in agreement that this should be looked into as a Selectmen’s Policy.

3. Discussion: FY17-21 Capital Program Update

Mr. Burns gave a brief update to the Board of Selectmen and the public about the status of work on the FY17-21 Capital Program.

4. Discussion and Possible Action: Letter of Credit Release for 1950 US Route One

Moved by Mr. Macdonald, seconded by Ms. Sevigny-Watson to release the letter of credit to the York-Ogunquit Storage Solutions project. Vote 5-0, motion passes.

5. Historic District Commission Appointment

Not Addressed – Moved to a future agenda.

**K. Future Agendas**

**L. Other Business**

**M. Citizens’ Forum**

Public Comment: Helen Rollins

**Adjourn**

Moved by Mr. Macdonald, seconded by Mr. Speers to adjourn the meeting at 10:15PM. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery  
Assistant to the Town Manager