



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/
Harbor Master
(207)363-1010

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

Grant House
(207)351-1204

Fax
(207)363-1009
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SELECTMEN'S MEETING 7:00 P.M. MONDAY MAY 20, 2013 YORK LIBRARY

Present: Chair; Mary Andrews, Vice Chair; Scott Fiorentino, Kinley Gregg Ronald Nowell, Torbert Macdonald, Town Manager; Robert G. Yandow, Recorder; Katie McWilliams and members of the press and public. Election not held until later in meeting.

Call to Order at 7:00pm

Pledge of Allegiance

A. Minutes

- April 29, 2013 Selectmen's Meeting Minutes

Moved by Ms. Andrews, second by Mr. Fiorentino to approve the April 29, 2013, Selectmen's Meeting Minutes. Without objection, so ordered.

B. Chairman's Report

- Thoughts and prayers are with the people in Oklahoma who were affected by the devastating tornados today.

C. Manager's Report

None

D. Awards:

None

E. Reports:

1. Cape Neddick River Watershed Report

The town's consultants have completed a draft report pursuant to the contact approved by the Board of Selectmen in April 2012.

The Consulting team includes: John MacKinnon of Watershed Solutions; Matt Reynolds of Drumlin Environmental; and Albert Frick of Frick & Associates. Mr. Reynolds presented the board with the draft plan.

The purpose of this work is to create a watershed plan to guide future efforts to clean up the water sufficient to achieve compliance with the Clean Water Act requirements. There are a series of requirements in Section 319 of the Clean Water Act which guide the preparation of such plans, and this Plan is developed accordingly.

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

Frances Koerschner
Fred Koerschner
Robert Gray
Charles Stacy
Howard Koepfel
Bill Burnham

G. **Approval of Warrant #46**

Moved by Ms. Gregg, seconded by Mr. Fiorentino to approve Warrant # 46. Vote 5-0, motion passes.

H. **Public Hearings:**

None

I. **Endorsements- Business Licenses**

1. Sean Mitchell DBA Bagel Basket (*Victualers*); Located at 280 York Street

2. Gregory Tsairis DBA Maine Lobster Outlet (*Victualers*); Located at 2 Market Place Drive
3. Molly Lavecchia DBA Rocky Acres Farm Stand (*Victualers*); Located at 7 Webber Road

Moved by Ms. Gregg, seconded by Mr. Nowell to approve the following license applications: Sean Mitchell DBA Bagel Basket (*Victualers*); Located at 280 York Street, Gregory Tsairis DBA Maine Lobster Outlet (*Victualers*); Located at 2 Market Place Drive, Molly Lavecchia DBA Rocky Acres Farm Stand (*Victualers*); Located at 7 Webber Road subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

J. Old Business

1. MDOT MPI Grant for York Street

At the May 13, 2013 meeting the Board of Selectmen asked for some additional information regarding the proposed MDOT Municipal Partnership Initiative Grant project on York Street. Specifically, for written confirmation that the Town would receive the \$500,000 grant based on the conceptual plan developed by the Public Works Department and, secondly, if the project was approved could modifications be made to the plan for new sidewalks on York Street?

Mr. Kyle Hall, Region 1 Engineer with MDOT indicated that plan submissions are not required as part of the application process in obtaining a grant, only the general location, anticipated scope of work, and a cost estimate. The agreement to be signed is for reconstruction on Route 1A for 0.98 miles. The anticipated cost of all the work is \$1.5 million with \$500,000 in MPI funds. 1 million has already been approved by voters in 2010. Once the agreement is signed plans can be submitted for review of the work. As long as the work is of the appropriate scope, along Route 1A in York, and certified by a Licensed Maine professional Engineer, the funds would be applied.

Moved by Mr. Nowell, seconded by Ms. Gregg, to authorize the Town Manager to sign a Municipal Partnership Initiative Agreement with the Maine Department of Transportation requesting \$500,000 for improvements on Route 1A in the Town of York. Vote 3-2, Ms. Gregg and Ms. Andrews opposed, motion passes.

K. New Business

1. Election of Chair and Vice-Chair

Ms. Andrews opened nominations for Chair. Mr. Macdonald nominated Mr. Nowell for Chair. Mr. Fiorentino nominated Ms. Andrews, however she requested not to be considered. Secret Ballot vote 3-0-2, in favor of Mr. Nowell for Chair, with two blank ballots.

Mr. Nowell opened nominations for Vice Chair. Mr. Macdonald nominated Ms. Gregg for Vice Chair. No other nominations. Secret Ballot vote 5-0, in favor of Ms. Gregg for Vice Chair.

2. Establish a Fixed Schedule of Meetings

It was decided as a board to continue having business meetings on the second and fourth Monday of each month, with the 1st and 3rd Monday being available for special workshops, as needed.

3. Adopt the "Selectmen's Policy Manual" as the Board's Rules of Procedure

No Action Taken

4. Adopt the Selectmen's Policy Entitled "Disbursement of Wages to Municipal Employees"

Moved by Ms. Andrews, seconded by Ms. Gregg to adopt the Selectmen's Policy entitled "Disbursement of Wages to Municipal Employees". Vote 5-0, motion passes.

5. Adopt the Selectmen's Policy Entitled "Order of Municipal Officers"

Moved by Ms. Gregg, seconded by Mr. Fiorentino to adopt the Selectmen's Policy entitled "Order of Municipal Officers". Vote 5-0, motion passes.

6. Call a Special Budget Referendum in accordance with Article 2, Section 14.F of the Town of York Home Rule Charter; If Necessary

No Action Taken

7. Adopt the Town Budget as Certified by the Town Clerk and Approved by the Voters per Article 2, Section 14.B of the Town of York Home Rule Charter

Moved by Ms. Gregg, seconded by Mr. Fiorentino to adopt the Town Budget as certified by the Town Clerk and approved by the Voters. Vote 5-0, motion passes.

8. Discuss Recommended Changes to the Traffic Safety Ordinance

Stephen Burns, Community Development Director recommended that the Board discuss the proposed amendments to the Traffic Safety Ordinance, and forward supported amendments to a public hearing. Mr. Burns also requested policy direction about 2 related matters.

The proposed amendments are:

1. Prohibit Parking on Bay Street Between Franklin Street and Ocean Ave.
2. Prohibit Overnight Parking on Beach Ball Field Road
3. Prohibit Left Turns by Northbound Traffic Existing County Road

Related Matters:

1. County Road- determine if the street will be one or two-way
2. Parking Fees/Fines- should we address the fee increase in the future?

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to schedule a public hearing on June 10th for the following amendments to the Traffic Safety Ordinance:

1. Prohibit Parking on Bay Street Between Franklin Street and Ocean Ave
2. Prohibit Overnight Parking on Beach Ball Field Road
3. Prohibit Left Turns by Northbound Traffic Exiting County Road

And to solicit direction on;

4. Necessary measures to return County Road to two-way
5. Future parking fees for Ellis Short Sand Park

Vote 5-0, motion passes.

9. Appoint Amber Harrison as Local Plumbing Inspector

Amber Harrison has obtained State certification to serve as a Local Plumbing Inspector. She had passed her External Plumbing (septic) exam before coming to York, and now she has passed her Internal Plumbing exam. These two certifications are required before any local appointment as a plumbing inspector.

Moved by Mr. Macdonald, seconded by Ms. Gregg to appoint Amber Harrison as the Local Plumbing Inspector for the Town of York. The term of this appointment shall be indefinite, at the pleasure of the Board of Selectmen. Vote 5-0, motion passes.

10. Senior Center Use of Gift from Marjorie Duffy Estate for Senior Transportation Needs

The Town recently received a check from Ms. Marjorie Duffy's estate in the amount of \$103,000 for the "sole purpose of providing capital and operating funds for the senior's transportation needs."

Mike Sullivan, Parks and Recreation Director, presented the board a recommendation that the Town purchase a 25 to 30 passenger bus to facilitate group trips in and around the York area. The bus would serve the mainstream population of the Center allowing all seniors to take advantage of Ms. Duffy's gift.

The cost of the bus is estimated at \$55,000 and would be purchased out right. Mr. Sullivan recommends that \$5,000 be put in the transportation enterprise account to be used as startup funds. The remaining \$43,000 would be put in an interest bearing account and held until such time that the bus need to be traded.

The Senior Center Advisory Board gave their unanimous endorsement of the Parks and Recreation Department Senior Center's proposal to purchase a passenger bus with the gift.

Moved by Mr. Macdonald, seconded by Mr. Fiorentino, to authorize the Parks and Recreation Department to go out to bid for a 25-30 passenger bus for the Senior Citizen's Center, to place \$5,000 in the Senior Enterprise Account to be used as startup funds for the transportation program and to place the remaining funds from the Marjorie Duffy donation in an interest bearing town reserve account to be used for senior transportation only. Vote 5-0, motion passes.

11. Discussion of the Drainage Easement between The Union Bluff and The Town of York

Chairman Mr. Nowell conducted a discussion of the drainage easement between The Union Bluff and Ellis Short Sands Park.

12. Special Event Permit- York Hospital 5K Road and Cross Country Race

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the Special Event Permit for York Hospital 5K Road Race and Cross Country Race on Saturday, June 1, 2013, starting at 8:30AM. Vote 5-0, motion passes.

13. Special Event Permit- York Beach Fire Department's Annual Field Day and Parade

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the Special Event Permit- York Beach Fire Department's Annual Field Day and Parade on Sunday, June 30th, starting at 11:00 AM. Vote 5-0, motion passes.

14. Pole Location Permit

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the Pole Location Permit for one pole on Nubble Road in a southerly direction, 20 feet from pole #1. Vote 5-0, motion passes.

**15. Special Permit for Catering Privileges Off Premises- Foster's Clam Bake;
June 1, 2013**

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the Special Permit for Catering Privileges Off Premises- Foster's Clam Bake at View Point Hotel, June 1, 2013 from 2:30 PM- 9:30PM. Vote 5-0, motion passes.

**16. Special Permit for Catering Privileges Off Premises- Foster's Clam Bake;
June 8, 2013**

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the Special Permit for Catering Privileges Off Premises- Foster's Clam Bake at View Point Hotel, June 8, 2013 from 2:30 PM- 8:00 PM. Vote 5-0, motion passes.

L. Other Business

M. Citizens Forum

Sam Horn
Mike Micciche
Charles Stacy
Jim Smith

Adjourn

Moved by , seconded by to adjourn at 10:26 PM.

Respectfully Submitted By:

Katie McWilliams; Recorder