

# Town of York

186 York Street  
York, Maine 03909-1314

Town Manager/  
Selectmen  
(207)363-1000

Town Clerk/  
Tax Collector  
(207)363-1003

Finance/  
Treasurer  
(207)363-1004

Code Enforcement  
(207)363-1002

Planning  
(207)363-1007

Assessor  
(207)363-1005

Police Department  
(207)363-1031

Dispatch  
(207)363-2557

York Beach Fire  
Department  
(207)363-1014

York Village Fire  
Department  
(207)363-1015

Public Works  
(207) 363-1011

Harbor Master  
(207)363-1000

Senior Center/  
General Assistance  
(207)363-1036

Parks and  
Recreation  
(207)363-1040

Fax  
(207)363-1009  
(207)363-1019

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

## SELECTMEN'S MEETING 6:00/7:00 P.M. MONDAY JUNE 27th, 2011 YORK LIBRARY

6:00 PM Executive Session- Real Estate (Pursuant to MRSA Title 1, Section 405.6 C)

### Call to Order-

### Pledge of Allegiance

### A. Minutes

-June 13th, 2011 Selectmen's Meeting Minutes

### B. Chairman's Report

### C. Manager's Report

### D. Awards

1. Paving Bid Award

### E. Reports

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

### G. Approval of Warrant #52

### H. PUBLIC HEARINGS

### I. ENDORSEMENTS

#### License Applications

-Gunner Hagstrom dba Maine Lobster Outlet (Victualers)

-Jay Edwards dba Edwards Harborside Inn (Bed & Breakfast, Victualers)

- Robert Pinkam dba Roost Café & Bistro (Victualers, Liquor, Special Amusement)
- Carle L. Brown dba Ruby's Wood Grill (Victualers, Liquor, Special Amusement, Coin-Op Amusement)
- Yau Chung Ming dba China Bistro (Victualers, Liquor)
- Kandace Minihane dba American Legion Post 56 (Victualers, Liquor, Special Amusement, Coin-Op Amusement)
- Peter and Kathryn Wagner dba Camp Eaton, Inc (Victualers)
- Mary Jane Merritt/Union Bluff Hotel dba The Meeting House (Victualers, Liquor, Special Amusement, Dance Hall)
- Steven Giles dba York Corner Deli (Victualers)
- Sean Mitchell dba Bagel Basket (Victualers)

#### **J. Old Business**

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

#### **K. New Business**

1. Cape Neddick River Quality Funding
2. Possible Sale of Town-Owned Property Located at 571 US Route 1 to the York Housing Authority.
3. Moratorium on Directional Sign Ordinance.
4. Business Directional Sign Application: York Village Scoop Ice Cream.
5. Special Event Permit Application: ESA Surf Contest 2<sup>nd</sup> date.
6. Pole Permit Applications: Second Street, Freeman Street.
7. Board and Committee Re-appointments.
8. Resignation of Kate Ford from the York Housing Authority.
9. Approval of Transient Sellers License: Maine Peoples Alliance.
10. Application for Special Permit for Catering Privileges Off Premises: Bill Fosters Downeast Clambake

#### **L. Other Business**

#### **M. Citizens Forum**

#### **Adjourn**

**SELECTMEN'S MEETING**  
**7:00 P.M. MONDAY JUNE 13th, 2011**  
**YORK LIBRARY**

**Attendees:** Tracy Jackson-McCarty, Mary Andrews, Edward W. Little, Kinley Gregg, Scott Fiorentino, Robert G. Yandow, Town Manager Kathryn Danylik, Recorder and Members of the Press & Public.

**Call to Order-** Chairman Jackson-McCarty called the meeting to order at 7:00 PM

**Pledge of Allegiance**

**A. Minutes**

-May 23rd, 2011 Selectmen's Meeting Minutes

Moved by Ms. Gregg and seconded by Mr. Little to approve the May 23<sup>rd</sup>, 2011 Selectmen's Meeting Minutes. Without objection so ordered.

**B. Chairman's Report**

Chairman Jackson-McCarty stated that we have a new podium and to please bear with us while we get used to it and work out any issues.

**C. Manager's Report**

Mr. Yandow stated that the Route 103 bridges are now open.

Mr. Yandow reported that the traffic signal on Route 1 at Southside is now operational. There has been a few issues with turning movements so on Wednesday the island will be torn out and paved over.

**D. Awards**

**1. Professional Services agreement with SMRT, Inc.**

In December of 2005 the Town of York issued a Request for Qualifications for architectural design services for a new police station. These services included site selections, programming, design and construction administration. The Town received seven responses which were then narrowed down to four firms. On June 26<sup>th</sup> 2006 the Board of Selectmen awarded SMRT a contract for pre-architectural services. Subsequent to the initial contract the Board of Selectmen has over time approved additional contracts with SMRT for review of the Horn/York Wild Kingdom properties, the suitability of the Blinn Property and the most recent contract for concept design, resource compensation, and cost estimating for the police station and connector road projects.

Bob Reed, Chairman of the Municipal Building Committee, presented to the Board SMRT's proposal for Professional Services. Last week SMRT presented their proposal for professional services and laid out in great detail the fee structure and responsibilities. SMRT has reduced its fee for work on the connector Road from 8% to 4.5%. Their fee

for the work on the police station remains at 7% bringing their fee to 6% of construction costs for the project. This is very competitive and we thank them for listening to our concerns. They have reduced their fee percentage from 7.75% to 6% for a total fee savings of over \$90,000. If the Board of Selectmen approves the professional services agreement the first task for the Building Committee will be to hire a construction manager through a public bidding process. The Building Committee has unanimously voted to extend the 2006 SMRT professional services contract.

David Lay of SMRT gave a brief overview of the importance of the Construction Manager at Risk. The construction manager is an advisor, someone who manages the contracts, gives advice about cost, the market and constructability.

Moved by Ms. Andrews and seconded by Mr. Little to approve a professional services agreement with SMRT, Inc. for final design services for the York police station and connector road projects in an amount not to exceed \$438,811 for basic services. Vote 4-1, motion passes, Ms. Gregg against.

#### **E. Reports**

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

Public Comment: Charles Stacey  
Morris O'Connell

#### **G. Approval of Warrant #50-**

Moved by Ms. Andrews and seconded by Mr. Little to approve Warrant #50. Without objection so ordered.

#### **H. PUBLIC HEARINGS**

1. Proposed School Impact Fee Amendment

Moved by Mr. Little and seconded by Ms. Andrews to open the public hearing on the Proposed School Impact Fee Amendment.

Public Comment: None

Moved by Ms. Andrews and seconded by Ms. Gregg to close the public hearing on the Proposed School Impact Fee Amendment.

#### **I. ENDORSEMENTS**

##### **License Applications**

- Nancy St. Pierre M & N Concessions Services, LLC (Victualers)
- John Lamarre dba Roast N Crumb (Victualers)
- Margaret Fennelly dba Sweet Josie's Candy Shoppe (Victualers)

-Beauport Inn, LLC dba Beauport Inn (Bed & Breakfast)

Moved by Mr. Little and seconded by Ms. Gregg to approve the following license applications: - Nancy St. Pierre M & N Concessions Services, LLC (Victualers), John Lamarre dba Roast N Crumb (Victualers), Margaret Fennelly dba Sweet Josie's Candy Shoppe (Victualers) and Beauport Inn, LLC dba Beauport Inn (Bed & Breakfast), subject to taxes fees and inspections be current and compliant with the usual noise stipulations. Vote 5-0

#### **J. Old Business**

##### **1. Property Redemption: 206 Ogunquit Road**

Moved by Ms. Andrews and seconded by Mr. Little to remove the previously imposed condition #4 regarding a conservation restriction preventing future construction of buildings on the redemption of property located at 206 Ogunquit Road. Vote 5-0, motion passes.

#### **K. New Business**

##### **1. Discussion of Proposed School Impact Fee Amendment.**

Moved by Ms. Andrews and seconded by Mr. Little to amend the school impact fee regulation to exempt all elderly and elderly congregate housing from the requirement to pay this fee. Vote 5-0, motion passes.

##### **2. Discussion of LD 477 Regarding Motorcycle Noise.**

Chief Bracy addressed the Board of Selectmen regarding LD 477. LD 477 is an Act Relating to Noise Violation by Motor Vehicles, Including Motorcycles, which was passed by the 125<sup>th</sup> Maine Legislature. This act sets certain approved decibel levels for motor vehicles, to include motorcycles and references valid defenses to violations of the act. The primary focus of this legislation is motorcycle noise and there have been regional efforts to address enforcement mechanisms related to motorcycle noise. Chief Bracy explained that there are some educational classes regarding this issue being provided by the State Police. A few York Officers will go through the specific training and throughout the summer we will be setting up some random inspection check points.

##### **3. Correction to January 10<sup>th</sup>, 2011 Minutes.**

Moved by Ms. Andrews and seconded by Mr. Little to accept the corrected minutes of January 10<sup>th</sup>, 2011. Vote 5-0, motion passes.

##### **4. Appointments to the Municipal Building Committee.**

Moved by Ms. Andrews and seconded by Ms. Gregg to appoint Scott Fiorentino as the second Selectmen Representative on the Municipal Building Committee. Vote 5-0, motion passes.

Moved by Mr. Little and seconded by Ms. Andrews to appoint Mike Estes as a citizen member of the Municipal Building Committee. Vote 4-1, motion passes. Ms. Gregg against.

##### **4. Special Event Permit Application: York Hospital Breast Cancer Walk for Hope.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for the York Hospital Breast Cancer Walk for Hope that will be held on Thursday, August 4<sup>th</sup> 2011 from 3:00 PM to 9:00 PM. Vote 5-0, motion passes.

**5. Special Event Permit Application: ESA Surf Contest.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for the ESA Surfing Contest that will be held on Saturday, June 18<sup>th</sup>, 2011 from 7:00 AM to 5:00 PM. Vote 5-0, motion passes.

**6. Special Event Permit Application: York Village Fire Department Field Day.**

Moved by Ms. Andrews and seconded by Mr. Little to approve the special event permit application for the York Fire Department Field Day that will be held on Saturday, August 20<sup>th</sup> 2011 from 11:00 AM to 3:00 PM. Vote 5-0, motion passes.

**L. Other Business**

Ms. Andrews asked the Community Development Director the status of Flagg's Campground.

Ms. Andrews addressed some citizens concerns regarding the bumpouts in York Beach.

Ms. Jackson-McCarty asked if everyone has had a chance to read the Policy manual so that it can be put on the agenda for next time. Approval of the Policy manual will be added to the next agenda.

**M. Citizens Forum**

Public Comment: Charles Stacey

**Adjourn**

Moved to by Ms. Andrews and seconded by Mr. Little to adjourn at 9:06 PM.



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 23, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Paving Bid Award	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Dean Lessard, Director of Public Works
<b>RECOMMENDATION:</b> Award the FY2012 Town paving bid to Libby-Scott, Inc.
<b>PROPOSED MOTION:</b> I move to award the FY2012 paving bid to Libby-Scott, Inc. in the amount of \$66.50 per ton.

**Discussion:** The Greater Portland Council of Governments (GPCOG) issued a request for paving bids for the cities and towns in York and Cumberland Counties in an effort to obtain the lowest possible price for paving for the municipalities. Three proposals (Pike Industries - \$78.00, Dayton - \$68.50 and FR. Carroll - \$68.00) were received for the Town of York. The Town's existing paving contractor (Libby -Scott, Inc.) submitted a bid of \$66.50 directly to the Town consistent with the terms of our existing contract.

**FISCAL IMPACT:** Libby-Scott, Inc. price per ton for paving is \$66.50. The following table shows the life cycle impact of current funding levels.

Comparison Values		FY2010		FY2011		FY2012
Price Per Ton		\$64.50		\$64.50		\$66.50
Percentage Increase			0%		3.1%	
Price Per Mile		\$87,410		\$87,410		\$90,120
Funding Level		\$492,600		\$492,600		\$417,600
	Miles Paved	5.64 miles		5.64 miles		4.63 miles
	Paving Cycle	24 years		24 years		29 years

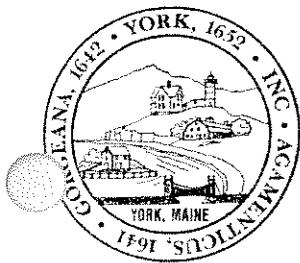
**DEPARTMENT LINE ITEM ACCOUNT:**

**BALANCE IN LINE ITEM IF APPROVED:**

Prepared By: \_\_\_\_\_

Reviewed By: Robert H. Gannon





# Town of York

186 York Street  
York, Maine 03909-1314

**TO:** Board of Selectmen  
**FROM:** Kathryn Newell  
Code Enforcement Officer

**DATE:** June 23, 2011

**RE: LICENSE INSPECTIONS AND RECOMMENDATIONS**

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  
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York Beach Fire  
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York Village Fire  
Department  
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Harbor Master  
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Senior Center/  
General Assistance  
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Recreation  
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Fax  
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(207)363-1019

www.yorkmaine.org

Based on my review, I recommend the following position on the Licenses to be heard on June 27, 2011.

## ENDORSEMENTS

Gunner Hagstrom  
**DBA: Maine Lobster Outlet**  
Victualers

**MAP 53/LOT 9-B**

Gunner Hagstrom  
2 Market Place Drive  
York, ME 03909

**FACILITY  
ZONE  
USE  
RECOMMENDATION**

Take-Out  
Rt. 1-3  
Conforming, Existing  
Approval

Jay Edwards  
**DBA: Edwards Harborside Inn**  
Bed & Breakfast/Victualers

**MAP 57/LOT 7**

Jay Edwards  
P. O. Box 866  
York Harbor, ME 03911

**FACILITY  
ZONE  
USE  
RECOMMENDATION**

Bed & Breakfast/10 Rooms  
BUS-1  
Conforming, Existing  
Approval

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License Inspections & Recommendations

Robert Pinkham  
**DBA: Roost Café & Bistro** **MAP 15/LOT 17**  
Victualers/Liquor/Special Amusement

Robert Pinkham  
P. O. Box 1307  
Ogunquit, ME 03907

<b>FACILITY</b>	Restaurant/24 Seats
<b>ZONE</b>	Rt. 1-5
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval

Carle L. Brown  
**DBA: Ruby's Wood Grill** **MAP 54/LOT 10A-301**  
Victualers/Liquor/Special Amusement/  
Coin-Op Amusement

Carle L. Brown  
10 Brixham Road  
York, ME 03909

<b>FACILITY</b>	Restaurant/150 Seats
<b>ZONE</b>	Rt. 1-3
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval

Yau Chung Ming  
**DBA: China Bistro** **MAP 53/LOT 9-2B**  
Victualers/Liquor

Yau Chung Ming  
1 Kimball Farm Lane  
York, ME 03909

<b>FACILITY</b>	Restaurant/98 Seats
<b>ZONE</b>	Rt. 1-3
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval

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License Inspections & Recommendations

Kandace Minihane  
**DBA: American Legion Post 56**                      **MAP 53/LOT 26**  
Victualers/Liquor/Special Amusement/  
Coin-Op Amusement

Kandace Minihane  
9 Hannaford Drive  
York, ME 03909

<b>FACILITY</b>	Fraternal Organization/225 Seats
<b>ZONE</b>	Rt. 1-3
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval

Peter & Kathryn Wagner  
**DBA: Camp Eaton, Inc.**                      **MAP 40/LOT 61**  
Victualers

Peter & Kathryn Wagner  
P. O. Box 626  
York Harbor, ME 03910

<b>FACILITY</b>	Camp Store
<b>ZONE</b>	BUS-2
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval

Mary Jane Merritt/The Union Bluff Hotel  
**DBA: The Meeting House**                      **MAP 24/LOT 43**  
Victualers/Liquor/Special Amusement/  
Dance Hall

Mary Jane Merritt/The Union Bluff Hotel  
P. O. Box 1860  
York Beach, ME 03910

<b>FACILITY</b>	Restaurant/225 Seats
<b>ZONE</b>	YBVC
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval

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License Inspections & Recommendations

Steven D. Giles  
DBA: York Corner Deli  
Victualers

MAP 54/LOT 10-D

Steven D. Giles  
2 Snowbird Lane  
York, ME 03909

<b>FACILITY</b>	Restaurant/22 Seats
<b>ZONE</b>	Rt. 1-3
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval

Sean Mitchell  
DBA: Bagel Basket  
Victualers

MAP 50/LOT 118

Sean Mitchell  
24 Algonquin Drive  
Cape Neddick, ME 03902

<b>FACILITY</b>	Restaurant/24 Seats
<b>ZONE</b>	GEN-3
<b>USE</b>	Conforming, Existing
<b>RECOMMENDATION</b>	Approval



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 23, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Watershed Management Plan for the Cape Neddick River	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Stephen H. Burns, Community Development Director
<b>RECOMMENDATION:</b> I recommend the Board of Selectmen chose the proposal from Watershed Solutions, Drumlin Environmental, and Albert Frick Associates to prepare a watershed plan for the Cape Neddick River, and to commit to the initial funding to get work started.
<b>PROPOSED MOTION:</b> I move to select the proposal by Watershed Solutions, Drumlin Environmental, and Albert Frick Associates to prepare a watershed management plan for the Cape Neddick River, and to fund the first 4 phases of this proposal in the amount not to exceed \$8,500, to be drawn from FY11 contingency funds.

**Discussion:** This past winter, the Board of Selectmen was approached by the Cape Neddick River Association (the Association) to commit to help clean up pollution in the Cape Neddick River. The Board was asked to fund several tasks relating to water quality in the River, but the Board instead directed staff to solicit proposals for a full-blown river clean-up plan. The Selectmen indicated they might be willing to commit currently available contingency funds to initiate this work, provided it was part of a coordinated, comprehensive approach. In response to this direction, a Request for Proposals (RFP) was released on April 7, 2011. A copy of the RFP and the recommended proposal are attached for your information. The other proposals are available in Kathryn Danylik's office.

Six proposals were received in response to the RFP. While it is likely that any of these firms or teams is capable of preparing a watershed plan as specified in the RFP, my recommendation is based on the proposals received. I used proposed cost to generally sort the proposals into two groups. Three of these proposals fell into a higher cost range, and the other 3 fell into a lower cost range.

#### Higher Cost:

1. Wright-Pierce (\$24,500 to \$49,500). Solid, but only the starting portion of the work. This proposal didn't include the actual preparation of the watershed plan – that was a future phase.
2. Milone & MacBroom (\$52,350). An excellent proposal as written. If money was no object I'd probably recommend this proposal.
3. Geosphere Environmental Management (\$49,000 to \$105,000). Comprehensive to be sure, but also rambling to the point I found the proposal to be difficult to follow.

#### Lower Cost:

1. Weston & Sampson (\$18,600 to \$20,600) This proposal seems too light-weight. It doesn't address non-bacteria pollution. Further, it doesn't demonstrate a good understanding of in-house resources (for example, the proposal would build a GIS database using data from the state – no mention of our extensive in-house GIS resources). I do like their electronic library (similar to our use of web page to make information available) and their current familiarity with the York Sewer District plant.
2. Watershed Solutions/Drumlin Environmental/Albert Frick Associates (\$34,700) This proposal is complete, workable, and is in the lower cost tier.
3. FB Environmental (\$26,610) This proposal was the cleanest of the bunch to read and follow, but unfortunately non-bacteria pollution is addressed only as a cost add-on of unspecified magnitude. That should have been a more core piece of the proposal.

In my opinion, the proposal by Watershed/Drumlin/Frick is the lowest cost of the proposals that will adequately do the job as written in the proposals. Their proposal was complete and succinct, and I believe it will provide the plan we need to figure out how best to clean up the Cape Neddick River. I called the references provided in the proposal (Yarmouth Town Manager Nat Tupper, DEP Professional Engineer Peter Newkirk, and DEP Bureau manager Don Kale) and all gave very strong references.

Regarding the work to be completed in the first 4 phases of the recommended proposal, this includes:

- compilation and analysis of existing data;
- work with Town staff and volunteers to help guide current testing work and guide development of the plan;
- analysis of data gaps to inform future work; and
- the initial stages of stakeholder outreach to ensure the public is aware of our efforts.

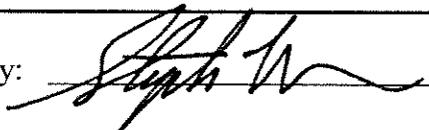
Department staff will support clerical tasks, GIS work, and outreach, leaving the consultant team free to focus on their areas of scientific expertise. I recommend stopping before the 5<sup>th</sup> task because we have a good opportunity to save money in the 5<sup>th</sup> task (data gap sampling) based on our ongoing water sampling work this summer and fall. Task 5 is the most expensive of the 12 tasks, and offers the best opportunity for cost savings in the completion of the plan. I don't recommend stopping earlier than this because I believe the "stakeholder kick-off meeting" will be an important milestone where the consultants will detail exactly what we know about the problems and can explain where we're headed. It will bring all stakeholders up to a common level of informed understanding, and I think this will be important for ensuring future support to complete the watershed plan.

**FISCAL IMPACT: \$8,500**

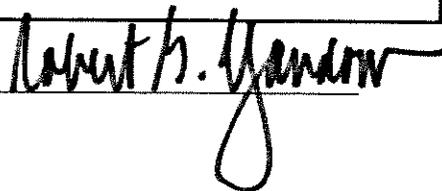
**DEPARTMENT LINE ITEM ACCOUNT:**

**BALANCE IN LINE ITEM IF APPROVED:**

Prepared By:



Reviewed By:





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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 24, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
Regular <input checked="" type="checkbox"/> Work Session	
<b>Subject:</b> Possible Sale of Town-Owned Property Located at 571 US Route 1 to the York Housing Authority	

<b>TO:</b> Board of Selectmen
<b>FROM:</b> Robert G. Yandow, Town Manager
<b>RECOMMENDATION:</b> Approve Sale and Conduct Public Hearing
<b>PROPOSED MOTION:</b> I move to approve a Purchase and Sale Agreement with the York Housing Authority in the amount of \$150,000 for the sale of 2.02 acres of town-owned property located at 571 US Route 1, map 121/lot 081, pending the completion of a public hearing.

**Discussion:** On September 8, 1987 the town purchased 12.8 acres of land at the intersection of Route 1 and the Spur Road from the Maine Department of Transportation. The town paid \$900,000 for the 12.8 acres. On March 1, 1999 the town sold approximately 8.2 acres of this property to Stonewall Realty, LLC for \$535,000. This property is now the site of Stonewall Kitchen. On August 28, 2003 the town sold an additional 2.0 acres of this property to the Greater York Chamber of Commerce for \$205,000. This property is now the site of the Chamber of Commerce Visitor's Center. After these two transactions the town retained 2.02 acres of the original 12.8 acres. The remainder of the original 12.8 acres was used up in rights-of-way.

On May 21, 2011 the York voters authorized the Board of Selectmen to sell, or otherwise dispose of, 49 town-owned properties. The 2.02 acres located at 571 US Route 1 was one of the properties approved for sale.

**York Housing Authority Interest:** On December 28, 2010 I received a letter from The York Housing Authority declaring their interest in purchasing the 2.02 acres at 571 US Route 1 for affordable/workforce housing. Included with this letter was a proposed Purchase and Sale Agreement. The YHA was advised that the voters had not authorized the Selectmen to sell that parcel however the Board of Selectmen would be reviewing town-owned properties and would be putting a number of properties on the May 21, 2011 referendum for voter approval. The Selectmen subsequently developed a listing of 49 town-owned properties that were not needed for future town use and voted to put this list on the May referendum. On March 11, 2011 a second letter was received from the York Housing Authority accompanied by a revised Purchase and Sale Agreement. The YHA was advised that if the voters approved the sale of the 2.02 acres the Selectmen would consider their proposed Purchase and Sale Agreement.

Attached is the March 11, 2011 Purchase and Sale Agreement from the York Housing Authority. You will note that there are a series of contingencies included in the P&S; however none refer to the SELLER (Town of York). The contingencies all refer to the BUYER (YHA) and their ability to get an affordable/workforce housing project approved, financed and permitted.

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

Prepared By: \_\_\_\_\_

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



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 24, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action  <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b>	
<b>Subject:</b> Business Directional Sign Moratorium.	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to lift the moratorium that was placed on the Official Business Directional Sign Ordinance on December 7 <sup>th</sup> , 2009.

**Discussion:** On December 7<sup>th</sup>, 2009 the Board of Selectmen placed a moratorium on the Official Business Directional Sign Ordinance prohibiting any business directional signs from being installed until the ordinance had been reviewed and amended. The Official Business Directional Sign was amended and placed on the May 2011 Special General Referendum where it was approved by the voters on May 21<sup>st</sup>, 2011. Since the voters have approved the new language the Board of Selectmen must officially lift the moratorium in order to allow businesses to apply for directional signs. I have attached the amended ordinance for your reference along with the minutes from the December 7<sup>th</sup>, 2009 meeting.

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

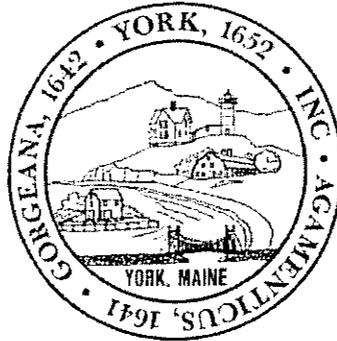
Prepared By:

*Kathryn Danylik*

Reviewed By:

*Robert H. Gordon*

## Business Directional Sign Ordinance



### Town of York, Maine

**Most Recently Amended: May 21, 2011**

Prior Dates of Amendment: November 7, 1995

Dates of earlier amendments and original enactment are uncertain at this time.

#### ENACTMENT BY THE LEGISLATIVE BODY

Date of the vote to enact/amend this Ordinance: May 21, 2011

Certified by the Town Clerk: Mary-Lou Spence on May 23, 2011  
(signature) (date)

## Business Directional Sign Ordinance

### SECTION 1. GENERAL PROVISIONS

- A. Purpose  
The purpose of this Ordinance is to promote the health, safety, and general welfare by (1) providing tourists, travelers, and other users of public ways in the Town of York with information and guidance concerning public accommodations, facilities, commercial services and points of scenic, cultural, historic, educational, recreational and religious interest; (2) reducing visual distractions which pose a hazard to drivers of motor vehicles and other users of public ways; and (3) preserving, enhancing and protecting the natural scenic beauty and other aesthetic features of the Town.
- B. Exemption from Zoning Ordinance Sign Controls  
Business directional signs permitted under the standards of this Ordinance shall not be subject to the Sign Standards of Article Sixteen of the Town of York Zoning Ordinance, which regulates all other permitting of signs in the Town of York.

### SECTION 2. DEFINITIONS

- A. Business Directional Sign: A business directional sign erected and maintained in accordance with the Maine Traveler Information Services Act (Title 23 M.R.S.A., Chapter 21) and this Ordinance to indicate to the traveling public the route and distance to public accommodations, facilities, commercial services and points of scenic, historical, cultural, recreational, educational and religious interest. Use of the term "sign" in this Ordinance shall be interpreted as being a business directional sign unless otherwise specified.
- B. Logo: A single or multicolored symbolic design unique to a business or product, service facility, or point of interest and used to identify its project or services.
- C. Public Way: Public way means any road capable of carrying motor vehicles, including, but not limited to, any State highway, municipal road, county road, unincorporated territory or other road dedicated to the public.
- D. Sign Assembly: A sign assembly is the tiering of more than one official business directional sign on a support assembly.
- E. Symbol: A symbol is a design used to identify traveler services and published in the Manual of Uniform Traffic Control Devices, Chapter 2I, General Service Signs.

- F. Traffic Control Sign or Device: An official route marker, warning sign, sign directing traffic to or from a community, bridge, ferry, or airport or sign regulating traffic which has been erected by officials having jurisdiction over the public way.

### **SECTION 3. LOCATION**

#### **A. General Requirements**

1. Business directional signs shall be located within the highway right-of-way on approaches to intersections where travelers must change direction from one public way to another to reach the advertised destination.
2. The Board of Selectmen may authorize the installation of a sign which indicates the location of a business or service being straight ahead only if the Board should find that the lack of such a sign causes confusion to the motoring public. The burden of proof that sufficient confusion exists shall be with the applicant.
3. A business, service, facility or point of interest shall not be permitted more than one sign at any one intersection approach.
4. There shall be no more than two business directional signs per establishment.
5. To qualify for an official business directional sign, the destination represented on the sign must be within a five mile radius of the proposed location of the sign and located within the Town of York.
6. Business directional signs shall be located so as to avoid visual conflict with other signs, to have the least impact on the scenic environment, and to take advantage of the natural terrain. Official business directional signs shall not be permitted at locations where the directional information contained thereon may be misinterpreted, misleading, or otherwise confusing to the traveling public.
7. Whenever the Selectmen determine that a proposed sign assembly at a particular approach to an intersection will adversely affect highway safety or the visual quality of the immediate neighborhood, the Selectmen may impose more stringent standards including prohibition. Whenever the Selectmen determine that a change in the distances, number of signs per assembly, and number of assemblies at an approach to an intersection will not interfere with highway safety nor adversely impact the visual quality of the immediate neighborhood, the Selectmen may waive the requirements contained in Sections 3.D and 3.E.

B. Prohibited Locations

1. Business directional signs shall not be permitted within the right-of-way of the interstate highway system or fully controlled access highways.
2. Business directional signs shall not be permitted for businesses located on US Route One.
3. New business directional signs shall not be permitted in the intersection of Routes 1 and 1A at York Corner.

C. Lateral Clearances

The near edge of official business directional signs shall be located at least ten feet outside the highway shoulder except that in areas where insufficient right-of-way exists to maintain this clearance, or where physical obstructions make such a distance impossible, the near edge shall be located the maximum practical lateral distance from the edge of the traveled way. In urban areas signs shall be at least one foot from the curb face.

D. Distance

Business directional signs must be within 1600 feet of the intersection where a change in direction is required unless otherwise permitted under Section 3.A.7. In general, business directional signs shall be at least 200 feet from traffic control signs or devices. Business directional signs shall be located so as not to interfere with, obstruct, or divert a driver's attention from a traffic control sign or device. Traffic control signs or devices placed at intersection approaches subsequent to the placement of business directional signs shall have precedence as to location and may require the relocation of business directional signs. Successive business directional sign assemblies shall be spaced sufficiently apart for drivers to comprehend the message contained thereon. In general and where practicable, the minimum distance between sign assemblies shall be 200 feet.

E. Sign Assemblies

There shall be a maximum 6 business directional signs per assembly and a maximum of 2 assemblies to each approach to an intersection unless otherwise modified as provided in Section 3.A.7.

F. Vertical Distances

Sign Assemblies shall be erected so as to provide a minimum of 3 feet vertical clearance between the lower edge of the bottom sign and the surface of the highway. Signboard located near pedestrian and parking areas may be required to have a vertical clearance of 7 feet.

**SECTION 4. DESIGN, COLOR AND REFLECTORIZATION**

A. General

1. Signs permitted under these regulations shall be uniform and standard in design, color, font and reflectorization.
2. Sign legends shall be specific in identifying the name of the appropriate business or their service.
3. Messages, symbols, and logos which interfere with, imitate, or resemble any official traffic control device or serve to advertise rather than identify a business are prohibited.

B. Size

1. Sign sizes, layout, and letter sizes shall conform to the dimensions and details shown in Figures 1 and 1a.
2. All signs in a sign assembly shall be the same size. Each sign will be 10" high x 42" wide with a pair of galvanized #10 screw eyes and a pair of #10 galvanized rings attached.

C. Color and Lettering

1. Each sign will be lettered in black on a white background. Letters will be 4 inches high, minimum, in Helvetica font.
2. A directional legend shall be printed on the sign, on the far left side when a left turn is required, and on the far right side when a right turn is required. Signs that indicate a location straight ahead shall indicate distance/mileage on the far right side.
3. The back of each individual sign will be painted a dark green unless it is a double faced sign.

D. Symbols and Logos

A symbol or logo may be used at the owner's option. If a symbol or logo is used it shall be located on the opposite end of the sign from the directional legend.

E. Reflectorization

The background, sign legend, and border of all official business directional signs may be reflectorized with reflective sheeting (See Section 5, MATERIALS) to show the same shape and color for both day and night.

F. Illumination

Illumination is prohibited.

G. Double Faced Signs

If a sign has two sides, only one side of the sign shall be counted towards a calculation of the total allowed area of the sign per Section 4.B and number of signs per §3.A.4.

**SECTION 5. MATERIALS**

1. Sign panel material shall be constructed from durable wood composite of one-half inch thickness, or other material of similar appearance and quality, suitable for the application of reflective sheeting, and sufficiently stable not to deform under normal conditions of weather and use.
2. Signboards furnished by the applicant shall be installed by the Town on sign posts and mountings so constructed as to hold signs in a proper and permanent position.
3. Reflective sheeting shall consist of a smooth, flat, exterior film with spherical glass lens elements embedded beneath the surface and a pre-coated adhesive backing protected by a removable liner. Reflective sheeting shall meet the detailed requirements of Federal specifications LS-300B available at the office of the Maine Department of Transportation.
4. All material furnished under this Section shall be durable and weather resistant.

**SECTION 6. INSTALLATION AND MAINTENANCE**

A. General

Business directional signs shall be furnished by the owner or the applicant. The signs shall be installed by the Town at approved locations on sign posts furnished by the Town. The Town shall be responsible for the maintenance of the sign supports. The Department of Public Works is responsible for installation and removal of signs as necessary.

Signboards which become lost, stolen, defaced, or otherwise damaged or deteriorated shall be replaced by the owner and reinstalled by the Town.

The owners of business directional signs which represent businesses, service facilities, or point of interest no longer offering such traveler assistance, or signs which are no longer applicable because of business name changes, business relocations, or for any other reason, shall notify the Town to have such signs removed. Applicants/Owners who fail to do so within 6 months of change will be subject to fines not to exceed \$100. Each day of violation of this Ordinance shall constitute a separate offence.

Failure to properly maintain the sign panel by the owner, including covering seasonal signs and notifying the Town that signs are no longer applicable, may result in removal of such signs by the Town.

B. Seasonal Basis

The owner of a business, service, or point of interest closed for 60 or more consecutive days at any one time shall be required to cover the directional legend (mileage and arrow) of official business directional signs during the off-season. The cover shall be held firmly in place so as not to injure or deface the signboard.

Applicants for a business directional sign for a seasonal business shall state the beginning and ending of the operating season and shall notify the Town of any changes to the operating season.

**SECTION 7. APPLICATION PROCESS**

A. Review Authority

All applications for a business directional sign shall be reviewed by the Board of Selectmen. The Board shall have final responsibility and authority to interpret and administer all aspects of this Ordinance. Signs which do not meet the intent and purpose of the law or the criteria established in this Ordinance shall not be approved or erected.

B. Application Submittal

Application for a business directional sign shall be made on forms furnished by the Town and shall be submitted to the Department of Public Works. Applications will be processed and permits issued in the order of receipt of the application by the Town. An existing business directional sign approval is valid for one year, unless renewed by the applicant. Applicants that wish to extend their existing business directional sign approval shall submit an application and fee for renewal before January 1<sup>st</sup>. Failure to submit a complete application and associated fee before January 1<sup>st</sup> will result in removal of signs by the Town.

C. Conformity with Laws

Business directional signs shall be allowed only for a destination which is in conformity with all applicable laws concerning licensing, zoning, and non-discrimination. Each application for a new sign or renewal of an existing sign shall include written assurance or relevant documentation to the Town that the subject site is in conformity with all applicable laws concerning licensing, zoning, and non-discrimination.

The applicant for a business directional sign shall obtain and provide a written opinion from the Superintendent of Public Works, or their designee, that the proposed sign is in

conformity with all applicable standards of this Ordinance and any other applicable public regulations.

D. Decision

1. Approval. Applications reviewed by the Board of Selectmen for a Business Directional Sign that meet the requirements of this Ordinance shall be approved.
2. Reconsideration. In instances where an application is not approved, the Selectmen shall state the reasons for refusal and give the applicant an opportunity to correct any defects and then be reheard by the Selectmen within 30 days.

E. Appeals

Any person aggrieved by the decision of the Selectmen may, within 30 days of the Board's vote, appeal to the Board of Appeals.

F. Variances

The Selectmen may alter the specific requirements for the number and location of signs as set forth in Section 3A if an applicant for a license can show unusual hardship due to conditions of topography, access or other physical characteristics.

G. Fees

1. Application Fees. Application shall be accompanied by an initial permit fee of \$30.00 per sign installation. The initial permit fee will apply to installation for the remainder of the calendar year, but will not be pro-rated for any fraction of a year.
2. Renewal Fees. Renewal fees are \$10.00 per sign, per year.
3. Fees Not Refundable. The initial application fee and any annual renewal fees are not refundable for any reason.

H. Non-Transferability

Permits for the installation of business directional signs are not transferable. Any change in ownership of a business, service, or point of interest shall require reapplication and approval of the sign.

## **SECTION 8. NON-CONFORMING OFFICIAL BUSINESS DIRECTIONAL SIGNS**

- A. Existing official business directional signs in York that do not conform to this Ordinance will have one year from the date of passage of this Ordinance to conform with the Ordinance. Failure to bring signs into conformity shall result in Town removal of the sign and forfeiture of the existing approval.

- B. Annual Reporting. It shall be the responsibility of the Director of the Department of Public Works to annually inventory all business directional signs, and to file a report with the Board of Selectmen. This report shall identify all non-conformities found and shall recommend necessary actions required to achieve full compliance. The Board of Selectmen may either concur with the recommendations of the Department of Public Works, or propose alternative actions to insure that all non-conforming signs are brought into compliance within one year of the date of report.

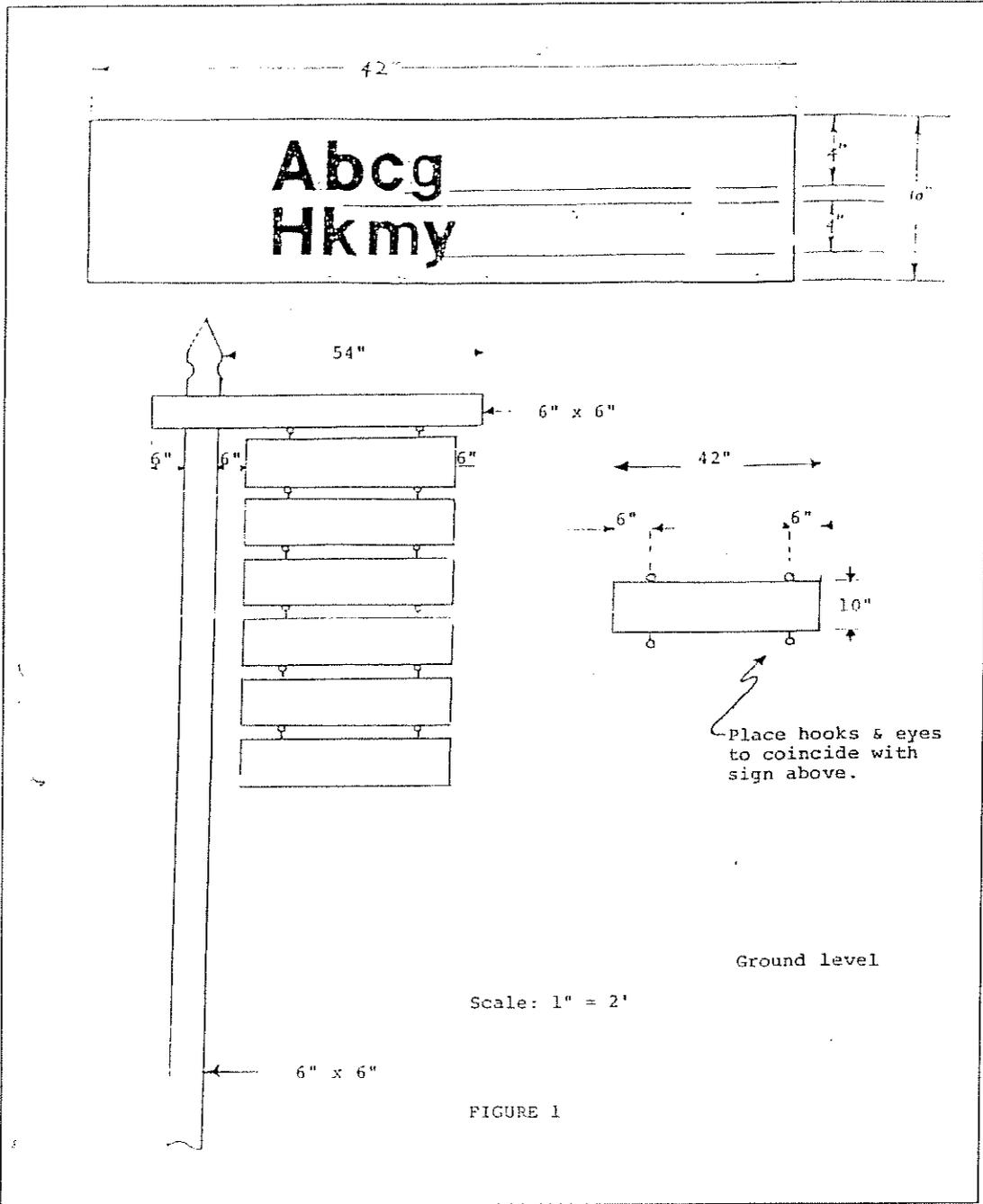
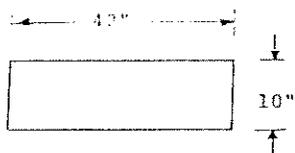


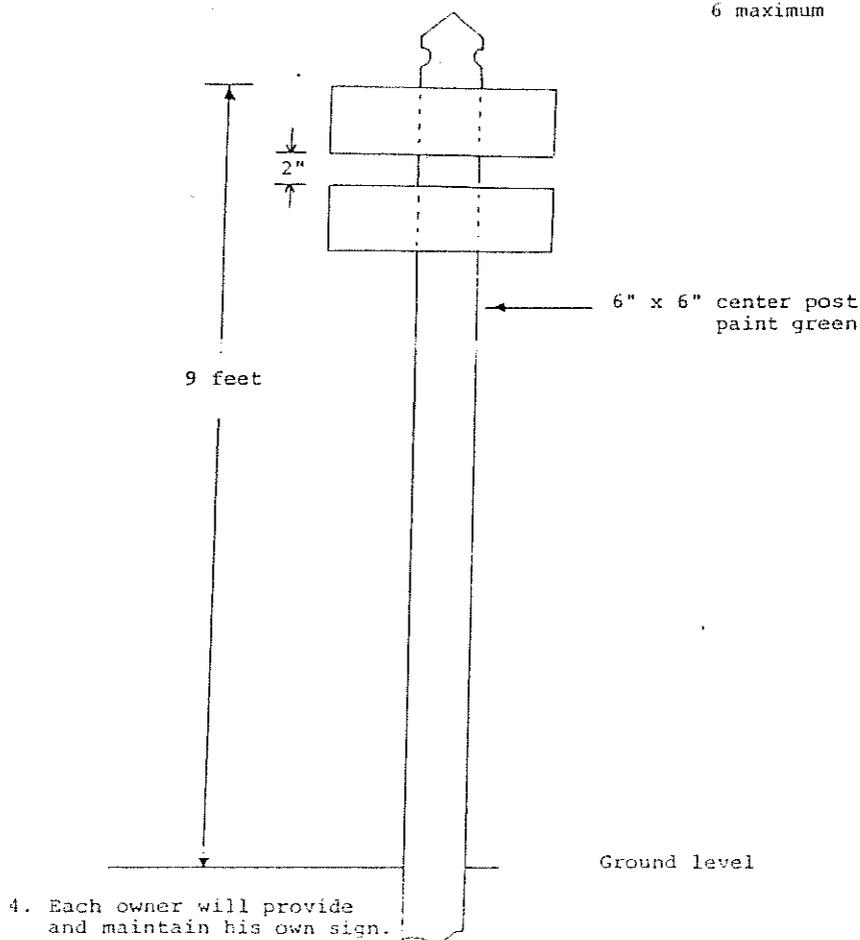
FIGURE 1

Town of York, Maine

1. Each sign will be 10" high and 42" wide.
2. Each sign will be lettered in black on a white background. Letters will be 4 inches high, minimum.
3. The back of each individual sign will be painted dark green, unless it is a double faced sign.



Directional sign only  
6 maximum



4. Each owner will provide and maintain his own sign.

FIGURE 1A

currently does for the Town with the Barber Surf Rake. We currently do not have the right equipment to handle large amounts of seaweed and therefore it ends up sitting on the beach for multiple days where it begins to smell and become infested with flies and maggots. We would like to be able to take care of the seaweed by pushing it down so that the tides can take care of it before it starts to cause a problem. We are also recommending that we implement a beach sand cultivation program which would consist of deep raking the sand and turning it over so that any bacteria that has built up will be exposed to the air, sun and salt water in turn killing it off. In order to implement these programs we would need to purchase some the appropriate equipment. We have collaborated with the Public works department to determine if what equipment would serve both departments in the most efficient way. Some of the recommendations are to do a lease purchase for a 4WD Tractor, Front Rake and Grapple and a Fabricated Rear Seaweed Rake.

Ms. Gregg expressed some concern with the program and the possible costs associated with it. Mr. Sullivan and Dean Lessard, Public Work Director explained that the huge amounts of seaweed can actually cause more damage if not taken care of by clogging the drainage systems and culverts along with the fact that by leaving the seaweed creates a poor image for tourists and people visiting our beaches. Mr. Yandow and Mr. Sullivan will work on putting the Beach Management Plan together with the possible request for this equipment to be a capital budget item.

The Board also requested that Parks Department look into adding Cape Neddick Beach to its list of maintained areas.

### **3. Discussion of County Charter**

Moved by Ms. Andrews and seconded by Ms. Jackson-McCarty to support the establishment of a York County Charter Commission with the understanding that the Town of York would have at least one position on the charter Commission.

Ms. Gregg amended the motion to read .... Moved to support the establishment of a York County Charter Commission with the request that the Town of York hold one position on the Charter Commission the amendment was seconded by Ms. Jackson-McCarty. Vote 4-0 motion passes.

### **4. Moratorium on Business Directional Signs**

Moved by Ms. Andrews and seconded by Ms. Gregg to place a moratorium on any Official Business Directional Signs until such time as the ordinance has been reviewed, amended if necessary and then placed before the voters. Vote 4-0 motion passes.

Any changes to the ordinance will be put forth for the May 2010 ballot

### **5. Selection of Selectmen Representative to the Capital Planning Committee**



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 24, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Business Directional Sign	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve two locations for York Village Scoop Ice Cream business directional signs, one at the intersection of Rte 1A and 103N and one at the intersection of Rte 1 southbound and Old Post Road.

**Discussion:** York Village Scoop Ice Cream has applied for two business directional signs under the new business directional sign ordinance. Both locations have been reviewed and approved by the Director of Public Works.

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

Prepared By: Kathryn Danylik      Reviewed By: Robert H. Ganson

# TOWN OF YORK

## APPLICATION FOR OFFICIAL BUSINESS DIRECTIONAL SIGN

Business Name: VILLAGE SCOOP ICE CREAM  
Address: 226 YORK STREET  
Contact Person: CAROLYN GARRETT  
Phone Number: 201-650-6582

### Location of Requested Sign(s)

Requested Location 1: INTERSECTION RTE 1A + 103N  
Requested Location 2: INTERSECTION RTE 1 SOUTHBOUND + OLD POST ROAD  
Requested Location 3: \_\_\_\_\_

APPROVED BY DIRECTOR  
APPROVED BY DIRECTOR

### Information as it will Appear on Each Sign:

Sign 1: ← 0.4 MI VILLAGE SCOOP ICE CREAM  
Sign 2: ← 2.0 MI VILLAGE SCOOP ICE CREAM  
Sign 3: \_\_\_\_\_

Fee (\$30) per Sign: \$60.00 Annual Fee (\$10)

Approved by: [Signature] Date: 6/21/11  
Director of Public Works

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
Town Manager

Following approval by the Board of Selectmen the applicant can deliver the sign to the Department of Public Works garage at 115 Chases Pond Road for installation.

### Business Directional Sign Specifications:

Each sign must be 10" high and 42" wide. The background must be white, the lettering black and the back of the sign dark green. Lettering must be a minimum of 4" high. Each Business is allowed a maximum of <sup>2</sup> ~~3~~ business directional signs.

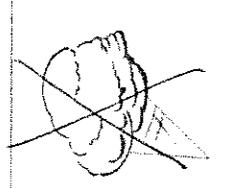
Owners of each business directional sign are responsible for maintenance and replacement of the sign. The Department of Public Works will inventory all signs annually; owners of signs that are in need of repair will be sent a notice by mail.

The Owner of each Business Directional Sign is responsible for informing the DPW of change of business status or mailing address.

Location 1:

10"  
High

← 0.4 mi Village Scoop Ice Cream

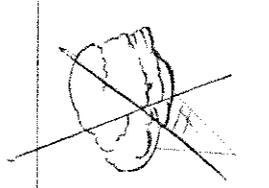


42" Wide

Location 2:

10"  
High

← 2 mi Village Scoop Ice Cream



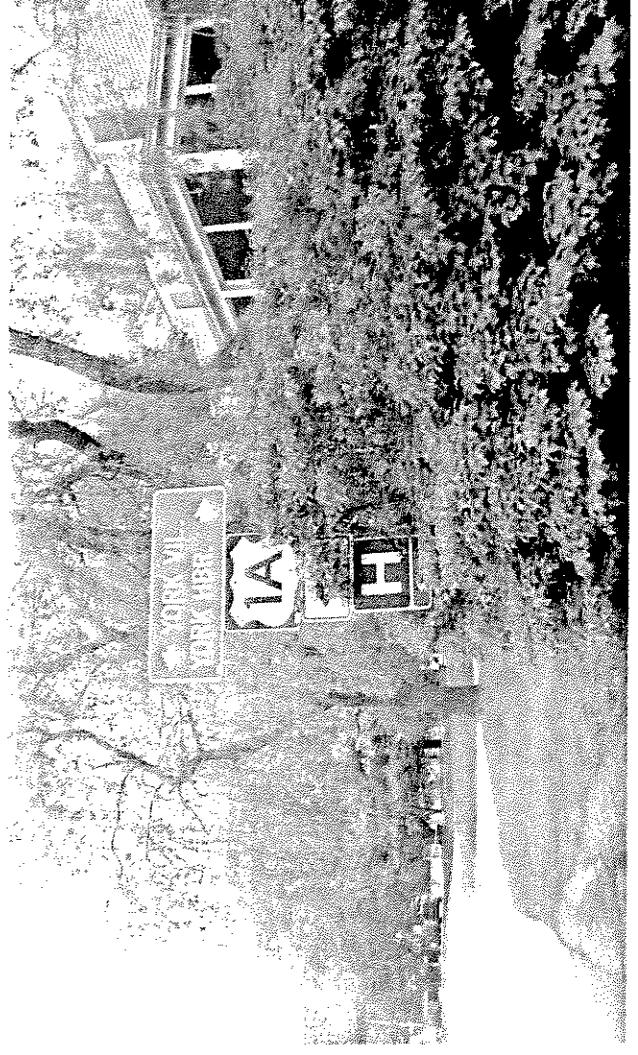
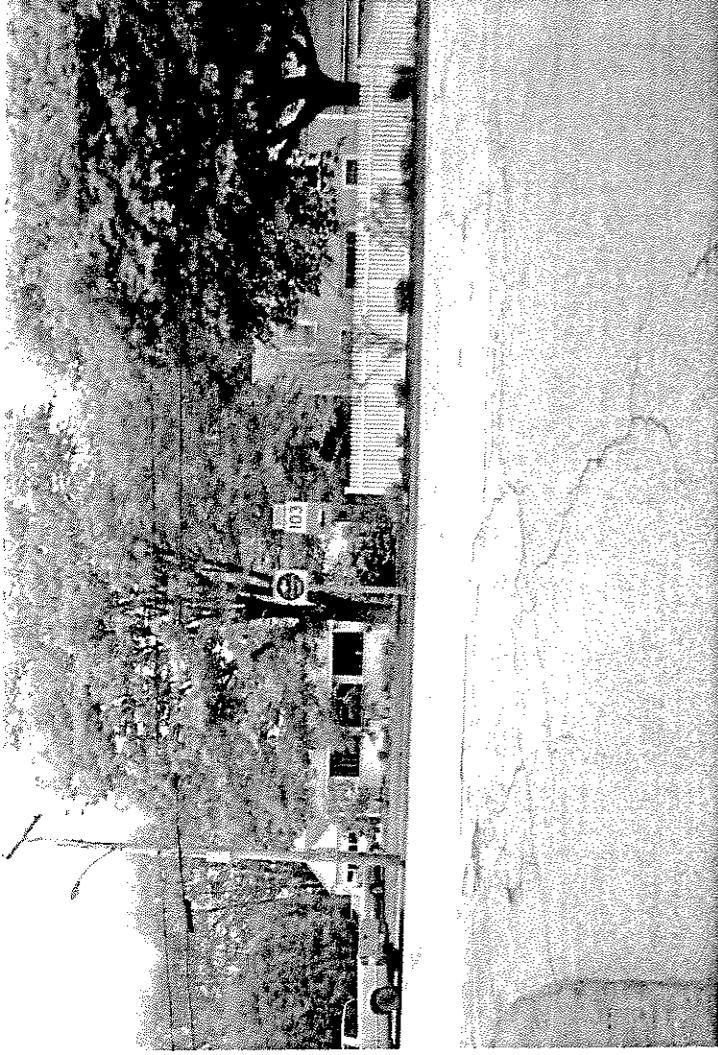
42" Wide

4" High letters (Minimum), black letters with white background  
Back of sign needs to be painted green

Location 1:

Route 103 Northbound at  
York Street

No business directional signs  
currently located at this  
intersection facing this direction



Location 2:

Route 1 Southbound at  
Old Post Road

Some business directional signs  
currently located at this  
intersection, with room for 2 more





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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

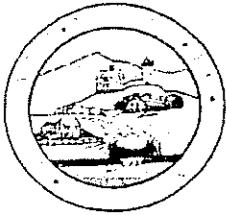
<b>Date Submitted:</b> June 23, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
Regular <u>  X  </u> Work Session	
<b>Subject:</b> Special Event Permit: ESA Surfing Contest	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the Special Event Permit Application for the ESA Surfing Contest that will be held on Saturday, July 9th from 7:00 AM to 5:00 PM.

**Discussion:** All appropriate departments have been notified and have given approval. Surfers must adhere to the surfing ordinance and follow all beach rules.

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

Prepared By: Kathryn Danylik    Reviewed By: Robert H. Gannon



# Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Name of Event: ESA. Surfing Contest #2 2011 Season Date: 5-13-11  
 Type of Event: Surfing Contest  
 Organization Name: EASTERN Surfing ASSO. Phone #: 603-944-2418  
 Organization Address: 7 Shirley TERR city Hampton State: NH zip: 03842  
 Applicant Name: Lenny Nichols Phone #: 603-944-2418  
 Applicant Address: 7 Shirley Terr city: Hampton State: NH zip: 03842  
 Contact Name for Day of Event: Lenny Nichols Contact Phone # 603 944 2418  
 Date of Event: 6-18 & 7-9 Day of Week: Saturday  
 Starting Time: 7:00 am Ending Time: 5:00 PM.  
 Assembly Area: C surf area off of Beach St.  
 Dispersal Area: E Long Swamps Bch.  
 Event Route: NO ROUTE | Beach Site off of Beacons

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

75

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

3 pop up tents & 3 tables - 1 flag - 6 chairs -

Describe how group is organized and supervised to insure order: 2 Directors - 1 comp. Director

5 judges - Timed - organized heats of 20 min ea. (strict timing)

Purpose of the Event: Provide Maine members with Local Contest at their Home with IN

BREAK - A Qualifier of Contest A

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

Of 4 contests to move up to Regional.

Signature of Applicant: Lenny Nichols

Invitation



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 23, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Pole Location Permits	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the pole location permit for 1 pole on Second Street in the Southerly direction 210ft from Pole #3.1 and 1 pole on Freeman Street in the Southerly direction 70ft from pole #3.

**Discussion:** These permit requests have been reviewed by the Director of Public Works and an onsite inspection of the area completed. Mr. Lessard has given his approval of this permit request.

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

Prepared By: Kathryn Danylik

Reviewed By: Robert M. Hanson

Notification: 300805470

Work Order: 1000385279

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 FairPoint New England

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: Pole 3.1

2. Road (State & CMP): Second Street #2

3. Direction: Southerly

4. Distance: 210' feet

5. Number of Poles:

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

FairPoint New England

By: Elaine Titherington

Date: 4/22/2011

By:

*Steve Polyzos* Date: 5/11/11



LOCATION PERMIT

Upon the Application of Center Maine Power Company and FairPoint New England, dated 4/22/2011, 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 Town of York, approximately located as follows:

- 1. Starting Point: Pole 3.1
- 2. Road (State & CMP): Second Street #2
- 3. Direction: Southerly
- 4. Distance: 210' feet
- 5. Number of Poles:

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

CMP

Notification: 300805470

Work Order: 1000385279

**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 FairPoint New England

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: pole 3

2. Road (State & CMP): Freeman St

3. Direction: Southerly

4. Distance: 70' 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

FairPoint New England

By: Elaine Titherington

Date: 4/22/2011

By: Steve Polyt

Date: 5/11/11



LOCATION PERMIT

Upon the Application of Center Maine Power Company and FairPoint New England, dated 4/22/2011, 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 Town of York, approximately located as follows:

- 1. Starting Point: pole 3
- 2. Road (State & CMP): Freeman St
- 3. Direction: Southerly
- 4. Distance: 70' 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



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 23, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
Regular <u>  X  </u> Work Session	
<b>Subject:</b> Board and Committee Re-Appointments	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b>

**Discussion:** The following board and committee members are up for re-appointment as of June 30<sup>th</sup>, 2010. They have all expressed interest in continuing to serve on their respective boards. Please see attached for the re-appointment list.

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

Prepared By: Kathryn Danylik      Reviewed By: Robert H. Gannon

**Appeals Board-** Robert Lascelles

**Harbor Board-** William Cone-Alternate

**Senior Citizens Advisory Board-** Bruce Rennie

**Shellfish Commission-** Stanley Zajechowski

**Tax Task Force-** Cliff Estes

**York Harbor Site Design Review-** Joseph Dominguez

**York Housing Authority-** Jane Morris

**Assessment Review Board-** Leon Moulton



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 23, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
Regular <input checked="" type="checkbox"/> Work Session	
<b>Subject:</b> Board and Committee Resignation: York Housing Authority	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to accept the resignation of Kate Ford from the York Housing Authority.

**Discussion:** Please see attached resignation letter

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

Prepared By:

*Kathryn Danylik*

Reviewed By:

*Robert M. Gendron*

## Kathryn M. Danylik

---

**From:** Patricia Martine [patricia@yorkhousing.info]  
**Sent:** Wednesday, June 15, 2011 10:09 AM  
**To:** Kathryn M. Danylik  
**Subject:** Resignation email K. Ford

*York Housing Authority*  
4 Pine Grove Lane  
York, Maine 03909  
Tel.# 207-363-8444 Fax # 207-351-2801  
**From:** [krmford@aol.com](mailto:krmford@aol.com) [<mailto:krmford@aol.com>]  
**Sent:** Thursday, March 31, 2011 10:02 AM  
**To:** [patricia@yorkhousing.info](mailto:patricia@yorkhousing.info)  
**Cc:** [fiona@yorkhousing.info](mailto:fiona@yorkhousing.info); [jgambriel@maine.rr.com](mailto:jgambriel@maine.rr.com)  
**Subject:** YHA committee

Dear Patricia,

I wanted to let you know that I just spoke with Jim to let him know that I am not moving forward on the York Housing Authority committee. I had told Jim up front that I wanted to give it a try based on my strong interest in the subject matter. I am disappointed to say that I am feeling pulled in different directions right now. It does not sit well with me to not give something my 100% full attention. I do believe you can replace me with someone who will give 100% to the committee which is ultimately what the committee deserves.

It has been a pleasure working with you and Fiona. I look forward to staying in touch with all the great things that the YHA is embarking on in the future and wish you all the very best.

Kindly,

Kate Ford

Kathryn (Kate) Ford | H (207) 363-3454 | C (207) 641-7451 | [krmford@aol.com](mailto:krmford@aol.com)



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 23, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
<b>Regular</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/>	
<b>Subject:</b> Transient Sellers License	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the transient sellers license for Maine Peoples Alliance, from June 27 <sup>th</sup> 2011 through November 30 <sup>th</sup> , 2011.

**Discussion:** Maine People's Alliance is a political organization whose members are opposed to laws that put corporation's interests over the residents of Maine's interests. The following workers are covered under this permit: Holt McCollister, Henry Woolley, Will Furbush, Etana Kintzer-Shorey, Olin Hatkopf, James Moallem, Rachel Brown and Marketia James. The applicant has followed the direction of the Town of York Transient Sellers License and has filled out and submitted the town application, has had it reviewed by the York Police Department, and has obtained the appropriate state licensing.

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

Prepared By: Kathryn Danyliw

Reviewed By: Robert H. Hanson

**TOWN OF YORK  
LICENSE APPLICATION:  
TRANSIENT SELLERS**



LICENSE FEE: \$50.00  
LICENSE YEAR: \_\_\_\_\_  
LICENSE EXPIRES: \_\_\_\_\_

BUSINESS NAME: Maine Peoples Alliance PARENT COMPANY NAME: \_\_\_\_\_  
 BUSINESS LOCATION: 565 Congress St & MAILING ADDRESS: \_\_\_\_\_  
 AND MAILING ADDRESS: Suite 200 Portland \_\_\_\_\_  
 ADDRESS: ME 04101 \_\_\_\_\_  
 TELEPHONE NUMBER: 797 0967 TELEPHONE NUMBER: \_\_\_\_\_  
 APPLICANT'S NAME: Holt McCollister CONTACT PERSONS NAME: Bridget Surber  
 AND MAILING ADDRESS: 71 Sherman St #11 & TELEPHONE NUMBER: 317 7486  
 ADDRESS: Portland ME 04101 TELEPHONE NUMBER: \_\_\_\_\_  
 TELEPHONE NUMBER: 344 7559 STATE LICENSE: YES  NO  Charitable Solicitor  
 STATE LICENSE #: CO 725  
 STATE LICENSE EXPIRES: NOV 30, 2011

SERVICE / PRODUCT OFFERED: Organizing Members who are opposed to laws that put corporations interest over average Mainers Interest

NUMBER OF SELLERS / WORKERS: 8

NAMES/ADDRESSES OF WORKERS:  
 (Please include additional names to back page or attach separate page)

Holt McCollister 71 Sherman St #11 Portland ME 04101  
Henry Woolley 71 Sherman St #12 Portland, ME 04101  
Will Furbush 21 Crescent Ave South Portland, ME 04106  
Ethana Kintzer-Shorey 401 Cumberland Ave, Portland ME 04103  
Olin Hatkopf 132 Marginal Way Portland, ME 04104  
James "Arya" Moulton 132 Marginal Way Portland, ME 04101  
Rachel Brown 82 Lakeside Dr, Falmouth, ME 04105  
Marketa James 33 Elm St. Apt #2, Rockport, ME 04869

HAS ANY APPLICANT/WORKER HAD ANY TYPE OF LICENSE DENIED OR REVOKED, IN ANY JURISDICTION? IF SO, PLEASE ATTACH EXPLANATION TO APPLICATION.  YES  NO

HAS ANY APPLICANT / WORKER EVER BEEN CONVICTED OF A FELONY IN ANY JURISDICTION? IF SO, PLEASE ATTACH A DESCRIPTION OF THE FELONY.  YES  NO



# State of Maine

DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION

CHARITABLE SOLICITATIONS

License # C0725

Be it known that:

**MAINE PEOPLE'S ALLIANCE**

has qualified as required by 009 MRS, Chapter 385 and is licensed as a

**CHARITABLE ORGANIZATION**

Doing business as **MPA**

ISSUE DATE  
Dec 01, 2010  
EXPIRATION DATE  
Nov 30, 2011

*Anne L. Herd*  
\_\_\_\_\_  
Commissioner  
Authorizing signature

FIRST LICENSED  
Jan 22, 1985



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

## REQUEST FOR ACTION BY BOARD OF SELECTMEN

<b>Date Submitted:</b> June 24, 2011	<b>Type of Action:</b> <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
<b>Date Action Requested:</b> June 27, 2011	
Regular <u>  X  </u> Work Session	
<b>Subject:</b> Application for Special Permit for Catering Privileges Off Premises	

<b>TO:</b> BOARD OF SELECTMEN
<b>FROM:</b> Kathryn Danylik
<b>RECOMMENDATION:</b>
<b>PROPOSED MOTION:</b> I move to approve the Application for Special Permit for Catering Privileges Off Premises for Bill Fosters Downeast Clambake for a private wedding at 7 Fairbourne Lane in Cape Neddick on October 8th, 2011 from 1:30 PM to 6:30 PM.

**Discussion:** This is a state permit that requires a town approval. This permit allows for a one-time off-premises catering approval. Fosters Downeast Clambake is a Town Licensed Facility and they are current and compliant with Town Policies.

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

Prepared By: Kathryn Danylik

Reviewed By: Robert H. Gannon

**MAINE DEPT OF  
PUBLIC SAFETY**

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



**APPLICATION FOR SPECIAL PERMIT FOR CATERING PRIVILEGES  
OFF PREMISES \$10.00 (per day)  
Check Payable: Treasurer State of Maine**

License No.: 5726 Name of Licensee: Bill Fosters Downeast clam bake  
Mailing Address: PO Box 486  
Town/ City: York Harbor State: ME Zip Code: 03911  
Telephone: 207-363-3255 Fax: 207-363-2213  
Title and Purpose of Event: Wedding Reception  
Location of Event: Private Residence  
Physical Address: 7 Fairbourne Lane  
Town/City: Cape Neddick State: ME Zip Code: \_\_\_\_\_  
 Indoor Event  Outside Event (IF OUTSIDE AREA, DIAGRAM MUST BE INCLUDED)  
Describe specific indoor and/or outdoor area to be licensed: \_\_\_\_\_

Date of Event: 10/8/11 Time - From: 1:30 pm To: 6:30 pm  
Number of Persons Attending: 120  
Name of Sponsor: Mary Shields  
Address: 47 Shallop Road Town/City: Plymouth  
State: MA Zip Code: 02360 Telephone Number: 508-524-5549

Michelle Riggie \_\_\_\_\_  
Signature of Licensee or Corporate Officer Date: 6/21/11  
Michelle Riggie  
Print Name of Licensee or Corporate Officer

**FOR USE ONLY BY DEPT. OF PUBLIC SAFETY - LIQUOR LICENSING**

**RESTRICTIONS:**

| | **APPROVED - PERMIT** # \_\_\_\_\_ DATED: \_\_\_\_\_

| | **NOT APPROVED** ISSUED BY: \_\_\_\_\_

