

**BOARD OF SELECTMEN'S
MEETING MINUTES
6:00/6:30/7:00PM MONDAY, OCTOBER 20, 2014
YORK LIBRARY**

6:00PM: Committee Interviews

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Jonathan O. Speers, Torbert Macdonald, Ronald Nowell, and Town Manager Stephen H. Burns.

6:30PM: Executive Session – Real Estate; Pursuant to MRSA Title 1, Section 405 (6)(C), and Personnel; Pursuant to MRSA Title 1, Section 405(6)(A)

Call to Order

Chairman Mary Andrews called the Executive Session to order at 6:30PM.

A. Executive Session

Moved by Mr. Speers, seconded by Mr. Macdonald to enter into Executive Session. No objection, so ordered.

Moved by Mr. Macdonald, seconded by Mr. Speers to exit out of Executive Session. No objection, so ordered.

Adjourn

Chairman Mary Andrews adjourned the meeting at 6:59PM.

7:00PM: Regular Meeting

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Jonathan O. Speers, Torbert Macdonald, Ronald Nowell, Town Manager Stephen H. Burns, Recorder Melissa M. Avery, and members of the press and public.

Call to Order

Chairman Mary Andrews called the meeting to order at 7:00PM.

Opening Ceremonies

A. Minutes

1. September 22, 2014 Meeting Minutes

Moved by Mr. Nowell, seconded by Mr. Palmer to approve the September 22, 2014 Meeting Minutes as amended. Vote 5-0, motion passes.

Moved by Mr. Nowell, seconded by Mr. Speers to approve the October 15, 2014 Meeting Minutes. Vote 5-0, motion passes.

B. Chairman's Report

Chairman Mary Andrews reported that she thinks it is amazing to see the number of individuals who are involved in various committees that give back to the Town. Ms. Andrews publicly thanked the public in general for making York a better place.

C. Manager's Report

Town Manager Stephen H. Burns gave an update on the Cliff Path legal issue, stating that the total spent on legal bills so far is \$28,498 and more is expected to be needed in the future. Mr. Burns informed the public that our neighboring state, New Hampshire has had many reported cases and even a death from EEE, and urged the public to keep taking necessary precautions to avoid mosquito bites. Mr. Burns commented that Maine Department of Transportation is considering changes to their "Urban Compact Zone", essentially changing the boundary, adding more road responsibility in parts of York. Mr. Burns stated that a 3-19 Grant that was submitted by the Town was rejected, the feedback that was given with the rejection will be used to resubmit next year. The grass at the new Bog Road Field has come in and Mr. Burns stated that there might be a trade with the Department of Public works for the excess 1,000 cubic yards of loam from the project.

Ms. Andrews thanked Mr. Burns for his informative Manager's Reports.

D. Awards

1. Parks and Recreation Fall Brochure Bid Award

The Parks and Recreation Department put out a Request for Proposal for the 2014 Fall/Winter Recreation Program Brochure with pricing to include bulk mailing preparation as quoted. The following bids were received:

1. RAM Printing		
36 Pages; Plus Cover; 6,000 count		\$4,094.70
7,000 count		\$4,529.59
40 Pages; Plus Cover; 6,000 count		\$4,487.25

	7,000 count	\$4,967.72
2. Graphic Image, Inc.		
	36 Pages; Plus Cover; 6,000 count	\$4,670.00
	7,000 count	\$5,145.00
	40 Pages; Plus Cover; 6,000 count	\$5,070.00
	7,000 count	\$5,645.00

Parks and Recreation Director Michael Sullivan recommended the Board award the bid for the Parks and Recreation Department's Fall/Winter Brochure to RAM Printing of East Hampsted, New Hampshire.

Moved by Mr. Nowell, seconded by Mr. Speers to award the bid for the Parks and Recreation Department's Fall/Winter Brochure to RAM Printing of East Hampsted, New Hampshire in the amount of \$4,529.59 with the brochure being 36 pages plus the cover and a total of 7,000 brochures. Vote 5-0, motion passes.

2. Mount A Trail Bid Award

In January of 2014 the Board of Selectmen voted to approve the necessary ground work to make the "Big A" trail and deck universally accessible. In August of 2014 the Board approved moving forward with the selecting of a design-build firm thru an initial Request for Qualification and subsequent Request for Proposal bid process. The following bids were received:

1. Peter Jensen & Associates, LLC
 - Phase 1 Bid \$42,618 for 845 ft.
 - Phase 2 Estimate \$87,930
 - Phase 3 Estimate \$73,200
 - Phase 4 Estimate \$90,370
2. Off the Beaten Path and Timber & Stone, LLC
 - Phase 1 Bid \$43,205 for 1140 ft.
 - Phase 2 Estimate \$67,347 + \$14,300 for trail extension
 - Phase 3 Estimate \$84,779
 - Phase 4 Estimate \$73,838

Conservation Coordinator Robin Kerr recommended that the Board award the "Big A Universal Access Trail Project" bid for Phase 1 to Off the Beaten Path and Timber & Stone, LLC.

Move by Mr. Nowell, seconded by Mr. Macdonald to award the Big A Universal Access Trail Project Bid for Phase 1 to Off the Beaten path and Timber & Stone, LLC in the amount of \$38,205.25. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the allocation of any remaining funding for Phase 1 of the Big A Universal Access trail project to go toward the construction of the accessible ramp for the summit observation platform. Vote 5-0, motion passes.

E. Reports

1. Town Clerk

Town Clerk and Tax Collector, Mary-Anne Szeniaowski reminded the citizens that York now has new District Numbers and to feel free to ask any of the employees at the Town Clerk's Office if there were any questions. Ms. Szeniaowski also stated that, as of today there have been 2,100 absentee ballots taken out.

2. York Housing Authority

This item was not addressed, as a York Housing Authority Representative was not present.

F. Citizens' Forum – The Citizens' Forum is open to any member of the audience. 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: None

G. Approval of Warrant #16

Moved by Mr. Macdonald, seconded by Mr. Speers to approve Warrant #16. Vote 5-0, motion passes.

H. Public Hearings

None

I. Endorsements

Business Licenses:

1. TCF Corp. DBA: Clay Hill Farm Restaurant (Food Service, Liquor and Special Amusement); Located at 220 Clay Hill Road
2. Joe Hogan DBA: Sentry Hill at York Harbor, LLC (Food Service); Located at 2 Victoria Court
3. Mary Jane Merritt DBA: The Union Bluff Hotel (Food Service, Liquor, Special Amusement, Coin Operated Amusement); Located at 8 Beach Street

Moved by Mr. Macdonald, seconded by Mr. Nowell to approve the following licenses; TCF Corporation DBA: Clay Hill Farm Restaurant for Food Service,

Liquor and Special Amusement, located at 220 Clay Hill Road, Joe Hogan DBA: Sentry Hill at York Harbor, LLC for Food Service, located at 2 Victoria Court and Mary Jane Merritt DBA" The Union Bluff Hotel for Food Service, Liquor, Special Amusement and Coin Operated Amusement, located at 8 Beach Street. Vote 5-0, motion passes.

J. Old Business

1. Vacation Order: Pinecrest Drive Right-of-Way

Moved by Mr. Nowell, seconded by Mr. Macdonald to issue the Order of Vacation for an undeveloped paper street off Pinecrest Drive, located between the properties at 9 and 11 Pinecrest Drive, and to award no damages. Vote 5-0, motion passes.

K. New Business

1. Appointment of Election Warden and Set Polling Hours

Moved by Mr. Macdonald, seconded by Mr. Nowell to appoint David N. Ott as the Warden for the State of Maine General Election to be held on November 4, 2014 and to set the polling hours for said election as 8:00Am until 8:00PM. Vote 5-0, motion passes.

2. Discussion and Possible Action on Energy Steering Committee's Request to Complete the York Beach Fire Station Solar Project

Moved by Mr. Nowell, seconded by Mr. Macdonald to authorize use of Energy Steering Committee funds of \$3,241.88 to pay for CMP's final work in the York Beach Fire Station solar energy installation. Vote 5-0, motion passes.

3. Cemetery Committee Formation

Moved by Mr. Macdonald, seconded by Mr. Nowell to adopt the Charter for a new standing committee to be known as the Cemetery Committee, and to direct the Town Manager to initiate actions necessary to solicit volunteers and to arrange for interviews of applicants by the Board. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Ron Nowell and Mary Andrews to serve as Board of Selectmen liaisons on the Cemetery Committee. Vote 5-0, motion passes.

4. Discussion and Possible Action to Authorize Town Manager to seek Cost Estimate from CMP to Remove Excess Street Lights in York Beach

Moved by Mr. Macdonald, seconded by Mr. Palmer to direct the Town Manager to request from CMP a cost estimate for the removal of excess street lights in the village area of York Beach. Vote 5-0, motion passes.

5. FY16 Budget Discussion

Town Manager Stephen Burns stated that he has started the FY16 Capital Budgeting process and he will convene a Capital Planning Committee, which will help vet capital requests and formulate a rational, fiscally constrained Capital Program and Capital Budget, as similar to recent years.

Mr. Burns also stated that all Department and Committee Operating Budget Requests are due to the Finance Office by October 31, 2014.

6. Capital Planning Committee Appointments

Moved by Mr. Nowell, seconded by Mr. Speers to appoint Torbert Macdonald and Robert Palmer to serve on the Capital Planning Committee for preparation of the FY16-20 Capital Program. Vote 5-0, motion passes.

7. Discussion and Possible Action on moving Forward with the Police Station and Connector Road Projects

A motion was made by Mr. Palmer and seconded by Mr. Speers to continue moving forward with the Police Station and Connector Road Projects, but was subsequently withdrawn.

8. Discussion and Possible Action on Municipal Building Committee Charge

A motion was made by Mr. Palmer and seconded by Mr. Nowell to adopt the Committee Charter for the Municipal Building Committee, thereby creating the ad hoc committee for the Police Station and Connector Road projects, but was subsequently withdrawn.

9. Municipal Building Committee Appointments

No action was taken on this item as there was no successful motion creating the ad hoc Municipal Building Committee in the previous item.

10. Discussion and Possible Action Regarding Future Discussions with York's Wild Kingdom

Moved by Mr. Palmer, seconded by Mr. Speers to authorize the Chair and Vice Chair to meeting with the Owner of York's Wild Kingdom to discuss issues of mutual concern. Vote 4-1, Mr. Nowell against, motion passes.

11. Discussion and Possible Action to Authorize SMRT, Inc. to Obtain a Construction Cost Estimate of the Police Station Projects

No action was taken on this item.

12. Discussion and Possible Action Regarding Cable TV Franchise Agreement

Moved by Mr. Macdonald, seconded by Mr. Speers to table this item. No objection, so ordered.

13. Property Redemption: 238 Chases Pond Road

Moved by Mr. Nowell, seconded by Mr. Palmer to approve the property redemption of Tax Map 0093-0027; located at 238 Chases Pond Road, as requested, subject to the attached conditions being met and that all taxes, interest and administrative costs are paid in full by no later than January 9, 2015. Vote 5-0, motion passes.

14. Resignation of Kelly Wilsey from the Conservation Commission

The Board unanimously accepted the resignation, with regret.

L. Other Business

None

M. Citizens' Forum

Public Comment: David Brinkman

Adjourn

Moved by Mr. Speers, seconded by Mr. Palmer to adjourn the meeting at 9:10PM. No objection, so ordered.