

SELECTMEN'S MEETING
6:40 P.M / 7:00 P.M. MONDAY, AUGUST 8TH, 2011
YORK LIBRARY
MINUTES

Interview Todd Frederick; Charter Review Commission

Present: Tracy Jackson-McCarty; Chairman, Mary Andrews; Vice Chairman, Edward Little, Scott Fiorentino, Kinley Gregg, Robert G. Yandow; Town Manager, Melissa M. Avery; Recorder

Call to Order

Pledge of Allegiance

A. Minutes

- July 25th, 2011 Selectmen's Meeting Minutes; Minutes not available

B. Chairman's Report

No Chairman's Report from Chairman Jackson-McCarty

C. Manager's Report

Town Manager, Robert G. Yandow stated that at the last Selectmen's meeting the issue of the Old York Quarry had come up and there had been some developments since then. The Code Enforcement Officer had met with the Town Attorney and the town had filed a request for a Temporary Restraining Order in Superior Court. The results of the request were not known as of this evening. In addition, there will be a hearing in Superior Court on August 24th to hear the town's argument for a preliminary injunction against the operators of the quarry. Also, Mr. Yandow warned the public of the congestion on Route One lately, Maine Department of Transportation is doing work on Route One through mid-October and also preparations for the York Fields project are adding to the congestion. The tax bills will be going out next week from the Clerk's Office and will be due September 30th. Mr. Little spoke of concerns against people jumping off of the Route 103 bridge, Mr. Yandow will look into it being a Maine DOT issue with Chief Doug Bracy and Captain Kevin LeConte or not.

D. Awards

1. Approve Selection of Construction manager for Police Station and Connector Road Projects

The Municipal Building Committee appointment a sub-committee to solicit and review proposals for a Construction Manger to assist the town with the police station and connector road projects. A Request for Proposals was developed and advertised by SMRT which resulted in the sub-committee receiving nine proposals; after the nine proposals were reviewed five were selected for an interview. These five firms are identified as PC Construction; Ledgewood Construction; The MacMillin Company; Eckman Construction and Wright-Ryan Construction. On July 26, 2011 the five firms were interviewed, at the end of the day the sub-committee discussed the results of the interviews. A second meeting was held on July 28th, 2011 after which PC Construction (formerly Pizzigali Construction) was selected by the sub-committee for recommendation to the full Municipal Building Committee.

On August 2, 2011 the sub-committee outlined the process that had taken place and presented its recommendation to the full Municipal Building Committee. The full MBC endorsed the sub-committee's recommendation of PC Construction and voted unanimously to forward the recommendation to the Board of Selectmen

Moved by Mary Andrews and seconded by Edward Little to approve the selection of PC Construction as the town's Construction Manager for the Police Station and Connector Road Projects. Vote 5-0, motion passes

E. Reports

No Reports at this time

- 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.

No Public Comment

G. Approval of Warrant #6

Moved by Mary Andrews and seconded by Edward Little to approve Warrant #6. Vote 5-0, motion passes

H. Public Hearings

No Public Hearings at this point

I. Endorsements

License Applications

- Patrick Rochealeau; DBA: Ledges Golf Course (Victualers/Liquor)
- John Shaw; DBA: Frankie and Johnny's (Victualers)

Move by Edward Little and seconded by Mary Andrews to approve the following licenses: Patrick Rochealeau; DBA: Ledges Golf Course (Victualers/Liquor) and John Shaw; DBA: Frankie and Johnny's (Victualers) subject to taxes, fees and inspection being current and compliant with the usual noise stipulations. Vote 5-0, motion passes

J. Old Business

Update from Flagg's Campground by Steve Burns, not a lot, they have turned their appeal in to Board of Appeals

K. New Business

1. Discussion and Update on York Street/Organug Road Reconstruction Project

On May 22, 2010 the York voters approved the sum of \$1,000,000 for the York Street Reconstruction Project. This project involves roadway and culvert work on York Street and Organug Road along with sidewalk, paving and other drainage work. The project also involves the reconstruction of the intersection at York Street and Organug. The Public Works Department, along with CLD Engineering, has been meeting with neighbors to discuss the project and receive citizen input. Dean Lessard, Public Works Director, and Joann Fryer of CLD Engineering presented their preliminary work on the project to the Selectmen along with the input received from the neighbors. A future public hearing will be scheduled to solicit additional public input.

2. Appointment of Todd Frederick: Charter Review Commission

Moved by Mary Andrews and seconded by Edward Little to appoint Todd Frederick to the Charter Review Commission. Vote 4-0-1, Kinley abstained, motion passes

3. Reappointment of Kathy Newell as Assistant Code Enforcement Officer and Alternate Local Plumbing Inspector

Moved by Mary Andrews and seconded by Edward Little to renew appointment of Kathy Newell as Assistant Code Enforcement Officer and Alternate Local Plumbing Inspector through August 31, 2012. Vote 5-0, motion passes

4. Enforcement of Septic Pumping Requirements

Periodic septic tank pumping has been required by Town regulations since December 6, 1990. Until this past year, this requirement has not been actively enforced. Following discussions of the issue over the course of several years, in September 2010 Steve Burn, Community Development Director was specifically asked by Don Neumann, Superintendent of the York Water District, to bring active enforcement of this provision in the watershed above Chases Pond. Initial enforcement was targeted on the watershed area that feeds both the York and Kittery public water supplies – out Watershed Protection Overlay District. In total, we notified just over 50 property owners. These 4 properties are all located wholly or partially within this District. Notices of Violation were sent out in early July, and the three properties listed below have not complied, and who have not made any contact with Mr. Burns or his department.

0092-0016-B; 285 Bell Marsh Road, Lawrence Willey
0096-0125, 221 Mountain Road, Barry Colley
0096-0125-B, 235 Mountain Road, Erik Johnson

Moved by Mary Andrews and seconded by Edward Little to forward the following septic pumping violations to the Town Attorney for prosecution:

92-16-B
96-125
96-125-B

Vote, 5-0, motion passes

5. Voting for Maine Municipal Association Vice President and Executive Committee Members

Annually the Maine Municipal Association conducts an election process of Vice President and Members of the Executive Committee and proposes a slate of candidates for those positions. During some years, additional names appear on the ballot if individuals submit a petition to have their names included on the ballot. This year the only names that appear on the ballot are those names recommended by MMA so there are no contested elections.

Moved by Mary Andrews and seconded by Edward Little seconds to approve the slate of candidates, Vice President, one-year term, Stephan Bunker, Chair of Selectmen, Town of Farmington; Directors, three-year terms, Earl "Abe" Addition, Selectmen, Town of Leeds, Burmond Banville, Selectmen, Town of Saint Agatha, Laurie Smith, Town Manger, Town of Wiscasset, as proposed by the Maine Municipal Association and to further authorize the town manager to submit the ballot on behalf of the Board of Selectmen. Vote, 5-0 motion passed

6. Purchase and Sale Agreement for 61 Pine Mountain Road

Moved by Mary Andrews and seconded by Edward Little to approve the purchase and sale agreement with Erik Heyland in the amount of \$78,000 for the sale of .88 of town-owned property (Map 11 Lot 225) located at 61 Pine Mountain Road subject to the required public hearing be heard at the August 22, 2011 meeting. Vote 5-0, motion passes

7. Special Event Permit Application: Surf Re-Evolution

Moved by Mary Andrews and seconded by Edward Little to approve the special event permit application for Surf Re-Evolution to be held Saturday, September 10, 2011 from 9:00AM to 3:00PM at Long Sands Beach with the condition that the applicant "buy" all meters for vehicles parked on Long Sands during the event. Vote 5-0, motion passes

L. Other Business

Selectmen, Edward Little, wanted to reiterate a message from the Steadman family that Steedman Woods is for walking through and to not disturb the area, although the signs are conflicting.

Town Manger, Robert Yandow asked the Selectmen if they were opposed to the date of special event, Erika's Wish Fire be changed to October 1, 2011. All of the Department Heads were for the date change, as were the Selectmen.

M. Citizen's Forum

Public Comment: Sandra Vano
 Dave Nickerson

Adjourn

Moved by Mary Andrews and seconded by Edward Little to adjourn the meeting at 9:30PM.

Respectfully Submitted,

Melissa M. Avery