

**BOARD OF SELECTMEN'S  
MEETING MINUTES  
6:00/7:00PM MONDAY, FEBRUARY 23, 2015  
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**6:00PM:** Executive Session: Town Manager's Performance Review, Pursuant to M.R.S. § 405.6.A

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

Chairman Mary Andrews called the meeting to order at 6:00PM.

Moved by Mr. Macdonald, seconded by Mr. Speers to enter into Executive Session at 6:00PM. Without objection, so ordered.

Moved by Mr. Palmer, seconded by Mr. Speers to exit out of Executive Session at 6:55PM. Without objection, so ordered.

Present: Chairman Mary Andrews, Vice Chairman Robert E. Palmer Jr., Torbert Macdonald, Jonathan O. Speers, 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**
- B. **Chairman's Report**

No Chairman's Report.

- C. **Manager's Report**

On behalf of Town Clerk Mary-Anne Szeniewski, Town Manager Stephen H. Burns reminded citizens that nomination papers for the upcoming election are still available. Mr. Burns also announced that he will be attending the Public Hearing in Augusta for State Representative Lydia Blume's bill regarding third party

studies and municipal input to the State. Mr. Burns also announced that the roof collapsed at Makey Skate Park on Bog Road and that the area is currently taped off until what is left of the building is removed.

**D. Awards**

1. Contract for Long Sands Bathhouse Project RFP

The Town solicited Requests for Proposals for the Long Sands Beach Master Plan and received the following bids:

1. Ransom Consulting, Inc. \$109,879
2. Wright Pierce \$152,580/94,500 (Less Con. Admin -58,080)
3. BH2M \$155,400
4. Oak Point Associates \$180,978/144,390 (Less Con. Admin -36,585)
5. Woodard and Curran \$229,725
6. Milone and MacBroom \$233,779
7. Parsons and Brinckerhoff \$235,960/192,312 (Less Con. Admin -43,648)
8. Kleinfelder \$240,000

Moved by Mr. Palmer, seconded by Mr. Speers to award the contract for consulting services for the Long Sands Beach Master Plan Project to Ransom Consulting, Inc. or Portland, Maine in the amount of \$135,340.42. Vote 3-1, Mr. Macdonald against, motion passes.

**E. Reports**

1. York Community Services Association – Michelle Surdoval

Michelle Surdoval, Executive Director for York Community Service Association gave the Board an overview of some of the assistance that the association provides and how much it gives back to the community.

2. Leeward Landing – Robert Werner

Robert Werner of Leeward Landing gave the Board an overview of the charities and organizations that Leeward Landing enthusiastically provides assistance to, which includes the Town’s General Assistance, Emergency Heating Fund.

Ms. Andrews took item K.1 out of order.

“K-1. **Discussion and Possible Action: transferring heating Assistance Funds to YCSA**”

Moved by Mr. Palmer, seconded by Mr. Macdonald to transfer the remaining Emergency heat Assistance Funds in the amount of \$12,600.17 to York Community Services Association for the continued purpose of providing heating assistance to York residents. Vote 4-0, motion passes.

**F. Citizens' Forum** - The Citizens' 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: Francis Gershner  
Patricia Callaghan  
Michael Sullivan  
Shielah Callaghan

**G. Approval of Warrant #34**

No Warrant Available.

**H. Public Hearings**

1. Proposed Ordinance Amendments for May 2015 General Referendum

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

- a) Elimination of the Sunset Clause Regarding Outside Display Along Route 1;

Public Comment: None

- b) Amendment of Sign Standards (Digital Displays throughout Town);

Public Comment: Torbert Macdonald, Selectmen

- c) Match Density and Minimum Lot Size in the Watershed Protection Overlay District;

Public Comment: Torbert Macdonald, Selectmen

- d) Amend Gen-3 Permitted Uses within the Gen-3 Zoning District;

Public Comment: Torbert Macdonald, Selectmen  
Lew Stowe, Planning Board

- e) Amend RES-2 Commercial Uses as it relates to Motels/Hotels;

Public Comment: Alyssa Tibbitts  
Lew Stowe, Planning Board  
John Emerson  
Peter Anastis

f) Establish Sign Standards for “Gateway Signs;” and

Public Comment; None

g) Establish Standards for Local Driveway Permitting

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Speers to close the Public Hearing.  
No objection, so ordered.

## 2. Maynard Dock Application

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

Public Comment: Sandra Guay  
Zachary Taylor  
David Webber, Harbor Board  
Sandra Guay  
Joe Hogan  
Zachary Taylor  
Joey Donnelly

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

Ms. Andrews called a 5 minutes recess.

### **I. Endorsements**

1. Business Licenses: Cliff Realty Corporation DBA: Cape Neddick Country Club, and Global Montello Group Corporation DBA: Mr. Mike’s

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following licenses: Global Montello Group Corporation DBA: Mr. Mike’s for Food service, located at 519 US Route One and Cliff Realty Corporation DBA: Cape Neddick Country Club for Food Service, Liquor and Special Amusement, located at 650 Shore Road, subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 4-0, motion passes.

**J. Old Business**

1. Overview Discussion about the Long Sands Projects and Anticipated Timeframe for Completion

Parks and Recreation Director Michael Sullivan explained that the goal for both projects is for construction to begin in November 2015 and be completed by late spring 2016; the following was included in the RFP: "The Consultant shall indicate its commitment to an expeditious completion of the work. It is the Town's preference that the consultant shall commence work on the project within seven (7) days of the date of the contract award date, and all required easements, design and permitting work will be completed no later than September 1, 2015, and that the final construction documents and deliveries will be provided no later than October 15, 2015. Ability to achieve this schedule should be described by the Consultant."

2. Discussion and Possible Action: Amending the Long Sands Bathhouse Committee Charter and Appointments to the Long Sands Bathhouse Municipal Building Committee

Moved by Mr. Palmer, seconded by Mr. Macdonald to amend the Bathhouse Building Committee Charter to allow for seven voting members instead of five voting members, as was previously approved by the Board. Vote 4-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Joseph Lipton, Stu Dawson, Jim Bartlett and Jim Smith as members to the Long Sands Bathhouse Committee. Vote 4-0, motion passes.

3. Discussion and Possible Action: Maynard Dock

Moved by Mr. Macdonald, seconded by Mr. Palmer to direct the Town Manager to arrange a Site Visit coordinated with all the parties involved at 12 Barrell Lane Extension. Vote 4-0, motion passes.

4. Discussion and Possible Action: Geothermal Option for the Proposed Community Auditorium

This item was removed from the agenda, as the School Department did not feel the Geothermal Option was no longer needed for the proposed Community Auditorium Project.

5. Discussion and Possible Action: Health Insurance Opt-Out Policy

Moved by Mr. Macdonald, seconded by Ms. Andrews to amend Section V, Article B of the Non-Union Personnel Policy effective July 1, 2015 to provide non-union employees eligible to enroll in medical insurance an annual reimbursement equal to 25% of the employer premium (savings) for the coverage they would otherwise

be eligible to receive. In the instance of two benefits eligible non-union spouses, the Town will provide medical insurance at no cost to the family in the most cost effective coverage possible. Vote 3-1, Misters Macdonald, Palmer and Speers against, motion fails.

6. Discussion and Possible Action: Proposed Ordinance Amendments for May 2015 General Referendum

Moved by Mr. Macdonald, seconded by Mr. Palmer to forward the proposed "Elimination of the Sunset Clause regarding Outside Display along Route One", "Sign Standards (Digital Displays throughout Town)", and "Match Density and Minimum Lot Size in the Watershed Protection Overlay District" amendments to a second public hearing, to be held on March 23, 2015. Vote 4-0, motion passes.

Moved by Mr. Palmer, seconded by Mr. Macdonald to forward the proposed "GEN-3 Zoning District Permitted Uses" amendment to a second public hearing, to be held on March 23, 2015. Vote 4-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Speers to not forward the proposed "RES-2 Commercial Uses" amendment to a second public hearing. Vote 4-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Palmer to forward the proposed "Establish Sign Standards for 'Gateway Signs'" amendment to a second public hearing, to be held on March 23, 2015. Vote 4-0, motion passes.

Moved by Mr. Palmer, seconded by Mr. Macdonald to not forward the proposed "Establish Standards for Local Driveway Permitting" amendment to a second public hearing. Vote 4-0, motion passes.

**K. New Business**

1. Discussion and Possible Action: Transferring Heating Assistance Funds to YCSA

This item was taken out of order and addressed earlier in the meeting.

2. Property Redemption: 2 Pasture Lane

Moved by Mr. Macdonald, seconded by Mr. Palmer to approve the property redemption of Tax Map 0003-0018, located at 2 Pasture Lane, as requested, subject to the condition that all taxes, interest and administrative costs are paid in full, by no later than April 25, 2015 by cash or certified bank check. Vote 4-0, motion passes.

3. Discussion and Possible Action: Request to Change Restrictions Imposed on Property at 8 Gunnison Road

Moved by Mr. Palmer, seconded by Mr. Macdonald to table this item until their next meeting. Vote 4-0, motion passes.

L. **Other Business**

M. **Citizens' Forum**

Public Comment: None

**Adjourn**

Moved by Mr. Macdonald, seconded by Ms. Andrews to adjourn the meeting at 10:55PM. Without objection, so ordered.

Respectfully Submitted,

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Melissa M. Avery  
Assistant to the Town Manager