

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 23rd, 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 26th 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 125th 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 10th, 2011 Minutes.

Moved by Ms. Andrews and seconded by Mr. Little to accept the corrected minutes of January 10th, 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 4th 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 18th, 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 20th 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.

Respectfully Submitted By:

Kathryn Danylik, Recorder