

**SELECTMEN'S MEETING
7:00 P.M. TUESDAY AUGUST 9, 2005
YORK LIBRARY**

Minutes

ATTENDEES: David F. Marshall, J. Dwight Bardwell, Leonard V. Dorrian, Michael L. Estes, Torbert H. Macdonald Jr., Elizabeth McCann, Acting Town Manager, Karen Steadman, Recorder, and Members of the Press & Public.

Videotapes of the meeting are available in the Town Manager's office for clarification purposes.

Call to Order - Chairman Marshall called the meeting to order at 7:05 pm.

Pledge of Allegiance

Minutes

Moved by Mr. Bardwell and seconded, to accept the minutes of the June 28, 2005 Selectmen's meeting as submitted. Without objection, it was so ordered.

Moved by Mr. Bardwell and seconded, to accept the minutes of the July 5, 2005 Selectmen's meeting as submitted. Without objection, it was so ordered.

Moved by Mr. Bardwell and seconded, to accept the minutes of the July 6, 2005 Selectmen's meeting as submitted. Without objection, it was so ordered.

Moved by Mr. Bardwell and seconded, to accept the minutes of the July 12, 2005 Selectmen's meeting as submitted. Without objection, it was so ordered.

Moved by Mr. Bardwell and seconded, to accept the minutes of the July 13, 2005 Selectmen's meeting as submitted. Without objection, it was so ordered.

Chairman's Report

The Chair announced a change in the Boards meeting schedule. Regular meetings would be held on the 2nd and 4th Tuesdays, but work sessions would no longer be automatically scheduled on the odd weeks. The Board will now schedule work sessions as needed.

The Chair announced that due to the heavy schedule on tonight's agenda and the next scheduled meeting, he would be moving Selectmen's Goals and the Ethics Policy reviews to a work session on September 20th.

The Chair advised the public the Town Manager search is ongoing, the Board has interviewed 8 applicants. He also thanked the Ad Hoc committee for their hard work and for quickly returning their information to town hall today.

The Chair noted the town valuation came in at 3.5 billion and that the mill rate was approximately \$8.50.

The Chair announced the Board would be holding a joint workshop with the Planning Board on August 23rd in order to finalize comp. plan and zoning ordinance amendments going forward to the November ballot.

Manager's Report

Mrs. McCann noted the mill rate is actually \$8.46.

Mrs. McCann noted the Town received a letter from the BRAC and read the letter into the record.

Mrs. McCann announced that the town received an award for its GIS program and held the award for all to see, noting York was 1 of 10,000 sites evaluated for this award.

Mrs. McCann read a memo from Mark Badger into the record in response to a Seasonal Conversion issue.

Reports

Tax Rate Update -- Elizabeth McCann, Town Manager: Mrs. McCann reiterated that the mill rate came in at \$8.46 and that tax bills were mailed out last week.

Property Evaluations Update - Rick Mace, Assessor: Mr. Mace also noted the \$8.46 mill rate and said this year's budget had an overlay of approximately \$211,000 for unexpected tax abatements and unpaid taxes. He also noted the State allows for the overlay. Mr. Mace also reported the town's evaluations of 3.465999200 billion came in very close to the States numbers, and is at 95% total assessment.

Mr. Mace announced the State would be levying a new 7% tax on rental properties commencing on July 1, 2005.

PUBLIC HEARINGS

1. Sohier Park Master Plan

Mike Sullivan, Director of Park's & Recreation gave a brief history on Sohier Park's master plan and then asked the architect, Andrew Norwicky to give a brief overview on the actual master plan.

Steve Burns, Town Planner gave a brief summation on the approvals the Sohier Park committee has already received from the Planning Board in order to proceed with this plan and have it forwarded to the voters for their approval.

Moved by Mr. Bardwell and seconded, to open the public hearing. Without objection, it was so ordered.

Public comments: Stanley Moody, Conservation Commission
Michelle Moody, Planning Board
Jack MacDonald
Debbie Oberg

Moved by Mr. Bardwell and seconded, to close the public hearing. Without objection, it was so ordered.

2. Proposed Comprehensive Plan Amendments

- Economic Base Chapter, Inventory & Analysis
- Utilities Chapter, Inventory & Analysis
- Transportation Chapter, Inventory & Analysis
- Growth Projections Chapter, Inventory & Analysis

Mr. Burns gave a brief summation of the amendments and noted the changes made at the last public hearing.

Moved by Mr. Bardwell and seconded, to open the public hearing. Without objection, it was so ordered.

Public comments: None

Moved by Mr. Bardwell and seconded, to close the public hearing. Without objection, it was so ordered.

Citizens Forum - Open to audience for comments or questions on items to be addressed on this agenda; or, to propose items for board consideration for future agendas.

Public comments: Stan Moody
Helen Rollins Lord

Ron Nowell
Debbie Oberg
Cliff Estes
Rick Boardman
Jack MacDonald
Michelle Moody

The Chair called a 5-minute recess. The meeting reconvened at 9:30 pm.

ENDORSEMENTS

License Applications (Renewals)

There being no objection, the Chair took the licenses as a whole.

- Ledges Golf Course Co. (Victualers & Special Amusement)
- Nancy St. Pierre dba M&N Concessions (Victualer)

Moved by Mr. Bardwell and seconded to approve the license renewals subject to taxes and fees being current and the usual noise stipulations. Without out objection, it was so ordered.

Old Business - Discussion and Possible Action of the following:

1. Carry forward for FY 2005

Moved by Mr. Macdonald and seconded, to authorize the carry forward requests on all 07 accounts as these are the capital accounts. Vote: 5-0. Motion passes.

Moved by Mr. Macdonald and seconded, to authorize the carry forward requests on the following operations accounts: debt service, printing and records management, Village Fire squad mechanical upgrade, York Beach Fire siding, Police Department facility plan and Maine State Retirement debt service. Motion withdrawn.

Moved by Mr. Macdonald and seconded, to authorize carry forwards for the following operational accounts:

01-12-50-01
02-05-20-06
02-02-xx-xx
02-02-xx-xx

Vote: 2-3. Motion fails (Mr. Dorrian, Mr. Bardwell and Mr. Estes against)

Moved by Mr. Dorrian and seconded, to authorize carry forwards for the following operational accounts:

01-12-50-01
02-02-xx-xx
02-02-xx-xx

Vote: 5-0. Motion passes.

Moved by Mr. Macdonald and seconded, to defer the rest of the operation account carry forward requests until the August 23rd meeting along with other accounts requesting rollover, i.e. developer accounts. Without objection, it was so ordered.

New Business - Discussion and Possible Action of the following:

1. Open Salt Bids.

Mrs. McCann opened the salt bids and read the results into the record.

Granite State Minerals:	No bid
Hacros Chemicals:	\$52.48 Inside Delivered
	\$52.00 Inside Picked up
	-0- Outside Delivered
	-0- Outside Picked up
Morton Salt	\$44.49 Inside Delivered
	\$44.49 Inside Picked up
	\$42.00 Outside Delivered
	\$42.00 Outside Picked up
Cargill Deicing	\$62.03 Inside Delivered
	\$62.03 Inside Picked up
	-0- Outside Delivered
	-0- Outside Picked up
International Salt	\$49.87 Inside Delivered
	\$49.00 Inside Picked up
	\$49.87 Outside Delivered
	\$49.00 Outside Picked up

Mrs. McCann noted she would give the bids to Mr. Bray for his review and recommendation.

2. Open bids for a Public Works 4WD Truck

Mrs. McCann opened the bids for the 4wd truck and read the results into the record:

Rowe Ford: \$27,773 after trade

Starkey Ford: \$29,990 after trade

Mrs. McCann gave the bids to Mr. Bray for his review and recommendation.

3. Open bids for Police Cruiser

Mrs. McCann opened the bids for the cruisers and read the results into the record:

Augusta Ford: \$26,755 without trade / \$21,633 with trade
Starkey Ford: \$21,115 less trade of \$4,005 for a total bid of \$17,110

Mrs. McCann gave the bids to Chief Bracy for review and recommendation.

4. Business Directional Sign application Alpaca Fields, Inc.

Moved by Mr. Macdonald and seconded, to approve the directional sign for Alpaca Fields, Inc. Without objection, it was so ordered.

5. Adopt a Highway Application by Shirley C. Davenport

Moved by Mr. Macdonald and seconded, to approve the application request by Mrs. Davenport. Without objection, it was so ordered.

6. Re-appoint Ron Hayes to the York Harbor Site Design Review Board

Moved by Mr. Macdonald and seconded, to re-appoint Mr. Hayes to the York Harbor Site Design Review Board. Without objection, it was so ordered.

7. Application by Andrew Siegel for a dock on Rams Head

Moved by Mr. Dorrian and seconded to approve the dock application by Andrew Siegel.

Moved by Mr. Macdonald and seconded, to make a friendly amendment to Mr. Dorrian's motion and approve the dock subject to the CEO insuring the dock be removed seasonally. Friendly amendment accepted by Mr. Dorrian. Vote: 5-0. Motion passes.

Vote on original motion: 5-0. Motion passes.

8. Sohier Park Master Plan

Moved by Mr. Estes and seconded, to approve the Sohier Park Master Plan.

Moved by Mr. Macdonald and seconded, to make a friendly amendment to Mr. Estes motion and have the approval subject to the concerns addressed by the Board during the public hearing. Vote: 5-0. Motion passes

Vote on original motion: 5-0. Motion passes.

Moved by Mr. Dorrian, to defer any new business item left until next session so the Board can enter into executive session Motion withdrawn.

9. Shoreland Ordinance Amendment

Moved by Mr. Macdonald and seconded, to defer discussion of the shoreland ordinance amendment until the August 23rd meeting in order to have time to study the issue. Without objection, it was so ordered.

10. Proposed Comprehensive Plan Amendments for final public hearing with Planning Board

Moved by Mr. Macdonald and seconded, to forward the Comprehensive Plan amendments to final public hearing with the Planning Board. Without objection, it was so ordered.

11. Proposed Zoning Ordinance Amendment; Section 18.8.3.5 as requested by the Appeals Board

Moved by Mr. Macdonald, to forward the proposed zoning amendment as requested to the Planning Board. Motion withdrawn.

Moved by Mr. Macdonald and seconded, to defer the proposed zoning amendment by the Appeals Board until the August 23rd meeting. Without objection, it was so ordered.

12. Warrant article on the Sewer District charter amendments (LD413)

Moved by Mr. Macdonald and seconded, to schedule a public hearing on the Sewer District Charter amendment and the York Home Rule Charter amendment for August 23rd. Vote: 5-0. Motion passes.

13. Draft letter to the Tax Task Force by Selectman Dorrian

Moved by Mr. Macdonald and seconded, to defer discussion on the letter to the task force for two weeks. Without objection, it was so ordered.

14. Land along the Cliff Path or other town owned property as memorials

Moved by Mr. Macdonald and seconded, to defer discussion for two weeks and consider holding a public hearing. Without objection, it was so ordered.

Approval of Warrant #6 Moved by Mr. Macdonald and seconded, to approve Warrant #6. Without objection, it was so ordered.

Other Business

New Business (cont.)

Moved by Mr. Macdonald and seconded, to enter into executive session at 10:51 pm. Without objection, it was so ordered.

15. Enter into Executive Session, pursuant to MRSA Title 1, Section 405, 6.C.
(Real Estate)

16. Enter into Executive Session pursuant to MRSA Title 1, Section 405.6.A.
(Personnel – Town Manager search)

Moved by Mr. Macdonald and seconded, to come out of executive session at 11:20 pm. Without objection, it was so ordered

Adjourn There being no objection, the meeting was adjourned at 11:22 pm.

Submitted by,

Karen Steadman
Secretary/Recorder