

**SELECTMEN'S MEETING  
7:00 P.M. TUESDAY MARCH 22, 2005  
YORK LIBRARY**

**Minutes**

ATTENDEES: Stanley G. Wilson, Michael V. Palumbo, Carole H. Allen, Torbert Macdonald, David Marshall, 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 Wilson called the meeting to order at 7:00 pm.

**Pledge of Allegiance**

**Minutes**

Moved by Mrs. Allen and seconded, to accept the minutes for the February 1, 2005, Special Selectmen's Meeting/Work Session as presented. Without objection, it was so ordered.

Moved by Mrs. Allen and seconded, to accept the minutes for the February 8, 2005, Selectmen's Meeting as presented. Without objection, it was so ordered.

**Chairman's Report**

Chairman Wilson gave the floor to Mrs. Allen. Mrs. Allen read a letter of appreciation into the record and presented a basket of flowers to Mrs. Karen Steadman in recognition of her recently achieved bachelor's degree and her 17 years of service to the town.

**Manager's Report**

Mrs. McCann advised the Board that throughout the winter season the Public Works Department had a full crew in attendance through every snow event and that during that time there was only one accident, which was not the town's fault. Mrs. McCann also announced that the Town may be able to recoup some of its plowing expense for January and February as FEMA has qualified those two months as snow emergencies for the town.



Public comment: None

8. May 21, 2005 Budget Referendum Warrant

Public comment: Dan  
Ellen Dawson

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

**Citizens Forum** - Open to Audience for comments or questions to be addressed on this Agenda.

Public comment: Attorney Bill Knowles

**ENDORSEMENTS**

**License Applications (Renewals)**

- American Legion dba Ramsdell Rogers Post 56 (Victualer, Liquor, Special Amusement & Coin Operated Amusement)
- Raymond Ramsey dba The Anchorage Inn (Victualer, Liquor & Special Amusement)
- Philip & Eric Lusty dba Dockside Restaurant & Guest Quarters (Victualer, Liquor & Special Amusement)
- Marvin Moulton dba El's Fried Clams (Victualer, Liquor & Special Amusement)
- Richard Boston dba The Goldenrod (Victualer)
- Qing Wen Wang dba Greenleaves Chinese Restaurant (Victualer & Liquor)
- Joseph & Garry Dominguez dba Harbor Cliffs (Bed & Breakfast)
- Norma Clark dba Norma's Restaurant (Victualer)
- Alan D. Williams dba Sand & Surf (Bed & Breakfast)
- Jonathan King & Jim Stott dba Stonewall Kitchen (Victualer)
- Raymond Ramsey dba Sun N Surf Restaurant (Victualer, Liquor & Special Amusement)
- Bonnie & Bill Alstrom dba Tanglewood Hall (Bed & Breakfast)
- Michael Benes dba Wicked Good Ice Cream (Victualer)
- Robert Morgan dba York Beach Grocery & Deli (Victualer)
- Joseph & Garry Dominguez dba York Harbor Inn (Liquor)

Without objection, the Chair took the licenses as a whole; except for American Legion, which will be taken separately.

Moved by Mr. Palumbo and seconded, to approve the license renewal for the American Legion subject to compliance with the Noise Ordinance stipulations and all taxes and fees being current. Vote: 4-0-1. Motion passes. (Mrs. Allen abstained)

Moved by Mr. Palumbo and seconded, to approve the licenses as read, subject to compliance with the Noise Ordinance stipulations for all establishments requesting special amusements and all taxes and fees being current. Without objection, it was so ordered.

**Miscellaneous Applications**

- St. Aspinquid Lodge, #198 - Flea Market

Moved by Mr. Palumbo and seconded, to approve the application for St. Aspinquids "flea market". Without objection, it was so ordered.

**Applications - Boards & Committees**

- David Early - Board of Appeals (Alternate) or Parks & Recreation Board

The Chair noted an interview has been set up for March 29, 2005 @ 6:30 pm here at the library.

**Old Business**

**05-51(11)** Ordered, to reconsider the vote taken in reference to the "no action" letter requested by Neil Kelly (continued from 3/8 Meeting)

Moved by Mr. Palumbo and seconded, to continue the issue of reconsideration on the "no action" letter for Neil Kelly from the March 8, 2005 meeting. Without objection, it was so ordered.

The Chair opened the floor to public comment: Attorney Bill Knowles  
Charles Tsampas  
Deborah Tsampas

Moved by Mr. Palumbo and seconded, to rescind the motion of 4 weeks ago of "no action" on the letter of request by the Kelly's. Vote: 3-2. Motion passes. (Mrs. Allen and Mr. Macdonald against)

The Chair called a recess at 9:45 pm. The meeting was reconvened at 9:55 pm.

**New Business**

**05-54(1)** Ordered, to approve the General Accessory Dwelling Unit

Ordinance and recommend it for inclusion on the May 21, 2005 Special General Referendum Warrant.

Moved by Mr. Palumbo and seconded, to approve the General Accessory Dwelling Unit Ordinance as amended and include it on the May 21, 2005 Special General Referendum Warrant. Vote: 5-0.

**05-55(2)** Ordered, to approve the York River Watershed Overlay District Zoning Ordinance and recommend it for inclusion on the May 21, 2005 Special General Referendum Warrant.

Moved by Mr. Macdonald and seconded, to approve the York River Watershed Overlay District Zoning Ordinance and include on the May 21, 2005 Special General Referendum Warrant. Vote: 2-3. Motion fails. (Mr. Marshall, Mrs. Allen and Mr. Wilson against)

**05-56(3)** Ordered, to approve the request for Town Acceptance of Sand Castle Circle and recommend it for inclusion on the May 21, 2005 Special General Referendum.

Moved by Mrs. Allen and seconded, to approve the acceptance of Sand Castle Circle as a town road and send it forward to be included on the May 21, 2005 Special General Referendum Warrant. Vote: 3-1-1. Motion passes. (Mr. Palumbo against and Mr. Macdonald abstained)

**05-57(4)** Ordered, to approve the Purchase of Strawberry Island and recommend it for inclusion on the May 21, 2005 Special General Referendum Warrant.

Moved by Mr. Palumbo and seconded, to approve the Purchase of Strawberry Island and include on the May 21, 2005 Special General Referendum Warrant. Vote: 5-0. Motion passes.

**05-58(5)** Ordered, to approve the proposed amendments to the Harbor Ordinance and recommend it for inclusion on the May 21, 2005 Special General Referendum.

Moved by Mr. Palumbo and seconded, to approve the proposed amendments to the Harbor Ordinance, with the change on page 17 and include this on the May 21, 2005 Special General Referendum. Vote: 5-0. Motion passes.

As there is a substantive change to this ordinance a 2<sup>nd</sup> public hearing will be set for April 5, 2005.

**05-59(6)** Ordered, to approve the proposed Ice Skating Rink Facility and recommend it for inclusion on the May 21, 2005 Special General Referendum

Moved by Mr. Palumbo and seconded, to table indefinitely item 05-59(6). Without objection, it was so ordered.

**05-60(7)** Ordered, to approve the Warrant for the May 21, 2005 Special General Referendum

Moved by Mr. Palumbo and seconded, to approve Articles 1, 3, 4, 5 and 6 of the Special General Referendum to be voted on May 21, 2005. Without objection, it was so ordered.

**05-61(8)** Ordered, to approve the Warrant for the May 21, 2005 Budget Referendum

Moved by Mrs. Allen and seconded, to approve Articles 1 through 87 of the Budget Warrant Referendum to be voted on May 21, 2005. Vote: 5-0. Motion passes.

Moved by Mr. Palumbo and seconded, to approve the preference votes of the Board as 5-0, except for Articles 11, 12, 26, 29, 60, 61, 65, 72 and 73 which are as follows.

Preference votes for excluded articles are as follows:

Article 11: Recommendation 4-1  
Article 12: Recommendation 3-2  
Article 26: Recommendation 4-1  
Article 29: Recommendation 4-1  
Article 60: Recommendation 4-1  
Article 61: Recommendation 3-2  
Article 65: Recommendation 4-1  
Article 72: Recommendation 4-1  
Article 73: Recommendation 3-2

Without objection, it was so ordered.

**05-62(9)** Ordered, to approve the Municipal Dog Warrant

There being no objection, the Municipal Dog Warrant was approved.

**05-63(10)** Ordered, to award the bid for the Recreation Department

Moved by Mr. Palumbo and seconded, to approve the recommendation of the Recreation Department and award the bid for the "Summer Brochure" to Graphic Image in the amount of \$4,790.00. Without objection, it was so ordered.

**05-64(11)** Ordered, to approve the business directional sign for Sentry Hill as recommended by Public Works Director, Bill Bray

Moved by Mr. Palumbo and seconded, to approve the directional sign for Sentry Hill as recommended by Mr. Bray in his memo dated March 7, 2005. Without objection, it was so ordered.

**05-65(12)** Ordered, to approve a request for a building permit waiver due to water damage

Moved by Mr. Palumbo and seconded, to deny a request for a building permit waiver due to water damage. Vote: 2-3. Motion fails. (Mrs. Allen and Mr. Macdonald against)

**Citizen/Selectmen Forum** - Open to Audience - General Questions or Concerns

Public comment: Tom Blaisdell  
Don MacAulay

**Approval of Warrant #38** Moved by Mr. Palumbo and seconded, to approve Warrant #38. Without objection, it was so ordered.

**Other Correspondence and Business**

**Adjournment** Moved by Mr. Macdonald and seconded, to adjourn the meeting at 11:30 pm. Without objection, it was so ordered.

Submitted by,

---

Karen Steadman  
Secretary/Recorder