

**SELECTMEN'S MEETING**  
**7:00 P.M. MONDAY SEPTEMBER 22nd, 2008**  
**YORK LIBRARY**

**MINUTES**

**Attendees:** Michael L. Estes, David F. Marshall, Catherine R. Goodwin, Kinley Gregg, Edward W. Little, Robert G Yandow, Town Manager and, Kathryn Danylik, Recorder, and Members of the Press & Public

**Call to Order-** Called to order at 7:02 PM

**Pledge of Allegiance**

**A. Minutes**

-September 8<sup>th</sup>, 2008 Selectmen's Meeting Minutes

Moved by Mr. Marshall and seconded by Ms. Goodwin to approve the Minutes of the September 8<sup>th</sup>, 2008 Selectmen's Meeting Minutes. Without objection so ordered

**B. Chairman's Report**

-Knights of Columbus "Tootsie Roll Drive" Proclamation was read into the record by Chairman Estes

**C. Manager's Report**

Mr. Yandow reported that on October 25<sup>th</sup>, 2008 the Annual Hazardous Waste Day will take place at the Recycling and Composting Facility on Witchtrot Road. Pre-Registration is required and begins on October 1<sup>st</sup>.

Mr. Yandow reported that there was a horse in Lebanon that passed away from EEE. Maine CDC (Center for Disease Control) is involved in testing the area for other cases and are quite vigilant in following up. Members of the public should take caution.

**D. Reports**

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

**Public Comment:** None

**F. Approval of Warrant #12**

Moved by Mr. Marshall seconded by Mr. Little to approve Warrant #12, without objection so ordered

**G. PUBLIC HEARINGS**

**H. ENDORSEMENTS**

**License Applications**

- TCF Corp. dba Clay Hill Farm (Victualers, Liquor, Special Amusement)
- Sandra Wilson dba Sandy's Purple Palace York Restaurant (Victualers)
- Barbara Sheff dba Candleshop Inn (Bed and Breakfast)
- Nick Gough dba Sticks Restaurant (Victualers, Liquor, Special Amusement)
- Woods Family Inc dba Woods Family Popcorn and Slush (Victualers)

Moved by Ms. Gregg and seconded by Mr. Marshall to approve license applications for TCF Corp. dba Clay Hill Farm (Victualers, Liquor, Special Amusement), Sandra Wilson dba Sandy's Purple Palace York Restaurant (Victualers), Barbara Sheff dba Candleshop Inn (Bed and Breakfast), Nick Gough dba Sticks Restaurant (Victualers, Liquor, Special Amusement), Woods Family Inc dba Woods Family Popcorn and Slush (Victualers). Subject to taxes, fees and inspections being current and compliant with the usual noise stipulations, without objection so ordered.

**I. Old Business**

**J. New Business**

**1. Mayor's Climate Challenge**

Eric Hopkins, Chairman of York's Energy Efficiency Committee, explained that this non-binding agreement calls for goals to meet or beat the Kyoto Protocol targets (7% below 1990 levels by 2012), urge the state and federal government to do the same and urge the US Congress to pass the bipartisan Greenhouse Gas Reduction Legislation. If the Board of Selectmen does agree to sign the Mayor's Climate Challenge, the York Energy Efficiency Committee is recommending that York join the non-profit consortium "ICLEI-Local Governments for Sustainability".

This will allow for York to gain access to free software and consulting for the creation of a Carbon Inventory for the municipality. It will also allow us to create an easy way to network with other communities across the country who are currently trying to accomplish similar goals.

Moved by Mr. Marshall and seconded by Mr. Little that the Town of York sign up for and endorse the US Mayors Climate Agreement. Vote 5-0 motion passes.

Mr. Yandow will research where the funding can come from and will come back with a recommendation

## **2. Generator Bid Award**

Lt. Robert Scamman explained that an RFP for the installation of the new generator went out to the five companies who had previously submitted bids. There were two bids returned, one from Moran Electric and one from The Generator Connection.

Lt. Scamman recommends that the bid be awarded to Moran Electric who was actually \$550.00 more than The Generator Connector, for the following reasons; Moran Electric is a locally owned business, Moran Electric and the York Police Department have had an ongoing business relationship for the past 18 years, Moran Electric has attended to the electrical needs of the Police Department on many occasion at all hours of the day and night, and Moran Electric has provided many hours to the Police Department at no charge.

Bids were also about \$3000 more then the original estimate of \$15,000 due to the need to hook up the senior center to the generator, since the Senior Center serves as an emergency shelter for the town.

Moved by Mr. Marshall and seconded by Mr. Little to award the bid, not exceed \$18,000, to Moran Electric for the complete package of installation of the generator that the Town is getting from York County and to take these funds from the Supplemental contingency fund. Vote 5-0 motion passes.

## **3. Police Cruiser Bid Award**

Moved by Mr. Marshall and seconded by Mr. Little to award the bid for the purchase of a 2009 Ford Crown Victoria Police Cruiser to Starkey Ford for the amount of \$17, 927.00 Vote 5-0 motion passes

## **4. 2008-2009 Salt Bid Award**

Moved by Mr. Marshall and seconded Ms. Gregg to award the 2008/2009 winter salt bid to Morton Salt Company with the price of \$67.50 per ton. Vote 5-0 motion passes

## **5. Increase in Paving Costs**

Dean Lessard, Director of Public Works, explained that Libby-Scott gets his asphalt from Pike Industries who at this time is not honoring their price negotiations and contracts due to the increase in asphalt.

Libby-Scott has come to the Town to ask for an increase of \$12 on top of their original price. It is our understanding that this is due to market conditions and a supply problem making the price increase. Question is do we continue paving at a higher rate or wait to see if the market changes. Mr. Lessard stated that with the increase Public Works can still complete what was scheduled.

A lot of the work has been done with Town forces and therefore have come under the original paving budget which will offset the \$12 increase. Roads left to

complete are Southside, Woodside Meadow, Beacon Street, Nubble Road, Sohler Park Road, Kendall Road, Ocean Ave Ext., Acorn Street and Oceanside Avenue.

Moved by Mr. Marshall and seconded by Ms. Goodwin to approve a maximum of a \$12 increase for the remainder of the 2008 calendar year with a revisit of this issue at a later date to see a status report. Vote 4-1 KG against.

#### **6. Discussion on Traffic Safety Ordinance-Meter Revenues**

Mr. Yandow stated that the Beach Reserve account was started in 2003 to take care of some infrastructure issues in the beach. We have about \$36,000 left in the beach reserve account and we currently we put 10% of meter revenues in to that account each year.

If it is the boards desire to increase the percentage of the revenues that go to the Beach Revenue then this can be done at the May Referendum

The Board of Selectmen asked Mr. Yandow to speak with the appropriate departments to determine what the costs are to take care of the beach and then look at the meter revenues to determine an appropriate figure to be allocated. Mr. Yandow will work the staff and will come back with a proposal for the Board to discuss.

#### **7. Discussion Regarding Formation of Infrastructure Improvements Review Committee for York Beach**

There seems to be some confusion on the role of the Planning Board Subcommittee and what that committee was created for. The Board of Selectmen believed that this committee was created to discuss zoning issues and new design standards for the beach area.

Mr. Yandow reported that over time there have been discussions on infrastructure improvements in York Beach and after putting some thought into this it is clear that we need to put some attention on this matter and what should happen.

A way to generate and initiate some discussion would be form a committee of people to be identified to review information and make recommendations on what should be done. The York Beach Zoning Subcommittees has developed their own vision statement with some objectives regarding infrastructure and it is going to the Planning Board this week.

Mr. Yandow recommends postponing any significant discussion on a review committee until the Planning Board has a chance to discuss this issue. It was recommended to have a joint session with the planning board to discuss these issues.

This issue will be added to an upcoming agenda to discuss where to go next with the infrastructure review of the breach.

A break was called at 9:50 PM

The meeting was called back to order at 10:02 PM

### **8. Carry Forwards from FY08**

Mr. Yandow explained that carry forward requests involve funds that were approved by the voters for use in one fiscal year but for one reason or another the funds were not spent by June 30<sup>th</sup>. There are only a few changes from carry forwards from the past.

Moved by Ms. Goodwin and seconded by Mr. Marshall to carry forward the \$15,081.81 to be used for emergency fuel assistance in FY 09. Vote 4-0-1 motion passes (Mr. Estes abstained)

Moved by Mr. Marshall and seconded by Mr. Little to carry forward \$39,772.50 in legal funds to be used, if necessary, for legal costs associated with the Maine Turnpike Authority's York Toll Plaza Relocation Project. Vote 5-0 motion passes.

Moved by Mr. Marshall and seconded by Mr. Little to carry forward \$16,614.91 in contingency funds to offset increased fuel costs in the Police and Parks Department. Vote 5-0 motion passes.

Debt Service- Moved by Mr. Marshall and second by Mr. Little to carry forward \$63,776.13 in Debt Service. Vote 5-0 motion passes.

Academic Reimbursement- No motion not carried forward

Josiah Norton Road, Bog Road, Bell Marsh Road- Moved by Mr. Marshall and seconded by Ms. Gregg to carry forward 32,649.89, \$1,984.95, and \$22,949.00 for Josiah Norton Road, Bog Road, and Bell Marsha Road Improvements. Vote 5-0 motion passes.

Fisherman's Walk/Cliff Path- Moved by Mr. Marshall and seconded by Mr. Little to carry forward \$42,988.55 for improvements to the Fisherman's Walk/Cliff Path. Vote 5-0 motion passes.

Police Vehicle, Voting Machines, Woodbridge sidewalk, Church Street sidewalk and Fire Truck Reserve- Moved by Mr. Marshall and seconded by Mr. Little to carry forward \$42,715.43, \$45,000, \$22,954.22, \$33,342.50 and \$17,128.07 for Police Vehicle Replacement, Voting Machines, Woodbridge Sidewalk, Church Street Sidewalk and Fire Truck Reserves. The motion was amended to include election trainings and to carry forward \$5,500 for election trainings. Vote 5-0 motion passes.

Grader upgrade-Moved Ms. Gregg seconded by Mr. Little to carry forward \$26,213.41 for the grader upgrade. Vote 5-0 motion passes

Chases Pond Addition-moved by Ms. Goodwin and seconded by Mr. Little to carry forward \$30,913.22 for the Chases Pond Addition. Vote 5-0 motion passes.

Seawall Repair-Moved by Mr. Marshall and seconded by Mr. Little to carry forward \$8,221.20 for Seawall Repair. Vote 5-0 motion passes.

Road Repair and Restoration- Moved by Mr. Marshall seconded by Ms. Gregg to carry forward \$288,501.43 for road repair and restoration. Vote 5-0 motion passes.

Ocean Ave Sidewalk-moved by Mr. Marshall and seconded by Mr. Little to carry forward \$34,000 for Ocean Avenue Sidewalk repair. Vote 5-0 motion passes.

Storm Water management Plan-No motion, not carried forward

Public Safety Planning and Municipal Facility Planning-Moved by Mr. Marshall seconded by Mr. Little to carry forward \$10,140.38 and \$44,541.75 for Public Safety Facility Planning and Municipal Facility Planning. Vote 5-0 motion passes.

Broadway/ Airport Drive Drainage, Mitchell Drainage-Moved by Mr. Marshall and seconded by Mr. Little to carry forward \$68,350.33 and \$50,000 for Broadway/ Airport Drive and Mitchell Road Drainage Projects. Vote 5-0 motion passes.

Cow Beach Phase II-Moved by Mr. Marshall and Seconded by Ms. Goodwin to carry forward \$18,200 for drainage project at Cow Beach Phase II. Vote 5-0 motion passes

Bonding Costs for Drainage Projects-Moved by Mr. Marshall and seconded by Mr. Little to carry forward \$18,500 for Bonding Costs for Drainage Projects. Vote 5-0 motion passes.

**9. Abate Taxes on Tax Map 90 Lot 56 for the 2007 Tax Year**

Moved by Mr. Marshall and seconded by Ms. Gregg to abate the taxes in the amount of \$322.38 for the 2007 tax year for Tax Map 90 lot 56 located at 290 Kingsbury Lane. Vote 5-0 motion passes

**10. Special Event Permit: Harvest Fest**

Moved by Mr. Marshall and seconded by Ms. Gregg to approve the Special Event Permit application for the Greater York Region Chamber of Commerce Harvest Fest Celebration that will take place on October 17<sup>th</sup>, 18<sup>th</sup>, and 19<sup>th</sup> 2008 starting at approximately 10:00 AM. Mr. Marshall moved and Ms. Gregg seconded to amend the motion to include October 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup> for the sidewalk sale conditionally pending approval from the Police Department. Vote 4-0-1 Motion passes (Ms. Goodwin abstained)

**11. Special Event Permit: Crop Walk for World Hunger**

Moved by Mr. Marshall and seconded by Ms. Gregg to approve the Special Event Permit application for the Crop Walk for World Hunger what will take

place on October 19<sup>th</sup> 2008 and will run from 1:00 Pm to 4:00 PM. Vote 4-0-1 motion passes (Mr. Little abstained)

**K. Other Business**

- Dates on one way roads
- Schedule looking at Oct 15 vs. Columbus Day on parking ordinance
- Downtown York Village Traffic Analysis
- Growth Ordinance Discussion/Study for October 14<sup>th</sup>, 2008
- Affordable Housing Survey handed out at the November Election

**L. Executive Session Real Estates**-(Pursuant to MRSA Title 1, and Section 405.6 C)

Moved by Mr. Marshall and seconded by Ms. Goodwin to enter into Executive Session Real Estates pursuant to MRSA Title 1, and Section 405.6 at 11:15 PM. Vote 5-0 motion passes.

Moved by Ms. Goodwin and seconded by Mr. Little to come out of Executive Session Real Estate Pursuant to MRSA Title 1, and Section 405.6 C at 11:33 PM

**Adjourn**

Moved by Ms. Goodwin and seconded by Mr. Little to adjourn at 11:34 PM

Respectfully Submitted By

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Kathryn Danylik