

**SELECTMEN'S MEETING  
7:00 P.M. MONDAY APRIL 27th, 2009  
YORK LIBRARY**

**MINUTES**

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

**Call to Order-** Chairman Estes called the meeting to order at 7:00 PM

**Pledge of Allegiance**

**A. Minutes**

-April 13<sup>th</sup>, 2009 Selectmen's Meeting Minutes

Moved by Ms. Goodwin and seconded by Mr. Little to approve the minutes of the April 13<sup>th</sup> 2009 Selectmen's Meeting Minutes. Without objection so ordered.

**B. Chairman's Report**

Chairman Estes reported that he received a letter from Lawrence Peters asking that we not reconsider his reappointment to the Historic District Commission.

Chairman Estes stated that do have someone interviewed for the HDC and we can possible put this on the agenda for next week.

**C. Manager's Report**

Mr. Yandow mentioned that the Town of York received a municipal leadership award for the work done on affordable housing in reference to the Workforce Housing Ordinance and the Affordable Housing Surveys

Mr. Yandow reported that Debris Clean-Up is a little over 50% done everything East of Route 1 is done. There is probably another 2-3 weeks to go and will be done.

Mr. Yandow stated that Mike Sullivan, Parks and Recreation Director celebrated his 30<sup>th</sup> year with the Town of York. Congratulation Mike!

Mr. Yandow reported that a Public health Emergency that has been declared for the swine flu. There have been 180 reported deaths in Mexico, and as of now there are 40 reported cases in the US. The Center for Disease Control is worried about what will happen since this particular flu has 3 elements to it and it can not contained. So far however the US symptoms that have been reported are mild just

like the seasonal flu. There is concern that this could turn into a pandemic. Please be mindful if you come down with symptoms, cover coughs, wash hands, if you feel sick stay home....this is the only way to limit an outbreak. For more info go to [www.maine.gov](http://www.maine.gov) on the lower left of the page there is a swine flu informational page.

Mr. Yandow stated that the upcoming meetings for May are May 4<sup>th</sup> and May 11<sup>th</sup>.

#### **D. Reports**

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

Public Comment: none

#### **F. Approval of Warrant #43**

Moved by Mr. Marshall and seconded by Mr. Little to approve warrant # 43.  
Without objection so ordered.

#### **G. PUBLIC HEARINGS**

##### **1. New License Application**

-Jane Eastman dba Harry's Seafood and Grill (Victualers)

Moved by Mr. Marshall and seconded by Ms. Gregg to open the public hearing on the New License Application for Jane Eastman dba Harry's Seafood and Grill (Victualers)

Public Comment: None

Moved by Mr. Marshall and seconded by Mr. Little to close the public hearing on the New License Application for Jane Eastman dba Harry's Seafood and Grill (Victualers)

#### **H. ENDORSEMENTS**

##### **License Applications**

-Jane Eastman dba Harry's Seafood and Grill (Victualers)

-IOTB LLC dba Inn on the Blues (Victualers, Liquor, Special Amusement, Dance Hall)

-Raymond A. Ramsey dba The Anchorage Inn (Victualers, Liquor, Special Amusement)

-Woody and Rowena Kislowski dba York's Best Seafood (Victualers)-

-Jonathan King and James Scott dba Stonewall Kitchen (Victualers, liquor)

-Raymond A. Ramsey dba Sun N Surf (Victualers, Liquor, Special Amusement)

-Phyllis A. Fox dba Fox's Lobster House (Victualers, Liquor)

-York Village Hotel, LLC dba Microtel Inn and Suites (Victualers)

-Trustees of the St. Aspinquid dba St. Aspinquid Lodge No. 198 (Victualers)

Moved by Ms. Gregg and seconded by Mr. Little to approve the license applications for Jane Eastman dba Harry's Seafood and Grill (Victualers), IOTB LLC dba Inn on the Blues (Victualers, Liquor, Special Amusement, Dance Hall), Raymond A. Ramsey dba The Anchorage Inn (Victualers, Liquor, Special Amusement), Jonathan King and James Scott dba Stonewall Kitchen (Victualers, liquor), Raymond A. Ramsey dba Sun N Surf (Victualers, Liquor, Special Amusement), Phyllis A. Fox dba Fox's Lobster House (Victualers, Liquor), York Village Hotel, LLC dba Microtel Inn and Suites (Victualers), Trustees of the St. Aspinquid dba St. Aspinquid Lodge No. 198 (Victualers) Subject to taxes, fees and inspections being current and compliant with usual noise stipulations. Without objection so ordered.

### **I. Old Business**

### **J. New Business**

#### **1. York Community Service Association: York County Food Rescue Organization**

Tom Whalen, Director of the York Food Pantry spoke to the Board of Selectmen regarding the York County Food Rescue Program. Currently the York food pantry is feeding about 40-50 families a week about 150 people. The two major sources for food available to pantries in York County are the Good Shepherd Food Bank in Auburn and the York County Food Rescue. The York Food Pantry picks up about 1,500 pounds of food per month from the distribution center.

The York County Food Rescue Program is a primary link between food distributors/sellers and non-profit organizations. The purpose of the Food Rescue program is to help alleviate hunger by enhancing the recovery of donated food in and around York County. The program operates out of the Jagger Mills Building in Sanford which was donated by the York County Shelters Program. The program distributed over 240,000 pounds of donated food to 40 different programs in York County in the year of October 2006 to September 2007. This is a very efficient and needed program in York County.

Mr. Whalen stated that already many of the neighboring towns have donated money to the program.

Ms. Goodwin asked if Mr. Whalen had talked with the Social Services Review Committee in terms of funding. Mr. Whalen stated that he has not, this is a relatively new program and we are just starting to approach towns for donations.

Mr. Estes asked how much funding is the program looking for from the Town? Mr. Whalen stated that he would think around \$1000, this is what seems to be standard in the surrounding towns.

Ms. Gregg questioned the process of the Social Services Review Committee, if Mr. Whalen did not know about the process how many other non-profits that could potentially benefit not know of this process either?

Mr. Yandow will speak with Ala Reid on the Municipal Social Services Process and will prepare an update of the Contingency Fund.

## **2. Water Quality Policy**

Ben McDougal, Shoreland Resource Officer gave the Board of Selectmen an update on the Water Quality Policy for the Beaches. Mr. McDougal stated that the past results of our test prove that there is a water quality problem in the Cape Neddick River and it could potentially get worse. We are going to be holding a training for 20-25 volunteers who will be helping to conduct water quality testing over the summer in order to help determine where the problem is where it is going. If the problem continues to worsen it could potentially result in the closing of beaches. Mr. McDougal and the Community Development Department is asking that the Board of Selectmen endorse a policy position that emphasizes water quality protection in all areas of York with a goal to eliminate the need to close public beaches due to water pollution.

Moved by Mr. Marshall and seconded by Mr. Little that the Board of Selectmen endorse a policy position that emphasizes water quality protection in all areas of York with a goal to eliminate the need to post advisories or close public beaches due to water pollution. Vote 5-0 motion passes.

## **3. Change of dates for one-way streets on Route 1A in the Traffic Safety Ordinance**

Dean Lessard, Director of Public Works, presented the Board with a proposal to change the dates for one-way streets to the first Tuesdays after May 1<sup>st</sup> to the first Tuesday after November 1<sup>st</sup>. Currently the ordinance reads that the streets will be changed from two ways to one way On May 1<sup>st</sup> and then back to two way on November 1<sup>st</sup>. The reasoning for the change is that there are times when May 1<sup>st</sup> and November 1<sup>st</sup> fall on a weekend which caused confusion for tourists and it also requires public works crews to work overtime posting the roads.

Moved by Ms. Gregg and seconded by Mr. Marshall to amend the traffic safety ordinance section B one way street to read "From the first Tuesday after May 1<sup>st</sup> to the first Tuesday after November 1<sup>st</sup> of each calendar year."

Ms. Goodwin stated that that this time period is to long and thinks that it should go from Memorial Day to Labor Day.

Mr. Marshall stated that he supports not doing the change on the weekend but doesn't have any real preference as to the time period.

Mr. Yandow stated that is would be good to speak with the Police Department to determine if there is a reason for the dates that are set.

Mr. Marshall suggested that tonight we modify the motion to be the Thursday before Memorial Day that way if we hear that this is a mistake then we can move it back up.

Ms. Gregg amended the motion and Mr. Marshall seconded to amend the traffic safety ordinance section B one way street to read "From the Thursday before Memorial Day to the first Tuesday after November 1<sup>st</sup> of each calendar year." Vote 5-0 motion passes.

This will come back at the next meeting to determine the ending date

**4. Addition of Ocean Avenue to Traffic Safety Ordinance; Schedule B-One Way Street**

A public Hearing on the Addition of Ocean Avenue Extension to the Traffic Safety Ordinance, Schedule B-One Way Streets (Year-Round) will be set for Monday May 4<sup>th</sup>.

**5. Release of Highland Farm Letter of Credit**

Moved by Mr. Marshall and seconded by Ms. Goodwin to authorize to release the full Letter of Credit held for The Meadows at Highland Farm Subdivision, in the amount of \$403,000.00 as there is no longer need for a performance guarantee. Vote 5-0 motion passes.

**6. Special Event Permit: Old York Historical Society**

Moved by Ms. Goodwin and seconded by Mr. Marshall to approve the special event permit application for the Old York Historical Society for their annual Designers Show House taking place May 2<sup>nd</sup> and 3<sup>rd</sup> 11:00 AM to 4:00 PM and July 17<sup>th</sup> through August 15<sup>th</sup> from 10:00 AM to 5:00 PM Mondays, Wednesdays, Fridays and Saturdays, until 7:00 PM on Thursdays and from 1:00 PM to 4:00 PM on Sundays. The motion was amended to say with the restrictions set by the police department. Vote 4-1 motion passes, Ms. Gregg against.

**7. Board and Committee Appointments: Energy Efficiency Subcommittee**

Moved by Ms. Goodwin and seconded by Ms. Gregg to appoint Wayne Boardman Eric Hopkins, Clark James, Jeff Beaudoin and Deborah McDermott as regular members of the Energy Efficiency Steering Committee and Phyllis Newman and John DeStefano as alternates. Vote 5-0 motion passes.

We will schedule a meeting with this committee on May 11<sup>th</sup> to discuss the charge for this committee.

**8. Request for Redemption: Map 0090 Lot 0025; 270 Cider Hill Road**

Moved by Mr. Marshall and seconded by Mr. Little to approve the redemption of Map 0090/Lot 0025; 270 Cider Hill Road, as requested, on the condition that all

taxes, interest and administrative costs are paid in full by no later than June 27<sup>th</sup>, 2009. Vote 5-0 motion passes.

**9. Approval of Quitclaim Deed for 245 Scituate Road; Map 0093 Lot 0029A**

Moved by Mr. Marshall and seconded by Ms. Gregg to approve the Quitclaim Deed for Michael Ferreria for property located at Map 0093/ Lot 0029-A; 245 Scituate Road. Vote 5-0 motion passes.

**10. Set Polling Hours for May 29<sup>th</sup> 2009 Budget, Special General and School Referendums**

Moved by Mr. Marshall and seconded by Ms. Gregg to set the polling hours from 8:00 AM to 8:00 PM on May 29<sup>th</sup>, 2009 at the York High School-Robert E. Butler Gymnasium. Vote 5-0 motion passes.

**K. Other Business**

Appreciate everyone that put their name in for the Energy Efficiency Steering Committee.

**Adjourn**

Moved by Mr. Marshall and Ms. Gregg to adjourn at 8:45 PM

Respectfully Submitted By:

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Kathryn Danylik