

SELECTMEN'S MEETING
7:00 P.M. MONDAY JANUARY 14th, 2008
YORK LIBRARY

MINUTES

Attendees: Michael L. Estes, David F. Marshall, J. Dwight Bardwell, Kinley Gregg, Edward W. Little, 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 7:02 PM

Pledge of Allegiance

A. Minutes

Moved by Mr. Bardwell and seconded by Ms. Gregg to approve the minutes of the Selectmen's Meeting December 10th, 2007, Selectmen's Meeting December 17th, 2007 and the Special Selectmen's Meeting December 27th, 2007. Without objection so ordered.

B. Chairman's Report

Chairman Estes reported that the next few weeks will be busy and therefore we have decided to have 3 meetings a month for January and February. The schedule will be meetings on the following dates: January 22nd (Tuesday), January 28th, February 11th, February 19th (Tuesday), and February 25th.

Chairman Estes also asked that if anyone has anything that they would like to see on the upcoming agenda to please let Rob know.

C. Manager's Report

Mr. Yandow reported that on Wednesday, January 23rd in Ogunquit at 6:00 PM at the Dunaway Center there will be a meeting with the Maine Turnpike about the relocation of the York Toll Booth. This is a follow up to the first meeting that took place about 18 months ago. There will be public hearings on the issue to follow in the coming months

Mr. Yandow also reported that the Town Clerk has received and authorized a citizen's petition to Adopt Additional Procedure for Acceptance on Non-York

Subdivisions Which Impact York's Municipal Services. The petition was certified by the Town Clerk for signatures and then forwarded to the Town Attorney for a legal opinion. The Town Attorney recommends that the Board reject the petition and refrain from forwarding it on to the voters for two reasons: 1) the petition is in violation of Maine law; 2) there are a number of drafting flaws that could be fatal. This will be a separate agenda item at an upcoming meeting.

D. Reports

-Mount Agamenticus Coordinator Report

Robin Stanley, Mount Agamenticus Coordinator, gave a brief report on the Mountain and the activities that have been going on there. Mount Agamenticus is one of the largest intact coastal forests from Acadia National Park to the New Jersey Pine Barrens. It is a natural mixing zone for different plant and animal species. Mount Agamenticus has the highest concentration of vernal pools in the state. These pools serve as breeding grounds for wildlife and help maintain a rich biodiversity. The area contains 24 species of plants, 11 species of animal and 9 plant communities that are all on threatened or endangered lists in Maine. Mount Agamenticus is also a Mecca for year round recreation and outdoor activities. Some of these activities include the traditional hawk migration, hiking, biking, ATV use, educational programs, and horseback-riding.

The mountain has a past history of unmanaged use that caused erosion, fragmentation, vandalism, and dumping. This has been largely curtailed due to the stewardship program.

In the past eight years lots of work has been done to clean-up the area; a trail crew has been hired, volunteers have increased, and educational programs have been developed. In the past year there has been 740 hours volunteered and 40 new volunteers. Educational programs have grown by adding lectures and guided hikes, and we are working to re-route trails to preserve habitats, build bridges over streams, and protect native species from invasive plants and insects. Other projects include new welcome signs and a new website that offers a large amount of information. www.agamenticus.org

Looking ahead to the future we are hoping to improve our efforts by converting the summit lodge into an education center, expand work on corridors linking 40 plus miles of trails, improve public access points, and develop a friends of Mt A group of volunteers that would be a core group to work with fundraising, the summit center, and educational programs.

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 #29

Moved by Mr. Bardwell and seconded by Mr. Marshall to approve Warrant #29. Without objection so ordered.

G. ENDORSEMENTS

Moved by Mr. Bardwell and seconded by Mr. Marshall to approve license applications R.H. Zaninetti dba Lighthouse Inn and Carriage House (Victualers), Steven Bernstein dba Old Ellis House (Bed and Breakfast), Alice and Michael Kubacki dba Pudding Lane Bed and Breakfast (Bed and Breakfast), Betty Weaver dba Lobster Barn Restaurant (Victualers, Liquor), Irving Oil Corporation dba York Irving Bluecanoe (Victualers), John A Garfield dba Garfields (Victualers), Margaret Bowden dba Country View Motel (Bed and Breakfast), Peterborough Oil Co. Inc dba Mr. Mike's (Victualers) subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Without objection so ordered.

H. Old Business

I. New Business

1. Award bid for new Harbor Master Boat

Mr. Yandow stated that voters had approved \$45,000 for a new Harbor Master Boat. Captain Kevin LeConte explained that he has met with the Harbor Master and the Harbor Board to come up with the specifications for the new boat. One addition that added extra cost is a Dive Door on the side of the boat that is used for rescue and safety purposes. The York Police, along with the York Harbor Board, requested bids to purchase a 19-foot Justice Boat. This boat is to replace the old Harbor Master boat. Two bids were received for a 2008 19-foot Whaler Justice. York Harbor Marine Service, York Maine-Total \$49,813.00 and Brunswick Commercial Governments Products Inc, Edgewater Florida- Total \$49,727.00. The recommendation is to keep the boat local and award the bid to York Harbor Marine Service for a total of \$49,813.00 . Whaler will pay York Harbor Marine to service the boat and put it in the water. Moved by Mr. Bardwell and seconded by Mr. Little to award the bid to purchase the 19-foot Boston Whaler Justice Boat from York Harbor Marine Service in the amount of \$49,813.00. Vote 5-0 motion passes.

2. Bids for Solid Waste Contract

In November an RFP was sent out to seven potential contractors for a new Solid Waste Contract. A mandatory pre-bid meeting was held for all potential bidders where there was an opportunity for questions and concerns to be raised. After the pre-bid meeting two addendums were sent out regarding more bid options, and a change that was made in order to require the new contractor to continue the current program for a year so that the town could educate the public and it would allow the contractor to buy the necessary equipment. Another change made was to reduce the contract length from ten years to eight years. On December 14th bids were opened by four qualified bidders.

The contractors were asked to bid on five options. The five options were as follows:

Item A: Base Service Proposal

Municipal refuse (municipal solid waste), including selected bulky waste items and recyclables, will be collected as presently provided through the Town's current contract with Waste Management Services. MSW will be collected weekly and recyclables biweekly from each eligible residential property in the Town of York. Selected bulky waste items will be collected from residential properties by the Contractor on a prescheduled basis through the Contractor's Customer Service Office at no cost to the resident.

Item B: Alternate Proposal No. 1

Under this alternate proposal, the collection costs of bulky waste materials will be omitted from the Base Service Proposal. The stated proposal price should reflect a reduced annual cost from the Base Proposal price presented in Item A above.

Item C: Alternate Proposal No. 2

Under this alternate proposal, the Contractor will create a fee-based system for the collection of selected bulky waste items, the proceeds of which the Contractor shall retain. The cost for collection of bulky waste materials will be omitted from the Base Service Proposal price. Accordingly, the stated proposal price below should reflect a reduced annual cost of collection for MSW and recyclables. The proposal response must include details of the "fee-based system" that the Contractor will use if this option is selected by the Town. The proposal will, at a minimum, discuss how residents will contact, make payment and receive authorization for service from the Contractor, the basis for the fee amount, any enforcement requirements, requirements for public advertisement and/or announcements, etc.

Item D: Alternate Proposal No. 3

This alternate proposal changes the existing dual-stream recycling requirement to a single-stream process, whereby residents will be authorized to co-mingle all allowable recyclable materials curbside in a single tote/cart supplied by the Contractor. The proposal price presented for this item should reflect any difference in the Base Proposal price as presented in Item A above and reflect the full cost of this program change, including without limitation cost of collection/disposal, costs and distribution of totes/carts, public awareness announcements, advertisements, and costs deemed necessary to successfully convert the desired change in service. The Town will approve the color, dimensions and any wording for the totes/carts.

Item E: Alternate Proposal #4

This alternate proposal shall reflect the full cost to change the presently allowable unlimited number of curbside collection containers (both MSW and Recycling) to a single Town-approved tote or cart for MSW and a second cart for recyclables (Automated Cart Collection System). Any waste or recyclables placed in containers other than the totes or carts will be deemed ineligible for collection. The Town will approve the color, dimensions and any wording for the totes/carts. Each resident will be provided a tote/cart unit for refuse materials and a second cart for single-stream recyclables. The price will reflect the full cost of this program change, including without limitation the cost of collection/disposal, costs and distribution of totes/carts, public awareness announcements and advertisements costs deemed necessary to successfully convert the desired change in service.

Waste Management came out to be the lowest bidder out of the four qualified bidders. Based on the bids received Dean Lessard, Director of Public Works, recommends going forward with negotiations with Waste Management. These negotiations would involve working with the contract for year 2-8 and administrative costs.

Mr. Bardwell expressed his concern for wanting to see a safety net written into the contract in case we are not satisfied that the contract is full-filled. Mr. Yandow and Mr. Lessard will come back to the Board with a formal acceptance and more formal language on Item A and escalators for the Board's approval.

3. Budget Discussion

The Tax Task Force has provided the Town with a recommendation of a 4.2% increase for FY 09. This is a percentage increase as it relates to the taxpayer it does not mean a 4.2% increase in spending. The FY 08 total amount raised by taxes was \$8,044,871 and a 4.2% increase based off FY 08 would make the target money raised by taxes for FY 09, \$8,383,775.

After determining this number the department heads were asked to submit their spending plans. Initially the spending plans equaled \$14,528,387. After subtracting anticipated revenue, and a fund balance contribution of \$500,000, the number dropped to \$9,104,937 which exceeds the target by \$722,162 which gave a starting point to work with.

After determining the amount of excess—there was a series of cost reductions that were explored. These reductions originally totaled \$724,000 which would put us back on target. However based on the informal action taken for the solid waste agreement we added \$50,600 to the excess and \$2,321 in excess from the operational budget of the library. This brought our reduction target to \$775,083. There are 2 issues that we are looking for in terms of direction from the Board and that is paving and a new Fire Inspector position. Due to the reductions paving will be level funded which could mean less roads will be paved this year then last year.

We are looking into increasing plumbing fees to help pay for the salary of a fire inspector. Currently we are doing to bear minimum on fire inspections and we would like to see more done. This position would be funded 50% from taxes and 50% from fees.

The Selectmen provided Mr. Yandow with direction to continue to refine the numbers but to focus on Paving over the Fire Inspector due to the high need for paving. The Selectmen would like to see some more options in terms of both paving and the Fire Inspector position, what are the risks and benefits associated with both concerns.

4. Pole Location Permits-

Moved by Mr. Bardwell and seconded by Mr. Marshall to approve the Pole Location Permit request by Central Maine Power for Pole #236-Shore Road, Pole #239-Shore Road, and Pole #87 Long Beach Road. Without objection so ordered.

5. Town Manager Contract

Moved by Mr. Marshall and seconded by Mr. Bardwell to approve the cost of living increase of 2.7% or \$3,000 a year, a month addition in the severance package from five month to six months, and the increase in length of the contract for three more years. Vote 5-0 motion passes.

J. Other Business

K. Executive Session- Real Estate-(Pursuant to MRSA Title 1, Section 405.6 C)

Moved by Mr. Bardwell and seconded by Mr. Marshall to go into executive session Pursuant to MRSA Title 1, Section 405.6 C at 9:00 PM. Without objection so ordered

Moved by ??? and seconded by ??? to come out of executive session. Without objection so ordered.

Adjourn

Moved by ??? and seconded by ??? to adjourn at ???

Respectfully Submitted

Kathryn Danylik