

**SELECTMEN'S MEETING
7:00 P.M. MONDAY JULY 13th, 2009
YORK LIBRARY
MINUTES**

Attendees: Michael L. Estes, Kinley Gregg, Mary Andrews, Tracy Jackson-McCarty, 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

-June 29th, 2009 Selectmen's Meeting Minutes

Moved by Ms. Andrews and seconded by Ms. Gregg to approve the June 29th 2009 Selectmen's Meeting Minutes. Without objection so ordered.

B. Chairman's Report

None

C. Manager's Report

Mr. Yandow reported that the York Beach Zoning Subcommittee is preparing a report for the Selectmen and will be making some recommendations for infrastructure improvement. We are looking to have this on the agenda for August 10.

Mr. Yandow stated that with the recent heavy rains we are anticipating a big problem with mosquitoes, please remember to be vigilant about pools of standing water, use inspect repellent with deet, wear long sleeved clothing at dawn and dusk, mosquitoes are responsible for transmitting the Triple E virus.

Mr. Yandow reported that the H1N1 flu is staying around through the summer which is unlike the seasonal flu. So far there have been 203 cases in Maine, which 114 have been Maine residents. Many of those affected are under the age of 24. There have been 211 deaths so far in the US and 500 deaths worldwide. Please continue to be vigilant about this stay home if you do not feel well, wash hands frequently, cover your mouth when coughing, and seek medical attention if needed.

D. Awards

1. 2009-2010 Paving Bids

The Public Works Department issued a joint paving bid with the Towns of Berwick and South Berwick in an effort to obtain the lowest possible price for paving for the Town. Five regional companies were solicited and two bids were received; Pike Industries and Libby-Scott, Inc.

The low bid was received from Libby-Scott in an amount of \$64.50 per ton for machine-laid asphalt and \$120 per ton for hand-laid asphalt. We are recommending that the bid be awarded to Libby-Scott. Both bids (Libby-Scott and Pike) contained an escalator clause in the event the price of asphalt fluctuates during the year. Given the volatility of the asphalt prices last year all bidders are using an escalator clause now. There is a standard formula to be used when the price fluctuates and if the price increases we will prioritize and pave fewer miles of roadway.

Moved by Ms. Goodwin and seconded by Ms. Andrews to award the FY 2010 “paving bid” to Libby-Scott, Inc. Vote 5-0 motion passes.

2. Bid for Disposal of York Fire Department Engine

The York Fire Department received a FEMA grant for a new fire truck. As a result of the new vehicle, two older vehicles have been taken out of service. Due to the new vehicle being from a FEMA funded grant the two vehicles that are being replaced cannot be sold or donated to any fire department in the United States. The Global Health Cares bid indicates that they will be donating the truck to a community in Nicaragua. Accepting this bid does comply with FEMA requirements. Global Health Cares was the only bid received.

Moved by Ms. Andrews and seconded Ms. Gregg to sell the 1970 LaFrance Pumper to Global Health Cares for the sum of \$2000 with the provision that the vehicle would only be used outside of the United States. Vote 5-0 motion passes.

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: David Weare

F. Approval of Warrant #2

Moved by Ms. Gregg and seconded by Ms. Andrews to approve Warrant #2. Without objection so ordered

G. PUBLIC HEARINGS

1. Growth Ordinance

Moved by Ms. Andrews and seconded by Ms. Goodwin to open the public hearing on the Growth Ordinance

Public Comment: Greg Gosslin
Alan Drew
David Weare
Bob Reed
Cliff Estes
Bill Dignan

Moved by Ms. Andrews and seconded by Ms. Gregg to close the public hearing on the Growth Ordinance.

H. ENDORSEMENTS

License Applications

- MAR Hospitality Group LLC dba Roost Café (Victualers, Liquor, Special Amusement)
- Linda Sirois dba My Winey-Sister (Victualers)

Moved by Ms. Gregg and seconded by Ms. Andrews to approve license applications for MAR Hospitality Group LLC dba Roost Café (Victualers, Liquor, Special Amusement) and Linda Sirois dba My Winey-Sister (Victualers), subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0 motion passes.

I. Old Business

J. New Business

1. Amendment to Emergency Management Ordinance

Mr. Yandow requested that this item be removed from the agenda due to more research needed. We will bring this item back at a later time

2. Board and Committee Appointments: York Housing Authority, Municipal Social

Services Review Board

Moved by Ms. Gregg and seconded by Ms. Andrews to re-appoint Maureen Byrne to the Municipal Social Services Review Board. Vote-5-0 motion passes.

Moved by Ms. Gregg and seconded by Ms. Andrews to appoint Phyllis Newman as the Deerfield Place resident member of the York Housing Authority. Vote 5-0 motion passes.

3. Property Redemption Request: 182 Scituate Road; Map 93 Lot 38B

Moved by Ms. Jackson-McCarty and seconded by Ms. Andrews to approve the redemption for Map 0093/Lot 0038-B; 182 Scituate Road, as requested, on the condition that all taxes, interest and administrative costs are paid in full by no later than September 13th 2009 and the Wastewater Treatment System that was installed is used as instructed and there is no effluent surfacing on the ground. Vote 5-0 motion passes

4. Special Event Permit: York Hospital Breast Cancer Walk for Hope

Moved by Ms. Gregg and seconded by Ms. Andrews to approve the special event permit for the York Hospital Breast Care Walk for Hope to be held on Tuesday, July 28th from 3:00 PM to 9:00 PM. Vote 5-0 motion passes.

5. Business Directional Signs: Wildcat Pizza

Requested location for #1 is at York Corner and would violate the policy, however there is one there already so it wouldn't be a new post but would be the second sign on the post

Moved by Ms. Goodwin and seconded by Ms. Andrews to approve two of the three business directional signs for Wildcat Pizza: at Old Post Road and Route 1 and Route 91 and Route 1. Vote 4-1 motion passes, Ms. Gregg against.

6. Business Directional Signs: Ocean Fire Pottery

Moved by Ms. Goodwin and seconded by Ms. Andrews to approve three business directional signs for Ocean Fire Pottery.

The motion was amended and seconded to approve two of the three business directional signs: Long Sands Road and Woodbridge and Route 1 South toward 1A. Vote 0-5 motion fails

Moved by Ms. Gregg and seconded by Ms. Andrews to approve one business directional sign on Long Sands Road toward Woodbridge Road for Ocean Fire Pottery. Vote 5-0 motion passes.

7. Business Directional Signs: Green Dog Grooming

Two of the three posts have 5 directional signs on them already (Long Sands Road and Woodbridge Road, Old Post Road and Route 1)

Moved by Ms. Gregg and seconded by Ms. Andrews to approve 2 business directional signs for Green Dog Grooming on Long Sands Road toward Woodbridge Road and York Street to Axholme Road. Vote 4-1 motion passes, Ms. Goodwin against.

8. Application for License for Incorporated Civic Organization-Old York Historical Society

Moved by Ms. Jackson-McCarty and seconded by Ms. Andrews to approve the Application for License for Incorporated Civic Organization for the Old York Historical Society Designers Showhouse to be held on July 17th from 6:00 PM to 9:00 PM. Vote 5-0 motion passes.

K. Other Business

- Ms. Jackson-McCarty read a letter from Joe Lipton into the record
- Discussion on Meter Issues for a future agenda item

L. Executive Session-Real Estate - (Pursuant to MRSA Title 1, Section 405.6 C)
Moved by Ms. Gregg and seconded by Ms. Andrews to go into Executive Session-
Real Estate Pursuant to MRSA Title 1, Section 405.6 C at 8:28 PM

Moved by Ms. Gregg and seconded by Ms. Andrews to come out of Executive
Session-Real Estate Pursuant to MRSA Title 1, Section 405.6 C at 9:45 PM
KG MA at 9:45

Adjourn

Moved by Ms. Gregg and seconded by Ms. Andrews to adjourn at 9:45 PM.

Respectfully submitted By:

Kathryn Danylik, recorder