

SELECTMEN'S MEETING
7:00 P.M. MONDAY JUNE 23rd, 2008
YORK LIBRARY
MINUTES

Attendees: David F. Marshall, Kinley Gregg, Edward W. Little, Robert G. Yandow, Town Manager, Kathryn Danylik, recorder, members of the press and public

Call to Order- Vice-Chairman Marshall called the meeting to order at 7:02 PM

Mr. Estes and Ms. Goodwin are not in attendance at tonight's meeting

Pledge of Allegiance

A. Minutes

-June 9th 2008 Selectmen's Meeting

Moved by Ms. Gregg and seconded by Mr. Little to accept the minutes of the June 9th, 2008 Selectmen's Meeting. Without objection so ordered.

B. Chairman's Report-

Vice-Chairman Marshall stated that the Planning Board will be holding a public hearing on the Shoreland Zoning Ordinance at this Thursday's Meeting, June 26th at 7:00 PM here at the York Library.

Ms. Gregg reported that the Planning Board Sub-committee on York Beach Zoning will be holding a meeting Tuesday, June 24th at 6:00 PM at the York Beach Fire Department

Mr. Little stated that he had attended the seasonal workers mixer at the Senior Center. There are over 35 seasonal workers from around the world here for the summer season. Mr. Little reported that they are still in need of housing and bikes for transportation. If you can help call 363-4214 or at igive.com.

C. Manager's Report

Mr. Yandow stated that we are looking into putting together a committee to help deal with the rising heating prices and the potential crisis we could be facing this winter. The committee will be formed to put together a program to help those who need assistance paying for oil. We are looking at making plans to help and we will be coming back to the Board with some contingency funds or carry forward funds request to help in this effort.

Selectmen's Meeting
June 23rd, 2008

Mr. Yandow stated that we have found ourselves unavoidably overspending in some department fuel accounts. We are trying our best to reduce fuel usage, mostly in the Police Department, Public Works and the Parks and Recreation Department. We Anticipate that we will find ourselves anywhere between \$15,000-\$20,000 over budget in fuel costs.

Mr. Yandow reported that there will be a site meeting this Thursday, June 26th with the Maine Department of Transportation at Route 1 and River Road at 11:00 AM for the purpose of talking to residents about a proposed traffic light in that location.

Mr. Yandow stated that two firefighters Jonathan Gay and Nicholas Hilton have recently completed the Firefighter II class

Ben McDougal has successfully completed the 1st section, (legal issues) of his CEO examine the legal issues portion. He will be taking another series of tests this week.

D. Reports

1. Parking Study Methodology-Steve McNally

Steve McNally from Paradigm Engineering presented the proposed methodology of the York Beach Parking Study. The purpose of the parking study is to identify existing parking inventory, establish existing parking patterns, collect volume and patterns of various modes of travel, identify two locations to increase parking capacity in the study area, identify potential for remote parking, look at how the beach is being utilized, the role that the weather plays, and to evaluate ADA compliance. Cameras will be located in four locations; Inn on the Blues, Whispering Sands, Union Bluff, and at Woods Laundromat. These cameras will be wireless and streamed through the internet so Town Staff can look at them while the data is being collected. There will be secure passwords to log on and Mr. McNally will provide the appropriate people with those passwords. This will be a continuous video feed for 6 weeks with static pictures taken every 15 minutes. The resolution on the cameras do not allow for faces or license plates to be identified. Paradigm Engineering will compare parking demand with supply to identify surplus and deficit based on land use and on-street and off-street parking inventory.

The core study area radius will be 880ft, walking distance in 5 minutes at 2.5 miles per hour, and bounded by the intersection of Ocean Avenue, Main St, Railroad Avenue Intersection and Woods Laundromat and Wild Kingdom entrance. Beyond these two circles will be satellite parking areas.

Paradigm Engineering anticipates starting on July 1st and will continue through the middle of August. If we have problems and we do not capture the July 4th weekend we will try to extend it to Labor Day to be able cover a holiday.

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: Charles Stacey

F. Approval of Warrant # 52

Moved by Ms. Gregg and seconded by Mr. Little to approve Warrant #52. Without objection so ordered.

G. PUBLIC HEARINGS

1. New License Application

-Robert Byers and Harry Norton Jr dba The Cherry Tree (Victualers)

Moved by Mr. Little and seconded by Ms. Gregg to open the public hearing on the New License Application for Robert Byers and Harry Norton Jr dba The Cherry Tree (Victualers)

Public Comment: None

Moved by Mr. Little and seconded by Ms. Gregg to close the public hearing on the New License Application for Robert Byers and Harry Norton Jr dba The Cherry Tree (Victualers)

H. ENDORSEMENTS

License Applications

-Mary Rivers dba Clara's Cupcake (Victualers)

-Mary Rivers dba Blue Sky at York Beach (Victualers, Liquor)

-Peter and Kathryn Wagner dba Camp Eaton, Inc (Victualers)

-Carle L. Brown dba S C Venture, Inc/Ruby's Wood Grille (Victualers, Liquor, Coin-Op Amusement)

-Linda Sirois dba My Wine-y Sister (Victualers)

Moved by Ms. Gregg and seconded by Mr. Little to approve license applications for Mary Rivers dba Clara's Cupcake (Victualers), Mary Rivers dba Blue Sky at York Beach (Victualers, Liquor), Peter and Kathryn Wagner dba Camp Eaton, Inc (Victualers), Carle L. Brown dba S C Venture, Inc/Ruby's Wood Grille (Victualers, Liquor, Coin-Op Amusement), Linda Sirois dba My Wine-y Sister (Victualers). Subject to taxes, fees and inspections being current and compliant with the usual noise stipulations, without objection so ordered.

I. Old Business

1. Mount Agamenticus Tower Lease with Crown Castle International Corporation

Mike Sullivan, Parks and Recreation Director, presented the final draft lease agreement with Crown Castle International Corporation for Tower Space at Mount Agamenticus. This is a five year lease with one five year renewal. As requested previously by the

Board we have added language that allows either party the right not to renew by providing written notice of its intentions 180 days prior to the expiration of the initial term. This is a straight ground lease of \$2,400 per month which represents a 10% increase over the previous year. The lease also includes a 3% escalator each year for the life of the lease.

Moved by Ms. Gregg and seconded by Mr. Little to authorize the Town Manager to execute the lease, as presented tonight, between the Town of York and Crown Castle International Corporation for tower space at Mount Agamenticus. Vote 3-0 motion passes.

J. New Business

1. Approval of Quitclaim Deed to Roy N Johnson for Map 36 Lot 26, 10 Toms Way, York Maine

A public hearing was held on the sale of the town-owned property located at 10 Tom's Way, Map 36 Lot 26 on February 11th 2008. The Board of Selectmen then also approved the sale of the property to Irene and RN Johnson on February 11th 2008. We have finally received the Municipal Quitclaim Deed for the property and it needs to be approved by the Board of Selectmen in order to complete the transaction.

Moved by Mr. Little and Seconded by Ms. Gregg to approve the Municipal Quitclaim Deed to Roy N Johnson Jr. for property located at 10 Tom's Way Map 36 Lot 26. Vote 3-0 motion passes.

2. Acceptance of Criminal Forfeiture of One Thousand Dollars

Captain Kevin LeConte stated that the York Police helped the Federal Government in an investigation and they are being compensated for the four hours they assisted in.

Move by Ms. Gregg and seconded by Mr. Little to accept the Criminal Forfeiture of One Thousand Dollars as recommended by Captain LeConte. Vote 3-0 motion passes.

3. FY09 Fuel Oil Agreement

Every year the Town of York participates with the Greater Portland Council of Governments and Maine Power Options in group bid purchasing for the years oil and fuel needs. For reasons that are still unclear bid results were received late and prices were no longer valid. Mr. Yandow contacted Downeast Energy, who did not participate in the bid process but the lowest price that they could offer was \$4.29 per gallon. Recalling a conversation with Mr. Estes regarding his deal with Ogunquit to sell to them for \$3.69 per gallon, Mr. Yandow contacted Mr. Estes to see if that was an option for York. Mr. Estes has agreed to sell to the town for \$3.69 per gallon. Mr. Estes only offered this deal after being approached by Mr. Yandow he did not offer to sell to the town originally. This offer essentially saves the town \$.60 per gallon of #2 heating oil which translates to an approximate total savings of \$12,600.

Mr. Marshall stated that if Mr. Estes were in attendance at tonight's meeting he would not be voting on this issue. Mr. Marshall also stated that in the future he believes that the oil contract should come before the Board no matter what.

Moved by Ms. Gregg and seconded by Mr. Little to award the FY09 heating oil contract for town facilities to Estes Oil for the price of \$3.69 per gallon. Vote 3-0 motion passes.

4. Written Permission for a Sign at 650 York Street Map 46 Lot 11

Moved by Mr. Little and seconded by Ms Gregg to grant written permission for the sign requested at 650 York Street Map 46 Lot 11 and shown on the permit application date stamped May 13th 2008. Without objection so ordered.

5. Approval of License for Circle K #7049

Moved by Mr. Little and seconded by Ms. Gregg to accept the approval of Circle K #7049 Victulaler's License due to a change in ownership. Without objection so ordered.

6. Shellfish Conservation Commission Appointment

Moved by Mr. Little and seconded by Ms. Gregg to appoint Stanley J Zajechowski to the Shellfish Conservation Commission. Without objection so ordered.

Moved by Mr. Little and seconded by Ms. Gregg to appoint Joseph Foote to the Shellfish Conservation Commission. Without objection so ordered.

7. Conservation Commission Appointment

Moved by Mr. Little and seconded by Ms. Gregg to appoint Janet Schaffner to the Conservation Commission. Without objection so ordered.

8. Re-appointments to the York Harbor Site Design Review Board, Harbor Board, Municipal Social Services Review Board, Senior Center Board of Directors, Sohier Park Committee, Tax Task Force Committee,

Moved by Mr. Little and seconded by Ms. Gregg to re-appoint to the respective boards and committees; Joseph Dominguez and Ron Hayes to the York Harbor Site Design Review Board, William Cone as an alternate member of the Harbor Board, Jim Smith and Katherine Henderson to the Municipal Social Service Review Board, Rita Alaimo to the Senior Center Advisory Board of Directors Edith Sissa as an alternate to the Sohier Park Committee and Cliff Estes of the Tax Task Force. Without objection so ordered.

K. Other Business

Ms. Gregg spoke to a letter sent to the Board of Selectmen regarding cell phone coverage and the proposed tower on Chases Pond Road.

This tower is a Coast Guard and Federal use tower not a cell phone tower.

Adjourn

Moved by Ms. Gregg and seconded by Mr. Little to adjourn at 8:30 PM. Without objection so ordered.

Respectfully Submitted

Kathryn Danylik, Recorder