

**\*\*NOTE SPECIAL TIME\*\*  
SELECTMEN'S MEETING  
MONDAY OCTOBER 29th, 2007  
6:00 PM YORK LIBRARY**

**MINUTES**

**Call to Order** - Chairman Estes called the meeting to order at 6:08 PM

Moved by Mr. Bardwell and seconded by Mr. Marshall to move in to executive session Pursuant to MRSA Title 1, Section 405.6 C at 6:10 PM. Without objection so ordered.

Moved by ??? and seconded by ??? to come out of executive session pursuant to MRSA Title 1, section 405.6C at 6:25 PM. Without objection so ordered.

The first half of the executive session will be taken out of order. The Personnel section (MRSA Title 1, Section 405.6 A) will continue at the end of the meeting.

**Pledge of Allegiance**

**A. Minutes**

**B. Chairman's Report**

Chairman Estes did not have anything to report this week

**C. Manager's Report**

Mr. Yandow reported that representatives from FEMA and MEMA did a site visit last week on York Beach Drainage Project. We are optimistic on the outcome after hearing that the visit went well. We will be getting some follow up information to FEMA. If we are awarded this grant we will contract with the same contractor that put in the Drainage System.

Mr. Yandow reminded everyone that the State and Local Referendums will be held Tuesday November 6<sup>th</sup> from 8:00 AM-8:00 PM at the Butler Gymnasium, York High School. Absentee Ballots are currently available in the Town Clerk's Office.

Mr. Yandow reminded everyone that the Selectmen's Meeting schedule has been changed around due to holidays over the next few months. The next meeting is November 5<sup>th</sup>, @ 7:00 PM, York Library

Mr. Yandow gave an update on the hiring on a new Public Works Director. A tentative offer has been made to one candidate and we are waiting to hear back. Hopefully there will be a decision made soon

Mr. Yandow states that the police are putting together some information on the Dogs on the beach situation and will be reporting to the Board at a future meeting.

E. **Citizens Forum** - Open to Audience for comments or questions to be addressed on this agenda or items for consideration on future agendas.

Public Comment: None

F. **Warrant Approval # 18**

Moved by Mr. Bardwell and seconded by Mr. Marshall to approve Warrant #18. Without objection so ordered.

G. **ENDORSEMENTS**

H. **Old Business**

I. **New Business**

1. RFP for Municipal Solid Waste Collection

The Town's Contract with Waste Management Inc, expires in June of 2008. Bill Bray, Director of Public Works, has put together a draft RFP after reviewing other models, receiving input from the State Planning Office and other staff members. The draft has also been reviewed by the town attorney. As you will notice, the RFP requests a proposal for a Base Service along with four alternate proposals. The purpose for our discussion will be to review the draft RFP and determine if it should be distributed as written or amended to include additional information. This RFP was built off several other RFP's written by other Towns. There have already been 5-6 companies that have expressed interest in this contract.

The Selectmen would like additional information added in about other ideas being accepted and reviewed. Also there will be amendments done to the information regarding insurance.

## 2. Discussion of Town-Owned Properties

Rick Mace, Town Assessor, gave a brief overview of each of the Town-Owned Properties and his recommendation on what the town might do with them. He explained that the Lake Caroline properties are environmentally sensitive and possibly sending letters to abutters would be the best course of action. We have not wanted to develop them in the past. Letters have been sent to the abutters already.

Old Chases Pond Road/Old Town Dump Properties- Mr. Mace believes that there might be some interest from an abutter from behind the property, or possibly recommends an easement. This is a nice area that the town might not want to develop.

### 21 Axholme Road

Mr. Mace explained that there is no access to this property besides through the Patstone's property. There might be interest by an abutter to this property. The Town should contact them to determine if there is an interest.

Weston Loop and Hemlock Ave have the possibility of being built upon. They are small lots but there is a possibility of putting sewer in there.

22 Atlantic and 10 Toms Way- Mr. Mace suggested to send letters to the abutters of these properties, they are both small and 10 Tom's way is probably not buildable, it is very wet.

Properties M11/L220, M11/L225, M11/L227 and M11/L228 will be looked into regarding soil tests. Properties M11/L231, M50/L78, M23/L40 and M36/L62 should have letters sent to the abutters of these properties. Depending in the response from abutters these properties will be brought back to the board and possibly put through the bidding process. Properties M32/L143 and M32/L14Y should be looked at by code enforcement to determine whether they are buildable. A possible suggestion for properties M96/L11 and M96/L10 would be to put out an RFP on suggestions for what to do with these properties.

Mr. Yandow will look into the Selectmen's Policy regarding the bidding process of these properties and whether or not they can be listed by an agent for the general public.

## 3. Time Warner Agreement

Mr. Yandow reported 2 changes to the agreement , one on page 16 sec 5.4 it was proposed to insert language regarding a another possible site that there might be broadcasting from. The second change was on page 20 the word subscribers was inserted. There has been no progress for On Demand for public access. Time Warner says that they have not developed the technology yet to be capable with public access. Also the NFL network is not available they do not want to burden those that do not want it. Time Warner is working on On Demand and will present it when ready.

A concern was raised on why the \$10,000 equipment fund had not been increased over the years even with inflation and the rising prices. Mr. Little suggested that maybe this should be looked in to.

Mr. Yandow explained that the town has only taken advantage of this money twice and this year the town plans on purchasing some new equipment.

Mr. Yandow explained that this is a typical model for these contracts and this is the same as the previous contract with updated language. There will be no additional impact on subscribers.

Mr. Yandow also explained that the Town Manager's office handles the contract but there is a cable committee that handles any issues and complaints, they meet once a month.

Moved by Mr. Marshall and seconded by Mr. Little to approve a five-year Cable Television Franchise Agreement with Time-Warner Entertainment Company, L.P. Vote 4-1 Motion Passes, (Mr. Bardwell dissented)

#### 4. Blue Sky on York Beach License Authorization

Moved by Mr. Marshall and seconded by Mr. Bardwell to approve the authorization of Scott Toney to sign Victualer and Liquor Licenses for Blue Sky on York Beach. Vote 5-0 Motion Passes.

### **J. Other Business**

#### **K. Executive Session- Real Estate/Personnel-**(Pursuant to MRSA Title 1, Section 405.6 C and Section 405.6.A)

Moved by Mr. Bardwell and seconded by Mr. Marshall to move in to executive session pursuant to MRSA Title 1, Section 405.6 A at 8:00 PM. Without objection so ordered

Moved by ??? and seconded by ??? to come out of executive session pursuant to MRSA Title 1, section 405.6 A at ????.

**Adjourn**

Moved by ??? and seconded by ??? to adjourn the meeting at ???. Without objection so ordered.

Respectfully Submitted

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Kathryn Danylik, Recorder