

SELECTMEN'S MEETING
7:00 P.M. MONDAY SEPTEMBER 14th, 2009
YORK LIBRARY

MINUTES

Attendees: Michael L. Estes, Mary Andrews, Tracy Jackson-McCarty, Catherine R. Goodwin, Robert G. Yandow, Town Manager and, Kathryn Danylik, Recorder, and Members of the Press & Public

Ms. Gregg was not in attendance.

Call to Order- Chairman Estes called the meeting to order at 7:05 PM

Pledge of Allegiance

A. Minutes

- August 24th, 2009 Selectmen's Meeting Minutes
- September 4th, 2009 Special Selectmen's Meeting Minutes

Moved by Ms. Goodwin and seconded by Ms. Andrews to approve the August 24th, 2009 Selectmen's Meeting Minutes and the September 4th, 2009 Special Selectmen's Meeting Minutes. Without objection so ordered.

B. Chairman's Report

None

C. Manager's Report

Mr. Yandow reminded the public that the first half of property taxes are due this Friday September 18th.

Mr. Yandow reported that the school and York Hospital will be conducting seasonal flu clinics. Dates for the York Hospital flu clinic are posted on channel 3. H1N1 vaccines will be available sometime in October. There will be three sites in York County that will administer the H1N1 vaccine, dates and locations are yet to be determined.

Mr. Yandow reported that EEE Eastern Equine Encephalitis is all around us. Seven horses in Maine have died from the disease this year. Please take extra precaution

with mosquitoes. Bog Road Recreation area has been sprayed and the perimeter of the schools have been sprayed. We are hoping for an early frost this year but until then please be aware.

Mr. Yandow stated that he spoke with NASA and Chris Cassidy will be coming to York in early October. He will spend a day in the schools and will be showing a presentation one night to the community. A location has not been finalized yet, but it is tentatively scheduled for October 1st at 7:00 PM.

D. Awards

E. Citizens Forum - The citizen's forum is open to any member of the audience for comments on items listed on this meeting agenda or to propose items for future meeting agendas. All comments should be respectful in tone and should be directed to the chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the town manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the town manager's office.

Public Comment: Helen Rollins Lord
 Ted Little
 Rozanna Patane
 Joe Lipton

F. Approval of Warrant #11

Moved by Ms. Andrews and seconded by Ms. Jackson-McCarty to approved Warrant #11. Without objection so moved.

G. PUBLIC HEARINGS

1. Citizen's Petition: Residential Growth Ordinance-Estes/Emery
Moved by Ms. Goodwin and seconded by Ms. Andrews to open the public hearing on Citizen's Petition: Residential Growth Ordinance-Estes/Emery

Public Comment: Dave Emery
 Joe Lipton
 Cindy Donnell
 Bob Cutts
 Helen Rollins Lord
 Cliff Estes
 Len Dorrian

Moved by Ms. Andrews and seconded by Ms. Goodwin to close the public hearing on Citizen's Petition: Residential Growth Ordinance-Estes/Emery

2. Citizen's Petition: Amendment to the Residential Growth Ordinance-Reed/Remick

Moved by Ms. Goodwin and seconded by Ms. Jackson-McCarty to open the public hearing on Citizen's Petition: Amendment to the Residential Growth Ordinance-Reed/Remick.

Public Comment: Dan Remick
Cliff Estes
Bob Cutts
Charles Stedman
Bob Reed
Helen Rollins Lord
Dave Emery
Joe Lipton
Bill Dignan

Moved by Ms. Andrews and seconded by Ms. Goodwin to close the public hearing on Citizen's Petition: Amendment to the Residential Growth Ordinance-Reed/Remick.

3. November 2009 General Referendum Warrant

Moved by Ms. Andrews and seconded by Ms. Goodwin to open the public hearing on the November 2009 General Referendum

Public Comment: Cindy Donnell

Moved by Ms. Andrews and seconded by Ms. Jackson-McCarty to close the public hearing on the November 2009 General Referendum Warrant.

Chairman Estes called a break at 8:40 PM
The meeting was called back to order at 8:47 PM

H. ENDORSEMENTS

License Applications

- TCF Corp dba Clay Hill Farm (Victualers, Liquor, Special Amusement)
- Alliance Energy LLC dba Mr. Mike's (Victualers)
- Anthony Graziano dba Anthony's Food Shop Inc (Victualers)
- Robert Byers dba The Cherry Tree (Victualers)
- Continuum dba Sentry Hill (Victualers, Liquor)
- Sacoob LLC dba Kings Pizza (Victualers, Liquor)

-Two Pars Inc dba The Union Bluff Hotel (Victualers, Liquor, Special Amusement, Coin-Op Amusement)

Moved by Ms. Andrews and seconded by Ms. Jackson-McCarty to approve the license applications for TCF Corp dba Clay Hill Farm (Victualers, Liquor, Special Amusement), Alliance Energy LLC dba Mr. Mike's (Victualers), Anthony Graziano dba Anthony's Food Shop Inc (Victualers), Robert Byers dba The Cherry Tree (Victualers), Continuum dba Sentry Hill (Victualers, Liquor), Sacoob LLC dba Kings Pizza (Victualers, Liquor), Two Pars Inc dba The Union Bluff Hotel (Victualers, Liquor, Special Amusement, Coin-Op Amusement) Subject to taxes fees and inspections being current and compliant with the usual noise stipulations. Without objection so ordered.

I. Old Business

J. New Business

1. Mount Agamenticus Request to Relocate Rock Pile

A couple of months ago the Mount Agamenticus Steering Committee presented the Summit Guidelines Report to the Selectmen. During the presentation the Selectmen were advised that the committee would come back to them to discuss the implementation of specific recommendations in the plan.

At this time the Steering Committee is asking that the Board address the issue of the St. Aspinquid Rock Pile that is located near the parking area at the summit of the mountain. Attached to these minutes is the full proposal from the Steering Committee and a letter from Dr. Arthur Spiess, Senior Archaeologist with Maine Historic Preservation Commission.

The Steering Committee is proposing to move the rock pile, unless it is otherwise proven to be a grave site, to an area East of the Summit Lodge which will be more conducive for the memorial and for the parking area. There will be an Archeologist present during the project to observe and who will also examine the site to make sure that it is not a grave site.

Moved by Ms. Jackson-McCarty and seconded by Ms. Goodwin to authorize the Parks and Recreation Department to relocate the Saint Aspinquid Rock Pile at the Summit of Mount Agamenticus as proposed by the Steering Committee. Vote 4-0 motion passes.

2. Move Citizen's Petition: Residential Growth Ordinance to the November 2009 General Referendum-Estes/Emery

Moved by Ms. Andrews and seconded by Ms. Goodwin to forward the first petition to amend the Residential Growth Ordinance (Estes/Emery) to the November 3rd, 2009 Referendum. Vote 3-1 Ms. Jackson-McCarty against.

3. Move Citizen’s Petition: Amendment to Residential Growth Ordinance to the November 2009 General Referendum-Reed/Remick

Moved by Ms. Andrews and seconded by Ms. Jackson-McCarty to forward the second petition to amend the Residential Growth Ordinance (Remick/Reed) to the November 3rd, 2009 Referendum. Vote 4-0 motion passes.

4. Preference Votes

Article 1:	4-0
Article 2:	4-0
Article 3:	4-0
Article 4:	4-0
Article 5:	4-0
Article 6:	4-0
Article 7:	4-0
Article 8:	4-0
Article 9:	4-0
Article 10:	3-1
Article 11:	4-0
Article 12:	4-0
Article 13:	4-0
Article 15:	4-0
Article 16:	4-0
Article 17:	1-3
Article 18:	3-1

5. Approval of November 3rd, 2009 General Referendum and forward to the voters

Moved by Ms. Andrews and seconded by Ms. Jackson-McCarty to approve and forward the November 3rd, 2009 General Referendum to the voters. Vote 4-0 motion passes

6. Discussion on Citizen’s Referendum for Excise Tax Reduction

Mr. Yandow and Kathryn Danylik, Assistant to the Town Manager, gave a presentation on the Citizen’s Initiative to cut Excise Tax that will appear as Question 2 on the State Referendum in November.

The proposal will result in a significant cut in excise tax to cars 5 years or newer and will exempt hybrid and other alternative-energy and highly fuel-efficient motor vehicles from sales tax and three years of excise tax. Currently 70% of register vehicles in Maine are 6 years or older and will receive no benefit. If this initiative passes municipalities will stand to lose roughly 40% of their current excise tax revenue, for York that will be close to \$1.1 million dollars.

Excise tax is the second largest source of revenue for towns and a cut like that will be very difficult to absorb. In order to make up for the \$520,000 shortfall that York would see just from January to June programs such as paving, winter maintenance, road maintenance, school grounds, circuit breaker and public

health would have to be looked at. Other areas to face cuts could be Vehicles, the Library and personnel.

We are asking the Board of Selectmen to oppose the initiative with a resolution and we will present a resolution in opposition at next week's meeting.

Moved by Ms. Jackson-McCarty and seconded by Ms. Goodwin to oppose the Excise Tax Initiative for LD 974. Vote 4-0 motion passes.

7. Discussion of the Use of \$100,000 for Infrastructure Improvements in York Beach

On August 10th, 2009 the York Beach Subcommittee appeared before the Board of Selectmen to provide their master plan for the York Beach area. Part of this master plan included recommendation on how to spend \$100,000 of voter approved funds for infrastructure improvements in the area of the FEMA drainage project.

The Subcommittee is recommending that the money be spent on the installation of electrical conduit and provisions to service the buildings on Beach Street and Main Street and to install decorative street lighting in the area of the FEMA Drainage Project.

Moved by Ms. Goodwin and seconded by Ms. Jackson-McCarty to approve the use of \$100,000 in voter-approved York Beach Infrastructure Funds for sidewalk improvements on Main Street and Beach Street and to install underground electric conduit in the same area. Any unspent funds would be put toward the installation of decorative street lighting.

The motion was amended to remove the last sentence

Vote 4-0 motion passes.

Numbers #14 and 15 were moved up

14. Business Directional Sign: Cape Neddick Inn

Moved by Ms. Andrews and seconded by Ms. Goodwin to approve the application for one business directional sign for the Cape Neddick Inn. Vote 4-0 motion passes

Ms. Goodwin asked the directional sign policy be put on an agenda in the near future so that we can discuss the different issues we have. It is not fair to deny these permits if we have not had a chance to discuss the policy and make changes if needed.

15. Business Directional Sign: Ocean Fire Pottery

Moved by Ms. Goodwin and seconded by Ms. Andrews to approve 2 business directional signs for Ocean Fire Pottery. Vote 4-0 motion passes.

8. Special Event Permit: Harvest Fest Fireworks

Moved by Ms. Andrews and seconded by Ms. Jackson-McCarty to approve the Special Event Permit for the Harvest Fest Fireworks to be held on Saturday, October 17th 2009 from 7:00 PM to 8:00 PM with all the proper permits by the Fire Marshal.

9. Special Event Permit: CROP Walk for World Hunger

Moved by Ms. Andrews and seconded by Ms. Goodwin to approve the special event permit for the CROP Walk for Hunger to held on Sunday, October 4th from 1:00 PM to 4:00 PM. Vote 4-0 motion passes

10. Special Event Permit: Dream Factory Fundraiser

Moved by Ms. Andrews and seconded by Ms. Goodwin to approve the Special Event Permit for the Dream Factory fundraiser walk to be held on October 10th from 1:00 PM to 4:00 PM. The Dream Factory will provide two crossing guards with vests on York Street. Vote 4-0 motion passes.

11. Committee Resignation: Marjorie A. Edkins- Senior Center Board of Directors

Moved by Ms. Goodwin and seconded by Ms. Andrews to accept the resignation of Marjorie A. Edkins from the Senior Center Board of Directors. Vote 4-0 motion passes.

12. Committee Resignation: Freddie W. Joye Jr.-Parks and Recreation Board

Moved by Ms. Goodwin and seconded by Ms. Jackson-McCarty to accept the resignation of Freddie W. Joye Jr. from the Parks and Recreation Board. Vote 4-0 motion passes.

13. Committee Resignation: Jeanne-Marie Porter-Senior Center Board of Directors

Moved by Ms. Goodwin and seconded by Ms. Andrews to accept the resignation of Jeanne-Marie Porter from the Senior Center Board of Directors. Vote 4-0 motion passes.

K. Other Business

Adjourn

Moved by Ms. Andrews and seconded by Ms. Goodwin to adjourn at 10:30 PM

Respectfully Submitted:

Kathryn Danylik