

**SELECTBOARD'S
MEETING MINUTES
6:45 PM/7:00 PM, MONDAY, February 27, 2023
Ch. 3, Town Hall Streams**

6:45 PM Executive Session: per Title 1 MRS §405.6 (C) Real Estate

Moved by Kinley Gregg, seconded by Robert Palmer to go into Executive Session per MRS Title 1 section 405.6.C at 6:46 p.m. Vote 5-0, motion passes.

Moved by Kinley Gregg, seconded by Robert Palmer to come out of Executive Session per MRS Title 1 section 405.6.C at 7:00 p.m. Vote 5-0, motion passes

7:00 PM - Regular Meeting

Present: Chair Todd A. Frederick, Vice Chair Robert E. Palmer, Jr., Kinley Gregg, Mike Estes, Marilyn McLaughlin

Others Present: Acting Town Manager/Assistant Town Manager/HR Director Kathryn Lagasse, Planning Director/Interim Deputy Town Manager Dylan Smith, Town Historian James Kences, Assistant to the Town Manager Diana Janetos, Harbor Board Chair Mike Sinclair, Land Use Planner DeCarlo Brown, Dave Libby, Kristie Rabasca, Michael Masi, Joan LeBlanc and members of the public

Call to Order

Chair Todd A. Frederick called the meeting to order at 7:06 PM.

Pledge of Allegiance

A. Consent Agenda

1. February 16, 2023 Executive Session Meeting Minutes
2. February 20, 2023 Executive Session Meeting Minutes
3. Business License Renewals
 - Frankie and Johnny's
 - Inn at Tanglewood
 - Sunrise Motel
 - Stage Neck Inn
4. Reoccurring Special Events Permits

- York Little League - York Little League Opening Day Parade; April 29, 2023
- Patriot Riders of America - Spring Ride for the Troops; April 30, 2023
- The Chris Connor's Fund and York Village Fire Department - Salty's 5K and Double Nubble 10K Road Race; May 7, 2023
- York Parks and Recreation and Mount Agamenticus Conservation Program - Big A 50K; May 6, 2023
- Cystic Fibrosis Foundation - York Great Strides; May 21, 2023
- Committee for Veterans' Affairs - Memorial Day Parade; May 29, 2023
- Association of Amputee Surfers - AmpSurf Learn to Surf Clinic; June 23/24, 2023
- York Hospital - York Hospital 5K Road Race; June 3, 2023
- Old York Garden Club - Old York Garden Club Plant Sale; June 3, 2023
- York Athletic Boosters - York Auto Show; June 18, 2023

- York Beach Fire Department - York Beach Fire Department Annual Parade and Muster; June 24, 2023
- Equip for Living Foundation - Equipped for Surfing; June 24, July 27 and August 17, 2023
- Ellis Short Sands Park Trust - Ellis Short Sands Park Fourth of July Fireworks; July 4, 2023
- York Parks and Recreation - Four on the Fourth Road Race; July 4, 2023
- Cystic Fibrosis Foundation - CF Cycle for Life; July 15, 2023
- York Parks and Recreation - York Days 5K Road Race; July 30, 2023
- York Police and Fire Departments - National Night Out; August 1, 2023
- National MS Society - Bike MS: Great Maine Getaway; August 5, 2023
- York Parks and Recreation - York Days Craft Fair; August 5 and 6, 2023
- Nubble Light Challenge - Nubble Light Challenge; August 12, 2023
- York Beach Fire Department - York Days Fireworks; August 6, 2023
- York Village Fire Department - York Village Fire Department's Firemen's Field Day; August 19, 2023
- York Parks and Recreation - Beach Bonfire Benefit; September 2, 2023
- Grain Surfboards - Surf Re-Evolution; September 9, 2023
- York Art Association - Art in the Park; September 16, 2023
- Alzheimer's Association - Maine Beaches Walk to End Alzheimer's; September 16, 2023
- York Parks and Recreation - Mt. A Trail Challenge 5K and 1 Mile; September 16, 2023
- Granite State Wheelers - Seacoast Century Weekend; September 23, 2023
- York Soccer Club - Harvest Cup 2023; October 8-9, 2023
- Short Sands Merchants - Short Sands Annual Sidewalk Sale; October 7-9, 2023**
- York Region Chamber of Commerce - Annual Harvestfest and Kidsfest; October 14, 2023**
- Daisy Trading Company - Daisy Trading Company Tent Sale; October 13 -15, 2023
- Agamenticus Ski Club - Agamenticus Ski Club Beach Race; October 22, 2023
- York Parks and Recreation - Festival of Frights; October 27, 2023
- York Parks and Recreation - Festival of Lights Parade; December 2, 2023
- Wreaths Across America - Wreaths Across America Convoy; December 11, 2023
- Josias River Farms Weddings; May 13, June 16, June 30, July 15, August 5, August 11, August 26, September 16, September 23, September 30, October 7, October 14, 2023
- Scotland Fields Weddings; June 10, June 17, June 24, August 5, August 19, August 26, September 9, September 16, September 23, October 7, October 14 and October 21, 2023
- *** Trooper Black Foundation; Trooper Black Foundation 5K for First Responders - October 21, 2023

Moved by Marilyn McLaughlin, seconded by Robert Palmer to accept the Consent Agenda except for two reoccurring special events and give them the permits but waive the parking fees and place on next agenda:

- Short Sands Merchants - Short Sands Annual Sidewalk Sale; October 7-9, 2023**
- York Region Chamber of Commerce - Annual Harvestfest and Kidsfest; October 14, 2023**

Vote 5-0, motion passes.

B. Minutes

C. Chair's Report

- The search for a Town Manager since August 2022 has now come to an end, we have hired Peter Joseph from Freeport, Maine which is an action item tonight, New Business #2.
- Town Hall Building Committee received final approval from the Planning Board, all permits are in place. Groundbreaking will take place in the middle of next month.
- Department of Public Works has a salt and sand shed and citizens can pick up two 5 lb. buckets, they are open from 6:30 am - 5:00 pm.
- There are Board and Committee vacancies, please look on the website. We need members on the Planning Board and the Appeals board and many other committees. Members really impact things that happen in town.

D. Manager's Report

- Nomination papers are due back on March 23rd
- We have the following openings: 2 members of the Budget Committee, 1 Moderator, 1 School Board member, 2 Selectboard members, 1 Sewer District trustee, 1 Water District trustee
- On April 3rd, 6:30 pm to 8:00 pm, the town will sponsor Candidates Forum which will be held at the York Library
- Vertex Towers, they filed against us, we filed a motion to dismiss, they filed a motion against that, and our attorney has filed back to them. It's still playing out in the courts. It is being done timely and efficiently.
- Coffee with a cop, the Police Dept. and the Committee against Racism and Bias will be teaming up on Wed., March 1st at 10 a.m. at the Police Dept. Meet some of the police officers and members of the committee.
- We have been chosen to be the host community for the U.S.S. North Dakota, the Veterans Affairs Committee will be the main contact.

E. Awards**F. Reports**

1. Wild & Scenic River Study Committee - Joan LeBlanc and Michael Masi

G. Citizens' Forum

1. Torbert Macdonald
2. Jim Carmody
3. Mike Sinclair
4. James Kences
5. David McCarthy
6. Alan McDonald
7. Janet Drew

H. Public Hearings

1. Ordinance Amendment: Shoreland Overlay District
Moved by Robert Palmer to open the public hearing. Without objection so ordered.

Public Comment:

- None

Moved by Todd A. Frederick to close the public hearing. Without objection so ordered.

2. Ordinance Amendment: Post Construction Stormwater Management
Moved by Robert Palmer to open the public hearing. Without objection so ordered.

Public Comment:

- Torbert MacDonald

Moved by Todd A. Frederick to close the public hearing. Without objection so ordered.

3. Ordinance Amendment: Non-Stormwater Management Ordinance
 Moved by Robert Palmer to open the public hearing. Without objection so ordered.

Public Comment:

- Torbert MacDonald

Moved by Todd A. Frederick to close the public hearing. Without objection so ordered.

4. Ordinance Amendment: Disbursement of Excess Funds from the Sale of Tax Acquired Property
 Moved by Robert Palmer, seconded by Marilyn McLaughlin to open the public hearing. Without objection so ordered.

Public Comment:

- None

Moved by Todd A. Frederick to close the public hearing. Without objection so ordered.

I. Endorsements

J. Old Business

1. Action: Ordinance Amendments

- Shoreland Overlay District Map (Ordinance amendment #2)
 Moved by Mike Estes seconded by Marilyn McLaughlin to forward amendment no. 2 to the May ballot. Vote 4-1, motion passes, Kinley Gregg opposed. (Will clean up the statement of fact on 3/13.)
- Post Construction Stormwater Management Ordinance
 Moved by Robert Palmer seconded by Marilyn McLaughlin to move the Post Construction Stormwater Management Ordinance to the ballot in May. (Staff going to come back and correct the ordinance in November.) Vote 3-2, motion passes, Mike Estes and Kinley Gregg opposed.
- Non-Storm water Management Ordinance (Ordinance amendment #4)
 Moved by Robert Palmer seconded by Marilyn McLaughlin to move the following ordinance amendment to the ballot in May with 2 amendments including Selectmen to Selectboard on pg. 9 and in paragraph A to change the CEO believes to the CEO may.) Vote 4-1, motion passes, Mike Estes opposed.

2. Action: Disbursement of Excess Funds Ordinance

Moved by Mike Estes seconded by Robert Palmer to forward the Disbursement of Excess Funds Ordinance to the May 2023 ballot with the amendment to change 'may' to 'shall' in the last two instances. Vote 3-2, motion passes, Marilyn McLaughlin and Kinley Gregg opposed.

3. Action: Letter of Authorization for Proposed Wireless Telecommunication Equipment Modifications at 36 Main Street

Moved by Robert Palmer seconded by Mike Estes that to authorize the Town Manager to sign the letter of authorization to grant permission to Cellco Partnership d/b/ a Verizon, and acting site acquisition agent, Audra Maher of SAI, LLC to act on its behalf in the filing of all applications for any and all permits related to the addition of three antennas for the existing rooftop wireless telecommunications facility at 36 Main Street. Vote 5-0, motion passes.

4. Action: York Climate Action Committee Charter
Moved by Robert Palmer seconded by Marilyn McLaughlin to approve the Climate Action Committee Charter as presented. Vote 5-0, motion passes.
5. Action: Rt. 1 Sewer Extension Advisory Committee
Moved by Robert Palmer seconded by Mike Estes to establish a Rt. 1 Sewer Extension Advisory Committee made up of the following representatives:
Select board
Sewer Trustees
Water District
DPW
Maine Healthy Beaches
DOT
DEP
Donica Rd Rep (2)
Business Rep
Condo Assoc Rep
Planning Board Rep
Budget Committee Rep
Sewer Superintendent
Town Manager (or Designee)
Vote 5-0, motion passes.

K. New Business

1. Action: Committee Appointments
None
2. Action: Appointment of Town Manager
Moved by Kinley Gregg seconded by Marilyn McLaughlin to approve the Employment Agreement with Peter E. Joseph for the position of Town Manager. Vote 5-0, motion passes.
3. Discussion: Complete Streets Policy
4. Action: Police Contract
Moved by Robert Palmer seconded by Mike Estes to approve the collective bargaining agreement between the Town of York and the York Police Benevolent Association dated July 1, 2023 through June 30, 2026. Vote 4-1, motion passes, Kinley Gregg opposed.

L. Future Agendas

- Report from Police Dept. to introduce some of our new officers and do an overall report on what has been going on at the PD over the past year
- Preference votes and the public hearings on the Warrants, Budget and Special General
- 2 special event permits that were pushed off today
- Bring back the York/Kittery border issue
- Discussion on phasing out the beach kiosks and bringing in the QR codes

M. **Other Business**

N. **Citizens' Forum**

1. None

Adjourn

At 10:26 PM Chair Todd A. Frederick adjourned the meeting. Without objection, so ordered.

Respectfully Submitted,

Diana Janetos

