BOARD OF SELECTMEN’S
MEETING MINUTES
6:00/7:00 PM, MONDAY, JULY 27, 2020
VIRTUAL ONLY – Channel 1302 or Town Hall Streams

6:00 PM Executive Session: Title MRSA § 405.6.D (Union Contracts)

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

Others Present: Town Manager Stephen H. Burns, Director of Human Resources and Assistant Town Manager Kathryn Lagasse, Chief of Police Charles J. Szeniawski, Deputy Chief Owen Davis

Moved by Mike Estes, seconded by Marilyn McLaughlin to enter into executive session. Vote 4-0, motion passes

Moved by Marilyn McLaughlin, seconded by Mike Estes to exit out of executive session. Vote 4-0, motion passes

7:00 PM – Regular Meeting

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

Others Present: Town Manager Stephen H. Burns, Director of Human Resources and Assistant Town Manager Kathryn Lagasse, Seacoast Online reporter Dan Bancroft, Assistant to the Town Manager Diana Janetos, Public Works Director Dean Lessard, Planning Director Dylan Smith, Chief of Police Charles J. Szeniawski, Adam Cote, Hannah King, Mary Clark, Mark C. Gallagher, Managed Services Engineer Nicholas Marcisso

Call to Order

Chairman Todd A. Frederick called the meeting to order at 7:09 PM.

Pledge of Allegiance

A. Consent Agenda
   1. July 20, 2020 Meeting Minutes
   2. Business License Renewals
      • Ledges Golf Club
      • York Beach Bucket

Moved by Marilyn McLaughlin, seconded by Robert Palmer to accept the Consent Agenda with the amendment to the July 20, 2020 minutes that the vote should read 4-0,
not 4-0-1 at the executive session, Elizabeth Blanchard resigned before the meeting. Vote 4-0, motion passes

B. Minutes

C. Chairman's Report

- Marilyn McLaughlin wishes Elizabeth Blanchard well and thanks all the people for social distancing.

- Mike Estes mentioned seeing more people wearing masks and thanked them. There is lots of testing happening at the testing center. Glad to see our testing facility is living up to what it should be. Proud of them, they are doing a good job.

- Robert Palmer mentioned about no cars were stopping for fire trucks. He needs to reach out to the York Beach Fire Dept.

- Todd Frederick said that Elizabeth Blanchard certainly is missed. Gathering her important work she did and sending it to her family. The beach had large crowds on the weekend. Would like to discuss the safety on Railroad Avenue later.

D. Manager's Report

Chief of Police Charles J. Szeniawski discussed scams that are happening in Town. Banks and Social Security won’t call you for info. over the phone. Don’t give out info., call the Police Dept. There also has been calls saying your grandson is charged and arrested and to send money, don’t send money.

Want the Board to be aware that we renewed a motion to request a court visit at 16 Railroad Ave.

Mary-Anne’s report said 82% of the voting in July was absentee.

The mil rate will be dropping from 11.15 to 11.10. There was a big increase in the taxable value in town.

The Board adopted a proclamation against racism, discrimination and bias a few weeks ago, it has been distributed to all the department heads in charge of public facilities and will be posted publicly by the end of the week. I also purchased an ad in the York Weekly for the document and it will be in it this week.

Police Dept. report was sent out late this afternoon, we had some issues dealing with racism. Parking meter revenues are still through the roof.

Parks and Rec. report had Matt Rosenberg’s response (steward of our lighthouse) to what he’s seen with the trash. The carry in and carry out philosophy has really taken root. Zero touch trash management is working pretty well. I have had a few complaints about bathroom cleaning. It’s tough to keep up with in the summer. Mike
Estes had asked about an update on Steedman Woods and that is in the Parks and Rec. report.

Dean Lessard’s report, this is the 2nd week we have had that and he gives you a good run through of the projects. There are a number of paving projects waiting on the utility districts. There are updates on seawall and many of the FEMA projects. Will be easier to see the change week to week.

I’d like to thank the Board, the committees and the town staff for everything they have been doing. This is the last of the weekly Selectmen’s meetings. What I’ve seen is Covid fatigue and just a lot of strain on the systems, everybody feels there is a constant pressure. There is a constant pressure to adapt and to do things in a new way and it takes a mental toll. In my impression, the organization has held up well but in some respects is a bit fragile. Just to remind the Board and Public that what everyone does is appreciated. I think the fragile state we are in will eventually pass. This is Parks and Rec.’s busy season. Shout out to what all the staff are doing across the board and the committees. 7 or 8 community service awards will be done at the next meeting since Amber is out.

E. **Awards**
   1. Construction – Intersection of Short Sands Road and US Route 1
      Moved by Robert Palmer, seconded by Mike Estes to approve the award of the new signalized Intersection of US Route 1 and Short Sands Road to R.J. Grondin & Sons for an estimated construction cost of $583,403.50. Vote 4-0, motion passes.

F. **Reports**

G. **Citizens’ Forum**
   Public Comment –
   1. Nicky Roberts
   2. Carole and Jerry Allen
   3. Peter Goodwin
   4. Alfred Disidoro
   5. Michael Morgillo

H. **Public Hearings**
   1. Piers, Docks, Wharves, Breakwaters, Causeways, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line or Within a Wetland in the Resource Protection Subdistrict

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

Public Comment:
1. Torbert Mcdonald
2. Doreen McGillis
3. Nan Graves
4. Paul Radocha
5. Stephen Kosacz
6. Linda Britton

The Board wants at least 2 public hearings before it goes to vote.

Moved by Todd A. Frederick to close the public hearing at 8:06 pm. Without objection, so ordered.

I. Endorsements

J. Old Business
1. Action: Re-opening of Town Parks and Facilities
   Mike Estes mentioned the wooden stairs across from the ice cream stand on Long Sands regarding a concern about safety. Would like Steve to have someone address the issue. Steve mentioned those are private stairs and the town put up bright yellow chains and people have been taking them down. Robin Cogger asked her crew to put up something more substantial. In theory when the stairs get built with the new seawall the problem goes away but, in the meantime, there is a huge drop off at the bottom and trying to prevent people from using them. We are trying to re-secure those. There are also steps across from Webber road that we are looking at railing options for. I am actively engaged in both of those issues.

K. New Business
1. Discussion: Proposed Amendment for Recreational Marijuana Sales

Statement of Cyrus Clark, read on his behalf by his wife, Mary Clark, at the July 27, 2020 Board of Selectmen meeting:

Working with the town of York has thus far been a positive, seamless, and thoughtful experience. While acquiring approval of our Final Site Plan, it was a pleasure to learn from, and coordinate with, the town’s Planning, Public Works, Fire, and Police Departments. The town’s support and approval affirmed my confidence that bringing this invaluable, highly involved, business, to the town of York, was the right decision.

Our site plan was accepted pending approval from the State of Maine for a State Dispensary License. It has now been roughly one year of waiting for the State to be in a position to accept and process our completed Dispensary License application. Despite multiple inquiries, there is no indication as to when this will be possible.

Accordingly, we are before you today to present this proposed town ordinance amendment, which would allow Community Harvest to operate as a Caregiver Storefront. Should York approve our request, our business would operate consistently with our originally presented site plan, which upholds the stringent operating and safety requirements set forth in the Dispensary License application.

If the amendment is passed, we will also continue to pursue the State Dispensary License. This added licensing would subject our business to the same retail rules and
regulations as a Caregiver Storefront. The difference from a business standpoint falls entirely on the backend of operations, specifically cultivation capacity. In short – a State Dispensary License allows the business to grow more medical marijuana.

As a reminder to the town, our cultivation does not occur in York, under any circumstance. And whether or not our business has the ability to cultivate more marijuana has no effect on how the retail operation in York will be run.

Under the current regulations, the Town of York has already, graciously, cooperated with our efforts to establish Community Harvest. Because of that, I greatly appreciate your time in welcoming this conversation, today. I kindly request you consider the proposal we have crafted, knowing that we have done so while prioritizing the safety of the Town of York, and the wishes of its residents.

Thank you,
Cyrus Clark

2. Action: Committee Appointments
   Moved by Robert Palmer, seconded by Mike Estes to appoint the following, all terms to expire June 30, 2023.

   Board of Appeals - 
   Britton Garon

   Assessment Review Board -
   Joseph Carr
   Robert Hand

   Bike/Ped Committee -
   Virginia Adamowicz

   Energy Steering Committee -
   Susan Covino
   Len Loomans

   Municipal Social Service Review Board –
   Robert Luttman
   Karen Gilroy

   Planning Board -
   Peter Smith

   Senior Citizens Advisory Board –
   Elizabeth Maziarz

   Shellfish Commission -
   Michael Masi
Sohier Park Committee -
Brian Ross

Committee for Veterans' Affairs –
Michael Dow

York Housing Authority -
Robin Cogger

3. Action: Call a Special General Referendum to fill vacancy on Board of Selectmen
   Moved by Marilyn McLaughlin, seconded by Mike Estes to call a Special General
   Referendum, to be held on Tuesday, November 3, 2020, for the purpose of filling
   the vacancy on the Board of Selectmen. Vote 4-0, motion passes.

L. Future Agendas
   • Executive session planned for Real Estate
   • Awards Town Hall First Parish Church settlement
   • Report on resource officers
   • Report on touchless transactions
   • 2 Public hearings on Zoning amendments (docks) and a new business license
   • Establishment of a committee to combat racism in our community
   • BOS policy on public participation at Selectmen’s meetings
   • Comprehensive action on the climate action plan
   • 2 property redemptions
   • Purchasing policy with Wendy Anderson
   • Aug. 24 there is an update on a street scan
   • Update on town protocols going forward
   • Update on our FEMA process
   • Public hearing - warrant for a Nov. 3 referendum
   • Moved Ogunquit rd. intersection discussion from tonight to Aug. 24th
   • Discussion on evasive species and the town hall design
   • Preference votes forwarding the warrant to the town clerk
   • Senior Center Advisory Board appointments
   • Townhall Design Committee

M. Other Business

N. Citizens' Forum
   1. Wanda Morris

Adjourn

Chairman Todd A. Frederick adjourned the meeting at 9:10 PM. Without objection, so
ordered.
Respectfully Submitted,

Diana Janetos