

**BOARD OF SELECTMEN'S  
MEETING MINUTES  
6:00PM/7:00PM MONDAY, OCTOBER 24, 2016  
YORK PUBLIC LIBRARY**

**6:00PM:** Committee Interviews

**7:00PM:** Regular Meeting

**Present:** Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Todd A. Frederick, Dawn Sevigny-Watson, Michael L. Estes, Town Manager Stephen H. Burns and member of the press and public.

**Call to Order**

Chairman Robert E. Palmer, Jr. called the meeting to order at 7:00PM.

**Opening Ceremonies**

**A. Minutes**

1. August 8, 2016 Meeting Minutes
2. August 22, 2016 Meeting Minutes
3. September 12, 2016 Meeting Minutes

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to approve the August 8, 2016, August 22, 2016 and September 12, 2016 Meeting Minutes, as amended. Vote 5-0, motion passes.

**B. Chairman's Report**

No Chairman's Report.

**C. Manager's Report**

Town Manager Stephen H. Burns planning a site visit at the new police station for the Selectmen at 5:00PM this Thursday. He also gave a reminder from the Town Clerk that November 3<sup>rd</sup> is the last day to pick up absentee ballots for the November 8<sup>th</sup> election.

**D. Awards**

1. Bid Award: Crack Sealing

Moved by Ms. Sevigny-Watson, seconded by Mr. Speers to award the FY2017 Crack Seal Bid to Sealcoating, Inc. in the amount of \$1.06 per pound. Vote 5-0, motion passes.

**E. Reports**

1. Michael Whitman - Update on the York High School Auditorium Project
2. Dean Lessard - York Village Parking Study Results

**F. Citizens' Forum** - The Citizens' Forum is open to any member of the audience for comments on any matter. 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: Brian Chabot  
David Brinkman

**G. Public Hearings**

1. Amendment of the Traffic Safety Ordinance

Moved by Mr. Frederick, seconded by Ms. Sevigny-Watson to open the public hearing. Without objection, so ordered.

Public Comment: None

Moved by Mr. Frederick, seconded by Ms. Sevigny-Watson to close the public hearing. Without objection, so ordered.

**H. Endorsements**

Business License:

- Stonewall Kitchen (Food Service, Liquor); located at 2 Stonewall Lane

Moved by Ms. Sevigny-Watson, seconded by Mr. Speers to approve the following Business License: Stonewall Kitchen for food service and liquor, located at 2 Stonewall Lane, subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

**I. Old Business**

1. Discussion: YBFD Truck Repair and Use of Contingency Account

On August 22 the Board of Selectmen discussed the possibility of using carry-forward funds for the repair of significant rust damage to the frame of Engine 5. After discussion with the Town Attorney, it has been brought forward that carry-forward funds can't be used for this purpose, so the repair would need to be funded by contingency. The Town Manager suggests no transferring the contingency money yet, instead he would like to see how the Beach Fire Department budget tracks through the rest of the fiscal year and see if it comes in under budget and making funds available for the repair.

2. Discussion and Possible Action: CMP Easement at 36 Main Street

Moved by Mr. Frederick, seconded by Ms. Sevigny-Watson to grant a utility easement to Central Maine Power on the property located at 36 Main Street to provide service in the existing utility easement corridor to service the proposed new Town communications town, and to direct the Town Manager to execute the necessary documents. Vote 3-2, Mr. Speers and Mr. Estes against, motion passes.

3. Discussion: Update on Parking Kiosk and Ticketing Systems

The Police Department reviewed four national parking kiosks vendors and has led them to believe that the Hectronic Kiosk in conjunction with United Public Safety Hand Held Computer would be the best choice for York. The Board asked that the Police Department bring the vendors in and have the Selectmen see the kiosks and talk with the representatives. This will be brought back to the Selectmen for action on November 14.

**J. New Business**

1. Discussion and Possible Action: County-Wide Deputy Sheriff Authority

Moved by Ms. Sevigny-Watson, seconded by Mr. Speers to approve the resolution by this Board to hereby authorize the police officers of the town who have met the requirements of Title 25, Section 2804-C and 2804-E, the authority to exercise county wide deputy sheriff authority pursuant to, and authorized by the MRSA Title 30 Section 2674. Vote 5-0, motion passes.

2. Discussion and Possible Action: FY16 Carryforwards

Moved by Ms. Sevigny-Watson, seconded by Mr. Estes to propose the carryforward of the recommended funds in the amount \$277,209.23 from the FY16 Budget Year to the FY17 budget as recommended by the Town Manager. Also the remaining balances, after balance clarification, of the outside police detail and police vehicle line items, as well as the cliff path legal line. Vote 5-0, motion passes.

3. Discussion and Possible Action: Amend the Traffic Safety Ordinance to establish “No Parking” zones on Milbury Lane

Moved by Ms. Sevigny-Watson, seconded by Mr. Frederick to adopt the changes to the Traffic Safety Ordinance as proposed. Vote 5-0, motion passes.

4. Discussion and Possible Action: Regulation Issues

- a. Transient Sellers

Per the Town Manager’s request the Town Planner discussed with the Selectmen the state laws surrounding Transient Sellers and the Town’s rights to regulate it within the town.

- b. Short-Term Rental Properties

Per the Town Manager’s request the Town Planner also discussed with the Selectmen some issues that the Town is facing regarding Short-Term Rental Properties in Town. The Board agreed that a Short-Term Rental subcommittee from the Planning Board would be a great start to address those issues.

- c. Marijuana Legalization

The Town Planner also addressed some issues that may follow the possible approval of the Marijuana Legalization Act at the November election. Issues included zoning and business licensing amendments.

5. Discussion: 3-Year Planning Policy Outlook

Per the Town Manager’s request the Town Planner provided the Selectmen with a working list and discussed ordinance and Comprehensive Plan initiatives for upcoming consideration.

6. Discussion and Possible Action: Non-Union Personnel Policy Amendment regarding Direct Deposit

Moved by Ms. Sevigny-Watson, seconded by Mr. Speers to approve the proposed changes to the Non-Union Personnel Policy’s Section III; Article A – Wage/Salary Plan, Section VII: Sexual Harassment Policy and Appendix A: Information and Communications Resources Acceptable Use Policy as reflected in the attached memorandum. Vote 5-0, motion passes.

7. Discussion and Possible Action: Board and Committee Appointments

- a. Multi-Generational Community Center Needs Assessment Committee
- b. Village Revitalization Steering Committee

- c. Design Review Board
- d. Parks and Recreation Board
- e. Assessment Review Board
- f. Tax Task Force

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to appoint Amy Phalon as a Regular Member to the Design Review Board, Denny Sayward as a Regular Member to the Parks and Recreation Board, Michael Modern as an Alternate Member to the Parks and Recreation Board, Barbara Kinsman as a Regular Member to the Assessment Review Board, Marjory Stewart as a Regular Member to the Tax Task Force, Christine Hartwell as a Regular Member to the Village Revitalization Steering Committee, Stuart Dawson as a Regular Member to the Village Revitalization Steering Committee, Ron McAllister as a Regular Member to the Village Revitalization Steering Committee, Antonia Desoto as a Regular Member to the Village Revitalization Steering Committee, Peter Smith as a Regular Member to the Village Revitalization Steering Committee, Edward Claus as a Regular Member to the Multigenerational Community Center Needs Assessment Committee, Tracy Keirns as a Regular Member to the Multigenerational Community Center Needs Assessment Committee, Edward Claus as a Regular Member to the Multigenerational Community Center Needs Assessment Committee, with terms expiring June 30, 2019. Vote 5-0, motion passes.

**K. Future Agendas**

1. Joint Meeting with Planning Board, 6:00 to 7:30, November 17<sup>th</sup>, Senior Center

Mr. Frederick asked that the Police Chief come in and talk with the Board regarding the local drug crisis, and if there are any tools that they could help with.

**L. Other Business**

**M. Citizens' Forum**

Public Comment: Fred Knox

**Adjourn**

Moved by Ms. Sevigny-Watson, seconded by Mr. Speers to adjourn the meeting at 10:15PM. Without objection, so ordered.

**Executive Session:** Pursuant to: Title 1 M.R.S § 405.6.C (Real Estate)

**Present:** Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Michael L. Estes, Dawn Sevigny-Watson, Todd A. Frederick and Town Manager Stephen H. Burns.

Moved by Ms. Sevigny-Watson, seconded by Mr. Speers to enter into executive session. Without objection, so ordered.

Mr. Palmer recused himself for a portion of the Executive Session.

Moved by Ms. Sevigny-Watson-, seconded by Mr. Speers to exit out of executive session. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery  
Assistant to the Town Manager