

**Shapleigh Board of Selectmen
Minutes of Meeting – Time 6:00 pm
March 9, 2021**

Call to Order

Chairman Jennifer J. Roux called the meeting to order at 6:00 pm with Scott E. Cudworth and William J. Mageary in attendance. Karla B. Wilcox, Town Administrator and Joanne Holland, Office Assistant were also in attendance.

In Attendance:

Fire Chief Steve Guillemette, Skip Bartosch, Mike Cote, Joan Dyer, Diana Waterman, Kevin Lundy, Darren Rogers, Tess Burke, Beverly Brent, Judith Reis, Patricia & Richard Kaye-Schiess, Joe Stanley, and a rep from Channel 6 News.

Pledge of Allegiance was recited.

Approval of minutes from previous meeting:

Selectman Scott E. Cudworth had asked when did the minutes went verbatim such as section D, 2nd Amendment Resolution? Chairman Roux stated that they had not and it was stated that Section D had been added per William J. Mageary's request for it to be changed to reflect what he had written up and gave to the Office Assistant. Scott E. Cudworth and Chairman Jennifer J. Roux stated that if his version was added then theirs should have been added as well. Chairman Roux stated that the BOS should be presented with the before and after minutes when there are changes, the Office Assistant had stated that both copies were e-mailed. William J. Mageary also stated that he had added to the any other business to reflect that he had asked why the issue of White Tale Lane had been brought in front of the BOS and the Town Administrator had provided him with the explanation. Scott E. Cudworth made a motion to table the minutes until 03/16/2021 Meeting; seconded by William J. Mageary. William J. Mageary requested to refer back to the recorder. All in favor. Motion carried.

Public Comment:

Diane Waterman addressed the Board of Selectmen regarding the 2nd Amendment Resolution. She stated that she had done a lot of research and was appalled and felt that the Town of Shapleigh would be going on record stating that they were going to be ignoring state and federal laws and always thought the BOS was apolitical and is concerned on how the Town of Shapleigh is viewed and thinking that the Selectmen take a radical position on the 2nd Amendment. Diana Waterman said she is ashamed that the BOS would even consider the Resolution. Ms. Waterman had also stated that she was in front of the Board representing others that could not attend, Mark & Grace Jacobs could not attend due to COVID-19, they oppose and are disappointed that the town officials would undermine the lines of democracy. Ms. Waterman had also read a statement from Attorney Madge Baker, she could not attend due to having a Planning Board meeting that was scheduled at the same time as the BOS. Madge Baker had stated in her statement that she was disappointed that the BOS would have the right to speak for the town without it going out for a vote. She believes that the Resolution has a dangerous impact and can cause confusion and suggested that the BOS engage in a law enforcement program.

Richard Kaye-Schiess asked the BOS if the Town of Shapleigh has a lawyer and if this resolution had been addressed with the attorney, Scott E. Cudworth had stated that the attorney had not been involved. Mr. Kaye-Schiess stated that the Board should ask the attorney what the legality is if someone was shot by accident or on purpose. Scott E. Cudworth had stated that anyone can transfer a weapon to someone without a background check as long as they are not a felon and that is what the 2nd amendment resolution is to protect those rights; also Selectman Cudworth had stated that it does not affect him with his gun shop because he is a licensed dealer and has to do a background check on everyone. Mr. Kaye-Schiess asked Selectman Cudworth what the public

perception is where he sells guns and ammo and asked that if the resolution is voted on that he recuse himself from the vote due to conflict of interest and Scott E. Cudworth had stated that it was brought up because residents had approached him with their concerns and wanted to see if the Town was going to try and become a Sanctuary so that they do not lose any more of their rights. Kevin Lundy addressed the Board and stated that he was in favor of the resolution because gun owners have already given up enough of their rights.

Unfinished Business:

1. Fire Chief Discussion regarding Fire Warden Position

Fire Chief Steve Guillemette asked for the Board of Selectmen to discuss the Fire Warden Position. The Fire Warden is appointed by the state not the town. Maine state statute states the Fire Chief shall be appointed Fire Warden. Chief Guillemette asked the Board if they would send Matt Bennett (State Fire Warden) a letter asking Mr. Bennett to appoint Chief Guillemette as Fire Chief for the Town of Shapleigh. The Town Administrator will reach out to Steve Fiske to see if he would be willing to attend next week's meeting in regards to this matter. The Board is going to schedule a workshop with Steve Fiske prior to one of their board meetings.

2. Second Amendment Resolution Discussion

Chairman Jennifer L. Roux stated that she is concerned how everyone had assumed that the BOS was not looking into the Resolution. Chairman Roux stated that it was brought up as a discussion because Selectman Cudworth had only brought it to the Board because of residents approaching him and he had no intentions of making the Town a "Waco Compound". William J. Mageary had stated what he feared has come true that the Resolution has divided our town and no one is trying to take our firearms away from us, the Constitution guarantees the right to keep and bear arms and has stood the test of time since 1787, the resolution had no legal course and he welcomes and encourages any output from both sides. Selectmen Mageary does not feel that social media is the way to go when making a decision as it is open to others outside of Shapleigh, therefore, I propose to place this resolution out to the voters in a further voting date and let's not be in a rush to put a label or brand on our Town. Chairman Roux read a statement that she feels that politics have no place in local government, she also stated that herself and Scott E. Cudworth agreed to post on social media to get feedback from residents (for input). Chairman Roux supports the resolution but does not think that the BOS should sign the document and thinks that for the rights of gun owners she would like to lodge a petition to voice our concerns and address it to our State and Federal leaders spelling out a resolution like the one that Scott E. Cudworth presented before moving forward so that the voters have the right to sign it or not. That way the BOS will be neutral and bias will setting in office which is what she believes that they should do.

3. White Tail Lane Update

Town Administrator updated the BOS stating that the approval letter for the road is for a Private Road and property owners should have a road maintenance agreement on file at York County Registry. If the property owners want the town to take over White Tail Lane, they would need to petition the town. Eventually this would need to be voted on by the Shapleigh Voters.

New Business:

A. Renewal Application for Liquor License for Ted's Fried Clams

William J. Mageary made a motion to defer a public hearing for this year due to COVID and to schedule a public hearing next year and to approve the license as presented; seconded by Scott E. Cudworth. After discussion Chairman Roux has stated that she felt that it should go to a public hearing. All in favor. Motion carried.

B. Certificate of Interim Appointment for Rescue Chief

Rescue Chief Lindsey Lacourse will be unavailable for several weeks. Chief Lacourse is making a recommendation to appoint Assistant Rescue Chief Jeff LeDuc as Interim Rescue Chief until the Rescue Chief returns to work. Scott E. Cudworth made a motion to appoint Jeff LeDuc as Interim Rescue Chief until Chief Lacourse returns to work; seconded by William J. Mageary. No further discussion. All in favor. Motion carried.

C. RFP for MSW and Recycling Draft - For Review

Chairman Roux stated to take the draft (MSW/Recycling bid) home and review and it will be put on the agenda for next week.

D. Certificate of Appointments for Community Day Committee - Suzanne Gagnon and Penny Mills

William J. Mageary made a motion to appoint Suzanne Gagnon and Penny Mills to the Community Day Committee; seconded by Scott E. Cudworth. No further discussion. All in favor. Motion carried.

E. Vacation Request

Land Use Secretary has submitted a vacation request for March 25, 30, 31, and June 2, and 6th and some half days. The Land Use Secretary has stated that she planned on being at the Planning Board meeting and will do the minutes. William J. Mageary stated that a couple of the days were the same as the approved time off for the Town Administrator and wanted to make sure that the Office Assistant would in on those day. The Office Assistant will be in the office on those days. Scott E. Cudworth made a motion to approve the vacation request; seconded by William J. Mageary. No further discussion. All in favor. Motion carried.

F. Emery Mills Bridge Engineering Firm

The Town Administrator informed the Board of Selectmen that the Emery Mills Bridge Engineering Firm Milone & Macbroon had been bought out by SLR and from what she understands all or most of the employee's will remain the same for this project.

Information:

- i. Planning Board Agenda
 - ii. North Coast 2020 End of Year Report
 - iii. York County Sheriff's Report for Feb
- Chairman Jennifer J. Roux has commented on the report for February.

Signatures:

- i. Warrants
- ii. Certificate of Interim Appointment for Rescue Chief
- iii. Vacation Request
- iv. Certificate of Appointment
- v. Community Day
- vi. Ted's Fried Claims Liquor License Renewal.

Any other business to bring before the meeting - Diana Waterman, Selectman William J. Mageary, and Fire Chief Steve Guillemette and Selectman Scott E. Cudworth thanked Chairman Jennifer J. Roux for her service on the Board, this is her last meeting as a Selectman.

Adjourn :

A motion was made by Scott E. Cudworth to adjourn at 6:51 pm; seconded by William J. Mageary. Motion passed unanimously.

These minutes are not verbatim. Joanne Holland, Office Assistant.