

**Town of North Yarmouth
Select Board Meeting Minutes
April 2, 2024, 6:30 PM**

Select Board Members

Amy Haile, Chairperson	Andrea Berry, Vice Chairperson	Katherine Maloney, Board Member
Karl Cyr, Board Member	Paul Hodgetts, Board Member	

1. Call to Order (18:30 – 19:00)

A. Pledge of Allegiance.

Amy Haile, Andrea Berry, Karl Cyr, Paul Hodgetts, Katherine Maloney, and Diane Barnes, Town Manager in attendance. Kit Maloney's new baby, Dottie, was also in attendance, and Amy Haile officially welcomed her to the meeting after her long-awaited arrival.

2. Special Presentation (19:00 – 23:00)

A. Spirit of America Proclamation

Amy Haile presented the 2024 Spirit of America tribute recognizing three different groups in an awesome representation of the collaboration between communities. Folks from all three groups were present to watch the tribute and accept the award.

The 2024 North Yarmouth, Maine Spirit of America Foundation Tribute honors the volunteers from North Yarmouth's Parks Committee, Royal River Conservation Trust, and the Cumberland Recreational Trails Committee for commendable community service.

3. Appointments (23:00 – 25:10)

A. Election Clerks-Bi-annual Appointment

The municipal officers shall appoint election clerks by May 1st of each general election year to serve at each voting place during the time that polls are open and as counters after the polls close. The election clerks shall be appointed for a 2-year term.

Democratic

Elizabeth Chandler
John Fulton
Sheryl Jameson
Kristen Linstrom
Audrey Lones
Stanley Saucier
Steven Smith
Gregory Soper
Virginia VanDyke
Robert Wood

Republican

Charles T. Hansel
Margaret Hansel
Stacey Holden
David Hyde
James Knight
Lois Knight
Ann Seitz
James Smith
Rebecca Tiedemann
Gail Turner

A motion to appoint the list of Election clerks as presented with a term ending 6/30/2026 was made by Amy Haile. Seconded by Katherine Maloney. Motion passed 5-0.

7. Old Business (25:10 – 31:10)

A. Open Space & Planning Committee Member Amendment

Amy Haile proposed a change to the Open Space and Planning Committee membership as follows.

The Committee will consist of seven (7) voting members and three (3) alternate members made up of North Yarmouth residents, and one (1) or two (2) non-voting Select Board Liaison(s). The Select Board

may also appoint additional non-voting liaisons from local conservation organizations or other interested parties as appropriate. The term of the Committee shall be two years, which may be extended by the Select Board for additional terms if deemed necessary.

Discussion:

Amy Haile requested that Karl Cyr and Andrea Berry explain the need for the proposed change to the committee.

Andrea Berry stated that there were several questions from applicants about the duration of time. This is a time-bound intensive process, and if in some situation someone would need to step down over the two-year appointment due to a life change or just the inability to make meetings, there was concern that potentially the process would lose momentum. The inclusion of alternate members keeps that process moving forward and allows for additional voices and people with different types of skills added to the committee.

Paul Whitmarsh, 110 Wild Turkey Lane, interjected with a point of order and asked that a motion be made to move this discussion from old business to the appointments portion of the meeting.

A motion to take up old business out of order of the agenda was made by Amy Haile. Seconded by Andrea Berry. Motion passed 5-0.

Paul Hodgetts pointed out that the North Yarmouth Open Space Planning Committee document states it is an Ad Hoc Committee, and the Town of North Yarmouth Committee Policy, to be addressed later in the meeting, states that it's a standing committee.

Amy Haile agreed and stated that they could make an amendment to the policy when they addressed the policy later in the meeting.

A motion to approve the amendment to the committee membership as presented was made by Amy Haile. Seconded by Karl Cyr. Motion passed 5-0.

3. Appointments (31:10 – 37:45)

B. Open Space & Planning Committee Appointments

Amy Haile presented the following proposed members and alternate members of the committee.

Voting Member

Rob Wood
Scott Bernady
Christopher Franklin
Laurie Gilman
Chris Cabot
Steve Morrison
Stacey Cramp

Alternate Member

Harry Nelson
Keith Bubblo
Scott Douglas

Discussion:

Andrea Berry clarified that the reason that this term is ending 6/30/2024 is to finish out this fiscal year and then the same people will be presented in the appointment process for the two full years starting in the beginning of next fiscal year.

Diane Barnes stated that she'll be bringing the whole slate of appointments to be approved in June before the terms expire.

Andrea Berry wanted to thank all of the people who applied for this committee. She stated it was really thrilling to have so much energy, and enthusiasm about this committee and about this process. She deeply appreciates all the time and energy and thought that went into applications and interviews.

She had nothing but wonderful things to say about them and is very excited to be supporting their work after their appointment.

Karl Cyr echoed the same sentiments. He stated that it was difficult to determine who to appoint as the three alternates, but a lot of folks openly said they would participate even if not a voting member, which was very appreciated. The group has good energy and the mix of skill set that the committee has will be very strong for its charge. He is excited to see what they can do.

Amy Haile agreed that the Town is very lucky with the appointment of this group of individuals.

A motion to appoint the slate of members to the Open Space and Planning Committee as presented with a term ending 6/30/2024 was made by Amy Haile. Seconded by Andrea Berry. Motion passed 5-0.

C. Code Enforcement Officer Appointment

Amy Haile said that recently the Town Manager was on the news to speak about the new Code Enforcement arrangement with Gray. Amy expressed excitement and appreciation that when the previous code enforcement officer put in notice Diane Barnes knew she had a problem to solve. She reached out to her network and Gray stepped forward and helped with a solution. Tammy Munson, Code Enforcement Officer for the Town of Gray, has already been to the Town Office and met with Casey Bacon, Code Enforcement Administrative Assistant, and all are excited about the arrangement.

Discussion:

Paul Hodgetts asked when she will be working.

Diane Barnes stated that she will not just be sitting in the office as that would be a wasted resource. Casey will be setting appointments and Tammy will be available by appointment to come and inspect. She has already been on one this week. She will only be in the office if needed for a specific reason.

Paul Hodgetts asked if the Town will be dealing with just Tammy Munson or if her assistants in Gray would be helping as well.

Diane Barnes said all three will be involved as needed. The term will be through the end of the fiscal year to start and then there will be the option to re-appoint for an annual term.

Karl Cyr asked if this was something that could be a long-term arrangement or just a stop gap.

Diane Barnes said they would be evaluating that and would be working on a memorandum of understanding (MOU) that will be brought back to the Select Board. Two years ago, she would have said no, but with things dying down some she thinks it is doable. Between Tammy Munson and the two part-time assistants there is more than one person available to do inspections.

A motion to appoint Tammy Munson as Code Enforcement Officer with a term ending 6/30/2024 was made by Amy Haile. Seconded by Katherine Maloney. Motion passed 5-0.

4. **Announcements (37:45 – 37:50)**

None.

5. **Public Comment – Non-Agenda Items (37:50 – 59:00)**

Please state your name and address and keep comments to 3 minutes.

Audrey Lones, 107 Baston Road, felt that the Select Board pulled together a great committee for Open Space. The Town's fortunate to have residents with this diverse set of technical skills. She was hopeful that some money had been budgeted to support this committee for whatever technical assistance they need.

Leanne Candura, 176 Christopher Road, lcandura@msad51.org, Chair of the MSAD 51 Board of Directors,

brought the Select Board some important updates. The School Board has been looking for a solution for the community regarding the growing student population for several years. The proposal at 80 Gray Road failed in November 2022 and they are working to find other options. They worked to remove features and lower the cost of the 80 Gray Road project from 80+ million to below 74 million. With the acquisition of land contiguous to campus made possible by taxpayers, they have looked at planning an on-campus solution. She thanked the Towns of Cumberland and North Yarmouth and their staff, elected leadership, and community members who have spoken or written to the board. The School Board and administration have been working to balance priorities. Three guiding priorities are providing appropriate space to serve the students, keeping the short- and long-term costs to the communities as low as possible, and long-term sustainability of the facilities and district. The one-campus plan best accomplishes goals and balances priorities. The 80 Gray Road plan did not include any updates to the existing Cumberland campus, including many that were badly needed. To make a one-campus model work, they needed to address issues within the campus itself. This new plan encompasses key features that set up the district for long-term sustainability and provides our students and community with value for the money. This project represents a reduction of almost 25 million dollars and addresses long-term issues that will set the schools up for success for the next decade. Changes were made based on input from the community, they want a cost-conscious solution that is sustainable for the long term and one where more things wouldn't be added year after year that weren't included in the vision the first time. On April 1, 2024, the School Board unanimously voted to send this project to referendum on June 11th. The School Board will be working until then to ensure information is dispersed to the community regarding the cost and benefits of the project. She brought a list of events and a handout with a QR code that will be posted around town to make information on the project available to the community.

Paul Whitmarsh, 110 Wild Turkey Lane, brought to the attention of the Select Board that his wife, who had applied for the Shellfish Commission open position, was being interviewed under the standing committees of statutory responsibilities. He doesn't believe that is the correct procedure. He said that it is nice to see that applications are available online but that there had been discussion around redacting personal information so that cell phones and email addresses wouldn't be publicly available as they were in the Select Board packet.

Karl Cyr stated that it was his understanding that there needed to be an interview. He was hoping to have the interview done in time for the meeting, but scheduling was difficult during the previous week. He understood an interview to be part of the process that he needed to follow.

Amy Haile was under the impression that an interview needed to be conducted as well but didn't have the policy in front of her. She said she could take another look.

Paul Hodgetts remembered Eliza Bachelder being appointed to EDSC from a recommendation to the board and they didn't do a normal process for the appointment process. He was wondering if they could move forward with the appointment with the time crunch and two committee members already recommending Rachael Whitmarsh. The committee was supposed to meet and might not be able to have a quorum.

Andrea Berry thought the Select Board held up Eliza Bachelder's appointment so she could go through the process.

Paul Hodgetts stated that the appointment was held up when she was applying as an alternate member, but when she applied to a full position, they moved based on the recommendation of the EDSC as he remembers.

Andrea Berry stated her memory of events was different, but they have a process that was set up and it's important to go through the process even for single applicants to committees. They just did 10 interviews and are about to go through more for single applicants. They did 15-minute zoom interviews, and they were flexible and available.

Amy Haile asked if the question had come up before the meeting. Paul Hodgetts affirmed that it had. Amy

Haile stated that if people have a question regarding a process, they should contact someone before the meeting to ask the question. She wanted to pause the conversation and get back to the meeting, and not decide without all the information.

Karl Cyr stated that he felt that doing the interview covered all bases.

Amy Haile looked up the North Yarmouth Committee Appointment Process approved February 7, 2023 https://www.northyarmouth.org/sites/g/files/vyhlif1006/f/uploads/ny_committees-appointment_process_2.7.2023.pdf. She asked if the Shellfish Conservation Committee was a standing committee, received a general affirmation, and went through the process for appointments to standing committee.

Standing Committees [LIST]		
Task	Responsible Party	Recommended Timeline (6 Weeks)
Notify Select Board of vacancy	Committee Chair	ASAP
Create job description with desired candidate qualifications and application deadline	Committee Chair and SB Liaison	6 weeks from application deadline
Coordinate outreach via town website, town Facebook, and town weekly email	Town Manager	4 weeks and 2 weeks from application deadline
Coordinate outreach via committee Facebook, committee member outreach	Committee Chair	4 weeks and 2 weeks from application deadline
Complete application	Candidate	
Send all applications to Select Board liaison and committee chair	Town Manager	rolling basis
Develop interview subcommittee of committee chair and committee members	Committee Chair	1 week before application deadline
Develop interview questions	Candidate Review Subcommittee	1 week before application deadline
Approve interview questions for legality	Town Manager	1 week before application deadline

**North Yarmouth Select Board
Committee Appointment Process
approved February 7, 2023**

Task	Responsible Party	Recommended Timeline (6 Weeks)
Conduct interviews and discuss candidate qualifications	Candidate Review Subcommittee	1 week after application deadline
Share candidate qualifications and recommendation with committee, hold vote to recommend candidate	Candidate Review Subcommittee	2 weeks after application deadline
Recommend candidate to Select Board for appointment	Candidate Review Subcommittee	2 weeks after application deadline
Discuss and vote on candidate appointment per Town Charter	Select Board	Meeting following recommendation
Discuss candidate(s) qualifications and vote on candidate(s) appointment per Town Charter	Select Board	1st Select Board meeting following completion of interviews
Notify candidates not selected	Town Manager	Within a week after Select Board selection

Amy Haile asked if anyone was saying they shouldn't interview her.

Paul Hodgetts stated he wasn't saying that, but with the timeline, where the interview fell apart last week, and the meeting wouldn't have a quorum, he just wanted to bring it up.

Amy Haile stated that she was glad he had as she had to look it up to review the process and that it now feels that doing the interview is the right course of action not only for the Select Board but also for the applicant.

Paul Whitmarsh pointed out that conducting the interviews fell under the tasks of the interview subcommittee of committee chair and committee members, not the Select Board.

Amy Haile said that was a great point.

Mike Mallory, 551 Walnut Hill Road, came up to pass out documentation on what he would be addressing

later in the meeting.

Karl Cyr asked if there was an interview subcommittee.

Amy Haile clarified that what is being pointed out is there is an inconsistency with the standing committee process. Clarification is needed regarding developing the interview subcommittee of committee chair and committee members. The addition of other interested parties or other relevant parties may be necessary. In the unusual case of the Shellfish Commission, she is not sure how interested they are in being part of this process. She felt that the conversation should be paused to either make an amendment to the standing committee appointment process at the next meeting and/or invite the Shellfish Commission to do the interview for consistency.

Andrea Berry stated that it seemed reasonable to ask the Shellfish Commission if they would like to do the interview or if they would like to have Karl and Paul do the interview.

Amy Haile said she had gone through a similar process with the library and they were delighted to have a say.

Paul Hodgetts asked if they would be able to get an answer from the Shellfish Commission by Friday in time for the scheduled interview.

Amy Haile stated that the Board should also look at how they want to reword the language. In the meantime, she recommended reaching out to the Shellfish Commission and asking if they would like to join the interview.

Karl Cyr asked if the Shellfish Commission does the interview and gives the thumbs up, can Rachael Whitmarsh then be appointed at the next meeting. Amy Haile agreed. Karl Cyr then stated that he agreed they should also look at amending the appointment process.

Amy Haile stated that when they were originally thinking about process, they were thinking about committees just for North Yarmouth. Adding some flexibility could be discussed.

Karl Cyr suggested adding language requiring committee members representing North Yarmouth for shared or multi-town committees.

Andrea Berry agreed that there are quite a few committees that fall under that category, and they may need a separate section for those.

Amy Haile also suggested adding the Select Board Liasson to the interview process. She then asked if the Board agreed as to the next steps.

Karl Cyr said they would reach out to the Shellfish Commission to conduct the interview and ask for their recommendation.

Andrea Berry also suggested offering to allow them to abdicate the role so they could continue with the interview process.

Paul Hodgetts stated that Len Kaminow had recommended her when he spoke previously at a meeting.

Amy Haile said they should follow the rules and since it has been pointed out that there is an error in the rules, that would be a good thing to address.

Alicia Dostilio of the Economic Development and Sustainability Committee (EDSC) stated that with the last two members they went through the interview subcommittee process and recommendation to the Select Board for appointment.

6. New Business (59:00)

None

7. Old Business (59:00 – 2:35:10)

A. Property Tax Assistance Ordinance

One of the Select Board Goals for fiscal year 2024 is to review and make amendments to the Property Tax Assistance Ordinance.

After legal review of the existing ordinance, certain sections needed to be updated as follows:

- The reference to Title 36, Chapter 908-A is incorrect.
- The ordinance uses the term “credit” instead of “benefit”- changes were made throughout.
- The statute requires benefits for renters as well, and so “rent constituting property taxes accrued: needed to be spelled out in the ordinance.
- The statute says to calculate benefits “in a way that provides greater benefits proportionally to applicants with lower incomes in relation to their property taxes accrued or rent constituting property taxes accrued”. This proposed amendment takes this into account.
- Proposing to increase Household Income to \$50,000.
- Household Income shall have the same meaning as “income”, as defined in 36 M.R.S § 6201 (9).
- Applicants who do not file an income tax return but receive Social Security benefits must submit their SSA-1099 form with the application.
- Applications filed on or after July 1, 2025 for the FY 26 benefit year, must show proof that they have received a tax credit under the provisions of the State of Maine Property Tax Fairness Credit Program in accordance with 36 M.R.S. § 5219-KK.

Discussion:

Amy Haile asked for any comments or questions from the Select Board first.

Paul Hodgetts said he thinks they are lowering the amount that people were receiving. More people will be included with a higher income, but no more money is being applied to this immediately in the budget. He asked if someone makes \$20,000 and has property tax of \$4,000 what will they receive for a benefit? Would anyone hit the \$1,500 benefit?

The table below lists the benefits that correspond with the benefit base as a percentage of household income.

<u>Benefit Base as Percentage of Household Income (Range)</u>	<u>Benefit Amount</u>
<u>8%-12%</u>	<u>\$350.00</u>
<u>12.01%-16%</u>	<u>\$500.00</u>
<u>16.01%-20%</u>	<u>\$750.00</u>
<u>20.01%-24%</u>	<u>\$1,000.00</u>
<u>24.01%-28%</u>	<u>\$1,250.00</u>
<u>28.01% and over</u>	<u>\$1,500.00</u>

Amy Haile said looking at the chart if someone's property tax is 20% of their income they would receive a \$1,000 benefit. She stated that the percentages were based on last year's applications and there are people who will receive the highest benefit. If someone has a tax bill that is 28% of their income, they will receive the highest benefit. The Select Board will be looking at this and adjusting year to year. Some people who received \$1,000 in the past will not receive \$1,000 this year, but proportionally their tax burden is different from someone receiving a higher benefit. Hopefully by being able to offer more money to those with the greatest need and by increasing the income limit this will make more of a

difference for more people in their property tax burden.

Diane Barnes stated that section 10, regarding periodic review or the ordinance, was added after the last meeting and that was the only difference.

Karl Cyr questioned whether at least every three years might be confusing or ambiguous, and whether future boards would recognize the intent.

Amy Haile stated that 'at least three' was how it was written to give flexibility, because they discussed reviewing the set up every year early on but that might not be necessary later.

Paul Hodgetts stated that they could review every year if they want.

Karl Cyr wanted to add 'once' before 'every three years' to make it very clear that this should never go more than three years without being reviewed.

Diane Barnes stated that they could add the word to the document.

Mike Mallory, 551 Walnut Hill Road, passed out a table showing the property tax bill people will be required to pay at each income level to receive each level of benefit. The income level has increased to \$50,000 annually. To receive a \$1,500 benefit at that income, a person has to have a \$14,000 tax bill. People that bought a \$200,000 house 30 years ago, now have a house worth \$600,000. If they are still making \$30,000, they have a big tax bill in order to receive a modest benefit. He has brought up Yarmouth before and stated that they take 4% of your income and you have to have a tax bill of \$3,800. Whatever you pay over 4% of your income, they give you half of that back up to a maximum of \$1,200. Somebody making \$20,000 a year will need a \$5,600 tax bill in order to receive \$1,500. He doesn't see how this will do any real help for the people who need it. The limit is increased so that means more people will be eligible. He thought this should be tabled until they find something that is going to work. Decreasing the benefit to \$350 for someone who used to receive \$1,000 is not a reason to be patting ourselves on the back. People need help and he doesn't see this helping.

Judy Potter, 551 Walnut Hill Road, wanted to echo Mike's speech. Yarmouth's income threshold is \$107,000, and there are people getting \$1,200 back. \$50,000 is close to poverty level and she thinks it's sad that that's all the income level was raised. And the tax at 28% is a high tax rate. Diane said that nobody pays over \$10,000 in taxes. She just doesn't see how this is going to help, especially when you have a 10% Town budget increase, 12% electricity increase, 19% insurance policy increase due to flooding, fires and volcanoes, food increases, gas, heating, and everything else. She just doesn't see this helping the seniors at all and she's really upset that the Town isn't doing more for them.

Katherine Maloney said that in looking at the comparisons handed out by Mike Mallory, she agrees that the \$1,500 benefit might not be reached by some of the examples just thrown out in the discussion. In reviewing the new policy, she looked at how this would affect the people who had submitted applications last year. She feels that they are still offering a very good benefit, if not the top benefit of the surrounding communities, whilst extending the benefit max from \$1,000 to \$1,500. This also makes sure that the Town avoids what she saw in Yarmouth's numbers, where a significant number of people are getting between \$20 to \$100. It adds up when a lot of people get that. They sent her a spreadsheet and she went through hundreds of data points. She is grateful for Diane Barnes's leadership and for the thoughtfulness and research behind this and that the Board is writing in a regular review process to allow it to evolve as they learn more. She feels confident that this offers a good package to seniors in the area.

Andrea Berry recalled what Kit Maloney was describing in the North Yarmouth numbers. The point of the process is to ensure that people who are truly struggling are getting more. She understood from the numbers Diane Barnes had run that the folks who are struggling the most are going up from \$1,000 to \$1,500, which is the core goal. She stated that someone with a \$300,000 home will pay approximately \$6,000 in taxes and someone with a bigger home will pay more. She feels that folks

who are paying a disproportionate amount of their income towards their taxes are going to receive more money. Statute also requires this to be set up on a percentage basis and using the numbers of the people who had applied for the program in the past felt like the right choice.

Mike Mallory, 551 Walnut Hill Road, said someone making \$20 to \$30,000 a year is not going to be able to afford a house with a \$10,000 tax bill, so that demographic will never be able to access that benefit. When was the last time any of us tried to live on \$20,000 a year? He thinks the Select Board is making a big mistake if they pass this.

Paul Whitmarsh, 110 Wild Turkey Lane, thought it should shock everyone that someone is paying 28% of their income in property taxes. He felt that it was unsustainable, and they wouldn't last in the house. He hopes that the Select Board will think about the people paying 30% of their income on their tax bill during budget season.

Karl Cyr added that all the comments made were relevant and this was an important problem. The Select Board is amending an ordinance that hasn't been touched on in 7 years and is updating the benefit and increasing the income level. It doesn't fully solve the problem, and building something that requires future boards to review it and keep it in mind is probably the best thing to be done. This is a good thing to do now, it's an incremental improvement.

Amy Haile agreed and appreciated Karl's statements and wanted to remind that this is one of many benefits. This partners with aid from the state and she wanted to better inform folks as to other aid available to offer some relief. It's hard to have to be in a position to offer benefits, but she is glad they can do this and continue to look at this.

A motion to approve the amendments to the Property Tax Ordinance and authorize the ordinance to be included in the June 17th annual town meeting warrant for voter approval was made by Amy Haile. Seconded by Andrea Berry. Motion passed 4-1. Paul Hodgetts opposed.

B. Committee Policy Amendment

The proposed amendments consist of the following:

- Added and updated current committee and boards list
- Added Remote Participation Policy
- Added Qualifications and Appointment Process
- Added Broadcasting Committee & Board Meetings

Amy Haile stated this was another topic from the meeting last week. It's straightforward and redlined in the packet. The change that Paul Hodgetts noted earlier will be made to remove the Open Space and Planning Committee from the list of standing committees. Section 8 Broadcasting Committee & Board Meetings has been discussed for a while. As written, broadcasting committee meetings shall be upon request and room availability. The request must be made to the Select Board Liaison one month prior to the scheduled meeting. For this section, committees mean the following, Parks Committee, Economic Development and Sustainability, Joint Standing Committee, Waste Reduction Committee, School Fund Committee, and Open Space and Planning Committee.

Discussion:

Paul Hodgetts asked why the Parks and Waste Committee are being held in the community room. He would like to see all meetings of all committees recorded.

Amy Haile said this was the first step towards that, this is a shift to give the ability to more committees to be broadcast and recorded and then as space and facilities allow more can be discussed. For this discussion, the focus is making sure that people know how to request and how their requests will be handled.

Paul Hodgetts stated that recording is a tool and very useful when mistakes are made in meeting

minutes. Mistakes have been made in the Select Board meeting minutes. If there isn't a recording, how do you know that a mistake was made?

Amy Haile said that was why statutory committees are required to be recorded.

Paul Hodgetts said other committees are important too and asked if this was a money thing.

Amy Haile replied that there is no denying their importance but there are legal implications of mistakes that are different. There are timing, space and priority issues within the community center.

Paul Hodgetts didn't see the issue with space or timing. The meetings are on different nights. He is at a loss as to why they can't at least be recorded.

Karl Cyr thought it was worth having that conversation as a separate topic but it's not relevant to this amendment now. That would be a separate discussion to amend the policy. He thinks it is worth thinking about, the technology is there. AI is available in recordings to take minutes and public comment with names attached so it's all searchable and findable. There are benefits and costs involved that should be discussed at a different time.

Katherine Maloney said after meetings discussing this change in depth and checking in with the EDSC as liaison two things emerged as priorities. Certain meetings should be able to be broadcast, and not all meetings should be required to be broadcast because of the implications that has on scheduling issues. She felt that this updated language checks off both of those important considerations.

Andrea Berry stated that she thinks this gives a much wider group of committees the opportunity to be broadcast and she appreciates the opportunity to give them access when there are high interest topics. She has seen meetings where committee members would have wished the meeting had been recorded but also had discussions where appreciation was expressed for the flexibility that this amendment allows.

Amy Haile felt that there was a need to be careful when using the terms broadcast and recording interchangeably. Recording and posting after would be different from broadcasting. For this amendment, broadening the opportunity and making clear the process for requesting meetings be broadcast are the issues.

Paul Hodgetts said that sound quality for meetings should also be addressed. He attended an EDSC meeting that wasn't recorded that couldn't be heard.

Amy Haile stated that she would love for him to take charge of that issue and run with it. It's different than this, but it's related and should be researched and addressed.

Katherine Maloney said that it would be appropriate to ask for people to speak up so the audience could be heard during meetings.

Amy Haile said it could also be possible to ask for the meeting to have microphones.

Andrea Berry stated it could also be a room configuration problem.

Amy Haile felt like the issues of broadcasting vs. recording, sound quality, and room set up are valuable discussion topics that should be addressed as separate issues to continue working on.

Katherine Maloney wanted to amend the amended policy to allow more flexibility surrounding the timeframe for scheduling meetings.

Amy Haile said that the timeframe for scheduling meetings was put in place to avoid last minute changes that won't be able to be accommodated.

Karl Cyr suggested using the wording 'will make a reasonable effort'.

Andrea Berry suggested changing 'must' to 'should' in the second sentence and asked about adding staffing availability to the first sentence of Section 8.

Amy Haile said that would be a good addition. She would like to assume good intent by all town employees.

Katherine Maloney stated that she didn't expect that staff would turn down a request for being a day or two late, but she wanted to give the flexibility for a committee member to feel comfortable to ask.

Paul Hodgetts asked why the EDSC meeting in December was cancelled and he didn't know about it for 45 days.

Amy Haile said she didn't know and asked to move on. She hoped to move forward to clarity and process.

Paul Hodgetts said in his opinion that is always the problem with the Select Board. Everyone wants to move forward, and nobody wants to look back.

Alicia Dostilio of the Economic Development and Sustainability Committee (EDSC) wanted to gain clarity. Kit had asked if they would like the meetings to continue to be recorded and the consensus was that nobody wants being able to be recorded to stop a meeting because they only have one a month. However, the preference is, since the room is set up and it has for several years been recorded the consensus was that the entire committee would like that to continue. The recording of that meeting is available to be reviewed and she asked if the Select Board had seen it. She is concerned that the committee was asked, and she feels like the Board is ignoring the answer.

Katherine Maloney stated that she had reported on that meeting to the Select Board. They did receive the update even if they didn't watch the meeting. She also stated that she could understand where the committee members might feel that they were being ignored, but that she would personally be surprised if anything changed for the EDSC. Since there was a consensus all around, she felt that they would just get in the rhythm of making requests monthly but that now they would not be so confined around rescheduling.

Alicia Dostilio stated that she was concerned about the bigger message and that it looks like the EDSC is just optics and decisions are being made separately from the committee.

Amy Haile said there are times when the Select Board asks, 'what do you think', but they are gathering input from a variety of sources and must take other things into consideration. Then they can't always do exactly what one group wants. She stated that is government writ at large. She doesn't feel that the EDSC wasn't heard or that they are being disrespected or ignored, just that other things were taken into consideration. If EDSC would still like to be recorded, then they still have the opportunity to do that. She feels this is a common misconception when the Select Board cannot follow an individual's or group's instructions to the letter.

Alicia Dostilio asked what triggered the discussion around recording the EDSC meeting.

Amy Haile stated she believed it was a meeting conflict that prompted the discussion that non-statutory meetings didn't need to be limited by recording.

Katherine Maloney stated that she thought maybe they were talking about two different meetings. She thought there was a December meeting that the decision was made not to record because no committees that were non-statutory were being recorded. That kicked off this discussion at the Select Board meeting where time was spent talking about just not having any non-statutory committee

meetings recorded. The public was heard, and the vote was delayed, to give time to connect with committees so something that was more thoughtfully inclusive of committee feedback could be created. She felt this policy achieved that by allowing recordings and allowing flexibility to meet outside of recording.

Alicia Dostilio asked why they changed something that wasn't broken. She agrees that no one should be limited by recording and importance is across the board, but it's hard to wrap her head around why they are making it a different requirement. EDSC isn't the issue, it's always in this room on the same day.

Andrea Berry stated that this is about all of the committees, EDSC is just one of the committees that are in consideration in this process. The same discussion was had with all committees. This piece of the policy was created to reflect the feedback from all the committees. This is the Select Board looking at the entire committee process around broadcasting committees and creating a process that makes room for what the EDSC has been doing and has asked for, as well as the other committees' requests. This policy allows the flexibility for the EDSC to be able to have meetings that aren't recorded if it's going to impact the ability of the committee to meet and allows for other committees to request to be recorded that are currently not being recorded at any time. This is the compromise that makes it possible for every committee to have access to recording. She wanted to reflect that the Select Board is in the process of taking the information gathered to create a policy that works for the entire Town.

Alicia Dostilio said that her point was that it was unnecessary to pull from one committee to add everyone else in.

Karl Cyr said he might have lost the plot. There wasn't a broadcasting policy for these committees before and this is an amendment to the Committees policy to add the option for committees to broadcast their meetings where there was not an option before in policy language.

Amy Haile said that was correct.

Judy Potter, 551 Walnut Hill Road, said this building was built to have meetings in. That's why it was built, so it was the number one priority. She thinks they need to look at that and make sure that the meetings are held here. She also asked how anyone was going to know a month ahead of time that they had something important to be recorded.

Amy Haile stated that she chose the month because these committees meet monthly. Events and upcoming agendas are discussed within the meetings.

Judy Potter went on to say that all the committee meetings are on different days so there is really no reason why they couldn't all be recorded. It's an important communication tool, which is a goal of the Board. Letting people know what's going on in the committees is good communication for the Board to promote. She feels that the Select Board is eliminating the residents and putting all ownership with the committee and that isn't a good idea.

Paul Whitmarsh, 110 Wild Turkey Lane, had something other than the broadcast section to address. Amy mentioned that broadcasting and recording are being conflated. The equipment and capability are available to record every single meeting in any room. An iPad could be used to record, and Jackson could be asked to upload it the next time he works. There should be at least one person on every committee that can operate an iPad. It is more important to record than to broadcast, because if he has the time to watch it live then he can come and watch it in person. It is when he is not able to attend or watch that he wants to be able to refer back to the meeting, especially as budget season approaches and people are talking about the reasons behind the budget they are looking for. Section 5 B contains conflicting information regarding when the committee chairperson submits their recommendations to the Select Board and or Town Manager. Section 5 D also needs clarifying wording on the state and local laws that require expertise to be appointed. He thinks that the document should be bounced off the committee appointment policy to make sure that the two don't conflict and confuse people.

Andrea Berry, speaking to 5 D, stated that she didn't believe that specific expertise was being required in state and local laws. She thinks it's specific expertise in state and local laws such as an understanding of the land use ordinance.

Paul Whitmarsh suggested taking 'the' out before 'specific expertise'.

Amy Haile suggested changing the wording in 5 B from 'after the appointment process' to 'after the interview process'.

Karl Cyr asked about the Remote Participation Policy item. The Parks Committee asked for clarity regarding what that was.

Diane Barnes stated that each committee would have to have their own Remote Participation Policy in place to meet remotely. For each of the committees that have adopted one, the policy is the same as the Select Board's.

Karl Cyr clarified that a committee would already have a policy or would just need to adopt the general template of a policy.

A motion to approve the amendments to the Committee Policy as presented was made by Amy Haile. Katherine Maloney seconded the motion. Motion passed 4-1. Paul Hodgetts opposed.

- C. Open Space & Planning Committee Member Amendment
Addressed and approved during 3. Appointments (25:10 – 31:10).

- D. LOU – Proposed Amendments to Section 1.7

Amy Haile introduced another topic from the last meeting. Everyone has had time to review the proposed Land Use Ordinance amendment. The intention is to put clarity on the process for amendment to the Land Use Ordinance. Having the time to review was helpful as she found the Select Board had started talking about this last year at around the same time and was brought forward in goals from August or September of 2022 from the fiscal year before. The origins predate everyone on the Board except Paul and the concept is to provide clarity for all as to how to make amendments. This is a process-oriented document. The Select Board received an email from the Chair of the Planning Board with thoughts and reflections on it. She talked to him before the meeting and let him know that she couldn't review the documents side by side, but there is another document out there for review. Taking into consideration what is on the Planning Board's plate right now with the other time sensitive projects under their review, she suggested pushing pause on this amendment.

Karl Cyr has taken a deeper look at the Select Board proposed amendments document, and he thinks overall it's a good idea to look at amending this section as what is there is inadequate. It explains how something is ratified but doesn't explain how an amendment would get to that point. This amendment does that. He doesn't want the amendment to be dropped but believes this should be a post budget planning discussion that collaborates with the Planning Board. He doesn't have any major concerns with what was written and believes it does a good job of outlining the possible paths to amendment as he understood them. Specifics surrounding when it will be considered and the process to get it to the Town Meeting are important and this does a good job of that. This may be the first draft and will have to go through some iteration to get there.

Paul Whitmarsh, 110 Wild Turkey Lane, apologized for the timing of his email. He said that what he sent was just a rough draft drawn up by him, after the last meeting prior to the workshop, trying to capture the historical process that had been used to amend the land use ordinance and add some framework and procedures that would allow feedback back and forth between the boards. He put it on the workshop agenda so he could get it to the Planning Board without holding an illegal meeting. He wanted to make sure it was out there for the public and the other members to look at and discuss it as a first draft. He agreed it would be good to codify the procedure. He expressed concern with the version

that the Select Board was discussing and felt it created a pay to play situation surrounding fees. He doesn't want to see groups of residents trying to make changes get lost in a money game that large outside developers would be more than willing to pay. He did not put any time frames or state law references in his very rough first draft. He hasn't workshopped it with the Planning Board yet, and he wants their input and the Select Board's input.

Amy Haile pointed out that the Select Board's version has already been through legal once. She wondered what would work timing-wise to get the amendment ready for a November ballot, so September time frame.

Paul Whitmarsh stated that the time frame would be doable if other projects don't take time away from this.

Amy Haile asked if he had redlined changes to the Select Board document.

Paul Whitmarsh stated that it was a completely different document. Just a one-page rough draft.

Amy Haile said this sounded like a nice summer reading project and asked the rest of the Select Board if they felt waiting for summer was okay.

Andrea Berry stated that she would like to see the Select Board's version and Paul Whitmarsh's version go to the Planning Board to be workshopped and discussed together, to pull together both documents into a single cohesive version.

Paul Whitmarsh asked for clarification.

Andrea clarified that she hadn't had much time to compare the two documents before the meeting, but what she saw was very different to what the Select Board is discussing. She doesn't want two sets of competing documents floating out there. She wants the Planning Board to look at both documents for reference when workshopping to use the useful and effective pieces of both to create a combined document that will be strongest as a policy.

Paul Whitmarsh stated that he was happy to bring this document forward to the Planning Board and he wanted to work together with the Select Board to make sure that they include their input. He will use the Select Board's version as a reference document to pull parts to merge in order to complete it. The Planning Board will only end up going to the Public Hearing with a single document.

Rachael Whitmarsh, 110 Wild Turkey Lane, was curious about the push for both of these. She stated that the document presented by the Select Board had been drafted by the previous chair on his own initiative, who used Town resources for something he identified as a personal thing. She was confused by the tone she was hearing. She said it sounds like the Select Board is saying their document has to take precedence because it went through legal. She stated that this was never workshopped or developed in public and was delivered at his last meeting and dropped off the radar until very recently. She asked why the Select Board didn't go to the Planning Board to work in collaboration to move this forward. She said it seems very intractable, that the Select Board was insisting their piece be a part of the final document. Her perception is there is a recurring tone coming out in the way things are discussed. Residents are bringing things forward and the way it is coming out the Select Board is showing no openness to consideration or willingness to amend.

Karl Cyr said that he doesn't have a history with this document and there are a lot of parts of it that make sense to him. When compared to the Land Use Ordinance, it details very specific processes. He didn't see it as a pay to play, but rather that processes initiated by a group of citizens could end up costing the Town resources. He saw this document as protecting the Town from incurring those costs and thought the pay to play perspective was interesting. He doesn't see the amendment as an immediate problem, but something that should be edited and discussed before moving forward. It's written in a way that could be dropped in a document today, but he wants the time to test it out and

make sure everyone is comfortable with it because it is a serious change. This is a good start, but the Planning Board will be able to look at it and edit from a point of experience.

Rachael Whitmarsh said she appreciated that and was just shocked to see a four page, very explicit document to address what was originally less than a page, but she agrees the Town needs something like this.

E. Yarmouth's Dam Removal Initiative

Andrea Berry said this was on the agenda to continue to recognize this as an ongoing point of discussion for the Select Board. She wanted to report that the Town of Yarmouth reached out through one of their councilors and the interim town manager to invite her, Karl, and Diane to have an initial discussion to learn more about the process and to discuss a list of questions to bring to the Army Corps. They also want to set up a time to discuss the findings after they come out, knowing that there will also be a public comment process. She is appreciative to the Town of Yarmouth for bringing the Town of North Yarmouth into the initial conversation in a formal way and opening the opportunity to submit questions prior to findings being finalized.

8. Consent Agenda (2:35:10 – 2:35:30)

A. Payroll Warrants

#78 \$ 54,726.61

B. Municipal Accounts Payable Warrants

#76 \$ 3,011.70

#77 \$ 3,389.56

#79 \$861,297.26

Motion to accept the consent agenda as presented made by Amy Haile. Seconded by Karl Cyr. Motion passed 5-0.

9. Management Reports & Communications (2:35:30 – 2:35:35)

A. Town Manager Report: None

10. Any Other Business (2:35:35 – 2:35:10)

Andrea Berry thanked Katherine Maloney for bringing the baby, who had the most amazing baby participation in a meeting ever. Amy Haile agreed and welcomed her to any other meetings.

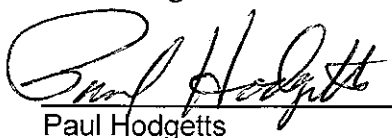
11. Adjournment (2:35:10 – 2:35:20)

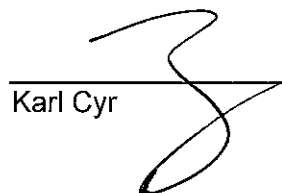
Motion to adjourn at 8:51pm made by Amy Haile. Seconded by Andrea Berry. Motion passed 5-0.

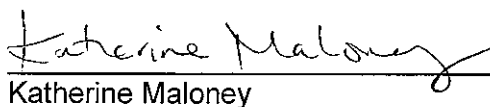

Amy Haile, Chairperson

Select Board


Andrea Berry, Vice Chairperson


Paul Hodgetts


Karl Cyr


Katherine Maloney