

**Town of North Yarmouth  
Board of Selectmen  
Meeting Minutes  
December 3, 2013  
7:00 p.m.      Town Office**

MEMBERS PRESENT: Steve Palmer, Paul Napolitano, Mark Girard, Clark Whittier

MEMBERS ABSENT: Darla Hamlin

OTHERS PRESENT: Marnie Diffin, Interim Town Manager.

**I.      The Meeting was called to order by Chair Palmer at 7:00 p.m.**

**LEGISLATIVE/JUDICIAL:**

**II.      PUBLIC HEARING: General Assistance Ordinance Adoption**

Paul Napolitano moved and Clark Whittier seconded to enter into a public hearing to hear comments on the adoption of a General Assistance Ordinance. The vote was 4 Yes.

Marnie Diffin indicated that the Town has followed the MMA's format and there have been some changes in the appendices and recommended that the Board of Selectmen adopt these changes.

Paul Napolitano moved and Mark Girard seconded to close the public hearing and return to the Selectmen's Meeting. The vote was 4 Yes.

Mark Girard moved and Paul Napolitano seconded to adopt the Maine Municipal Association's September 2013 edition as the Town's General Assistance Ordinance. It is noted that the various Appendices have already been adopted in prior public hearings. The vote was 4 Yes.

**III.      ABATEMENT TO PREVENT A FORECLOSURE**

Mark Girard moved and Paul Napolitano seconded that pursuant to the Town's Management of Tax Lien Property- Article 2: Analysis of Potentially Acquirable Property for Unacceptable Liabilities and M.R.S.A. Title 36 subsection 944, the Board of Selectmen are authorizing the Treasurer's Waiver of Foreclosure on Map 9 Lot 104. The vote was 4 Yes.

Steve Palmer stated that the owners of this property refuse to pay the taxes and given the use of the property (has hazardous waste) the town has chosen to waive the foreclosure. Steve Palmer stated that this waiver follows the town's guidelines and procedures.

**IV.      CONFIRMATION OF AD-HOC COMMITTEES & APPOINTMENT OF MEMBERS**

Steve Palmer stated that he and Marnie have worked on creating consistency in the documentation (guidelines, charges and procedures) of these committees.

Board of Assessment Review- this committee has a full contingent of members. The committee has not yet met but will do so shortly. Paul asked if the members are familiar with the Freedom of Information Act guidelines. Marnie stated that they have not yet received training but will be doing so shortly.

Budget Committee- There are 3 members whose terms will expire next year and 1 position will be eliminated to conform to the new Charter structure for this committee. There was a discussion on their upcoming meeting schedule.

Cemetery Commission- Steve will be meeting with them on December 17<sup>th</sup> at 3pm.

Communications Committee- Steve stated that the description of this committee is general and that this group determines their goals. Marnie stated that this is the first ad hoc committee, and they need to be appointed by the Board.

Recreation Advisory, Communication Advisory, Shellfish Conservation, Yarmouth Water District were briefly mentioned.

Joint Standing Committee- The objective of this group is to review the services between the 2 communities.

Economic Development/Sustainability Committee- Paul asked if they will actively seek replacements for 2 open slots. Steve stated that the group is set-up as a membership of 5. There was a discussion the members. Clark stated that bringing in consultants etc would be helpful to them. Mark agreed and that a 5 member appointed committee is reasonable.

Steve reminded the group that these committees provide recommendations to the Board of Selectmen and is different than the Zoning Board.

Events Committee- This group has 5 formal members but has a number of additional volunteers for activities.

Facilities- Steve stated that their charge is similar but now excludes roads. They would focus on buildings and building maintenance. Clark commented that maintenance on buildings have been deferred for a long time. He would like to more committee participation and would encourage more members in the next year. Mark stated that he believes that the current structure and member number works well given that it offers recommendations to the Board of Selectmen.

Flag Committee- Steve stated that currently, there are 2 people and that there is another person who is interested in participating to make it a 3 person committee which is appropriate.

Planning Board- Marnie commented on their charges and stated that some of their charges are created as a result of town ordinances. There was a review of some additional charges and Clark Whittier stated that he supports what they are being asked to do.

Recreation Committee- There appears to be 2 vacancies. Marnie will check-in on the status of one member to be sure.

The Safe Bike and Walkways Committee was discussed.

Zoning Board of Appeals- There was a discussion on some member changes and additions. Marnie requested that the Board of Selectmen appoint Nancy French as a member. She has expressed interest in participating on the committee.

Mark gave an overview of a suggested engineering advisory group. He stated that residents of the community in this field could help provide technical support and advice to the town. It would meet on an as needed basis and could also include guidance, RFP preparation and professional recommendations on economic development impact and school protection and the like. Steve asked if the group agreed to letting him fine tune the wording of the charges for clarity.

**Mark Girard Moved and Clark Whittier seconded to confirm the ad hoc committee members as noted on the written proposals presented. The vote was 4 Yes.**

Steve Palmer moved and Clark Whittier seconded to accept the Charter Commission standing committees with the addition of Nancy French as a regular member on the ZBA and Tom Hyndman as an alternate on the Planning Board. The vote was 4 Yes.

Clark Whittier suggested that advertising for additional committee members be done. Steve Palmer stated that it should be on the town's website etc and that additional advertising if needed

## **ADMINISTRATIVE:**

### **V. Consent Agenda:**

Clark Whittier moved and Mark Girard seconded to approve the following consent agenda items: Minutes of the November 19, 2013 meeting; Minutes of the November 20, 2013 meeting; Payroll Warrant #28; Accounts Payable Warrant #29. The vote was 3 Yes/ 1 Abstention (Napolitano)

Steve Palmer thanked Marnie for taking the November 20<sup>th</sup> minutes.

### **VI. Public Comment on Items Not Part of the Agenda and Not Relating to Personnel Matter** None.

### **VII. Interim Town Manager Report:** **Review of RFP Document for Solid Waste & Recycling Collection Contract**

Marnie stated that she has drafted an RFP which requires Board of Selectmen approval prior to being sent out to the public. There was also a discussion on an every other week pick-up with the exception of the holidays, as well as, a mechanical pick-up with a 3 year contract. The various options could help with savings. The group reviewed parts of the RFP.

#### **Authorization of Quit Claim Deed for 790 North Road Property**

Marnie stated that the taxes have been paid but a Quit Claim Deed is required with the Selectmen's signatures.

#### **Other:**

Marnie commented on the current abatement list and a property with outstanding taxes. Steve noted that Line 15 should be listed as Darcy.

### **VIII. Board Written Correspondence/ E-Mails Received/ Verbal Reports/Comments:** **Response from Vision Government Solutions, Inc.**

Marnie stated that something in writing will be submitted to the Board of Selectmen by them including offering additional services in lieu of the penalty.

#### **Response From MMA Insurance Regarding Wescustogo Hall**

Paul commented on the insurance options based on the decisions on the replacement of the building. Marnie stated that personal property and demolition are separate items and have been submitted. The replacement of the building is the 3<sup>rd</sup> component. There was a discussion what exactly the replacement would be and what the total insurance amount would be. There are a number of factors in determining the replacement cost (what the new building would be) and this should be decided in the short term to assist with the final insurance process. Marnie stated that direction from the Selectmen is needed (in particular, use of the new building) in order to finish or at least move the insurance finalization process along. She suggested a workshop. Steve stated that he would like to hear from the Economic Development Committee on their recommendations, then follow-up with a workshop.

## **Yarmouth Water District**

Mark commented on the Yarmouth Water District letter. He suggested working with the Infrastructure Committee (Engineering group) and have a meeting with the Water District to get a sense of their process and gather more information. Steve asked Mark to work with this committee and gather information for the Selectmen. There was a discussion on the interpretation of the preliminary report and the flow of the water.

### **Other:**

Steve stated that the MSAD has turned over the school to the town and asked if anyone has comments/questions or what information they would like to know prior to the December 17<sup>th</sup> Selectmen vote to accept it. He believes that there needs to be an assessment on the costs the town will assume to accept the building.

Mark suggested gathering information on maintenance and a winterization costs. Clark commented on security.

Steve received an invitation to participate on the school Superintendent search. They will be having a series of focus groups regarding the search criteria. He also commented on the Veterans Park and met with Thaddeus Day and they have reviewed some suggestions/ideas. The veterans group is reluctant to transfer ownership of the park to the town but they have some ideas and suggestions on potential use.

### **IX. Executive Session: Pursuant to 1 M.R.S.A. ss 405(F): Discussion of Confidential Records**

Mark Girard moved and Clark Whittier seconded to go into an executive session pursuant to 1 M.R.S.A. ss 405(F) to discuss Confidential Records. The vote was 4 Yes.

Mark Girard moved and Clark Whittier seconded to close an executive session. The vote was 4 Yes.

Clark Whittier moved and Mark Girard seconded to deny the request. The vote was 3 Yes/1 No (Napolitano)

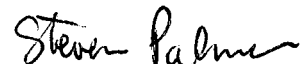
### **X. Adjournment**

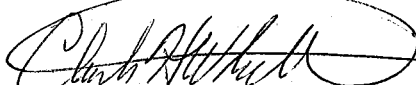
Paul Napolitano moved and Mark Girard seconded to adjourn meeting. The vote was 4 Yes.

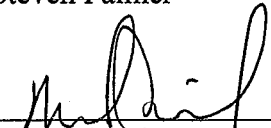
The meeting ended at 8:51pm.

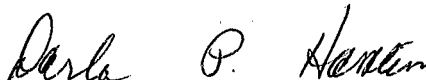
APPROVED:

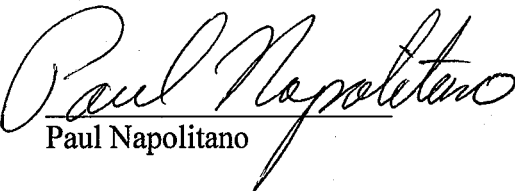
CONSENT AGENDA ITEM: January 7, 2014

  
Steven Palmer

  
Clark Whittier

  
Mark Girard

  
Darla Hamlin

  
Paul Napolitano