

**Town of North Yarmouth  
Board of Selectmen  
Meeting Minutes  
January 21, 2014  
7:00 p.m.      Town Office**

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

**OTHERS PRESENT:** Interim Town Manager Marnie Diffin

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

**ADMINISTRATIVE:**

**II.      Consent Agenda:**

**Motion by Clark Whittier seconded to approve the following consent agenda items: Payroll Warrants #37 and #38 and Accounts Payable Warrant #39; Seconded by Paul Napolitano. Vote 5-0.**

**III.      Public Comment on Items Not Part of the Agenda and Not Relating to Personnel Matter**

No public comment.

**IV.      Tax Increment Financing (TIF) Presentation: Shana Mueller- Bernstein, Shur Law Firm**

Shana Mueller gave an overview of TIF. She stated that she recently presented this information at the MMA and it was suggested by some residents that she present to the Board of Selectmen.

Steve stated that they are interested in finding out the options for possibly creating a TIF district where Memorial School is located.

She stated that they should be sure that it becomes a taxable property. A TIF changes the total amount of taxes and that it impacts items such as state school subsidies, municipal revenue sharing, school district funding and county taxes. This is due in part to the fact that the assumption is that the town would have more capacity to pay given that it has this new income.

A new development inside of a TIF district has some issues (positive and negative) surrounding tax revenues and applications. It does have restrictions in that TIF revenue can only be used for specifically approved projects and there are specific guidelines around such projects. She outlined how the TIF percentages can be applied in the town's budgeting process.

She indicated that TIFs have grown in popularity over the years given the benefits to a community.

There are a couple of different types of TIF. One is a Credit Enhancement Agreement which is an credit to the developer as an incentive to do expansions and the like. Business parks are a good example and can be used to promote business in a town.

The second is a TIF by a municipality to create a district for economic development.

The Board of Selectmen would approve a structure for creating a TIF and this would require public hearing process with notification and vote at a Town Meeting. She recommended that the Selectmen consider more public education on this possibility as this is a new concept for the residents as it doesn't currently exist. Development Program is the document outlining the TIF- purpose, goals, methods and the like. Generally, there is a town planner to help with this process or a committee to work on this. Following the creation of the document requires approval by the State under statute. (Economic & Community Development)

Steve asked if other communities have special Town Meeting for this. Shana said that it is done both at a special one and the annual one. If a community chooses to have it at their annual town meeting, generally, there has been a lot of public hearing prior for local discourse to work through the questions.

There was a conversation regarding who is responsible for the various parts of the preparation of the Development Program.

Shana encouraged review of the Comprehensive Plan as part of the options. She also commented on a downtown development TIF as a possibility. One of the advantages is that there is not an acreage limitation. She also described a Transit District TIF which would not likely apply here.

Mark asked about the value of public/private transfer and the original assessed value (OAV). Shana stated that it would be a zero value in the beginning and increase from there. Shana outlined the process of going from an OAV to captured value and how the TIF goes into effect. The group discussed this concept with a few examples.

The maximum term for a TIF is 30 years and town funding can be matched with a bond. She also reviewed the varied types of TIF projects.

Items can include adding infrastructure in the district, intersection improvements, economic development programs /projects (including staff, and legal costs for this). Recreation areas that have economic development potential and environmental projects can also fall under economic development projects. She suggested that they review the statute to see if some of their ideas meet the criteria. She encouraged broad and flexible projects, ideas in the Development Program to consider the future. If some other projects came along in the future should have amendments to cover the changes in the Development Program. She encouraged them to have budgets as well. The group discussed the options and possibilities and valuation credits. Mark asked about the town acreage percentage limits for a TIF. Shana outlined the percentages and that it must include blighted, need in redevelopment, demolition, or use as commercial development as part of the percentages.

Mark asked about an accepted TIF project /area in an aquifer protection zone (water overlay district) and would it be approvable. (commercial, residential and the like.) Shana discussed the percentages and how it might apply.

Paul asked if there are advantages to short or long term TIFs. Shana stated that it depends on the town's goals. There has been an increase in having longer terms which can be changed. Shana stated that an amendment has to be made and voted on by the residents at Town Meeting (in North Yarmouth's case) to lengthen or shorten the term of the TIF.

Steve asked Shana if a Selectman has any questions if they may contact her. Shana said she was willing to help answer

Audrey Lones asked if the town wanted a town planner and a TIF would help pay for this, how would this be done prior to a TIF. Shana stated that the town would essentially reimburse itself once the TIF was established.

She asked how long the DECD takes to approve a project. Shana stated that it can vary.

She also commented on the time of the OAV in the TIF process.

Audrey asked if there are specific planners that specialize with TIFs. Shana stated that there a variety of consultants and some names which she can provide.

V. Appointments to Committees:

Diane L. Burnell- Flag Committee

Kendra Radford- Prince Memorial Library Advisory Board

**There was no motion. This action was tabled.**



VI. Interim Town Manager Report:

VII. Board Written Correspondence/ E-Mails Received/ Verbal Reports/Comments:  
Vision Government Solutions, Inc.

Steve stated that they received a letter from Vision Government Solutions, Inc. regarding the proposed settlement.

Marnie stated that this settlement is 18 days of assessment and 1 year of web hosting. While this is lower than the Selectman wanted but she recommended that they accept this offer as it a fair offer.

**Motion to accept the offer from VISION GOVERNMENT SOLUTIONS, INC. as outlined in their letter dated January 8, 2014 by Darla Hamlin; Seconded Mark Girard.**

**AMENDED MOTION: Motion by Paul Napolitano to Authorize the Board Chairman to sign, on behalf of the Town, the letter to VISION. Seconded by Darla Hamlin.**

**Vote: 5-0**

VIII. Workshop Discussion Authorization Motions:  
A. 1997 Warrant Article Directive:  
Set Date for Public Hearing  
Set Date for Special Town Meeting

The group discussed the date options and locations. Steve stated that there will be a special Board meeting on Feb. 11<sup>th</sup> to work on this.

**Motion by MARK GIRARD to set the date for a public hearing as February 6, 2014 at 7:00 p.m. for the purpose of consideration of the 1997 warrant article directive; Seconded by DARLA HAMLIN. VOTE: 5-0.**

**Motion by PAUL NAPOLITANO to set the date for a Special Town meeting as February 25, 2014 at 7:00 p.m.; Seconded by DARLA HAMLIN. VOTE: 5-0.**

**B. North Yarmouth Memorial School  
Report Funding**

The group discussed some funding amounts.

Paul asked about the soils feasibility status. Mark asked to hold off on this until the next meeting. The estimate is around \$1,500 -\$2,500 and he outlined the components. Steve asked if this amount should be lowered. Mark suggested that this remain as it considers a contingency. Mark reviewed some of the other figures. Clark asked where the funds would come from. Steve stated that it could come from the economic development account.

Paul stated that he is not completely convinced about pumping sewage on to the area as a community septic system. Steve stated that he would like to know more about the soils and conceptually if it would work. Paul stated that there are a number of expenses related to the infrastructure. He also stated that the Comprehensive Plan doesn't say anything about ½ acre lots being permitted in this zone. Mark reminded the group that if commercial use were to be considered, it would be important to know the capacity in this area. The group discussed the various data that could be collected from the soils feasibility study. Paul asked if an assessment of the current system can be done. Mark said he would find out about this and the study scope and let the group know. Steve stated that they shouldn't vote at this meeting.

Appraisal quote. Mark stated that he will do more research on the amount.

Darla asked if there is a particular sequence for these studies. Paul asked about the funding source. Steve stated that it should come from Economic Development. Marnie recommended that it should come from the Selectmen's Contingency Account.

**Motion by STEVEN PALMER to approve an expenditure up to \$2500 for land density planning (as outlined in the proposal from Carroll & Associates) from Selectmen's Contingency Account; Seconded by PAUL NAPOLITANO. VOTE: 5-0**

**IX. Other**

Paul stated that at the last Joint Standing Committee, there was a discussion on natural gas lines coming to the community. Mark stated that the potential Memorial School area would be a good starting point for a discussion with the gas company. He believes that the density study would be helpful to them.

Steve suggested that this topic be brought up again so that the town doesn't lose its opportunity. Mark stated that he would be willing to write a letter to them outlining the work being done. He will prepare a draft for review.

Clark Whittier stated that the Cemetery Commission met and they are working on their by-laws. The Recreation Committee didn't meet and there may be an issue on having a meeting quorum. He will discuss this with the members to find out more.

Darla Hamlin stated that the Communications Committee met. The Events Committee has established the dates for the concerts and Fun Day.


Steve and Marnie met with the County Assessor to discuss their services. There will be more information to follow.

**X. Adjournment**

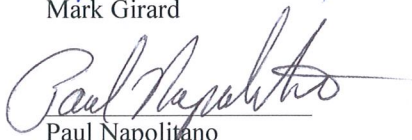
**Motion by Paul Napolitano to adjourn the meeting; Seconded by Clark Whittier. Vote: 5-0**

The meeting ended at 8:49pm.


**APPROVED**

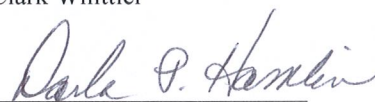
  
Steven Palmer

  
Mark Girard

  
Paul Napolitano

**CONSENT AGENDA ITEM: February 4, 2014**

  
Clark Whittier

  
Darla Hamlin