

**Town of North Yarmouth  
Board of Selectmen  
Meeting Minutes  
October 15, 2013  
7:15 p.m. Approximate      Town Office**

**I.      Call the Regular Meeting to Order 5 minutes after the Conclusion of the Special Town Meeting**

Steve Palmer (Chairman), Darla Hamlin, Mark Girard, Paul Napolitano, Clark Whittier

Robert Ware, Jenny Tuemmler, Ann Rose, Susan Hibbard, Interim Town Manager Marnie Diffin,

**ADMINISTRATIVE:**

**II.      Consent Agenda:**

Clark Whittier moved and Darla Hamlin seconded to approve the following consent agenda items:  
Payroll warrants #20 and #22; Payables Warrant #21. The vote was unanimous.

Paul Napolitano asked that Payables Warrant #19 be set aside. Marnie stated that there is no Payables Warrant #19 but it is required to be posted in sequence in the accounting system but there was no amount.

Mark Girard moved and Paul Napolitano seconded to accept Payables Warrant #19 as zero.  
The vote was unanimous.

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

Robert Ware of 245 Broadway, South Portland stated that he was unaware that his former wife had not paid her property taxes until he was notified by his attorney and family members. He stated that she has some mental health issues. He stated that he was told by his former wife that this has been taken care of. He outlined some other ongoing issues regarding her condition. He stated that the family has made numerous attempts to help her and there have been numerous incidences. He stated that he has offered to sell his airplane hangar to pay the property taxes.

Steve Palmer stated that he respects Mr. Ware's situation and that the town has explored numerous options to resolve this issue. At the last meeting, the Board of Selectmen voted to foreclosure on this property. He asked if there is something he could offer to help the Board of Selectmen to reconsider their vote.

Mr. Ware stated that he would grant a lien on his airplane hangar to pay the back taxes and should he gain control of the property, he would make some repairs and then be sold. Should the Board of Selectmen not accept his offer, he would ask for some time to help her

Marnie Diffin stated that the writ of possession will be presented to the Sheriff's Office who will serve it to the owner, who then has 48 hours to vacate the property.

Paul Napolitano stated that he has spoken to Mr. Ware's former wife and the town has made numerous attempts to resolve this but he would support holding off the Sheriff to deliver the writ of possession to help him find an alternative, but it is a Board vote. Mr. Girard stated that the process is to try to collect the taxes but could also help him find the help she needs. Ms. Diffin asked about the financial institution and whether or not Mr. Ware has a contact to get the taxes paid so that they wouldn't lose their position on the property. She stated that she has attempted to connect with them without much success. Mr. Ware stated that he could try to help make some arrangements. Steve Palmer asked Mr. Ware to update Ms. Diffin by the end of the week.

#### **IV. Committee Recommendation**

##### **Recreation Commission- Hunting in Old Town House Park**

Jennie Tuemmler stated that there had been a 3 year trial for hunting in Old Town House Park. She gave an overview of the number of permits issued and the number of deer tagged. Based on the low numbers and lack of interest, the Recreation Commission recommends that no firearm discharge or hunting be allowed in Old Town House Park. She presented an overview of the town properties that currently permit hunting. She stated that Old Town House Park is a small percentage of the total town acreage. There have been resident recommendations about having a safe park area to access during hunting season. The greatest interest by residents is access to trails for walking and the like.

Mr. Whittier asked about the other Town acreage allowing hunting and asked if the Commission's recommendation also included bow hunting. Ms. Tuemmler stated that for consistency it did.

Mr. Girard asked about the adjacent properties around Old Town House Park and whether or not hunting is permitted. Ms. Tuemmler outlined the adjacent properties.

Mr. Napolitano gave an historical overview of the process that led the town to allow hunting at the present time. It also included turkey hunting. Steve read the original approval that included the 3 year test period. He asked Ms. Tuemmler about the hunters who had taken out permits and if they had returned their surveys. She gave the statistics regarding this. Mr. Girard asked if there is an ordinance process to allow or disallow hunting. Ms. Diffin explained the process that is allowing the Board of Selectmen to do this. Mr. Palmer stated that as originally proposed, it allows for everyone and that given that hunting season is about to begin, the Board of Selectmen will need to vote on this. Mr. Whittier stated that he supports this recommendation from a safety perspective. Ms. Hamlin asked if surveys have been conducted on those who believe that they are unable to use the park. Ms. Tuemmler stated that a survey was done to assess use as a whole. The vast majority of those who responded stated that they would not walk in the park if hunting was allowed. The survey has not been done in the last 18 months. Mr. Napolitano stated that he has spoken to one person who has a permit and would like to continue to have this access.

Mr. Palmer stated that data over the past 3 years appears to show that interest in hunting in the park is declining given that there are a number of other places to hunt. There was a discussion on turkey hunting. Mr. Whittier believes that he supports the issue of consistency in disallowing all hunting in the park.

Mr. Girard moved and Mr. Whittier seconded to accept the recommendation of the Recreation Commission regarding hunting or trapping in Old House Town Park. The vote was 4 Yes and 1 No (Napolitano.)

Susan Hibbard, 88 Memorial Highway stated that the town needs to keep the hunting ordinance given the large deer population. She has lyme disease and supports hunting to manage the deer population. Ms. Hamlin asked about deer population statistics. Mr. Napolitano stated that some studies were done 3 years and that there is large deer population.

Subsequent to the prior vote, and acceptance of the recommendation, pursuant to the Town's Regulations for the Use of Parks and Recreation Areas Ordinance Section 10.1.3: Board of Selectmen Provisions, Mr. Girard moved and Mr. Whittier seconded to hold a public hearing on this point on October 29, 2013 at 7:00 p.m. at the Town Office. The vote was 5 Yes.

##### **Appointment of Robert Taisey- Board of Assessment Review**

Ms. Hamline moved and Mr. Palmer seconded to appoint Robert Taisey to the Board of Assessment Review, to a term that expires June 30, 2016. The vote was 5 Yes.

Mr. Palmer stated that Mr. Taisey has previously served on this Board.

**V. Interim Town Manager Report:  
Potential Foreclosure List Distribution**

Ms. Diffin stated that the foreclosure list has been presented.

She commented on the Lewis Anderson property. She believes that the family does not have any interest in paying the taxes on the lot. She stated that there is a potential for some hazardous material buried on this property.

She also presented to the Board of Selectmen a listing of abatements and revaluation questions received to date.

Mr. Napolitano asked about the body company's check. Ms. Diffin stated that it has been received and is in the amount of \$19,000.

**VI. Board Written Correspondence/ E-Mails Received/ Verbal Reports:**

**Response from Vision Government Solutions, Inc.**

Mr. Palmer stated that he received a response from Paul McKinney. He acknowledged that there has not been sufficient training and more will be done on 10/24. He has taken full responsibility for the errors. A handbook of cost schedules and calculations will be prepared and delivered to the Town by the 18<sup>th</sup>. The revaluation bill has not been paid in total by the town.

**VII. Board Member Verbal Comments:**

Ms. Hamlin stated that she received an email from a bicyclist on the chip sealing work that had been done on half of Milliken Road.

Mr. Napolitano asked about town communications. Ms. Hamlin gave an overview of the process and who is responsible. Mr. Napolitano stated that there needs more verification on the accuracy of content and cited a couple of examples. Mr. Palmer reminded the group that every effort is made and the communications committee is working on this process.

Mr. Napolitano asked about getting the registration books from Wescustogo Hall. He further asked about department head quarterly reports.

The group reviewed the Interim Town Manager 4 month review process. The ITM will prepare an overview of the work done to date. This report will be provided to them, which all members can review and then provide an assessment to be given to Mr. Girard and Mr. Whittier and they will provide an executive summary report to be reviewed at Executive Session for her review. A second set of goals for the next 4 months will need to be discussed. Salary and specifications work (job responsibilities) going into January will need to be discussed. The ITM is encouraged to be present at the review.

Motion to adjourn to a workshop session was made at 8:47 p.m. by Mr. Girard; Seconded by Ms. Hamlin.  
VOTE: 5-0.

**WORKSHOP**

**VIII. Charter Transition: Committee Work**  
**Selectmen By-laws**  
**Other Policies presented by Sub-Committee\***  
**Boston Post Cane**  
**Communications Media Policy**  
**Investment Policy**  
**Anti-Idling Policy**

**IX. Adjournment**

Mr. Girard moved and Ms. Hamlin seconded to adjourn the workshop session. The vote was 5 Yes.


The meeting ended at 9:15pm.


ACCEPTED:

CONSENT AGENDA ITEM: October 29, 2013

  
Steven Palmer

  
Clark Whittier

  
Mark Girard

  
Paul Napolitano