

Town of North Yarmouth
Select Board
Meeting Minutes of Wednesday, February 3, 2021
REMOTE BUSINESS MEETING

 **ORIGINAL**

Call to Order – Steve Berry, James Moulton, Brian Sites, and Austin Harrell was present. The Town Manager, Rosemary Roy, was also present. Chairperson Berry called the meeting to order.

Public Hearing(s) –

Proposed Animal Control Ordinance – Chairperson Berry moved to open the Public Hearing on the proposed Animal Control Ordinance. Selectperson Harrell seconded the motion. Discussion: Selectperson Moulton asked for clarification on the motion. The Town Manager restated the motion. **Vote: 4 Yes – 0 No.**

The Town Manager provided a brief presentation on the proposed Animal Control Ordinance. Audrey Lones, 107 Baston Road, commented that dog owners who use Chandler Brook and Old Town House Park would be disadvantaged by the proposed ordinance. The Town Manager replied that there had been issues in the past with owners not controlling their dogs through voice control. David Reed, Country Creek Rd., stated that dog owners should not be penalized for actions of the few. The Town Manager replied that there have been instances where dogs were not being controlled through voice control and that the town was trying to make the parks more enjoyable for everyone with the proposed ordinance. Mr. Reed asked if a leash-free zone could be applied to the Animal Control Ordinance. The Town Manager stated that she could follow up with the Parks and Recreation Committee to explore Mr. Reed's request. Selectperson Sites noted that the decision to enforce stricter rules on the parks is based on other towns also applying stricter rules and abuse to parks over the past seven (7) years. Andrea Berry, Memorial Highway, stated that she has trained her dog at Old Town House Park and said that she favored keeping space available for dogs to use the park without a leash. Mrs. Berry also asked if a compromise could be found to allow parts of the park to be allowed to have dogs off-leash. Selectperson Moulton asked if commercial businesses used the parks and how many dogs they have. The Town Manager replied. Selectperson Moulton stated that the commercial businesses should be more regulated, not the individual dog owner.

Chairperson Berry moved to close the Public Hearing on the proposed Animal Control Ordinance. Selectperson Moulton seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Chairperson Berry moved to put the adoption of the proposed Animal Control Ordinance before the voters for ratification at the April 2021 annual town meeting. Selectperson Sites seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Proposed Changes to the Use of Parks and Recreation Areas Ordinance – Chairperson Berry moved to open the Public Hearing on the proposed changes to the Use of Parks and Recreation Areas Ordinance. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.** The Town Manager gave a brief presentation on the changes to the Use of Parks and Recreation Areas Ordinance.

There was no comment from the public.

Chairperson Berry moved to close the Public Hearing on the proposed changes to the Use of Parks and Recreation Areas Ordinance. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Chairperson moved to put the adoption of the proposed changes to the Use of Parks and Recreation Areas Ordinance before the voters for ratification at the April 2021 annual town meeting. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Minutes for January 19, 2021

Chairperson Berry moved to approve the minutes for January 19, 2021, as presented. Selectperson Moulton seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Public Comment - Non-Agenda Items - Kate Perrin, New Gloucester Rd., addressed the Board thanking them for speaking about Race and Equity in North Yarmouth. Ms. Perrin shared her support with the action item. Mr. Hodgetts, Sligo Rd., provided a letter to the Board that was read at the meeting. The letter was about the executive session at the January 19, 2021 business meeting. Mr. Hodgetts expressed concern about the topic discussed in the executive session and that it was not addressed in an open meeting. Mr. Hodgetts also expressed concern with the Economic Development & Sustainability Committee meetings not being video archived for future on-demand viewing. Selectperson Moulton stated that the executive session was unnecessary and that the discussion on development in the community should have been addressed in an open meeting. Selectperson Sites asked if the topic would be discussed in "New Business." The Town Manager stated no subject regarding the executive session on January 19, 2021, was on the agenda. The Town Manager responded to Mr. Hodgetts that the meeting was secure and procedurally correct. The Town Manager stated that she would expand on public information discussion during her Town Manager's report. Selectperson Sites asked what the protocol was for security around executive sessions and how long videos of meetings were kept. The Town Manager responded that the meetings were kept for a long time and are available to the public, located on Town Hall Streams; however, workshops are not recorded per a decision from a previous Select Board. Mr. Reed stated that sharing more information should be done to help inform residents. Mr. Reed also asked about the purposes of going into executive sessions. Chairperson Berry responded that propriety interests were the reason to hold the executive session. The Town Manager also responded that executive sessions are allowed for the purposes defined under Maine State Statue 401 – Freedom of Access.

Ms. Potter asked the Select Board if Sharp's Field could be decided on as a non-develop area. Ms. Potter also was concerned that she was not receiving the requested information. Ms. Potter shared her concerns with the town's development and asked the Board to keep open space. Chairperson Berry explained that the decision to keep Sharp's Field undevelopable would eventually be brought to the townspeople at the annual town meeting in April. Selectperson Sites made a statement on how the Select Board takes the growth of the town seriously.

Alicia Dostilio, Parsonage Rd., stated that the Village Green is not utilized due to the high speeds on route 115. Ms. Dostilio said that Sharp's Field is an alternative option for safe recreation compared to the Village Green.

Ms. Potter asked why the Village Master Plan showed Sharp's Field being developed and expressed that the Village Center's development could be done in a way that would be more tasteful.

Selectperson Moulton asked if Sharp's Field would be designated as a non-development area at the annual town meeting. The Town Manager answered in the affirmative.

Management Reports & Communications:

Town Manager's Report: The Town Manager provided her full report to the Board. The Town Manager's report can be found on the town's website, www.northyarmouth.org, or at the Town Office.

Old Business – None.

New Business:

Appointment(s)

Chairperson Berry moved to appoint Ann Dillon for a term to expire on June 30, 2021, to the Living Well in North Yarmouth Committee. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Chairperson Berry moved to appoint Paul Dexter for a term to expire on June 30, 2021, to the Prince Memorial Library Advisory Committee. Selectperson Sites seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Recycling Reform Resolution – The Town Manager presented the Board with a resolution on Recycling Reform. Chairperson Berry moved to adopt the resolution as written. Selectperson Moulton seconded the motion. Discussion: Selectperson Moulton asked if the reform would save the town money. Selectperson Sites asked how the reform could save the town money. Selectperson Sites asked the Town Manager when the item needed to be signed. The Town Manager responded that the option of the Board. Selectperson Moulton stated that he

did not want to vote because he did not understand it. Selectperson Sites concurred. Chairperson Berry withdrew his motion.

Proposed Changes to the Fee Schedule – The Town Manager explained the changes in reviewing the fee schedule. The changes can be found in the meeting materials for February 3, 2021. Selectperson Sites asked if the town charged for an occupancy certification and other administrative procedures done in the Code Office. The Town Manager responded that there is no fee for occupancy certification currently and that there were established fees for other processes. By consensus, the board agreed to make the changes to a March meeting to discuss and review the full fee schedule.

Developing Racial Equity & Inclusion – Discussion item: Chairperson Berry shared remarks on opportunities in surrounding communities to address racial equity. Chairperson Berry explained that the town's Comprehensive Plan, which he states he was a part of, does not address the topic demographics. Selectperson Moulton shared some personal experiences around racial topics in Maine. Selectperson Moulton noted that he is concerned with a committee being created to address the issue. Selectperson Moulton stated that he would like to see who would be apart of a committee on racial equity & inclusion and expressed that he would prefer to see a diverse group of individuals as a part of a committee. The Town Manager stated that there are many resources for towns to address these issues as well. David Reed, Country Creek, provided comment regarding Maine's historical demographics and the purpose(s) of forming a racial equity & inclusion committee. Andrea Berry, Memorial Highway, shared her support with forming a racial equity & inclusion committee. Mrs. Berry shared her experiences in attending events to understand how governmental actions can affect the community. Selectperson Moulton responded that he felt that the town does a great job working with the community and making the community attractive and inclusive. Selectperson Moulton added that he was not against exploring the possibility of a committee but would like to know more. Shawn McBearity, Cumberland, ME, provided comment on teachings on racial equity & inclusion at Greely High School and his findings on the lack of racially provoked instances. Mr. McBearity asked questions regarding the Chairperson's candidacy for the Select Board. Mr. McBearity asked if Chairperson Berry was apart from the group "Black Lives Matter." Selectperson Sites stated that the discussion should not occur at a Select Board meeting and that the concerns Mr. McBearity had with the Chairperson were personal. Selectperson Moulton noted that this was the wrong place to address Mr. McBearity's concerns with the Chairperson. Mr. Reed shared his concerns with name-calling and handling discussions on racial issues.

Accounts Payable – Chairperson Berry moved to approve accounts payable warrants 32 and 33 in the amount of \$147,493.96, as presented for FY21. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Any Other Business – none.

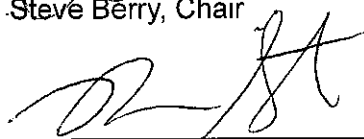
Adjournment - Chairperson Berry moved to adjourn.

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

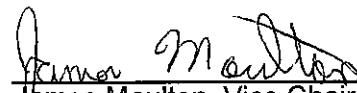
Select Board




Steve Berry, Chair



Brian Sites



James Moulton, Vice Chair



Austin Harrell