

Town of North Yarmouth  
Select Board  
Meeting Minutes of Tuesday, November 16, 2021  
Wescustogo Hall & North Yarmouth Community Center



**Call to Order** – Brian Sites, James Moulton, David Reed, and Paul Hodgetts were present. The interim Town Manager was not present. Chairperson Sites called the meeting to order at approximately 6:00 PM. The Board went into executive session pursuant to 1 M.R.S. § 405 (6)(A) to discuss the town manager hiring process. Discussion: none. **Vote: 4 Yes – 0 No.** Austin Harrell was present for part of the executive session and the business meeting. The Board came out of executive session at approximately 7:05 PM.

**Special Presentation** – (1:12:49) The item was tabled for a future meeting.

**Minutes of Previous Meeting(s)** – (1:15:11) Chairperson Sites moved to approve the minutes for October 19, 2021 as presented. Selectperson Moulton seconded. Discussion: Selectperson Hodgetts inquired why Selectperson Moulton was recorded as abstaining in the minutes during the adjournment. Chairperson Sites stated that Selectperson Moulton may have not raised his hand. The Executive Assistant to the Town Manager and recording secretary reminded the Board to raise their hands when voting for the record. **Vote: 5 Yes – 0 No.**

Selectperson Harrell moved to approve the minutes for November 1, 2021 as presented. Selectperson Moulton seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

Selectperson Hodgetts moved to approve the minutes for November 5, 2021 as presented. No second was recognized. Discussion: Selectperson Reed requested that the minutes include the names of each voting member in the minutes. **Vote: 4 Yes – 0 No – 1 Abstain (Selectperson Moulton).**

**Public Comment - Non-Agenda Items** – (1:19:42) Mike Mallory, Walnut Hill Road, clarified a comment he made during the October 5, 2021 business meeting. Mr. Mallory communicated his concern on allowing remototing meetings and an alternate's ability to participate in meetings if members can be allowed to participate remotely. Mr. Mallory referenced the state statute and Town of North Yarmouth Committee Policy. Mr. Mallory commented on his treatment at a Planning Board meeting at the last public hearing.

Anne Graham, Farms Edge Road, commented on the infrastructure bill recently approved at the federal level. Ms. Graham commented on the meeting between the School Board, Select Board, and Cumberland Town Council on November 9, 2021. Ms. Graham also commented on a matter regarding volunteering in North Yarmouth that she was made aware of. Selectperson Reed made a comment regarding water expansion and funding for a project towards the proposed new school. Chairperson Sites commented on the American Rescue Plan (ARPA) funding and announced that he has submitted a pre-application with the Town Manager for the Town of North Yarmouth.

Judy Potter, Walnut Hill Road, asked about the status of a playground at the Community Center. Selectperson Reed provided a brief explanation on his discussions with the Community Center Director on funding the project and potential expansion of the available open space (including a playground). Ms. Potter made a comment regarding tax payer impacts. Chairperson Sites clarified that the funding is still being discussed. Chairperson Sites provided clarification on why more extensive projects may be a possibility for discussion. Selectperson Reed made comments supporting recreational use in the Village Center.

Bill Young, Sweetser Road, asked on the status of the Sharp's Field agreement. Selectperson Moulton provided an update making comments that the agreement was almost completed. Chairperson Sites made clarifying comments that the reference to the survey from January 2020 needed to be looked at and that the right parcel of land needed to be addressed. Selectperson Moulton made additional comments regarding some changes that were discussed but not approved from the original language presented by the attorneys.



## Management Reports & Communications:

(1:34:35)

Chairperson Sites read the Town Office Report. The Town Office Report can be found on the town's website, [www.northyarmouth.org](http://www.northyarmouth.org), or at the Town Office. Selectperson Harrell gave further updates on the Rail Corridor Advisory Council process. Chairperson Sites added that the auditor will be presenting at the December 7, 2021 meeting.

## Old Business:

(1:38:50)

Roadway Maintenance Agreement – Walnut Hill Parkway Association – Chairperson Sites read from the meeting materials explaining the agreement. Selectperson Reed clarified that the agreed upon dues for FY21 was \$2,000.00. Selectperson Moulton provided some historical commentary regarding the property. Chairperson Sites moved that the Select Board authorize the Town Manager to enter into a Road Maintenance Agreement with the lot owners located at the Walnut Hill Parkway Association. Selectperson Reed seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

## New Business:

(1:41:32)

Economic Development & Sustainability Committee (EDSC) Request – Social Media Page – Laurie Bachelder, Economic Development & Sustainability Committee member, provided a brief explanation regarding the social media's page purpose. Selectperson Reed suggested that the policy be amended to read "no ad hominem attacks; talk about policy, not people". Ms. Bachelder responded in agreement to Selectperson Reed's comment and further explained the website's purpose. Selectperson Hodgetts inquired when the page would be published. Selectperson Reed moved to approve EDSC's request for the creation of a Facebook page. Selectperson Hodgetts seconded. Discussion: Chairperson Sites opened the discussion to the public. Diane Morrison, Browndog Drive, made comments suggesting that the Select Board table the item until a Town Manager can be hired. Mrs. Morrison asked if there was more information on when a Town Manager would be hired. Mike Mallory, Walnut Hill Road, asked how the committee planned on reaching out to individuals who do not have Facebook. Ms. Bachelder made comments regarding cross posting information to multiple social media pages as well further explaining the benefits of utilizing Facebook. Selectperson Reed amended his motion to allow the co-chairs to monitor the page and act as administrators until a new Town Manager can be made aware of the page. Selectperson Harrell seconded the amendment. Discussion: Chairperson Sites opened the discussion up to the floor. Kit Maloney, EDSC co-chairperson, commented that she would like to check with Kevin Robinson, the other co-chair for the committee, before proceeding. Kevin Robinson, co-chairperson, stated that Debbie Grover was already the listed designee. Chairperson Sites commented that the Town Manager should guide or make the decision on limiting inappropriate activity on the social media page and clarified Selectperson Reed's motion. Mike Mallory made additional comments regarding oversight of the social media pages. The Executive Assistant to the Town Manager made clarifying comments regarding the Town of North Yarmouth's Social Media Policy. Selectperson Reed responded that the Facebook page would create a limited public forum and reiterated its purpose. Selectperson Moulton asked if the Assistant Town Manager was aware of the page. Selectperson Moulton suggested tabling the item until such time the Assistant Town Manager can respond to the request. Ms. Bachelder clarified that she would check with the Assistant Town Manager. Chairperson Sites made closing comments suggesting that the Board look into the social media presence of the committee. Selectperson Reed stated that the committee should have some autonomy on how the page is managed. Ms. Bachelder requested that an agenda item be added to the next meeting. The Board agreed to table for the next agenda.

Appointments – Selectperson Reed moved that the Select Board accept the North Yarmouth School Fund Trustee's recommendation and appoint Bill Shardlow to the committee for a term to expire June 30, 2026. Selectperson Moulton seconded. Discussion: Mr. Shardlow was asked to speak. Mr. Shardlow spoke to his character and why he wanted to be appointed as a trustee. **Vote: 5 Yes – 0 No.**

Selectperson Reed moved that the Recycling Committee's membership be adjusted to seven (7) full members and three (3) alternates with the clarification that the existing members are all full members. Selectperson Harrell



seconded. Discussion: Selectperson Moulton asked for clarification on why the adjustment was needed. The Executive Assistant to the Town Manager responded that the purpose was to correct a mis clarification when the original motion was made to create the committee and appoint its membership and that a simple remedy was to adjust the membership to allow everyone, including the applicant, to be classified as a full member. Selectperson Moulton made more clarifying comments in which an alternate, to become a full member, would need to be appointed by the Select Board, however for instances when the committee is short it's membership the alternate could be promoted to vote for that meeting. Chairperson Sites and Selectperson Reed clarified that the committee is looking to only adjust its membership. Mike Mallory was recognized and made an additional comment on the bylaws and charter's language pertaining to alternates. Ms. Belanger provided a brief explanation of her experience and character to the Board. Selectperson Moulton made additional comments supporting Ms. Belanger's application. Selectperson Reed moved to call the question. **Vote: 4 Yes – 1 No. (Selectperson Moulton). Vote on the original motion: 5 Yes – 0 No.** Selectperson Moulton moved that the Select Board appoint Lisa Belanger to the Recycling Advisory Committee as a full member for a term ending June 30, 2023. Selectperson Moulton seconded. **Vote: 5 Yes – 0 No.**

**Knight's Pond Property Acquisition** – Alan Stearns, Royal River Conservation Trust, provided a brief explanation of how the Knight's Pond property, formerly owned by Richard Baston, came to be owned by RRCT. Selectperson Reed moved that the Select Board authorize the Town Manager to enter into the presented purchase and sale agreement with the Royal River Conservation Trust and that the Select Board authorize the expense of \$42,465.00 out of the Future Land Reserve to purchase the property located at Map 7, Lot 1-1, as indicated on the town's tax maps. Selectperson Harrell seconded. Discussion: none. **Vote: 5 Yes – 0 No.**

**Accounts Payable** – (2:27:05) Chairperson Sites moved to approve accounts payable warrants 18 & 19 in the amount of \$402,618.75, as presented for FY22. Selectperson Moulton seconded. Discussion: none. **Vote: 5 Yes – 0 No.**

**Any Other Business** – (2:27:42) Selectperson Reed moved to reconsider the Select Board's decision to approve the Town Meeting minutes for April 24, 2021. Selectperson Moulton seconded. Discussion: Selectperson Reed made a point of information regarding the original motion and the need to reconsider the motion. Chairperson Sites responded referencing the Select Board bylaws. Chairperson Sites read into the record the following language from the Annual Town Meeting minutes: "Amendment #1) Selectperson Sites moved to pass Article 2 as read. Seconded by Selectperson Reed. Discussion: Chairperson Berry ~~Selectperson Moulton~~ moved to amend the article to the presented language from resident Scott Kerr and read by Selectperson Moulton. Selectperson Reed seconded the motion. The following amendment was read by Selectperson Moulton [...]" Selectperson Reed clarified that the article passed as amended and was recorded properly. Selectperson Reed thanked the staff for working on the language. **Vote: 5 Yes – 0 No.**

Selectperson Reed moved to approve the Annual Town Meeting minutes for April 24, 2021, as amended. Chairperson Sites seconded. Discussion: Selectperson Hodgetts inquired if he would abstain on the vote. **Vote: 5 Yes – 0 No.**

Selectperson Reed discussed looking into planning services. Chairperson Sites agreed and responded that the Board should probably discuss this item before the year end.

Mike Mallory commented on the dam removable being proposed in Yarmouth. Chairperson Sites responded that the Board would look into that matter.

Judy Potter inquired about the status of the Town Manager position. Chairperson Sites clarified that the Board has additional interviews and were discussing the process for including staff.

Selectperson Reed requested an agenda item to discuss the Sharp's Field Agreement. He also requested a public hearing to discuss the item. Chairperson Sites shared his concern with the timing of a hearing or public comment session to discuss the agreement stating that the Board would be conducting thorough discussion once the agreement is to be finalized.


Selectperson Hodgetts requested a lawyer attend a future joint meeting between the Economic Development & Sustainability Committee, Planning Board, and Select Board. Selectperson Reed suggested that the issue may be with when public comment is allowed.


Bill Young made comments regarding communication.

**Adjournment** – Selectperson Moulton moved to adjourn at approximately 8:41 PM. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

Prepared By: Draven Walker  
Executive Assistant/Recording Secretary

Select Board

  
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Brian Sites, Chair

  
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Austin Harrell

  
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Paul Hodgetts

  
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James Moulton, Vice Chair

  
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David Reed