

Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, March 29, 2022
Wescustogo Hall & North Yarmouth Community Center



Call to Order (9:40) – Brian Sites, James Moulton, David Reed, and Paul Hodgetts were present. The Town Manager, Diane Barnes, was also present. Chairperson Sites called the meeting to order at 7:05 PM.

Special Presentation (11:06):

Prince Memorial Library – The Prince Memorial Library gave a presentation to the Select Board. The presentation can be found on the Town's website, www.northyarmouth.org. Selectperson Moulton inquired how the cost share from Cumberland and North Yarmouth was assessed between the two (2) Towns. Thomas Bennett, Library Director, responded that the Town's share of the cost for all operations does not include capital improvement costs (construction costs). Selectperson Reed inquired on this topic further. Thomas Bennett responded that the Town of North Yarmouth did not pay for the expansion of the library, however, residents from both Towns did donate towards the costs when the Prince Memorial Library was expanding in 1994. Judy Potter, Walnut Hill Road, inquired about how the expansion would affect the garden space at the library. Thomas Bennett responded that the expansion would not affect the gardens.

Announcements (39:01) – Chairperson Sites announced that there was no historical moment for this meeting. The Town Manager announced that the Select Board and Town Manager want to recognize the Greely High School Girls Track and Field Team.

Consent Agenda (40:16) – Selectperson Moulton moved to approve the consent agenda, as presented. Selectperson Reed seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Public Comment - Non-Agenda Items (41:48):

Ginny Van Dyke, Delwin Drive, thanked Selectperson Reed for his presence at the Living Well in North Yarmouth Committee meetings.

Judy Potter, Walnut Hill Road, inquired about the AP Warrants not being in the meeting packets. Judy Potter discussed the average income of residents in the Town. Judy Potter also inquired if the Senior Assistance Program could be adjusted to allow more applicants to be eligible for the program. Steve Palmer, Mountfort Road, made comments regarding the average and median income of the residents in Town.

Anne Graham, Farms Edge Road, commented on an incident at the March 15, 2022 Special Election Referendum. Anne Graham suggested that the Board adopt a code of ethics for each elected official and nominee.

Management Reports & Communications (49:01):

Town Manager's Report: The Town Manager reminded the Select Board that the Town Office will be closed on March 31, 2022 for staff to attend training. The Town Manager also recognized Debbie Grover, Assistant Town Manager, for an award she received from Eco Maine.

Department Head Reports: The Department Head Reports can be found on the Town's website, www.northyarmouth.org.

Expense and Revenue Reports: The expense and revenue reports for the month of February can be found on the Town's website, www.northyarmouth.org.

Old Business:

Economic Development & Sustainability Committee Charge (51:06): Chairperson Sites read two (2) letters sent from the Co-Chairs of the Economic Development & Sustainability Committee (EDSC). The Committee Co-Chairs requested that the Select Board provide them a charge to review the Comprehensive Plan and provide

recommendations to the Select Board. Selectperson Reed responded that he felt the scope presented was too broad. Chairperson Sites inquired how the committee developed their report to the Board regarding the definition of "rural character". Kit Maloney, EDSC Co-Chair, responded that the committee discussed the topic and accomplished informal surveys. Kit Maloney emphasized that the committee's intent was not to rewrite the Comprehensive Plan. Selectperson Reed inquired how their review of the plan would tie in with economic development. Kit Maloney responded that the document was a constant discussion at the committee meetings. Selectperson Moulton added that he felt that he wanted a new Board to be elected before proceeding any further. Chairperson Sites responded that he felt the Board should move forward with charging EDSC to review the Comprehensive Plan. Selectperson Reed offered an alternative solution. Selectperson Hodgetts responded that he agreed to move forward with the requested charge. Chairperson Sites further discussed the Board's previous charge to EDSC to further investigate what "rural" means in North Yarmouth's terms. Kit Maloney agreed with Chairperson Site's comment. Selectperson Reed stated that the Board should pursue hiring an Economic Development Consultant. Selectperson Hodgetts asked if EDSC would have the capacity to reach out to commercial businesses. Kit Maloney responded with comments supporting a contracted Economic Development Consultant, Kevin Robinson disagreed with this approach.

Public Recognition: Kevin Robinson stated that he believed the committee should explore the infrastructure first, then work with a consultant. Rich Parenteau, a committee member, commented on the committee's difficulty with defining the term "rural", emphasizing that the topic is subjective. Jason Fetigan, Greely Road, provided his opinions of what rural character means to him. Steve Palmer, Mountfort Road, provided comment on the Town's previous actions to support professional help. Mike Mallory, Walnut Hill Road, commented on the process for defining "rural character". Paul Whitmarsh, Wild Turkey Lane, commented on the Town's recent changes in policy.

Selectperson Moulton moved to accept the Economic Development and Sustainability's requested charge of seeking input from the Select Board, Planning Board, fellow volunteer committees, and from a wide variety of North Yarmouth residents through multiple avenues of input including but not limited to multiple workshops and public forums; including the "rural" character charge previously voted on by the Select Board. Selectperson Reed seconded the motion. Discussion: Selectperson Moulton and Selectperson Reed discussed the current direction of the Economic Development & Sustainability Committee. Chairperson Sites made comments clarifying what the Board's intentions are in defining policy by giving the stated charges to the Economic Development & Sustainability Committee. The Select Board agreed to define the expectations for deliverables at the next meeting. Selectperson Moulton withdrew his motion. Selectperson Reed withdrew his second. The item was tabled to the next meeting.

Select Board Boards & Committees Liaison (1:33:41):

Budget Committee → Chairperson Sites
Board of Assessment Review → Chairperson Sites
Economic Development & Sustainability Committee → Selectperson Reed
North Yarmouth School Fund Committee → Selectperson Moulton
Parks and Recreation Committee → Selectperson Moulton
Planning Board → Selectperson Hodgetts
Wescustogo Hall Committee → Selectperson Hodgetts
Zoning Board of Appeals → Selectperson Hodgetts
Recreation Advisory Board → Selectperson Moulton
Flag Committee → Selectperson Reed
Living Well in North Yarmouth Committee → Selectperson Reed
Recycling Advisory Committee → Chairperson Sites

Selectperson Moulton moved to appoint the Select Board members, as follows. Selectperson Reed seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Select Board Bylaws (1:40:41): Selectperson Reed presented the changes to the Select Board. The requested changes are as follows:

- Selectperson Reed requested that Section 2(G) be amended by striking the language, "Roll call votes shall be recorded by listing the members present and how they voted."

- Selectperson Reed commented that the Section 3(l) should be amended to list “Announcements & Future Agenda Items” and replace “Any Other Business” with the new item.
- Selectperson Reed requested that the language, “the public has the right to comment on ‘New Business Items’” be added to Section 4(A).
- Chairperson Sites recommended that Section 4(A) include the language, “the public has the right to comment on ‘New Business’ and ‘Old Business’ items”. Chairperson Sites commented that the public should speak about a particular agenda item rather than just “New Business”. The Town Manager recommended a distinction on the agenda. Selectperson Hodgetts suggested that the item be tabled. By consensus, the Board tabled the discussion on Section 4(A) of the Select Board Bylaws.

Selectperson Reed continued with his presentation of recommended changes to the Bylaws. Chairperson Sites inquired about “Section 10 – Decorum & Order”. Selectperson Hodgetts shared his concern with how the public may present themselves when speaking, specifically the language “debating”.

Public Recognition: Chairperson Sites allowed public comment. Anne Graham, Farms Edge Road, commented on her approval of the bylaws presented. Judy Potter, Walnut Hill Road, asked if the Board would be calling a public hearing. Steve Palmer, stated that the Board should codify the public’s participation in a discussion item. Paul Whitmarsh addressed the issue of the video cutting out at a recent Planning Board Meeting. Mike Mallory inquired about why the Board is not adopting “Roberts Rules of Order”.

The Board decided to move the item to a future meeting.

New Business:

Application of Payments to Unpaid Taxes (2:07:22):

Chairperson Sites moved to order the application of payments to unpaid taxes as requested by the Treasurer and Tax Collector per M.R.S. Title 36, § 906. Selectperson Hodgetts seconded the motion. Discussion: none.

Vote: 3 Yes – 0 No – 1 Abstention. (Selectperson Reed)

Solicit Bids for Public Safety Facility Study (2:08:29):

Chairperson Sites moved to authorize the Town Manager and Fire Chief to solicit bids for the Public Safety Facility Study. Selectperson Reed seconded the motion. Discussion: Selectperson Moulton inquired if the funds were being taken from the Tax Increment Financing District Plan Funds. Chief Payson explained the purpose of the study. Selectperson Moulton inquired if the item is considered a TIF expenditure and if there was a prorated share for funding the study. Selectperson Hodgetts inquired if the study was looking into a new Fire Rescue Station. Chief Payson stated that the study was requested to decide how to move forward. Selectperson Reed inquired if the study would be covered by the TIF if it was legal to move forward. The Town Manager recommended the Board to move forward with approval but would inquire about the Select Board’s concerns. **Vote: 4 Yes – 0 No.**

Public Recognition: Chairperson Sites recognized the public. Bill Young, Sweetser Road, discussed the definitions of how to utilize the Tax Increment Financing Plan. Bill Young made comments about his disagreements with the current use of the Tax Increment Financing Plan. Amy Haile, North Road, shared comments supporting the study. Rich Parenteau, Pine Ridge Road, commented that the Town needs to develop a plan on how to spend the funds. Board members, Moulton and Sites, emphasized that the Board was seeking to just solicit bids.

Committee Policy (2:22:21): The Board agreed to table the agenda item.

Acceptance of 2021 Stream Crossing Public Infrastructure Projects Grant (2:23:04): The Town Manager presented the agenda item. Selectperson Reed moved to accept the 2021 Stream Crossing Public Infrastructure Improvements Project Grant in the amount of \$125,000 and authorize the Town Manager to negotiate and sign all the necessary documents including a written contract with the Department. Selectperson Moulton seconded the motion. Discussion: Selectperson Moulton clarified if the project was already planned for. The Town Manager answered in the affirmative. **Vote: 4 Yes – 0 No.**

Public Recognition: Chairperson Sites recognized Paul Whitmarsh. Paul Whitmarsh inquired about the Town's liability for signing the documents if funding was not approved. The Town Manager responded that she did not see any concerns with the Board moving forward.

Joint Town Solar Committee (2:26:59): Chairperson Sites presented the item. Chairperson Sites moved that the Select Board approve being part of the joint Solar Committee and appoint residents Chris Byers and Fortunat Mueller. Discussion: The Executive Assistant to the Town Manager asked for clarification on the term and if the proposed committee would be an entity created by the Town. Chairperson Sites referenced his memo which included the term and who would be responsible for the group. **Vote: 4 Yes – 0 No.**

Any Other Business (2:32:24) – Selectperson Moulton reported on the status of Sharp's Field. Selectperson Hodgetts shared his concerns with meetings occurring at the same time. Selectperson Hodgetts reported on information (PSA) coming from Maine DEP. Selectperson Reed inquired if the Chairperson Sites had a timeline for discussing zoning and the Comprehensive Plan. Chairperson Sites responded that the Board has given that charge for the Economic Development & Sustainability Committee.

Adjournment (2:38:16) – Selectperson Reed moved to adjourn at 9:33 PM. Discussion: none. **Vote: 4 Yes – 0 No.**

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

Select Board



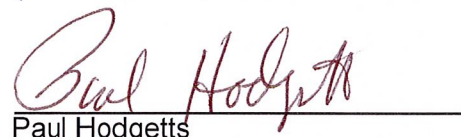
Brian Sites, Chair



David Reed



James Moulton, Vice Chair



Paul Hodgetts