

**Town of North Yarmouth  
Select Board  
Meeting Minutes of January 17, 2023, 7:00 PM-9:30 PM**

**Call to Order:** (1:17:11-1:17:54)- Members Present: Brian Sites, Chairperson, Amy Haile, V. Chair, Paul Hodgetts, Selectperson, Katherine Perrin, Selectperson, and Andrea Berry, Selectperson, and Diane Barnes, Town Manager. Chairperson Sites called the meeting to order at 7:00 PM. Pledge of Allegiance.

**History Minutes:** (1:17:55-1:21:09)-Presented by Select Person Berry

The Prince Memorial Library just celebrated its official 100th birthday on January 7th, 2023, but a library existed in Cumberland, and before that North Yarmouth, much earlier! The following history minute comes from Thomas Bennett, PML's Library Director and local historian: "In 1747, Deacon John White of the First Congregational Church of North Yarmouth left 30 pounds in his will for the purchase of books. Deacon White's largesse probably contributed to the establishment of a lending library in the area near the church, which is located on the Foreside in the present-day town of Yarmouth. In December 1793, just prior to the founding of the Second Congregational Church of North Yarmouth, the names of 40 men and one woman were affixed to a document establishing the Second Social Library in North Yarmouth. The original proprietors were residents of the village that would later become Cumberland, as well as of the Walnut Hill area [here in North Yarmouth]. The concept of a social library established by proprietors who paid a fee to belong and borrow books was not unique in the area, as one was established on Falmouth Neck in 1766. The books of the Second Social Library in North Yarmouth were kept in the home of the appointed librarian. The Second Social Library in North Yarmouth was incorporated in 1817, and with the secession of Cumberland from North Yarmouth in 1821 became the First Social Library of Cumberland. In 1921, the joint will of Carrol D. and Annie L. Prince of Woodfords listed a bequest of \$35,000 to the town library, and Prince Memorial Library was incorporated in November 1921. The library opened to the public on January 7, 1923, and more than 600 books from the early Cumberland library joined the new books on the shelves. The town of Cumberland assumed the assets and responsibilities of the library in 1968, and in 1972 North Yarmouth, whose residents had always used Prince Memorial Library, began contributing to its support..." ...and continue today through our taxes, roles on the Library Advisory Board and Friends of the Prince Memorial Library, by attending the library's many events, and of course, borrowing books! **Happy 100<sup>th</sup> Birthday Prince Memorial Library!**

**Public Hearing:**(1:21:10-1:59:25) **First Amendment to Village Omnibus Municipal Tax Increment Financing District and Development Program.**

**Chairperson Sites, seconded by Selectperson Perrin moved to open the public meeting for the Village Omnibus Municipal Tax Increment Financing District and Development Program. Vote 5 Yes/0 No.**

Alyssa Tibbetts from Jensen Baird was present to answer questions about the First Amendment to the Village District TIF.

Peter Lindsay, 440 Mountfort Road hoped for more of a presentation. He wanted to know what lots were taken out of the district and which parts were being added? He asked for some background on why we are reviewing it.

Alyssa Tibbetts stated that the original approval was in 2019 for 30 years. It identified several parcels that had potential to be developed. The goal of any TIF district is to identify areas where new value will be created with in the town. Provide an opportunity to capture that new assessed value so the tax revenue generated can be used for specific purposes that are outline in the development program. In 2019, 231 acres were identified. Several of these areas have been developed into residential which is ok, but we have a few concerns long-term. There is a lot of tax revenue generated from the residential projects and not enough projects to spend the revenue on. It is best practice to review the statute, to see if it is still working and to amend it as needed. We need to look at other ways to use TIF revenue that is authorized by state law that we did not initially include in 2019. One of the amendments to the project cost table at the end of the development program is to include an authorized use, (the ability to spend), on affordable housing. That was not authorized in the statute in 2019 so it's a great opportunity for the community to amend the district to include it. This amendment expands the use of the TIF revenue and shrinks the geographic boundaries of the community. In addition, to affordable housing there was another amendment to statute in 2019 that allowed TIF revenue to be used for public safety. Amending the TIF district is the same as adopting a TIF district. This requires a public hearing. The town will hold a special meeting to vote on the amendment. Once, the amended TIF passes it will go to the State of Maine's Department of Economic and Community Development for approval. If this all passes it will be affective for the 2024 tax year.

Diane Morrison, Brown Dog Dr. asked about the amount allocated to the affordable housing and water infrastructure. She felt the dollar amount did not seem adequate.

Brian Sites, chairperson stated the water infrastructure for number 7 of the statute is 1.5 million not 1,500. She had the dollar amount confused and had no further questions.

Alyssa Tibbetts stated that these are estimates and are not audited by the state. We have not assigned an amount to the affordable housing.

Judy Potter, 551 Walnut Hill Road asked why we were adding parcel 425 Walnut Hill Road. Where is that? Diane Barnes, Town Manager advised it is part of Stone Post subdivision. Judy advised their septic is there. Diane Barnes advised it will not impact TIF value since it's exempt property.

Peter Lindsay, 440 Mountfort Road asked, how often do most towns review the TIF?

Alyssa Tibbetts advised that towns budget for TIF yearly. Towns amend the TIF every 5-10 years.

Mike Mallory, 551 Walnut Hill Road asked, when talking about affordable housing are we stuck with the State of Maine Threshold?

Alyssa Tibbetts advised it is defined by statute, so the town cannot define the threshold for affordable housing. The State decides it.

Virginia Van Dyke, 64 Delwin Drive did not understand why we were taking 100 acres out of the TIF that has value and add a small amount that has no value. If you take property out, can you put it back in?

Alyssa Tibbetts stated that it is not desirable to have so much value in the TIF and no use for it. You want to make sure you have projects you are allowed to spend it on. If there is too much value and revenue generated it is appropriate to consider taking some value out. You can put a parcel in but at the current value.

Brian Sites, Chairperson advised that the amount of money we are bringing in outweighs the projects we apply it to. This is a very conservative step. We must keep looking at this. We did not know the explosion in residential housing would add so much value to the TIF. He is not worried about not having enough money to put toward projects.

Bill Young, Sweetser Road asked how using TIF money for water infrastructure in a residential area pertains to commercial use of the TIF Fund.

Alyssa Tibbetts responded that a TIF district, when established must consist of 25 percent of the acreage that can be used for commercial use. A multi-unit property with one owner rented to two or more families is considered commercial activity for TIF use funds.

Diane Morrison, Brown Dog Dr., resident had a question on #13 of the statute and confused on the dollar amount. It was 1.5 million not 1500. She had no further questions.

Mike Mallory, 551 Walnut Hill Road asked what is the difference between Multi Family use verses Multi Family commercial?

Alyssa Tibbetts advised for TIF Purposes, any two or more units with one owner will be considered commercial and you would be allowed to use TIF Revenue.

Selectperson, Paul Hodgetts wanted to know what piece is going into the TIF District? Why is it listed as a TIF piece of land?

Chairperson, Brian Sites advised the land can sit in there with no value. They are deed restricted and are not going to be developed.

Selectperson, Perrin wanted to make sure the school plot is removed from the TIF District.

Chairperson Sites stated the school property is on the list to be removed.

Alyssa Tibbetts explained you can spend TIF Funds on public property, but you cannot build anything for governmental purposes.

**Selectperson Perrin, seconded by Selectperson Berry moved to close the Public Hearing. Vote 5 Yes/0 No.**

**Chairperson Sites, seconded by Selectperson Hodgetts moved to recommend the adoption of the First Amendment to the Village TIF District. Vote 5 Yes/0 No.**

**Consent Agenda:** (2:00:15-2:00:27)

- A. Municipal Accounts Payable Warrants
  - #61 \$ 2,891.60
  - #62 \$ 49,076.75
- B. Municipal Payroll Warrants
  - #59 \$ 12,866.20
  - #60 \$ 40,757.47
- C. Select Board Minutes-January 3, 2023

**Selectperson Haile, seconded by Selectperson Berry moved to approve the consent agenda as presented. Vote 5 Yes/0 No.**

**Public Comment:** (2:00:28-2:07:32)

Chairperson Sites stated that we have a good crowd but wanted to remind everyone that conversations are getting out of hand when the board is speaking. Please be polite and respectful.

Katie Murphy, President of the NY Historical Society provided an update on the construction. They are getting water, electric and heat in place. In two weeks, they will have a community volunteer painting party. Anyone that is neat at painting should contact the Historical Society if they want to help.

Link Merrill, 1572 North Road. He has been corresponding with a few board members and he has not received a lot of response. Chairperson Sites did give him some information tonight. He has been trying to find out how many people have applied for the senior tax stabilization. Chairperson Sites told him around 300. It is important to know as it will affect our budget. If 300 of us don't have to pay higher property taxes going forward; he does not think the state has enough money to fund it.

He is trying to find out when we review the building permits from the prior CEO how many properties were not on the tax rolls. He knows two have been discovered. He talked to the town manager. We know that some properties are not on the tax roll that should be. He understands we will not know that until we do a re-evaluation. He would like to know if we found additional properties.

He is concerned with the purple house intersection. He is concern there are no setbacks on the sidewalk. He thinks it is a safety concern. He thinks it will be difficult to get the project approved if we do not set that sidewalk back from the road.

He had questions about the Parsonage Road survey. The survey stated the road and sidewalk are not in the town's right of way. We cannot maintain them. If the deed is correct, we cannot own that land.

He stated Nicholas Thibeault is still listed on cemetery commission. He wants to know the process to fill that position as he still has several years on his term. It is an elected position.

He is disappointed that we did not follow our ordinances with the Trudy Bird's property. It is very clear that building should have had a sprinkler system and should have had a site plan review. He thinks it is a serious error and disappointed that the town approved it.

**Management Reports & Communications** (2:07:25-2:17)

EDSC-Selectperson Perrin- The committee is finalizing plans for the Forum Dialog event on January 26, 2023, at 6:00PM.

Zoning Board of Appeals-Selectperson Hodgetts- Stated that the next meeting is scheduled for January 18, 2023, 5:30 PM. Part II appeal Hearing on Deacon Hayes Commons.

Parks-Selectperson Berry- Stated that they are evaluating the damage from tree falls obstructing trails from the December 23, 2022, storm. If anyone sees an obstruction on town parks, notify the Park Committee or Town Manager and we will notify Public Works. Please do not attempt to remove tree fall yourself.

Recreation Advisory Board-Selectperson Haile- Stated that they meet twice a year. They have not meet yet this year.

Planning Board-Selectperson Hodgetts- Stated that the December 13, 2022, meeting approved the NY Veterinary Hospital. Carriage Hill Subdivision was not ready, so it is postponed to a future date. Well and Good Brewing had a sketch plan review. Deacon Hayes Commons amendment was tabled until the ZBA does their review. At the January 10, 2023 meeting, the Water Line Solar Project was granted an extension for up to one year. The delay was between CMP and the Grid Operator.

Joint Standing Committee-Selectperson Berry-Nothing to report.

Waste Reduction Committee-Selectperson Berry-The committee spent some time establishing goals. We have an increase in garbage to garden compose bins. Please use them. Food waste is the biggest costs that we pay for in our waste management. You will also see a new textile and recycling bin. You can donate shoes, cloths, and jewelry. Some will be shared; some will go to thrift options, and some will become filler. Head over to NY Variety. They have a new tetra pack recycling tool. They are the new holders for 4 and 6 packs of beer. They cannot be put in the recycle bin that eco main picks up.

Living Well in NY-Selectperson Haile-Review of the charge and trying to establish a new charge to try to see where living well now fits into the community.

Walnut Hill Parkway-Selectpersons Sites & Hodgetts- Nothing to report.

School Fund Committee Perrin-Last meeting was December 20, 2022. They have not meet again.

**Town Manager's Report, Diane Barnes:** (2:18-2:19:19)

**Playground Equipment**

The contractor was not successful in removing the playground equipment without damaging it. We hope to have another opportunity in the spring to get another playground.

**Solar EV Charging Stations**

Fortunat Mueller, President of ReVision Energy will be attending the February 7, 2023, meeting to discuss and answer questions about the EV Charging Stations.

**Casella Automated System Update**

Casella's route supervisor was able to ride the roads with Clark Baston, Public Works Director on January 11<sup>th</sup>. He reported that they shouldn't have any issues with any roads in North Yarmouth. The next step is for Casella to get the information into the EasyRoute system and work with the Town on identifying new routes. The estimated household count is 1537. This means we will need to order approximately 3100 or more totes.

Clark and Kody met with the Falmouth Public Works Director and looked at demo totes. They all agreed that the Toter brand looks the best. The next step is to go out to bid with Windham and Falmouth for the purchase of the Totes. We will need to budget for the purchase and repair parts in the FY 24 budget.

**Old Business:** (2:19:20-3:20:21)

**Board and Committee Appointment Process**

The feedback was reviewed by the Select Board and small changes made to the Board and Committee Appointment Document. Chairperson Sites will revise the document with the changes made and send it to Diane Barnes, The Town Manger so it can go to legal for review.

**Chairperson Sites seconded by Selectperson Perrin moved to accept the changes as reviewed and to send the document to legal. Vote 5 Yes/0 No.**

**New Business:** (3:20:29-3:38:00)

**MDOT Modification #1-Municipal Partnership Initiative (MPI) Agreement:**

This Modification amends a Three-Party Municipal Partnership Agreement that was executed by Maine DOT on 9/29/2021, with the Portland Area Comprehensive Transportation System (PACTS), and the Municipality of North Yarmouth for proposed improvement to Cumberland and Walnut Hill Road. The maximum amount of the agreement shall be increased by \$12,000 from \$650,000 to \$662,000. Additional PACTS MPI funds became available due to withdrawn projects. The additional funding granted to W.I.N. #025813.00, by the Executive Board, was \$6,000. **Chairperson Sites, Seconded by Selectperson Berry moved to approve modification #1 to the MPI Agreement for W.I.N. #025813.00 in the amount of \$12,000 for a project estimate of \$662,000 and authorize the Town Manager to execute the agreement. Vote 5 Yes/0 No.**

**Schedule Workshop for Results of the Fire Station Study-2/21/2023-**

Port City Architecture will be present to present Phase I of the Fire Station Study to the Select Board. This project was approved by the Select Board on July 19, 2022. The funding for the study is coming from the TIF reserve-professional services. **Chairperson Sites seconded by Selectperson Hodgetts moved to schedule a workshop on February 21, 2023, at 6:00pm to hear the results of Phase I of the Fire Station Study by Port City Architecture. Vote 5 Yes/0 No.**

**Schedule Workshop to Discuss Budget Items- 3/7/2023- Selectperson Haile, seconded by Selectperson Perrin moved to schedule Budget workshop on March 07, 2023. Vote 5 Yes/0 No.**

**Budget Schedule & Annual Town Meeting Schedule-Adoption-**

North Yarmouth Municipal Budget Schedule FY2024 6:00 PM- Select Board Budget Workshops 7:00 PM- Public Hearings/Select Board Meetings/Special Meetings 6:00 PM-Budget Committee Meetings

March 21, 2023, Tuesday- Budget Workshop-Select Board 6PM Budget Introduction Regular Meeting-SB 7PM

March 23, 2023, Thursday, Budget Workshop-Budget Committee 6PM Budget Introduction

March 28, 2023, Tuesday- Budget Workshop-Select Board 6PM Budget Workshop

March 30, 2023, Thursday, Budget Workshop-Budget Committee 6PM Budget Workshop

April 04, 2023, Tuesday- Budget Workshop-Select Board 6PM Budget Workshop Regular Meeting-SB 7PM

April 06, 2023, Thursday, Budget Workshop-Budget Committee 6PM Budget Workshop

April 11, 2023, Tuesday- Budget Workshop-Select Board 6PM Budget Workshop

April 13, 2023, Thursday, Budget Workshop-Budget Committee 6PM Budget Workshop

April 18, 2023, Tuesday- Budget Workshop-Select Board 6PM Budget Workshop Regular Meeting-SB 7PM

April 20, 2023, Thursday, Budget Workshop-Budget Committee 6PM Budget Workshop

April 25, 2023, Tuesday- Budget Workshop-Select Board 6PM Budget Workshop

April 27, 2023, Thursday, Budget Workshop-Budget Committee 6PM Budget Workshop

June 17, 2023, Saturday, Annual Town Meeting 9AM

**Selectperson Haile seconded by Selectperson Perrin moved adopt the select board budget schedule as adopted and set the annual town meeting on June 17, 2023, at 9:00am. Vote 5 Yes/0 No.**

**Any Other Business: (3:38:01-3:46:40)**

Selectperson Hodgetts stated The Planning Board had feedback that The Select Board Meeting dates were not communicated to them. Chairperson Sites said he would try to improve that communication.

Selectperson Hodgetts stated we have a problem with the liaisons, and it needs to be addressed. Selectperson Haile asks him to articulate the problem. Selectperson Hodgetts advised he feels the EDSC liaison is overstepping their bounds. He feels the Liaison is more involved than he is with his committees. The EDSC Liaison will take emails and comments and collect data. Selectperson Hodgetts states as a selectperson you are not allowed to be on another committee. Selectperson Perrin advised that she sits in the audience at EDSC. They planned the event on their own. She supports it and encourages neighbors to go but she had no role in the planning. The issue came up when they wanted to have a mechanism for e-mail feedback. The EDSC has no public e-mail. All the members are residence. No one wanted to use their personal e-mail. The board asked if they could use the liaisons public e-mail. The liaison stated yes and would forward the e-mails to them.

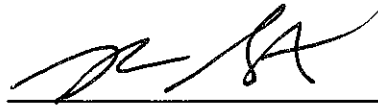
Chairperson Sites feels we need to specify the liaison roll. We all need to have a little trust that everyone's intentions are good. He does not know what Selectperson Perrin would gain by doing nefarious things with emails. He is just baffled by this conversation. Chairperson Sites states we will take up the liaison policy at a different time. Selectperson Berry suggested the conduct policy be ahead of the liaison policy.

**Adjournment: (3:46:41-3:47)**

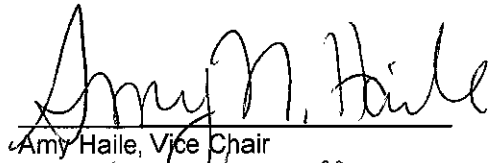
**Selectperson Berry, seconded by Selectperson Haile moved to adjourn at 9:30pm. vote 5/0.**

Karen Casale, Recording Secretary

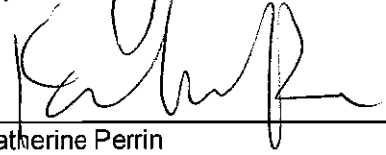
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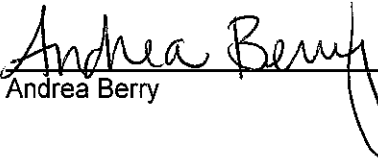
Brian Sites, Chair



Amy Haile, Vice Chair



Katherine Perrin



Andrea Berry