

**Town of North Yarmouth
Board of Selectmen
Meeting Minutes
April 15, 2014
7:00 p.m. Town Office**

MEMBERS PRESENT: Steve Palmer (Chair), Mark Girard, Clark Whittier, Paul Napolitano, Darla Hamlin

OTHERS PRESENT: Interim Town Manager Marnie Diffin

I. The Meeting was called to order at 7:00 p.m. by Chairman Palmer

ADMINISTRATIVE:

II. Consent Agenda:

Clark Whittier moved and Darla Hamlin seconded to approve the following consent agenda items: April 1, 2014; April 7, 2014 Workshop; April 9, 2014 Workshop, Payroll Warrants #50 & #51 and Payables Warrant #52 . VOTE: 4-0-1 with S.Palmer abstaining

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

No public comment.

IV. Appointment Changes to the Planning Board

A. Appointment of Kathryn Gabrielson

Clark Whittier commented on the discussion with the Planning Board and the options for appointment changes.

Clark Whittier moved and Darla Hamlin seconded to appoint Paul Turina as an alternate member, Tom Hinman as a full member and Kathryn Gabrielson as an alternate member of the Planning Board for a term that expires June 30, 2016. Vote: 5-0.

V. Committee Policy: Review of All Committees that were in existence over the previous year

Darla Hamlin stated that it would be good to get annual reports from the ad hoc committees to help determine their effectiveness. Paul Napolitano stated that Bike and Walkways Committee have had difficulty having a quorum. Mark Girard stated that some thought could be given to this committee and the Recreation Committee being combined to be more effective. There could be more energy by bringing the members together. Steve Palmer commented that the Economic Development Committee has been on a hiatus but are anxious to get direction on what the Selectmen would like them to work on next.

Mark Girard suggested creating a specific charge for the Recreation Committee to bring those interested together. There was also a discussion that Recreation could somehow consolidate with Economic Development given the quality of life focus.

Steve Palmer suggested reviewing and consolidating them and moving the process forward. Paul Napolitano asked about sub-committees from these committees. Mr. Girard stated that he would be willing to help create some tasks for them but also indicated that Mr. Napolitano and Mr. Whittier, who are current liaisons, for the group can help with this as well.

The group reviewed some of the standing committees' charges. Mr. Girard asked that the Road Ordinance under the Planning Board consider the future of natural gas from a road perspective and the authority regarding this. There were also some minor changes discussed for the Planning Board. Mr. Palmer stated that the Cemetery Commission has been a struggle. He will continue to work with them. Mrs. Hamlin asked about the Budget Committee's Capital Expenditure review as the wording may not be exactly what they do in relation to how it is written. Mr. Palmer

believes that this committee should present a final budget to the Selectmen with recommendations on major expenditures and the like. Marnie Diffin stated that the Charter outlines that the Selectmen present the budget but how they achieve the final presentation is up to them. Mr. Girard believes that the Town Manager should craft the budget for review and that they and the Selectmen help provide recommendations. Ms. Hamlin stated that the current process allows for dialogue as was seen at the Town Meeting. There was an extensive discussion on the budget process and who should be doing the bulk of the work.

Ms. Diffin stated that the Charter Commission process for the Selectmen was for them to review the committees and their effectiveness.

VI. Interim Town Manager Report:

A. March Financial Reports

Ms. Diffin stated that Excise Tax revenue continues to increase. Animal Control expenditures are over budget. She commented on the Fire Department figures and that On Call and Training payroll accounts are over budget. 30 day lien notices will be going out. Errors in personal property taxes are being corrected. Clean-up day will be May 31st. Mr. Napolitano commented that this was not intended to be in the budget. The group commented on the adjustments made at the Town Meeting to help cover some of these costs. There were also discussions on different options for clean-up day.

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

A. Pine Tree Waste Services- Draft Contract

Mark Girard moved and Paul Napolitano seconded to accept the contract with Pine Tree Waste, Inc. titled "Solid Waste & Recyclable Material Collection Services Agreement." Vote: 5-0.

Mr. Girard asked if there are any changes from last year's contract. Ms. Diffin stated that the only difference is that there is no automatic 3 year renewal. The term "Town Manager" was inserted for "Administrative Assistant".

B. State of Maine- DOT:Agreement for Construction Area STP-2046(310)

Ms. Diffin recommends that the Board not take any action on this and outlined the basics of the agreement. The roads being referred are in New Gloucester and not in North Yarmouth and the definitions are vague. She believes that the contracts should be specific for them to grant and to sign a similar agreement. There was a discussion on the bonding and permit aspect outlined in the agreement and in general terms for a future request.

C. Appointment and Confirmation of Election Clerks

Clark Whittier moved and Darla Hamlin seconded to appoint the election clerks as listed tonight by the Registrar of Voters to terms that expire April 30, 2016. Vote: 5-0.

Mr. Girard asked why they are more Republicans (by 1) and no Independents. Darla stated that Independents are termed "unenrolled." Ms. Diffin stated that it is likely that the party chairs submitted these names. Not all may be called on or available to help with the elections.

D. Acceptance of Resignation from the EDSC- David Perkins

Darla Hamlin moved and Steve Palmer seconded to accept with regret the resignation of David Perkins of the EDSC and thank him for all his time and effort that he has contributed to the town and this committee. Vote: 5-0.

Clark suggested that a letter be sent on behalf of the town thanking him for his years of service.

E. Royal River Conservation Trust

Mr. Palmer commented on a letter received from RRCT regarding Knight's Pond and that they would like to do a presentation to the Board of Selectmen. He suggested this be done at a future workshop.

F. Other items:

Mr. Palmer spoke about the Veterans Memorial Park and stated he had received a request addressed to the Selectmen but that the request should be to the Board of Directors and not the Selectmen. Mr. Girard asked about the mechanics of the Board of Directors and if the status of things is accurate. Paperwork has been submitted to the State.

VIII. Board Member Verbal Comments:

A. Request for Funding- Nitrate Study of the NYMS existing septic system

Mr. Palmer gave an overview of their discussion at the last meeting regarding this study. Mr. Girard stated that this study not only studies nitrates but will be an investigation on the entire septic system. Samples will be taken to determine how well this system is working. This will be useful information to have given that the building will have some type of changed used. If monitoring would be recommended, this would allow time for this to be done while it is still working. This proposal includes the town's contribution to excavate for their review and testing.

Mr. Napolitano stated that the Sevee & Maher proposal doesn't include excavation and also asked about probable costs. Mr. Girard stated that it did but the time has not been determined and that there are no probable costs. Upon review Mr. Girard determined that there is an error. Mr. Napolitano commented on some of the differences with Sweet Associates' proposal in particular, regarding that this proposal specifically outlines the use of the town equipment.

There was a discussion on the nitrate position on the property as related the proposal and how the assessments and water sampling will determine that it will stay within the property's boundary.

Mr. Richard Sweet outlined how the flow and breakdown processes of nitrates and the water table and the dilution process. It is important to determine the rate of dilution in the water table. Monitoring wells are an important step and should be done.

Mr. Palmer asked if that if it is concluded that the wells are in good health, would the testing be important from a permitting process and would digging additional monitoring wells be useful to the town. Mr. Sweet stated that it would help to determine the remaining life of the system and should it be in excellent health, then monitoring would be important to gather data. The water tests are a starting point to assess what is there now, the flow of the water table and the ratings. There was an additional discussion on the Yarmouth Water District's assessment of the flow. Mrs. Hamlin asked if the septic will not be used in the same way as it is now, can a determination on the life of it be determined. Mr. Sweet outlined the number of factors that determine the septic/leach field's lifespan and that they help assess the number of years remaining. Mr. Palmer asked if the type of use changes the lifespan.

Mr. Girard reminded the group that this is the next important step in this process which will help determine the value of the property should it be sold or other.

Paul Napolitano moved and Darla Hamlin seconded to approve funding for Sweet Associates' proposal dated April 1, 2014 for the North Yarmouth Memorial School Septic System Evaluation. Vote: 5-0.

Mr. Napolitano asked if the Interim Town Manager can work with the school department on this since, at present, the town doesn't own the school yet. There was a discussion that this will need to be done when the students aren't in school.

B. Recap of Town Meeting

Mr. Napolitano came away from the meeting that some things should be done differently. The purpose/use of the school was one item. Some want to keep it, others want to sell it. He would like an RFP to consider selling it. Mr. Girard was pleased with the turnout and discussions. There are issues that the Selectmen have been working on and that concise approach to presenting the info should be done. The public clearly wants the town to move forward but doesn't believe that there is consensus as to how. Mrs. Hamlin was encouraged by the \$100,000 study approvals and that there needs to be definable action on the part of the Board that is reassuring to the public. Mr. Palmer believed that the Selectmen have taken more ownership for the presentations and defending the budget. He thanked everyone for participating.

C. Other.

Mr. Napolitano read a thank- you note from the snowmobile club.

IX. Adjournment

Mark Girard moved and Paul Napolitano seconded to adjourn the meeting. Vote: 5-0.

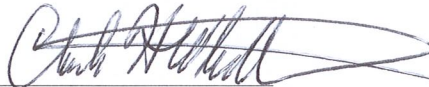
The meeting ended at 8:59pm

APPROVED

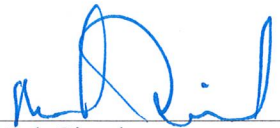
CONSENT AGENDA ITEM: May 6, 2014




Steven Palmer



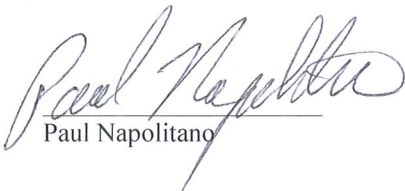
Clark Whittier



Mark Girard



Darla Hamlin



Paul Napolitano