

**Town of North Yarmouth  
Board of Selectmen  
Meeting Minutes of March 3, 2015**

 **ORIGINAL**

**I. Call to Order**

Members Present: Chairman Steve Palmer, Vice Chairman Paul Napolitano, Mark Girard, Clark Whittier, and Alex Carr. Town Manager Rosemary Roy was also present.

**II. Minutes of Previous Meeting(s)**

Selectman Palmer stated that motion regarding the fund account should read North Yarmouth School Fund. Selectman Carr stated that there are some items missing from the public comments sections. It was agreed to table the approval of the minutes to the next meeting.

**III. Payables**

Selectman Whittier moved to approve Payroll Warrants #40. Selectman Girard seconded the motion. Discussion: None. Vote: 5-yes 0-no

Selectman Girard moved to approve AP Warrant #41. Selectman Napolitano seconded the motion. Discussion: None. Vote: 5-yes 0-no

**IV. Recognition of Visitors - Items not on the Agenda**

Woody Brewer commented on having the minutes posted and updated on the town's website in a timely manner as a number of them have not been updated in several months. He indicated that he has communicated several times with the Town Manager regarding his concerns. He would like to see a point person established to see that these are posted.

Jeff Toorish commented that the Town Manager has been threatened and expressed concerns regarding this. He believes that it is a serious issue and asked that this be on the agenda. Selectman Palmer stated that this has been addressed.

Gary Whiting, Mill Rd expressed concerns regarding a Portland Press Herald story. He indicated that volunteerism is at all levels in this community.

Scott Wentzel, 144 Haskell Rd indicated that minutes have not been updated. He also commented on the Portland Press Herald story. He cited a discrepancy between a story in the Forecaster and the Portland Press Herald and asked for clarification. Selectman Napolitano clarified his actions regarding this matter.

Woody Brewer commented that the last meeting's recording was stopped for a period of time and believes that it was not appropriate. Selectman Palmer stated that the Chairman is responsible to control the meeting and he made the decision at the time, was never done and believes it was the right decision at that time. Selectmen Whittier and Carr stated that the town is looking into a minute taking software to help improve the process. Selectman Girard stated that committees have volunteers taking minutes and limited resources. Selectman Carr stated that the standards are being established to create a more interactive process with the public and comments and feedback demonstrates the public interest.

Scott Wentzel asked about the complaint regarding the Fire Station. Selectman Palmer gave an update and overview regarding the issue, process, and any policy decisions that may or may not be created. Selectman Girard stated that this issue is not a new one and has been ongoing. Scott wants to be sure he can understand so that he can be better informed in his decision making process on town issues. Selectman Girard stated that a lot of work is being done by the Selectmen are doing their due diligence.

Selectman Whittier stated that he hopes for a good turnout for the upcoming public hearings as their feedback on this issue is very important. He reminded the group that the Selectmen h

Marybeth Stewart commented on the last Selectmen meeting and that while the discussion was a difficult one, it was civil and believes that the public should make its own decision.

Jeff Toorish stated that his conversation with the Fire Chief was consistent with what Selectman Napolitano said. He indicated that the single complaint was magnified. Selectman Girard stated that the Board addresses the complaints when they arise. Selectman Palmer stated that he appreciates that the public voices their concerns about town issues to them.

Pam Ames, 326 Gray Rd asked for a review of the dates for nominations papers for open positions. Nomination papers will be available March 16th and must be turned in on April 23<sup>rd</sup>

Dave Tumbler, 24 Pine Meadow Lane asked for clarification on the status of firefighters as town employees and payment. Town Manager Roy stated that 2 ½ years ago the North Yarmouth Fire Company was changed to a Fire Department and became part of the town for financial reasons. They began receiving call pay and as a result, they become town employees. Dave asked why they are paid for their training and doesn't believe that he has received a clear answer. Selectman Palmer suggested a meeting with the Town Manager or a written letter to him to help clarify the answer. Town Manager Roy stated that the Fire Department has specific guidelines regarding training and recently, they have been receiving FEMA funds to help with some of them.

Selectman Girard stated that he is not aware of any changes made regarding training and some of the information received may be based on the fact that there has been a new Fire Chief and Town Manager and they many not have all of the information.

Selectman Carr stated that there is an opportunity for a further discussion on this given the public comment. Selectman Girard stated State and Federal law is clear regarding the status of an employee and that technically, the firefighters are employees under these guidelines.

Steve Geary, 136 Doughty Rd stated that in conversations with the former Fire Chief regarding the car washing issue. He read a letter from Berlin City Toyota has offered all volunteer firefighters in North Yarmouth to wash their vehicles at their facility until this issue is resolved.

## **V. Management Reports & Communications**

Town Manager's Report - Town Manager Roy stated that they have received FEMA confirmation and approval for \$14,000 in reimbursement funds regarding the January blizzard. The Fire Chief applied for an AID grant and for North Yarmouth to be a heart safe community. It appears that both have been approved. The audit of the 2012 FEMA grant was conducted. Through the audit work and review process there is still about \$40,000 available. Many of the roads have been posted. A number of town staff have been in training sessions. The Memorial School is working better after the repairs. The Superintendent's office has moved. MMA will be doing a final walk through regarding the insurance claim. Notifications of the Public Hearings for the Village Center redevelopment proposals have been sent. Budget work is in process. Town Manager Roy commented on the postings to the town website. More staff has been trained to post online, and the volunteer committees have had some problems having a quorum for a meeting.

## **VI. Old Business**

### Knight's Pond & Blueberry Hill - Purchase & Sale Agreement - First Review

Alan Stearns, Executive Director, Royal River Trust gave an overview of the proposed Purchase & Sale Agreement regarding the Knight's Pond & Blueberry Hill. Information is available on their website. They have done a lot of public outreach and they are willing to meet with anyone to update them.

He outlined the proposal which has a \$1.1 million budget for land purchase, legal fees and the like, and are nearly at that goal. A half million dollar is the level of the private contributions and public monies seem

The Trust for Public Lands is working with the landowners and the proposed contract is between them and North Yarmouth for the North Yarmouth portion and they (Royal River Trust) will hold the conversation easement and have been doing the fundraising etc for this.

Selectman Girard asked about lowering the water limit in the contract and whether or not it is a condition of the contract or a nuisance to the abutters.

Alan stated that the dam is man-made which was constructed in the 1960's and there was a settlement with regards to this with abutters regarding the high water mark. The proposed boundary line would be with pins and lowering the water limit of 4 inches clarifies this.

Alan stated that the conservation easement terms draft contract is in process for their review. Language is being worked on and the wording clear to minimize problems. Selectman Girard wants to be certain that the language is addressed upfront rather than in the future. Selectman Whittier commented on the joint committee with Cumberland and indicated that this committee will be the group overseeing this.

Selectman Napolitano suggested a workshop regarding this proposal. Selectman Palmer stated that there are funds that exist already for the town to purchase this. Once it is approved at Town Meeting, then the conversation easement work will need to be done.

Scott Wentzel asked for a visual regarding the location. Alan pointed out the location and some updates that exist and some items that need to be done.

Go to [www.rrc.org](http://www.rrc.org) to be added to their email list to receive updates on this project.

A resident commented on springs that are located on the property and asked about the location and access in relation to the CMP lines. Alan gave a brief overview of the location and access etc.

A resident asked for further information regarding the dam and lowering the water line. There was a discussion on the elevation.

Pam Ames asked if they will be working with CMP for rights of way. Alan stated that the snowmobile club currently has an arrangement and this path may be an option to expand the access. Work still needs to be done and there are other trail opportunities that can be worked on as well.

A resident asked if North Yarmouth residents will have access to the parking lot on the Greeley Rd extension. Alan stated that residents will.

Selectman Napolitano commented on the CMP power lines area access from the Pownal line.

A resident asked about the ability to plow to the pond for skating in the winter. Alan stated that Cumberland will want to be sure about a path for access to the pond for a variety of reasons. At this point, plowing the pond would be up to the towns (North Yarmouth and Cumberland) to work on this if they wished.

Town Manager Roy stated that as part of the budget planning, they should consider adding a line item for maintenance. Selectman Whittier indicated that the easement work will be the most important work to be done. Selectman Palmer stated that an estimated maintenance amount of \$5,000 for North Yarmouth's share is being considered

Proposed Website Service Upgrade - Town Manager Roy would like to postpone this item to the next meeting since she would like to meet with the Communications Committee to discuss this with them.

## VII. New Business

Proposed Vehicle Purchase - Town Manager Roy would like to take this item off the agenda as this would be good to have as a part of the continued CIP discussion.

## VIII. Any Other Business

Selectman Carr commended the Fire Department for their efforts on a recent fire. He also commented on the work of the Recreation Committee. He commented on the recent budget workshop and there was a positive discussion.

Selectman Girard commented on the Public Hearing process for the Village Redevelopment recommendations. He encouraged attending these meetings and public comment and feedback.

Selectman Whittier stated that a walk at the school has begun on Mondays and Thursdays. He encouraged people to participate. He commented on the last Selectmen's meetings as that this was a low point for the community.

Selectman Palmer stated that the public comment is taken to heart and that he takes his role as a Selectman seriously and thanked the public comment

A resident commented that the town office was closed on a day when they went to pay their taxes. He asked why there wasn't one staff person available. Town Manager Roy stated that this was a mandatory state training for all the clerks regarding processing death certificates and there is limited space for these trainings.


## IX. Adjournment


Selectman Napolitano moved to adjourn the meeting at approximately 8:30pm.

Recorded by: Nancy Trottier  
Town of North Yarmouth Recording Secretary

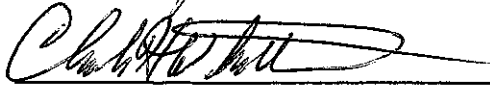
### Board of Selectmen

  
Steven Palmer, Chairperson

  
Mark Girard

  
Alex Carr

  
Paul Napolitano, Vice Chairperson

  
Clark Whittier