

**Town of North Yarmouth  
Select Board Meeting Agenda  
Tuesday, September 20, 2016  
6:00PM - 7:00PM Workshop  
7:00PM - Town Office Meeting Room**

**I. Call to Order**

**II. Public Hearing: General Assistance Ordinance - Maximums**

**III. Special Guest - Brian Lippold- Sewell Company - Broadband in NY**

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

- September 6, 2016

**V. Public Comment - Non-Agenda Items**

Comments regarding issues, concerns, commendations or matters of general public information are welcome. Individuals shall have two (2) minutes to speak and be asked to state their name & legal residence. The public is encouraged when commenting or expressing points of view about an individual(s) that they do so in a respectful and constructive manner. Topics relating to personnel or personnel matters cannot be acknowledged.

**VI. Management Reports & Communications**

- Town Manager's Report

**VII. Old Business**

- Approval & Adoption of Select Board Bylaws - [Changes from the workshop have been met; please note Section 3 - Meetings; the use of shall and may was reviewed and noted changes to the word shall are highlighted.](#)
- Select Board FY17 Goals - [Discussion](#)
- Committee Appointments - Alt. Position Wescustogo Building & Design
- Proposed Changes to the Fee Schedule - Informational/Discussion - [the Select Board can at this time recommend proposed changes to the Fee Schedule](#)
- MMA Annual Business Meeting - Voting Member for NY - [Selectperson Graham will be attending the convention in October.](#)
- Reconsideration of Vote Taken 9/6/16 to Approve State Candidates Forum - [Requested by Selectperson Napolitano](#)

**VIII. New Business**

- Counter Signing / Acknowledgement of the MSAD 51 Warrant

**IX. Accounts Payable - Review & Approval**

**X. Any Other Business**

(Board communications of written, electronic, or verbal information to include but not limited to pending or future agenda meeting topics.)

**XI. Adjournment**

**REMINDERS TO THE ATTENDING PUBLIC:** Please shut off all cell phones; Selectmen's Meetings are open to the public, but the public may not speak unless recognized by the Chairman first.

**Town of North Yarmouth  
Guideline for Conducting  
PUBLIC HEARINGS**

1. **Open the Hearing** - A motion must be made, seconded, and voted on to open the Public Hearing.
2. **Presentation/Explanation** - A brief presentation/summary by the Chair or Town Manager is expected.
3. **Public Participation** - The Select Board can recognize questions/statements from the public in attendance.
4. **Board Inquiries/Discussions** - After public participation, the Board can discuss the subject matter, if necessary.
5. **Close the Hearing** - When it is clear that discussion of the subject has ended a motion to close the Public Hearing (seconded and voted) should take place.
6. **Further Motion(s)** - The Board, if they choose may elect to take action on the matter immediately or may do so at another point in the meeting.
7. **Amendments to the Hearing Subject** - The Board may also make amendments on the subject matter in accordance with any discussions/decisions that took place during the hearing.

# General Assistance Maximums Summary Comparison

Effective 10/01/2016 to 09/30/2017

## Overall Monthly Maximums – Appendix A

<b>Number of Persons in Household 2015-2016</b>						
1	2	3	4	5	6	Each Additional
<b>803</b>	<b>956</b>	<b>1181</b>	<b>1563</b>	<b>1641</b>	<b>1717</b>	<b>+\$75</b>
<b>Number of Persons in Household 2016-2017</b>						
1	2	3	4	5	6	Each Additional
<b>838</b>	<b>975</b>	<b>1220</b>	<b>1638</b>	<b>1717</b>	<b>1792</b>	<b>+\$75</b>

## Food Maximums - Appendix B

Household	Monthly Maximums 2015-2016	Monthly Maximums 2016-2017
<b>1</b>	<b>\$ 194</b>	<b>\$ 194</b>
<b>2</b>	<b>\$ 357</b>	<b>\$ 357</b>
<b>3</b>	<b>\$ 511</b>	<b>\$ 511</b>
<b>4</b>	<b>\$ 649</b>	<b>\$ 649</b>
<b>5</b>	<b>\$ 771</b>	<b>\$ 771</b>
<b>6</b>	<b>\$ 925</b>	<b>\$ 925</b>
<b>7</b>	<b>\$1022</b>	<b>\$ 1022</b>
<b>8</b>	<b>\$1169</b>	<b>\$ 1169</b>
<b>Each Additional</b>	<b>\$ 146</b>	<b>\$ 146</b>

## Housing Maximums – Appendix C

Bedrooms	Monthly Maximums 2015-2016		Monthly Maximums 2016-2017	
	Unheated Monthly	Heated Monthly	Unheated Monthly	Heated Monthly
<b>0</b>	<b>636</b>	<b>740</b>	<b>674</b>	<b>775</b>
<b>1</b>	<b>757</b>	<b>886</b>	<b>781</b>	<b>905</b>
<b>2</b>	<b>939</b>	<b>1099</b>	<b>983</b>	<b>1137</b>
<b>3</b>	<b>1272</b>	<b>1468</b>	<b>1355</b>	<b>1543</b>
<b>4</b>	<b>1293</b>	<b>1531</b>	<b>1377</b>	<b>1606</b>

## Utilities: Electricity – Appendix D - No Change

Household Size	2015-2016 w/o Hot Water	2016-2017 w/o Hot Water	2015-2016 with Hot Water	2016-2017 with Hot Water
	<b>1</b>	<b>60.00</b>	<b>60.00</b>	<b>82.00</b>
<b>2</b>	<b>67.50</b>	<b>67.50</b>	<b>102.00</b>	<b>102.00</b>
<b>3</b>	<b>75.00</b>	<b>75.00</b>	<b>119.00</b>	<b>119.00</b>
<b>4</b>	<b>86.00</b>	<b>86.00</b>	<b>139.00</b>	<b>139.00</b>
<b>5</b>	<b>99.00</b>	<b>99.00</b>	<b>160.00</b>	<b>160.00</b>
<b>6</b>	<b>107.00</b>	<b>107.00</b>	<b>176.00</b>	<b>176.00</b>
<b>Each Additional</b>	<b>7.50</b>	<b>7.50</b>	<b>10.00</b>	<b>10.00</b>

# **GENERAL ASSISTANCE ORDINANCE**

## **APPENDICES A through D**

### **2016-2017**

The Municipality of **North Yarmouth** adopts the MMA Model Ordinance GA Appendices A through D for the period of October 1, 2016 - September 30, 2017. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the 20th of September, 2016 by the municipal officers:

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Jeanne Chadbourne, Chair

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Alex Carr, Vice Chair

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Paul Napolitano

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Anne Graham

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Peter Lacy

## GA Overall Maximums

### Metropolitan Areas

COUNTY	Persons in Household				
	1	2	3	4	5*
<b>Bangor HMFA:</b> Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	703	777	981	1,227	1,437
<b>Penobscot County HMFA:</b> Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	596	673	836	1,082	1,254
<b>Lewiston/Auburn MSA:</b> Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	575	678	855	1,086	1,241
<b>Portland HMFA:</b> Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, <b>North Yarmouth</b> , Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	838	975	1,220	1,638	1,717
<b>York/Kittery/S.Berwick HMFA:</b> Berwick, Eliot, Kittery, South Berwick, York	967	1,011	1,316	1,693	2,070
<b>Cumberland County HMFA:</b> Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	750	796	1,058	1,542	1,759

## Appendix B

Effective: 10/01/16 to 09/30/17

# Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2015, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

**Note: For each additional person add \$146 per month.**

**Metropolitan FMR Areas**

<b><u>Portland HMFA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	157	674	180	775
1	182	781	210	905
2	229	983	264	1,137
3	315	1,355	359	1,543
4	320	1,377	373	1,606
<b><u>York/Kittery/S. Berwick HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	187	803	210	904
1	190	817	219	941
2	251	1,079	287	1,233
3	328	1,410	372	1,598
4	402	1,730	456	1,959
<b><u>Cumberland Cty. HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	136	586	160	687
1	140	602	169	726
2	191	821	227	975
3	293	1,259	337	1,447
4	330	1,419	383	1,648
<b><u>Sagadahoc Cty. HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	141	605	164	706
1	153	657	182	781
2	174	749	210	903
3	237	1,019	281	1,207
4	289	1,241	342	1,470
<b><u>York Cty. HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	133	570	156	671
1	155	666	184	790
2	193	828	228	982
3	269	1,156	313	1,344
4	269	1,156	314	1,349

# GA MAXIMUMS SUMMARY SHEET

## APPENDIX D - UTILITIES

### ELECTRIC

**NOTE:** For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.70	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

**NOTE:** For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.08	\$86.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

**NOTE:** For each additional person add \$10.00 per month.

**NOTE:** For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

*FOR MUNICIPAL USE ONLY*

**Town of North Yarmouth  
Board of Selectmen  
Meeting Minutes of Tuesday, September 6, 2016**

**I. Call to Order**

Members Present: Jeanne Chadbourne, Alex Carr, Anne Graham, Paul Napolitano & Peter Lacy. Town Manager Rosemary Roy was absent with notice.

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

Selectman Carr moved to approve the minutes of August 16, 2016. Selectman Napolitano seconded the motion. Discussion: None. **Vote: 5-Yes 0-No.**

**III. Public Comment – Non Agenda Items**

Mark Verrill spoke in regards to former Administrative Assistant Marnie Diffin's passing. He also spoke about the Planning Boards decision regarding the Purple House Bakery.

**IV. Management Reports & Communications**

Town Manager's Report: "The Town Manager provided the Board with a brief summary of her report which contained recent town and departmental activities."

**V. Old Business**

Approval & Adoption of Committee Policy: Selectman Carr moved to approve & adopt the Committee Policy. Selectman Napolitano seconded the motion. Discussion: Selectperson Graham commented about restricting the number of committees a single individual could be on. **Vote: 5-Yes 0-No.**

Ad hoc Annual Committee Appointments: Selectperson moved to approve the annual committee appointments. Selectman Lacy seconded the motion. Discussion: Darla Hamlin inquired about her alternate standing on the Wescustogo Building & Design Committee. **Vote: 5-Yes 0-No.**

Planning Consultant RFP 2<sup>nd</sup> Read: The Town Manager presented the 2<sup>nd</sup> draft of the RFP. The Board discussed their options with the RFP. The Board agreed to allow the Town Manager to send the RFP out. Katie Murphy commented on the Planning Consultant.

**VI. New Business**

Town Office Renovation Committee: The Town Manager presented the Renovation Committee. Selectman Carr moved to authorize Andy Walsh, Jim Knight the four (4) Department Heads, and the Town Manager to move forward with the Town Office Renovation Committee. Selectperson Graham seconded the motion. Discussion: Selectman Napolitano questioned the structure of the committee. The Town Manager noted that she is still seeking more citizen volunteers. Selectperson Graham asked to move the question. Additionally, Selectman Lacy verified with the Town Manager that the number of committee members is yet to be determined. The Chairperson call for a vote to move the question: **Vote: 4-Yes 1-No** (Selectman Napolitano) **Vote: 1-Yes 3-No** (Selectman Napolitano, Carr, & Chadbourne) **1-Abstention** (Selectman Lacy) Selectman Carr moved to install ad hoc committee Town Office Renovations Committee with two (2) members and to advertise for additional members to be added later, four (4) Department Heads, and the Town Manager. And it be recommended that the total citizens be five (3) and that it be advertised for three (3) more members needed. Selectman Napolitano seconded the motion. Discussion: None. **Vote: 3-Yes 1-No** (Selectperson Graham) **1-Abstention** (Chairperson Chadbourne).

Certificate of Settlement – Taxable Year 2014: The Town Manager presented the agenda item. Selectperson Graham moved to release the Town Manager/Tax Collector for the remainder of the taxes due for tax year 2014. Selectman Carr seconded the motion. Discussion: None. **Vote: 5-Yes 0-No.**

Proclamation: Recognition of Fire Rescue Department on Fun Day: Selectman Carr moved to accept the proclamation. Selectperson Graham seconded the motion. Discussion: None. **Vote: 5-Yes 0-No.**

Proposal to Host a State Candidates Night: Selectperson Graham presented the agenda item. Selectperson Graham moved to authorize the Communication Advisory Committee to host a state candidates night. Selectman Carr seconded the motion. Discussion: Selectman Carr inquired if Selectperson Graham had approached the committee with the idea. **Vote: 5-Yes 0-No.**

Set Public Hearings Date(s): General Assistance Maximums & Fee Schedule: Town Manager explained the reasoning for the Public Hearing dates. Selectman Carr moved to set the General Assistance Maximums Public Hearing for September 20<sup>th</sup> at the Town Office at 7pm as well as set the Fee Schedule Public Hearing for October 4<sup>th</sup> at the Town Office at 7pm. Selectman Napolitano seconded the motion. Discussion: Selectman Lacy asked for clarification. **Vote: 5-Yes 0-No.**

**VII. Accounts Payable – Review & Approval**

Selectman Carr moved to approve the accounts payable in the amount of \$88,734.81. Selectperson Graham seconded the motion. Discussion: Selectman Napolitano inquired about an account payable item. Selectman Carr inquired about an account payable item **Vote: 4-Yes 1-No. (Selectman Napolitano)**

**VIII. Any Other Business**

Chairperson Chadbourne commented on the brief discussion the MSAD 51 Superintendent and her had.

**IX. Adjournment**

Selectman Carr moved to adjourn

Melissa Henes  
ASC II- Recording Secretary

Board of Selectpersons

\_\_\_\_\_  
Jeanne Chadbourne, Chairperson

\_\_\_\_\_  
Alex Carr, Vice Chairperson

\_\_\_\_\_  
Anne Graham

\_\_\_\_\_  
Paul Napolitano

\_\_\_\_\_  
Peter Lacy

The information contained in this report is intended to inform the Board of Selectpersons, staff, and residents some of the current activities taking place within the manager's office or the Town in general. All topics are open for discussion.

**Deer Brook Apartments** - I do not have any new information to report at this time. Research and communications continue. **No Change.**

**RFP Planning Consultant** - The deadline for the RFP is Tuesday, October 11<sup>th</sup> at 2:00 PM. I will be putting a small review committee together. I would like to have at least one Select Board member; two would be ideal.

**Fire Rescue Facility Lease** - I met with representatives of the Historical Society, and I am waiting on some additional information from them relating the organizations paying for the construction of the area where they are currently located. Once this information is produced I will be able to explore further options.

**Comprehensive Plan Committee Survey** - The survey is now available on the Town Website, at the following direct link to Survey Monkey: <https://www.surveymonkey.com/r/5LCTCHB>, it will also be available in hard copy at the Town Office, NY Variety Store, and Stones. Please assist in encouraging residents to complete the survey sometime between now and November 8<sup>th</sup> (Election Day). The Survey will end on November 11<sup>th</sup>.

**Workers Compensation Fund** - This year's dividend payment is \$1,453.00.

**Performing Arts Center** - Several informational sessions have been arranged regarding the proposed Performing Arts Center (PAC). One will be held at NYMS on Monday, September 26<sup>th</sup> at 6:30 pm in Room 12 (originally scheduled for the gym but there is another activity taking place that night.)

**Custodial/Maintenance Position** - I am pleased to welcome Gerry Applin as our new part-time custodial maintenance technician. Gerry resides in Gray and is scheduled to begin work on Tuesday, September 20<sup>th</sup>.

**GIS** - The GIS team is getting close to wrapping up the several options available to the Town. We have explored different companies with one yet to review. My goal is we will select a company we would like to work with, analyze the costs to the budgeted funds and go from there.

**EDSC** - I continued to assist in preparing and conducting EDSC meetings. They now have a new Chairperson, Patrick Gillian, Vice Ch./Sec. Carol Ellison.

**Budget Committee** - Please be advised that the Budget Committee now has town email addresses. First name initial, last name @ northyarmouth.org.

Respectfully,

*Rosemary*

Rosemary E. Roy, Town Manager

# Town of North Yarmouth – Select Board Bylaws

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## **SECTION 1 - PURPOSE & SCOPE**

The purpose of these bylaws is to establish reasonable rules of procedure for Board meetings and to promote the fair, orderly, and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern the Board's practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose. This policy is in compliance with the town Charter and shall be judiciously understood so as to accomplish its purpose. Conditions not addressed in the town Charter or this policy shall be governed by the general law.

## **SECTION 2 - OFFICERS & DUTIES**

- A) Officers of the Board shall consist of a Chairperson (Chair) and Vice Chairperson (Vice Chair) to be chosen on or after July 1<sup>st</sup> of a year to serve until the following June 30<sup>th</sup>. The term of office of the Chair and Vice Chair shall be limited to two one year consecutive terms. Should the terms of the Chair or Vice Chair expire prior to the Board having elected replacements, then the tenured serving remaining member(s) shall act as interim(s) until the election has been held.
- B) The Chair or his/her designee shall have the following responsibilities:
1. Serve as the official spokesperson of the Board;
  2. Preside over all meetings of the Board to maintain order and determine the course of proceedings;
  3. Establish the schedule and agendas of the Board and
  4. Ensure that the Board develop and maintain these bylaws.
- C) In the event of an emergency requiring input from the Chair, and neither the Chair or the Vice Chair can be contacted, the most tenured Selectperson available will assume the role as Chair until the Chair or Vice Chair is available.
- D) The Select Board retains authority to rule on questions of evidence and procedure. Any action as may be necessary and not inconsistent with these bylaws or other law to enable the Select Board to perform its duties and conduct its affairs shall be taken by vote of the Selectpersons present.
- E) In the event the Chair ceases to serve as a selectperson, resigns as Chair, or is otherwise unable to discharge his or her duties prior to the end of their term, the Board shall elect a new Chair as soon as practicable. In the absence of the Chair, the Vice Chair shall preside and shall have the same authority.
- F) By an affirmative vote of not less than four (4) members, the Select Board may vote to remove a Chair prior to the expiration of their term and thereafter by an affirmative vote of no less than three (3) members, elect a replacement.
- G) The Town Clerk (or his/her designee) shall maintain a permanent record of all Board meetings and all correspondence of the Board, which shall be public record except as otherwise provided by law.
- H) Board members **shall** notify the Town Manager (or his/her designee) prior to Board meetings if they are unable to attend.
- I) Contacting the Town Attorney shall be initiated through the Town Manager.
- J) Direct assignment requests of the Town Manager shall be put forth by a consensus of the Board, and not an individualized basis.

# Town of North Yarmouth – Select Board Bylaws

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## **SECTION 3 - MEETINGS**

~~A) Regular meetings of the Board shall be held on the first and third Tuesday of each month, or as otherwise deemed necessary or required by law.~~

### **Charter Language**

- B) The Select Board shall hold regular meetings no less than monthly, and give notice of such meetings as required by law.
- C) The Select Board may call special meetings as are necessary, and must give notice as required by law.
- D) The Select Board may call emergency meetings as needed with notice as required by law, to meet public emergencies affecting life, health, property or the public peace.
- E) The Chair may cancel one (1) regular meeting of each month if there is not sufficient business. If a regular meeting is cancelled arrangements must be made for no less than three (3) members to convene for the purposes acting on the accounts payable. This meeting shall be publically announced as provided by law.
- F) Special meetings may be called at the discretion of the Chair, or upon the request of the majority of the Board, provided; however, that notice thereof shall be given to each member at least 24 hours in advance and that no business is conducted other than as specified in said notice.
- G) Notice of all Board meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.
- H) No business shall be conducted by the Board except at a duly called and noticed meeting or without a quorum of members of the Board being present.
- I) The general order of business at regular meetings shall be as follows: For transparency purposes the Bylaws should always contain a general outline of an agenda. Changes in the order of business are at the discretion of the Chair.
  - 1. Call to Order
  - 2. Public Hearings (when applicable)
  - 3. Special Presentations
  - 4. Meeting Minutes
  - 5. Public Comment
  - 6. Management Reports & Communications
  - 7. Old Business
  - 8. New Business
  - 9. Other Business
  - 10. Adjournment

## **SECTION 4 - HEARINGS**

- A) Public Hearings of the Board shall be called as required by law or on such other occasions, as a majority of the Board may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time, and place of the hearing and a general description of the subject matter.
- B) The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed.

# Town of North Yarmouth – Select Board Bylaws

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- C) The Board may receive any oral or documentary evidence, but shall exclude irrelevant, immaterial, or unduly repetitious evidence, provided, however that formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chair, and without interruption, provided, that the Chair may impose such reasonable time limits as may be necessary to insure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, provided, however, that the Chair may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

## **SECTION 5 - PARTICIPATION & VOTING**

- A) Any action of the Board, when a quorum of members are present, shall require the affirmative vote of the majority present and voting unless otherwise provided by law.
- B) No member shall participate or vote in any matter in which the member has a conflict of interest or other disqualifications as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.
- C) No member shall participate or vote in any adjudicatory proceeding, including proceedings on license, permits or other approvals, unless the member was present during all hearings thereon.
- D) All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for good cause.

## **SECTION 6 - DECISIONS**

- A) All decisions of the Board shall be made within the time limits, if any, established by law.
- B) All final decisions shall be in writing, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefore.
- C) All such decisions, together with any tape recording or transcript of testimony and deliberations and any documents and exhibits, shall constitute a public record.
- D) The Board may reconsider any decision within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration. The Board may conduct additional hearings and receive additional evidence and testimony as provided herein.

## **SECTION 7 - CONFLICT WITH LAWS**

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

## **SECTION 8 - CONFLICT OF INTEREST**

- A) Conflicts of Interest - As a general rule, a conflict of interest occurs when an official has a pecuniary (i.e., financial) interest in a matter of official business.

# Town of North Yarmouth – Select Board Bylaws

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- B) Appearance of Conflict of Interest - Even when a Town official's conduct is not specifically prohibited by law, competing interests and personal relationships could create an appearance of wrongdoing that could undermine the public trust in the integrity and impartiality of local government.

30-A M.R.S.A. § 2605 addresses this issue by providing that Town officials shall "attempt to avoid the appearance of a conflict of interest by disclosure or by abstention."

## **SECTION 9 - CODE OF CONDUCT**

Purpose and Scope - This section of the bylaws is to define the executive role and attendant duties of the Select Board in carrying out its policy functions as part of North Yarmouth's town government, and to clarify the separation of the Board's executive role from the legislative role of the Town Meeting and the administrative role of the Town Manager.

### A) Definitions

1. Town Meeting – Select Board – Town Manager form of government. Under this form of government the legislative and executive functions are divided:
  - a. The Town Meeting performs the election function and the legislative function of adopting governmental policy, levying taxes, raising and appropriating monies, and authorizing the contracting of debts, etc.
  - b. The Select Board is the executive body that interprets, processes, and sets the policies of the town and chooses the course of action between town meetings, has ultimate administrative responsibility to see that the governmental policies are carried out (but must deal with administration solely through the Town Manager), and appoints and supervises the Town Manager.
  - c. The Town Manager executes and carries out the government and fiscal policies with guidance from the Select Board. The Select Board has direct responsibility for and authority over all administrative functions. The Town Manager carries out the day-to-day operations of the town, and as defined in the town Charter.

### B) Duties of the Select Board

1. A member of the Select Board, in relation to his or community should:
  - a. Understand that his or her basic function is to make policy, with administration delegated to the Town Manager.
  - b. Understand that he or she should abide by, stand by, and carry out all Board decisions once they are made.
  - c. Be well informed concerning the duties of a Board member on both local and state levels.
  - d. Remember that he or she represents the entire community but must make decisions based on their best judgement.
  - e. Accept the role of member is a means of unselfish service, not to benefit personally or politically from his or her Board activities.
  - f. Abide by the ethics guidelines established by the State and not use the position of Selectperson to obtain inside information on matters that may benefit someone personally.

## Town of North Yarmouth – Select Board Bylaws

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2. A member of the Select Board, in his or her relations with the Town Manager, should:
  - a. Endeavor to establish sound, clearly defined policies that will direct and support the administration of or the benefit of the staff and residents of the community.
  - b. Refuse to act on complaints as an individual outside of Staff, Department Heads, and the Town Manager.
  - c. Give the Town Manager full responsibility for discharging his or her disposition and/or solutions.
  - d. When a situation comes to the attention of a Board member, convey that information to the Town Manager for consideration and resolution of action as the Town Manager may deem appropriate. Inform the other Board members of suggestions and information conveyed to the Town Manager.
  - e. Not give orders of directions to the Town Manager for action as an individual Board member.
  - f. Not give instructions or request assistance from Town department heads, but rather channel all such activities through the full Board and the Town Manager.
3. A member of the Select Board in his or her relations with fellow Board members, should:
  - a. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the Board outside of such meetings.
  - b. Not make statements or promises of how he or she will vote on matters that will come before the Board until he or she has had an opportunity to hear the pros and cons of the issue during a Board meeting.
  - c. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
  - d. Make decisions only after all facts on a question have been presented and discussed.
  - e. Refrain from communicating the position of the Select Board to anyone unless the full Board as previously agreed on both the position and the language of the statement conveying the position.
  - f. Treat with respect the rights of all members of the Board despite differences of opinion.
4. A member of the Select Board, in his or her relations with Town staff, should:
  - a. Treat all staff as professionals that respects the abilities, experience, and dignity of each individual.
  - b. Limit contact to specific Town staff. Questions of Town staff and/or requests for additional background information should be directed only to the Town Manager.
  - c. Never publicly criticize an individual employee. Concerns about staff performance should only be made to the Town Manager through private conversation.

# Town of North Yarmouth – Select Board Bylaws

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- d. Insure that all requests for staff support go through the Town Manager's office.
- e. Insure than any materials or information provided to a Selectperson from a staff member be made available to all Select Board members.

## **SECTION 10 - WAIVERS & AMENDMENTS**

These bylaws, or any provision thereof, may be waived on any occasion by majority vote of the Select Board unless others provided by the town Charter or state law. These bylaws may be amended at any time in writing by majority vote of the Select Board.

Amended and agreed to by the Select Board this 20th day of September, 2016.

Select Board

\_\_\_\_\_  
Jeanne Chadbourne, Chair

\_\_\_\_\_  
Alex Carr, Vice Chair

\_\_\_\_\_  
Anne Graham

\_\_\_\_\_  
Paul Napolitano

\_\_\_\_\_  
Peter Lacy

Town of North Yarmouth  
Select Board

FY17 GOALS	PRIORITY RATING				
• Rebuild Wescustogo Hall	4	1			
• Town Planner	1				
• Continue Economic Development					
• Contract Zoning					
• Collaboration with other Communities					
• Aging in Place	5	3			
• Options Working with Pineland					
• Community Area Summit (NY, Cumb, Yarmouth, etc.)					
• Community Paramedicine					
• Tax Circuit Breaker for Seniors	6	2			
• Improving small home based and remote businesses					
• Light Commercial Development - Village Center					
• Rising Emergency Services Costs					
• Law Enforcement					
• Town Meeting to Town Council	7	4			
• GIS		5			
• Improved Broadband		6			
• Access to Knights Pond from Village Center					
• Select Board Retreat					
• Negativity and Contention	2				
• Develop the Evaluation of the Town Manager	3				
Only 2 goal priorities received from the Board - Chair and Vice Chair.					

Date: September 16, 2016

To: Select Board

Fr: Rosemary E. Roy, Town Manager <sup>RR</sup>

Cc: Wescustogo Building & Design Committee

**RE: ALTERNATE POSITION**

At the committee's meeting of September 15th, a discussion took place regarding the alternate member position. From this a unanimous vote in favor was recorded: ***Given that the Committee has been functioning with the understanding that Darla Hamlin was a member, and Rod Duckworth was an alternate that we convey to the Select Board that the committee wishes to remain in that structure.***

If the Board agrees, a motion to designate Rod Duckworth as the Wescustogo Building & Design Committee's alternate member would be in order.

**Town of North Yarmouth  
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES**

**Administrative Fees**

Animal impoundment fee  
 Flat fee for impoundment \$ 40.00  
 Emergency medical bills attributed to the animal Cost

**Bumper Stickers \$ 1.00**

Copy of Land Use Ordinance (outside) Cost

Copy of other ordinances done in-house  
 Per page up to 20 pages \$ 0.50

Photocopies per page  
 8 ½ inch x 11 inch or smaller \$ 0.50  
 8 ½ inch x 14 inch \$ 0.75  
 11 inch x 17 inch \$ 1.00  
 DVD \$ 10.00

Faxes (per page - Incoming or outgoing) \$ 2.00

**NYMS**

**Single Residents or Residential Groups \$ 10.00 per hour**

**Non-Residents or Non-Residential Groups \$ 20.00 per hour**

**Special Events - Deposit (single use) \$150.00**

Notary Fee (per page) \$ 2.50

Non-Sufficient Funds \$ ~~35.00~~40.00

Search Fee (Genealogy)  
 Per surname \$ 15.00  
 Abstract \$ 5.00

Street Map (11 inch x 17 inch) \$ 1.00

Tax Account Listing - electronic format \$ 75.00

Tax Maps complete set  
 11 inch x 17 inch \$ 25.00  
 24 inch x 36 inch Cost

~~Wescustogo Hall~~  
~~Refundable deposit, if conditions met \$100.00~~  
~~Rental fee~~  
~~Hourly \$ 35.00~~  
~~All day \$300.00~~  
~~Surcharge in Dec-Jan-Feb \$100.00~~

Junkyards  
 Application fee \$250.00  
 Advertising fee Cost

Liquor License

**Town of North Yarmouth**  
**SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES**

Application fee	\$ 25.00
Advertising fee	Cost
Bottle Club License	
Application fee	\$ 25.00
Advertising fee	Cost
Catering License	
Application for Catering Privileges off Premises	\$ 25.00
Application for Catered Function by Qualified Catering Organization	\$ 25.00
B.Y.O.B. License- Application Fee	\$ 25.00
Cemetery Fees - Set by Cemetery Commission	
Resident	
Lot Fees	<del>\$250.00</del> 300.00
Perpetual care	<del>\$150.00</del> 200.00
Non-Resident	
Lot Fees	<del>\$350.00</del> 400.00
Perpetual care	<del>\$200.00</del> 250.00
Administrative Fee per Interment	\$175.00
Administration Fee for Documents	\$ 25.00
Interment Fees - Separate fee set by contractor	
Disinterment - Separate fee set by contractor	
PAYT (Pay-as-you-throw)	
Roll of 10 – 15 Gallon Bags	\$ 12.50
Roll of 5 – 33 Gallon Bags	\$ 12.50
Recycle Containers	Cost
Composter	Cost
Clean Up Day Fees	Cost

**Ambulance Service**

Town of North Yarmouth Ambulance Service Ordinance - The North Yarmouth Board of Selectmen shall annually establish a schedule of fees that support the cost of ambulance service to the extent practical while respecting all state and federal laws, rules and regulations.

Mileage per loaded mile	\$ 12.00
ALS1 (A0427)	\$650.00
ALS2 (A0433)	\$750.00
BLS – Non Emergency	\$300.00
BLS - Emergency (A0429)	\$450.00
Ambulance Response with treatment with no transport	\$100.00
Records Request	\$ 5.00

\* Medicare will not reimburse. Some private insurance companies may pay.

**Amusement Devices**

Coin-Operated Amusement Device Ordinance

Annual license for 5 machines	\$100.00
Each additional machine	\$ 50.00

**Town of North Yarmouth**  
**SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES**

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**Barking Dogs**

An Ordinance Regulating the Control of Barking Dogs in the Town of North Yarmouth  
Fine of \$50.00 for each offense upon conviction in District Court

**Building Permit Fees - Code Enforcement**

Assessment of Impact Fees Ordinance of the Town of North Yarmouth, Maine  
For Residential Buildings or buildings accessory to residential buildings:

Up to and including 1400 sf of living space	
Finished area / sq. ft.	\$ 0.15
Unfinished area, foundations and garages/sq. ft.	\$ 0.10
1401 sf. To 2000 sf. living space	
Finished area/sq.ft.	\$ 0.30
Unfinished area, foundations and garages/sq. ft.	\$ 0.10
2001 sf to 2500 sf of living space	
Finished area/sq. ft.	\$ 0.45
Unfinished area, foundations and garages/sq. ft.	\$ 0.10
Over 2500 sf of living space	
Finished area/sq. ft.	\$ 0.60
Unfinished area, foundations and garages/sq. ft.	\$ 0.10
Commercial Buildings: Commercial Area/sq. ft.	\$ 0.40
Foundation area/sq. ft.	\$ 0.10
Temporary Housing Permit from CEO	\$ 25.00
Demolition	\$ 25.00
Swimming Pools	\$ 25.00
Chimneys	\$ 25.00
Temp plastic or canvas structures (or temporary greenhouses)	\$ 25.00
Minimum Fee	\$ 25.00
Late Fee - double amount of regular fee	

**Electrical Permit Fees - Code Enforcement**

Residential Work – all sq. ft.	\$ 0.08
Commercial Work	
Up to 5,000 sq. ft.	\$ 0.11
5,001 to 10,000 sq. ft.	\$ 0.08
10,001 and up	\$ 0.05
Adding Appliances	\$ 25.00
Temporary or Permanent Service	\$ 25.00
Reinspection Fee	\$ 25.00
Minimum Fee	\$ 25.00
Inspection Fee	\$ 50.00
Late fee - double amount of regular fee	

**Explosives**

Ordinance Regulating the Use of Explosives in the Town of North Yarmouth  
Permit \$ 25.00

**Town of North Yarmouth**  
**SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES**

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**Floodplain**

Floodplain Management Ordinance for the Town of North Yarmouth, Maine

Application Fee	\$100.00
Expert's Fee - Paid in full within 10 days after the Town submits a bill to the applicant.	Cost

**Impact**

Assessment of Impact Fees Ordinance of the Town of North Yarmouth, Maine  
 For Residential Buildings or buildings accessory to residential buildings:

Up to and including 1400 sf of living space	
Finished area / sq. ft.	\$ 0.00
Unfinished area, foundations and garages/sq. ft.	\$ 0.00
1401 sf. To 2000 sf. living space	
Finished area/sq. ft.	\$ 0.00
Unfinished area, foundations and garages/sq. ft.	\$ 0.00
2001 sf to 2500 sf of living space	
Finished area/sq. ft.	\$ 0.00
Unfinished area, foundations and garages/sq. ft.	\$ 0.00
Over 2500 sf of living space	
Finished area/sq. ft.	\$ 0.00
Unfinished area, foundations and garages/sq. ft.	\$ 0.00
Commercial Buildings: Commercial Area/sq. ft.	\$ 0.00
Foundation area/sq. ft.	\$ 0.00

**Land Use - Code Enforcement/Planning**

Town of North Yarmouth, Maine Land Use Ordinance

Building/Land Use Permit from CEO	\$ 25.00
Driveway/Road Entrance Permit from CEO	\$ 25.00
Site Plan Review Permit from Planning Board	\$150.00
Amendment to Site Plan Review Permit from Planning Board	\$ 75.00
Subdivision Approval from Planning Board	
Minor Subdivision	
Non-refundable application fee	\$250.00
Plus for each lot/dwelling unit	\$100.00
Technical Review	Cost + \$ 25.00
Major Subdivision	
Non-refundable application fee	\$350.00
Plus for each lot or dwelling unit	\$100.00
Technical Review	Cost + \$ 25.00 Conditional

**Mass Gatherings**

An Ordinance Providing for Mass Gatherings	\$200.00
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**Nuisance Calls or False Alarms**

First three (3) calls	No charge
Fourth (4 <sup>th</sup> ) Call	\$100.00
Fifth (5 <sup>th</sup> ) Call	\$250.00
Sixth (6 <sup>th</sup> ) Call	\$500.00
Applies to a calendar year.	

**Town of North Yarmouth**  
**SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES**

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False Alarm calls are defined as a faulty detector or problem with the system. Actual smoke, be it food on the stove or other types of real activations do not constitute a false alarm. CO (Carbon Monoxide) Alarms that actually have CO reading do not constitute a false alarm.

Nuisance calls are defined as repeat responds for the same reason, such as odor of gas with no readings on gas meter and alike or other reason deemed a "nuisance" by the Fire Rescue Chief.

**Parks & Recreation Areas** **\$100.00**  
**Ordinance Violations - Per Offence**

**Planning Board**  
Use Approval from Planning Board \$150.00

**Plumbing Code - Code Enforcement**  
Uniform Plumbing Code (Adopted by the State of Maine and locally enforced)  
Plumbing Fees As established by the State of Maine

**Private Road Signs**  
Private Road Sign Replacement Fees

Sign	Cost
10' Green Post	\$16.62
Sign Brackett	\$ 7.25
E911 Mapping & Dispatch Updates	\$ 5.00
Labor	Current Laborer Wage Rate

Install time varies; new sign approximately 30 minutes.

**Road Naming/Numbering**  
Town of North Yarmouth Ordinance for Road Naming and Property Numbering

Application	\$25.00
Sign and Post installation - material and labor	Cost + \$30.00

**Shellfish Conservation Ordinance** (Chapter 305 – Towns of Yarmouth/North Yarmouth)  
License

Resident Commercial	\$200.00
Non-resident Non-reciprocating Commercial	\$400.00
Resident Recreational	\$ 25.00
Non-resident Non-reciprocating Recreational	\$ 50.00
Three-day Recreational license (pursuant to section II.B.5)	\$ 30.00

Resident/Non-resident Recreational license fees are waived for individuals of age 65 or older

**Snow**  
Winter "Snow" Ordinance **Refer to Ordinance.**

**Solid Waste**  
Solid Waste Disposal & Recycling Ordinance  
Refuse Hauler Permit Application \$ 25.00

**Town of North Yarmouth**  
**SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES**

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**Sprinklers**

Sprinkler Ordinance

**Refer to Ordinance.**

**Subsurface Wastewater**

Subsurface Wastewater Disposal Rules (Adopted by the State of Maine and locally enforced)  
Plumbing fees as established by the State of Maine.

**Vehicular Weight**

Vehicular Weight Control Ordinance Permit

**Refer to Ordinance.**

**Zoning Board of Appeals**

Administrative Appeal to Zoning Board	\$ 50.00
Miscellaneous Appeal to Zoning Board	\$ 50.00
Variance Appeal to Zoning Board of Appeals	\$ 50.00

**Select Board**

\_\_\_\_\_  
Jeanne Chadbourne, Chairperson

\_\_\_\_\_  
Alex Carr, Vice Chairperson

\_\_\_\_\_  
Paul Napolitano

\_\_\_\_\_  
Anne Graham

\_\_\_\_\_  
Peter Lacy

ADOPTED July 6, 2010 EFFECTIVE July 7, 2010  
AMENDED June 7, 2011 EFFECTIVE July 1, 2011  
AMENDED June 19, 2012 EFFECTIVE July 1, 2012  
AMENDED June 18, 2013 EFFECTIVE July 1, 2013  
AMENDED August 5, 2014 EFFECTIVE August 6, 2014  
AMENDED October 20, 2015 EFFECTIVE October 21, 2015



# Maine Municipal Association

60 COMMUNITY DRIVE  
AUGUSTA, MAINE 04330-9486  
(207) 623-8428  
www.memun.org

## MEMORANDUM

**TO:** Key Municipal Officials of MMA Member Cities, Towns and Plantations

**FROM:** Stephen W. Gove, Executive Director

**DATE:** September 1, 2016

**SUBJECT:** Voting Credentials for MMA Annual Business Meeting

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The Maine Municipal Association Annual Business Meeting is being held in conjunction with the MMA Annual Convention and will take place on **Wednesday, October 5, 2016, at 1:30 p.m. in Ballroom 5 at the Cross Insurance Center in Bangor, Maine.** The MMA Bylaws entitle each member community to one (1) voting representative.

Enclosed please find the *MMA Voting Delegates Credential Form* on which the municipal officers may designate their municipality's voting representative and alternate. We have also attached the Proposed Agenda for the MMA Annual Business Meeting for your reference. The current MMA Bylaws as adopted in 2013 will be available at the MMA Annual Business Meeting or may be viewed on the MMA website at

<http://www.memun.org/public/MMA/Gov/bylaws.pdf>.

Please note that the MMA Executive Committee is not putting forth any proposed amendments to the MMA bylaws for this year. If you plan to be at the MMA Annual Convention and would like to have a Voting Delegate represent your municipality, please complete the MMA Voting Delegate Credential Form and return to our office by **Tuesday, October 4, 2016** or bring it with you to the MMA Annual Business Meeting. We have provided a self-addressed, self-stamped envelope for your convenience.

We look forward to seeing you at this year's MMA Annual Convention in the City of Bangor. If you have any questions on this information, please contact Theresa Chavarie at 1-800-452-8786 ext. 2211 or in the Augusta area at 623-8428.

**Maine Municipal Association  
Annual Business Meeting  
Wednesday, October 5, 2016  
1:30 – 2:15 p.m.  
Cross Insurance Center, Bangor, Maine  
Ballroom 5**

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**PROPOSED AGENDA**

1. **Introductions and Welcoming Remarks** – MMA President Stephan Bunker  
(Selectperson, Town of Farmington)
2. **Approval of 2015 MMA Annual Business Meeting Minutes** – Stephan Bunker
3. **MMA President’s Report** – Stephan Bunker
4. **Update on Development of MMA’s Legislative Agenda** – Laurie Smith, MMA  
Vice President and Chair of Legislative Policy Committee
5. **Announcement of Election Results for MMA Executive Committee and  
Introduction of New Executive Committee Members** – Stephan Bunker
6. **Executive Director’s Report** - Stephen Gove, MMA Executive Director
7. **Other Business** (*comments from the floor*)
8. **Adjournment**

**MAINE MUNICIPAL ASSOCIATION**  
**VOTING DELEGATE CREDENTIALS**

\_\_\_\_\_ is hereby designated as the official Voting Delegate and  
(name)

\_\_\_\_\_ as the alternate voting delegate for \_\_\_\_\_  
(name) (municipality)

to the Maine Municipal Association Annual Business Meeting which is scheduled to be held,  
Wednesday, October 5, 2016, 1:30 p.m., at the Cross Insurance Center, Bangor Maine.

*The Voting Delegate Credentials may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.*

Date: \_\_\_\_\_ Municipality: \_\_\_\_\_

**Signed by a Municipal Official designated by a majority of Municipal Officers:**

Name: \_\_\_\_\_ Position: \_\_\_\_\_

**Or Signed by a Majority of Municipal Officers:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form no later than **Tuesday, October 4, 2016** or bring it with you to the MMA Annual Business Meeting. If mailing, send to:

*MMA Annual Business Meeting  
Maine Municipal Association  
60 Community Drive  
Augusta, Maine 04330  
FAX: 207-626-3358*