

**Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, March 2, 2021**

Call to Order - Steve Berry, James Moulton, Brian Sites, and Austin Harrell were present. Town Manager, Rosemary Roy, was also present. Chairperson Berry called the meeting to order.

Minutes of Previous Meeting(s) - Chairperson Berry moved to approve the minutes for February 16, 2021, as presented. Selectperson Moulton seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Public Comment - Non-Agenda Items – Mathew Sharp, a Yarmouth resident, requested to speak during this section of the Select Board agenda. The Select Board, by consensus, allowed Mr. Sharp to speak. Mr. Sharp provided details on a meeting between himself, the Select Board, and the Administrative Assistant to acknowledge that Sharp's Field remained a recreational field. Mr. Sharp explained the current and historical use of the field that he observed by town residents. Alicia Dostilio, Parsonage Road, read a letter to the Board which described M.S.A.D 51 School District, her family's, and other resident's current uses of Sharp's Field. Ms. Dostilio also described her conversations with Mr. Sharp. Furthermore, she described the benefits of sustaining a green space in the Village Center. Charter Sasseville, a junior at Greely High School, explained the inconveniences the school's lacrosse team would need to address if Sharp's Field was developed, as well as his and his team's use of the field. Judy Potter, Walnut Hill Road, stated her disagreement with the decrease in open space in the Village Center. Selectperson Sites asked for a point of clarification on what the Board discussed regarding Sharp's Field. Chairperson Berry stated that the agreement in 2000 between the Select Board and Mr. Sharp was not legally binding but should be placed on the upcoming warrant to allow the townspeople to vote on the matter. Nelson Smith, Ledge Road, stated his concerns with not honoring an agreement made with a handshake. Also, Mr. Smith provided historical context with the Town's previous dealings on providing recreational opportunities to the townspeople that were not outlined in writing. David Reed, Country Creek, stated his disagreements with developing Sharp's Field and the Village Center. Lorraine Robinson, Lufkin Road, shared her experiences with Mr. Sharp and Sharp's Field and her disagreement with the Town not honoring a handshake. Diane Morrison, Brown Dog Drive, stated that the item should be on an agenda. Furthermore, Mrs. Morrison discussed the natural growth of the town and that the growth would take time. Mrs. Morrison cited, from the warrant article that purchased Mr. Sharp's property, that there were no contingencies in the agreement to sell the property. Lastly, Mrs. Morrison explained the development that could benefit the residents in the Village Center. Selectperson Moulton stated his support for placing Mr. Sharp's designation that the field stay for recreational use on the 2021 Annual Town Meeting warrant. Mike Mallory, Walnut Hill Road, stated that he understood that snowmobilers were provided access to the North Yarmouth Variety store by a developer through a handshake agreement; however, he states that the agreement has not been honored. He also shared his support for honoring the handshake agreement. Christina Hatch, Birchwood Terrace, made a statement on behalf of Greely Girls Lacrosse, sharing how popular the field was to the Youth Group, the middle and high school children, and adults who use the field for pickup games. Alicia Dostilio, Parsonage Road, commented that the field at the Wescustogo Hall & North Yarmouth Community Center is too damp and not large enough for a lacrosse game. Paul Hodgetts, Sligo Road, asked the Board if a warrant article to accept the field as a recreational field would be placed on the 2021 Annual Town Meeting warrant. Mr. Hodgetts also stated his concern with the Town's communication and transparency when the town sponsors summits. Chairperson Berry stated that the Select Board has an interest in promoting more communication with residents. Mrs. Morrison, Chairperson of the Economic Development & Sustainability Committee, shared an event that will take place on March 25, 2021, to ask questions about the work currently being done by the Economic Development & Sustainability Committee. Mrs. Morrison stated concerns with public disinformation regarding communication and the transparency of town committees. Mr. Sharp commented on his and others' volunteer experience to benefit the town and discussed the importance of green space. Aaron Sasseville, Christopher Road, spoke on his experience with town development and cautioned the Town promoting too much development to limit the amount of green space available to the Town. Mr. Sasseville also shared his concerns with the subdivision behind Toot's Ice Cream. Mr. Morrison, Brown Dog Drive, provided a letter to the Chairperson to be read at the meeting. The letter asked the Select Board to take the article regarding Sharp's Field off the warrant. Chairperson Berry read a letter from Cylis Dostilio, a student from M.S.A.D. 51 and lives on Parsonage Road, which argued the importance of honor deals between buyers and sellers. Simone Dostilio, another student from M.S.A.D. 51 and lives on Parsonage Road, described his personal experience with the lacrosse field (Sharp's Field). Rick Robinson, Lufkin Road, shared his concerns with the development of the Village Center. The Town Manager stated that the ordinances in place allow developers to develop land as they have and explained that the ordinances in place were approved by the townspeople and were legal. The Town Manager also stated that the Select Board alone did

not have the authority to make changes on how individual developers exercise the development in the Village Center. Mr. Smith stated that he agreed with the Town Manager's statement and described the past limitations that have made development in North Yarmouth difficult. Ms. Potter provided additional comments on development in the Village Center.

Management Reports & Communications:

Town Manager's Report - The Town Manager provided her full report to the Board. The Town Manager's report can be found on the town's website, www.northyarmouth.org, or the Town Office.

Old Business:

Recycling Committee – Chairperson Berry moved to establish an ad hoc committee known as the Recycling Advisory Committee to support the Town's efforts to improve the recycling rate and to accept the proposed charge and committee terms, as presented. Selectperson Harrell seconded the motion. Discussion: Robert Wood, ecomaine representative, shared his support for the committee and its proposed charge. Furthermore, he asked that the number of individuals on the committee should be determined by who would come to the first meeting. Mr. Wood suggested that there should be a preliminary meeting to inform who was attended. Selectperson Moulton asked if alternate members could be included in the committee. The Town Manager told the Board of staff who will be working with the committee. Selectperson Moulton asked if Mr. Wood would assist with the forming of the committee. Mr. Wood replied that he would assist Debbie Grover, Assistant Town Manager. Chairperson Berry amended his motion to establish a Recycling Advisory Committee to consist of five (5) members and five (5) alternate members. **Vote: Yes – 0 No.**

Solar Committee Update: Chairperson Berry moved to hold a workshop with the Solar Committee on March 17th at 6:00 pm on Zoom. Selectperson Harrell seconded the motion. Discussion: Selectperson Moulton stated that he would like to have the workshop in person. **Vote: 4 Yes – 0 No.**

New Business:

Royal River Conservation Trust (RRCT) Property Proposal – Chairperson Berry moved to accept the Royal River Conservation Trust offer for \$40,465.00 for property Map 007, Lot 001-001 pending town meeting approval, to use funds from the Future Land Reserve for \$42,465.00 to include a legal review of the purchase, and to place a warrant article on the next town meeting warrant. Selectperson Harrell seconded the motion. Discussion: Selectperson Sites asked how much was in the Future Land Reserve. The Town Manager responded that there was a little over \$52,000 available. Alan Stearns, RRCT, introduced a new member, Adam Pereira. Mr. Stearns also stated that RRCT would like to have a covenant with the Town to hold the land as conservation land forever and that the language to do so be added to the town meeting warrant. The Town Manager stated that the language would be added. **Vote: 4 Yes – 0 No.**

Tax Acquired Property Map 10, Lot 44 – The Town Manager described the tax acquired property and its history to the Board. Chairperson Berry moved to maintain ownership of Map 10, Lot 44, as town-owned property. Selectperson Sites seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Roadway Ordinance First Review – The Town Manager presented the proposed ordinance to the Board. The Town Manager advised the Board that they have the exclusive authority to enact the ordinance following a public hearing and Board vote per Title 30-A § 3009. Chairperson Berry stated that he was in support of the ordinance being enacted without having a workshop. Selectperson Moulton inquired about identifying which sections of the proposed Roadway Ordinance are comparable to the current regulations and policies that are in place. Selectperson Moulton asked about how the Traffic and Parking Ordinance, Winter Snow Ordinance, and Road Specification Policy contribute to the proposed ordinance. Clark Baston, Public Works Director, specified how the ordinances were reviewed and updated in the proposed Roadway Ordinance and described the process of accepting a new road by the Town. Chairperson Berry moved to hold a workshop on March 8, 2021, at 6:00 PM. By consensus, the Board agreed to hold the workshop.

Accounts Payable – Chairperson Berry moved to approve accounts payable warrants 36 and 37 in the amount of \$104,454.57, as presented for FY21. Selectperson Sites seconded the motion. Discussion: Selectperson Moulton asked about a payment made by Maine Design Workshop. The Town Manager responded that the payments were for two (2) months to Maine Design Workshop. Selectperson Sites asked what the annual

budget amount was for legal services and inquired about the payment made to Bern Stein Shur. The Town Manager replied that the amount is \$20,000.00 and that the charges were for legal costs pertaining to the Planning Board and researching Sharp's Field. Chairperson Berry asked about a payment to the local snowmobile clubs. The Town Manager explained the process to the Chairperson. **Vote: 4 Yes – 0 No.**

Any Other Business - none

Adjournment - Chairperson Berry moved to adjourn.

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

Select Board

Steve Berry, Chair

Brian Sites

James Moulton, Vice Chair

Austin Harrell