

Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, March 16, 2021

 ORIGINAL

Call to Order – James Moulton, Brian Sites, and Austin Harrell. Steve Barry provided notice to the Town Manager of his absence. The Town Manager, Rosemary Roy, was also present. Chairperson Berry was absent with notification. Vice Chairperson Moulton called the meeting to order.

Minutes of Previous Meeting(s) – Selectperson Sites moved to approve the minutes for March 2, 2021, as presented. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 3 Yes – 0 No.**

Public Comment - Non-Agenda Items:

Judy Potter, Walnut Hill Road, asked a question regarding limiting public comment at the Select Board meeting.

Matt Sharp, a resident of Mt. Vernon, provided comments regarding Sharp's Field. Nancy Sharp, a resident of Mt. Vernon, read a statement to the Select Board regarding discussions between Mr. Sharp, residents, and Town officials. Mrs. Sharp stated that the Select Board should honor the verbal deal between Select Board members and Matt Sharp to keep Sharp's Field a recreational field. Statements from Mrs. Sharp included concerns with behavior from Town officials to Mr. Sharp at the business meeting on February 16, 2021. And past statements from 2015, the discussions with resident Steve Palmer and Mr. Sharp regarding the field, and the good intentions of Mr. Sharp to provide adequate space for the lacrosse team to play during the spring/summer months.

Mrs. Sharp further stated that Matt Sharp spoke with the Town Manager multiple times about Sharp Field being developed and was reassured that there were no plans to develop the field. One of those accounts with Town Manager Rosemary Roy resulted in the Town Manager stating that she would call Mr. Sharp if the issue arose in the future.

The contract was said to have taken effect in 2000. Mrs. Sharp stated that the contract stated that Mr. Sharp and his former wife retained 1.5 acres of the property and retained 1.5 acres commonly known as Sharp's Field. Nancy Sharp described the signing of the contract. After signing the contract, she states Don Smith, Jim Moulton, Scott Seaver, and Matt Sharp walked up to the parking lot near the field and agreed that the field would stay a recreational field and included that the surrounding area would be for utilities and spectators. Nancy Sharp states that the town planner's drawing was proof that the field would be developed.

Nelson Smith asked Nancy Sharp if the Sharps still own the 1.5 acres. She responded, yes, that's what this document says." Selectperson Moulton stated that he was aware of this. Mr. Smith further noted that the town should probably find out who owns that 1.5 acres. Selectperson Moulton said that his signature was on those documents and that the 1.5 acres were part of the handshake agreement. The Town Manager asked the Sharp's if they could send the documentation [the contract mentioned]. They agreed to do so.

Matt Sharp described that the Purchase and Sale Agreement that 1.5 acres were included. Mr. Sharp then explained that 340 sq ft. was needed for a lacrosse field with supporting benches and portable bathrooms and implied that this was contained within the 1.5 acres.

Linc Merrill, 1572 North Road, stated that the Town voted in 2015 not to sell the property at 10 Village Square Road and that the Town did vote to make renovations on the existing building, as needed. Mr. Merrill expressed concern with Town officials and their leadership on economic development in the town. Mr. Merrill mentioned concern with deals that he believed were not taking place with the public's knowledge. The townspeople should be more involved in the decision-making on economic development in the town.

Gay Peterson, Milliken Road, asked the Board why an agenda item was not created to address the topic of Sharp's Field. Vice Chairperson Moulton stated that the Public Comment – Non-Agenda Items section of the agenda allowed for free debate and allowed everyone to speak on an issue. Gay Peterson followed up with a question if the Select Board would have the item on a future agenda.

Paul Hodgetts, 1095 Sligo Road, read a letter from Steve Palmer addressed to Matt Sharp.

Vice Chairperson Moulton asked the Town Manager if she was aware of a letter from Steve Palmer to Matt Sharp and thought it was inappropriate. The Town Manager stated that she did know of the letter as of the date it was sent; a citizen's actions to discuss the matter privately were out of her and the Board's control.

Alicia Dostillo, Parsonage Road, commented on Sharp's Field and the growing population impact on the Village Center and MSAD 51. The Vice Chairperson asked the Town Manager to comment on the warrant article prepared to address Sharp's field. The Town Manager provided a brief explanation of the options the Board has regarding Sharp's Field. Selectperson Sites stated that the Board intended to codify the field's use through a warrant article by an annual town meeting vote or an easement on the property.

Steve Palmer, Mountfort Road, commented on Mr. Palmer's and Mr. Sharp's previous relationship. Mr. Palmer described his interactions with Mr. Sharp and the Board on discussing the possibility of moving the field onto the Wescustogo Hall & North Yarmouth Community Center property. Mr. Palmer stated that he had good intentions in speaking with Mr. Sharp.

David Reed, Country Lane, commented on Mr. Palmer's statement to the Board and his support for a policy or easement to solidify Sharp's field as a recreational field.

Nelson Smith, Ledge Road, asked the Board who the 1.5-acre parcel described by Mrs. Sharp was owned. Vice Chairperson Moulton responded that the parcel was part of the original deal between the Select Board and Mr. Sharp.

Matt Sharp, a resident of Mr. Vernon, stated that he intended to keep the field an open green space for the town and not gain notoriety over the property.

Judy Potter, Walnut Hill Road, asked for clarification of Mr. Sharp and Mr. Palmer's discussion. The Town Manager clarified that the Board has the final authority over any actions that the Town may take over any debate between a committee member or resident. Mr. Palmer further described the discussions between Mr. Sharp and him.

Aaron Sasseville, 141 Christopher Road, asked the Vice Chairperson if Mr. Palmer could clarify his good intentions in speaking with Mr. Sharp. Mr. Palmer responded.

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. During the "Broadcasting Follow up" discussion, Selectperson Sites and Selectperson Harrell stated that the priorities of recording the video should be the Budget Committee, Economic Development & Sustainability Committee, and the Select Board & Planning Board workshops. By consensus, the Board asked the Town Manager to include an additional \$2,195.00 to the budget to broadcast, record, archive Budget Committee, Economic Development & Sustainability Committee, and Select Board & Planning Board workshops with review from the Budget Committee. During the Town Manager's report on the "Acoustic Panels for Wescustogo Hall" section of the report, the Board, by consensus, agreed with the Town Manager that the purchase of the acoustic panels for the Wescustogo Hall for \$39,017 was necessary and to move forward with the purchase.

Financial Report – The Town Manager presented her financial reports to the Board.

Department Head Bi-monthly Reports – The Town Manager provided the Department Head reports to the Board.

Old Business:

Survey Results – Donna Palmer and Gay Peterson, on behalf of the Living Well in North Yarmouth Committee, made a presentation to the Board. After the presentation, Living Well in North Yarmouth Committee chairperson, Steve Palmer, made additional comments on the committee's efforts to support town recreation.

Roadway Ordinance – Selectperson Harrell moved to call a Public Hearing to be held on the proposed Roadway Ordinance on April 6, 2021, at 7:00 PM. Selectperson Sites seconded the motion. Discussion: Clark Baston,

Road Commissioner, asked the Board if they could hold the hearing on April 20, 2021, as he will be absent on April 6, 2021. Selectperson Harrell amended his motion to have the Public Hearing on April 20, 2021. Selectperson Sites seconded the motion. Discussion: none. **Vote: 3 Yes – 0 No.**

New Business:

Planning Board Additional Amendments to the Land Use Ordinance – Selectperson Sites moved to place the proposed amendments to the Land Use Ordinance on April 24, 2021, Annual Town Meeting warrant as presented by the Planning Board. Vice Chairperson Moulton seconded the motion. Discussion: Ryan Keith, Code Enforcement Officer, stated that the changes are not substantive. Vice Chairperson Moulton shared his concern with the process of how previous amendments have been brought before the Board. Selectperson Sites made a point of clarification in which he explained to Vice Chairperson Moulton that the Board has not yet considered the changes presented. Vice Chairperson Moulton asked for clarification from the Code Enforcement Officer on the revisions submitted to the Board in 2020. The Code Enforcement Officer explained the process and the changes brought forth to the Board in 2020*. Selectperson Sites asked the Town Manager to clarify the process for moving forward the first set of amendments to the town meeting warrant. The Town Manager responded that the amendments have been moved forward and that all the Land Use Ordinance amendments, once certified, would be placed on the warrant. Selectperson Sites asked if the Question-and-Answer forum was held on March 25, 2021, to address all the Land Use Ordinance changes. The Code Enforcement Officer stated that all questions asked will be addressed at the forum on any section of amendments to the Land Use Ordinance. The Town Manager clarified when an ordinance is amended or adopted in a Town Meeting-Select Board-Town Manager form of government. The Code Enforcement Officer asked the Board if they had any particular items from the amendments they would like to discuss. Vice Chairperson Moulton stated that he would not vote to move forward with the Land Use Ordinance amendments. The Town Manager clarified that the Code Enforcement Officer would not present the Land Use Ordinance amendments at the Annual Town Meeting. The responsibility is on the Planning Board members to do so. The Town Manager clarified that the matter before them was a matter of process to allow for a vote by the townspeople. Vice Chairperson Moulton further stated that he did not believe the amendments should be voted on at the April 24, 2021 meeting. Selectperson Sites said that he wanted to table the item to allow the Board and townspeople to become more educated on the matter by attending the March 25, 2021, public forum. The Town Manager informed the Board that a newsletter would be done to provide more information on all the Land Use Ordinance changes and recommended that the certification of the Land Use changes be tabled for April 6, 2021, but to vote on the current item. **Vote: 2 Yes – 1 No. (Vice Chairperson Moulton)**

**Note: The Select Board has taken action on two (2) sets of amendments (including multiple chapters of the Land Use Ordinance) that were each presented in a Public Hearing by the Planning Board. The first set of amendments were voted on for Select Board approval to place on a town meeting warrant after a Public Hearing on March 5, 2020. The second set of amendments were voted on for Select Board approval to place on a town meeting warrant after a Public Hearing on March 9, 2021.*

Certificate of Settlement FY2019 Taxes – Selectperson Harrell moved that the Select Board accept and endorse the Certificate of Settlement for the FY2019 taxes, as presented. Vice Chairperson Moulton seconded the motion. Discussion: none. **Vote: 3 Yes – 0 No.**

TextMyGov Furthering Town Communications – Debbie Grover, Town Clerk, provided a brief presentation to the Select Board on the services offered by TextMyGov and invited the Board to an informational meeting that will be held on Zoom on March 30, 2021.

Worker's Compensation Safety Incentive Program Resolution – The Town Manager explained the program and the Town's relationship with MMA. Selectperson Sites moved to endorse the Worker's Compensation Safety Incentive Program Resolution. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 3 Yes – 0 No.**

Certifications to the Clerk Annual Town Meeting – Selectperson Sites moved to endorse and provide the Town Clerk with the required certifications of the proposed documents: Animal Control Ordinance, Floodplain Management Ordinance, Regulations for the Use of Parks and Recreation Areas Ordinance, and Town Charter, to be voted upon at the Annual Town Meeting on April 24, 2021. **Vote 3 Yes – 0 No.** Selectperson Sites moved to table the Land Use Ordinance certification's endorsement until the April 6, 2021 business meeting. Vice Chairperson Moulton seconded the motion. **Vote 3 Yes – 0 No.**


Accounts Payable – Selectperson Harrell moved to approve accounts payable warrants 38 and 39 in the amount of \$818,730.68, as presented for FY21. Selectperson Sites seconded the motion. Discussion: Vice Chairperson Moulton asked about a charge made to Power Products Systems. The Town Manager stated that the cost was for the new generator for the Wescustogo Hall & North Yarmouth Community Center.

Any Other Business – none.

Adjournment – Vice Chairperson Moulton moved to adjourn.

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

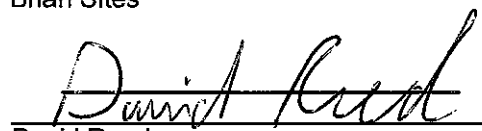
Select Board



Steve Berry, Chair

James Moulton, Vice Chair


Brian Sites


Austin Harrell


David Reed

Elected on 
March 23, 2021