

Town of North Yarmouth  
Select Board  
Meeting Minutes of Tuesday, July 20, 2021  
Wescustogo Hall & North Yarmouth Community Center



**Call to Order** – Brian Sites, James Moulton, Austin Harrell, David Reed, and Paul Hodgetts were present. Chairperson Sites called the meeting to order at approximately 7:00 PM.

**Executive Session** – Chairperson Sites moved that the Select Board enter into Executive Session pursuant to Title 1, MRS Chapter 13, Public Records and Proceedings, § 405, Executive Sessions, to discuss personnel matters. The Select Board came out of Executive Session at approximately 7:30 PM. Chairperson Sites made a motion to come out of Executive Session. Selectperson Moulton seconded the motion. Discussion: Chairperson Sites clarified that the Board went under Executive Session pursuant to Title 1, MRS Chapter 13, Public Records and Proceedings, § 405 6(A), to discuss personnel matters. Chairperson Sites move to accept the resignation of Town Manager, Rosemary Roy, effective July 20, 2021, and accept and execute all documentation to effectuate that resignation. Selectperson Reed seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

Selectperson Reed asked the Chairperson to read a joint statement from the Select Board and Town Manager, Rosemary Roy:

"The Select Board and the Town Manager, Rosemary Roy, jointly announce that Rosemary has resigned as Town Manager for personal reasons, effective tonight. Rosemary has been the Town Manager since 2014. During her tenure, Rosemary has worked on the change to the Town Manager form of government, updating the Town's Comprehensive Plan, the establishment of a Tax Increment Finance District, and the development of the new Wescustogo Hall and Community Center, as well as guiding the town through COVID-19. The Board thanks Rosemary for her years of service to the town."

**Public Hearing:**

**To Open the Hearing** – Chairperson Sites moved to open the public hearing for the fee schedule. Selectperson Reed seconded. Discussion: none. **Vote: 5 Yes – 0 No.**

Chairperson Sites presented the proposed fee schedule. Selectperson Moulton asked if there were copies for the public. The Executive Assistant to the Town Manager answered that there were twenty-five (25) copies available.

Judy Potter, Walnut Hill Road, inquired on the line item, "Mass Gatherings". Selectperson Reed responded that there was a town ordinance. Ms. Potter asked for the definition of a mass gathering. Selectperson Reed answered by reading the ordinance.

**To Close the Hearing** – Chairperson Sites moved to close the public hearing on the fee schedule. Selectperson Reed seconded. Discussion: none. **Vote: 5 Yes – 0 No.**

Chairperson Sites moved to approve the proposed amendments to the town Fee Schedule, as presented and effective July 21, 2021. Selectperson Hodgetts seconded. Discussion: none. **Vote 5 Yes – 0 No.**

**Minutes of Previous Meeting(s)** – Selectperson Harrell moved to approve minutes for July 6, 2021, as presented. Selectperson Moulton seconded the motion. Discussion: Selectperson Moulton commented on the record of the organization of the Board at the last meeting. The Executive Assistant to the Town Manager stated that he would correct the record and check the tape. Selectperson Harrell withdrew the motion. Chairperson Sites moved to table the minutes for the next meeting.

Selectperson Harrell moved to approve the minutes for the Special Town Meeting on June 7<sup>th</sup>, and 8<sup>th</sup>, 2021. Selectperson Moulton seconded the motion. Discussion: Selectperson Hodgetts clarified that he was not on the Board at the time. Selectperson Reed and Moulton made additional comments. Chairperson Sites recognized Judy Potter, Walnut Hill Road who made a comment regarding what was written on this meeting's agenda. Chairperson Sites clarified what was written in the agenda. **Vote: 3 Yes – 0 No – 2 Abstain (Selectperson Harrell and Hodgetts)**



Chairperson Sites moved to approve the special meeting minutes for July 14, 2021. Selectperson Moulton seconded. Discussion: Chairperson Sites commented that the minutes were straightforward. **Vote: 5 Yes – 0 No.**

Selectperson Moulton made additional comments on the minutes of July 6, 2021.

**Public Comment - Non-Agenda Items (43:01)** – Chairperson Sites made the determination that the three (3) minute rule would be enforced loosely and that the Board cannot make any comments on personnel matter but that the public could provide their own commentary. Linc Merrill, North Road, stated the Board needs to make a strategic direction in advance of deciding committee members. Mr. Merrill commented that the agenda does not address those items that he felt are critical to the town. Furthermore, Mr. Merrill stated the following items:

- Charter Revisions – Mr. Merrill stated that he was concerned that non-residents can serve on committees. He stated that he was concerned with other items in the charter.
- TIF & Comprehensive Plan – Mr. Merrill stated that he believed the TIF was a priority. Mr. Merrill is concerned that the Board is only discussing pieces of the issue and that he believes it should be discussed as a whole.
- Bylaws – Mr. Merrill is concerned with the bylaws of various committees and boards. He expressed his specific concern defining a quorum in the bylaws
- Fire Building Study – Mr. Merrill stated that he believes the Board should look into what the Fire Rescue needs will be in the future year.
- Public Hearings for Abutters on Rail line – Mr. Merrill expressed his concern that the Board has a resolution in front of them but did not hold a public hearing to ask how the abutters felt on the topic.
- Board and Committee terms – Mr. Merrill expressed concerns that the Board does not know the terms and members on the individual boards and committees.
- Municipal Audits – Mr. Merrill was concerned with the length of time RFP needs to be submitted to the Town Office. Mr. Merrill stated that this was an important item on the agenda.
- Homestead Exemptions – Mr. Merrill shared his concern with the change in exemption values not being reported prior to the Annual Town Meeting to approve the budget. Mr. Merrill stated that the Board needed to be more transparent with the public on these issues.

Selectperson Reed responded to Mr. Merrill concerns with the Board's priorities. Chairperson Sites also responded that the Board has been dealing with other issues behind the scenes and addressing other concerns from the public.

Judy Potter, Walnut Hill Road, asked when the Board would review the committee's charges. Chairperson Sites responded that committees are in flux in terms of positions being filled and that town manager has input and oversight over those committees. Ms. Potter asked if the committees report to the Select Board. Chairperson Sites responded that the town manager has a role in providing administrative assistant to the committees that is directed through the town manager; Reed responded that the Select Board has a responsibility in overseeing the committees with input from the town manager on certain matters. Selectperson Moulton also responded that any interested residents should apply and help the Select Board get the committees back on track. Selectperson Moulton sees the committees as a priority. Ms. Potter asked how alternates stepped up as a full member of a committee. Chairperson Sites responded that he believed the Board made the decision to promote an alternate member. Selectperson Moulton also responded. Ms. Potter asked if a vacancy existed, would the alternate step in. Selectperson Reed and Moulton responded. The Executive Assistant clarified the process that an alternate can apply to be a full member pending Select Board approval. Furthermore, he stated that the Planning Board bylaws gave the chairperson the authority to promote an alternate as a voting member if a quorum was not present.

Nelson Smith, Ledge Road, shared his concerns with the town currently not having an acting town manager. Chairperson Sites responded that he could not comment on the matter. Selectperson Moulton also answered that Debbie Grover is the Assistant Town Manager/Office Manager and is filling the gaps at this time. Mr. Smith suggested that the Board get a legal statement on who is in charge.

Alicia Dostilio, Parsonage Road, asked who interviews for the town manager. Chairperson Sites stated that he had no comment on the matter. Ms. Dostilio asked if members of the public were able to participate in the process for choosing the town manager. Chairperson Sites recognized Paul Napolitano, Mill Ridge Road. Mr.



Napolitano asked if everyone who addressed the podium needed to be recognized by the Chairperson and state their name and address. Chairperson Sites stated that they do. Mr. Napolitano responded that some members of the public were not doing so. Mr. Napolitano responded that the Board who hired the previous town manager went through MMA and that the Board had at least 100 applicants. Mr. Napolitano suggested that a citizen's group should be established. Chairperson Sites responded that the Board is looking what is available.

### **Management Reports & Communications (1:01:17):**

Acting Town Manager's Report – The Acting Town Manager's report can be found on the town's website, [www.northyarmouth.org](http://www.northyarmouth.org). Chairperson Sites read the report. Adam Pereira, Conservation Director at RRCT, provided a letter to the Board that can be found on the town's website or at the town office.

Financial Reports – The financial reports for June 2021 can be found on the town's website, [www.northyarmouth.org](http://www.northyarmouth.org).

Department Head Reports – the department head reports can be found on the town's website, [www.northyarmouth.org](http://www.northyarmouth.org). Bill Young, Sweetser Road, asked about the Fire Rescue Department's reporting of its monthly calls and asked for clarification on the total number of calls reported. Mr. Young asked more clarification on what is an actual call and what is replacing a fire alarm. Chairperson Sites responded that the Board will look into the question and ask the Chief to attend the next meeting. Selectperson Reed commented on the live broadcasted views provided by the Town Clerk's report.

### **Old Business (1:09:38):**

Committee Appointments – Correction from July 6, 2021:

#### *Economic Development & Sustainability Committee (EDSC) Appointments*

Chairperson Sites read the report in the meeting materials. Chairperson Sites moved to recognize the terms of Kit Maloney and Jason Perkins to end on June 30, 2022. Selectperson Moulton seconded the motion. Discussion: Chairperson Sites recognized Judy Potter, Walnut Hill Road, who asked the Board when the charter was amended to include EDSC. Selectperson Reed asked what year the charter changes were to come into effect. Chairperson Sites responded that the committee would have been amended to be in the town charter in 2019. Linc Merrill, North Road, responded that he believed the group voted for only a term of one (1) year for both members and that should be recognized. Mr. Merrill also stated that he doesn't object with that the Board is doing now but did not agree on the suggested motion placed in front of the Board. Mr. Merrill stated that he was concerned with any actions Ms. Maloney and Mr. Perkins have been able to vote on if they were not truly appointed to the EDSC committee. Selectperson Moulton responded that he seconded the motion to correct the record. Linc Merrill responded that he still wants the Board to review the appointment of Ms. Maloney and Mr. Perkins. Selectperson Reed commented that the appointments should have been done correctly in the first place. Selectperson Moulton stated that he believes the Board is at a point where they can straighten up the messes made in the past. Selectperson Reed suggested that EDSC should reconsider their votes, when they did not have a quorum (less Ms. Maloney and Mr. Perkins), from the end of their one (1) year term, which Selectperson Reed stated the Select Board intended back in 2019. Chairperson Sites stated that most of the actions from EDSC are probably social gatherings. Selectperson Reed moved to amend the motion to appoint them for the remainder of the two (2) terms that they would be serving if they were appointed correctly. Selectperson Reed stated that the Board should not recognize the term but reappoint Ms. Maloney and Mr. Perkins entirely to not recognize the mistakes made by previous Boards. The Executive Assistant to the Town Manager suggested a legal opinion to first define if Ms. Maloney and Mr. Perkins were on the committee as of July 1, 2020 and to define what the Board can do to act on any decisions that Ms. Maloney and Mr. Perkins may have been involved in. Mr. Merrill responded that he would not agree with spending any money on an attorney and that the Board should appoint for the rest of the three (3) year term. Selectperson Reed restated his motion and added that their terms would expire on 2022. Chairperson Sites seconded. No further discussion. **Vote: 5 Yes – 0 No.**

#### *Assessor Appointment*

Chairperson Sites moved to recognize the term of the Assessor to be one (1) year and to end on June 30, 2022. Selectperson Moulton seconded. Discussion: Chairperson Sites recognized Paul Napolitano, Mill Ridge Road. Mr. Napolitano shared his concerns with the reduction in homestead and veteran's exemptions by 5%. Mr.



Napolitano asked why the Assessor did not notify the Board prior to Town Meeting about the ratio changes. Mr. Napolitano stated that the Assessor answers to the Select Board. Mr. Napolitano suggested that the Board appoint the Assessor for six (6) months and asked that the Select Board have a discussion with the Assessor. Selectperson Reed commented on the rising market values. Mike Mallory, Walnut Hill Road, stated that the exemptions are a flat fee and he asked the Board how the Assessor can take away the flat fee. Selectperson Moulton responded that the Assessor has some flexibility in determining the ratio from about 80% - 99%. Mr. Mallory asked where the money goes when the ratio is dropped. Selectperson Moulton responded that the Assessor would have went to the town manager to discuss the mil rate. Mr. Mallory inquired more on the Assessor's responsibilities in reducing the rate and Selectperson Moulton responded. Ann Dillion, North Yarmouth Woods, asked if the homestead extension was a state or federal mandate. Chairperson Sites responded that it's the state's mandate. Mr. Napolitano made additional comments on how the ratio would affect the individual taxpayer in addition to market forces. Chairperson Sites rescinded his motion. No action was taken. Chairperson Sites extended an invitation to the Assessor for a future meeting.

#### *Staggering of Terms – New Charter Committees*

On the item addressing Parks and Recreation, Selectperson Reed stated that the staggered terms defined in the charter could be why Ms. Maloney's and Mr. Perkin's terms were only stated as being one (1) year.

#### *Reconsideration of Selectpersons appointed to Recreation Advisory Committee*

Chairperson Sites asked that the reconsideration of the Selectpersons appointed to the Recreation Advisory Committee at the July 6, 2021 meeting be tabled. The Executive Assistant clarified that Jennifer Speirs was appointed back in 2020 with a term of two (2) years with Selectpersons holding a one (1) year term. Chairperson Sites moved to reconsider the appointment of Selectpersons Reed and Harrell at the July 6, 2021 meeting. Selectperson Hodgetts seconded. Discussion: Selectperson Moulton asked why the Board voted for two (2) when there was only one (1) seat open. Chairperson Sites explained that the motion was to correct a clerical error. **Vote: 4 Yes – 0 No – 1 Abstain (Selectperson Reed).** Chairperson Sites moved to appoint Selectperson Harrell to the Recreation Advisory Board for a term to end June 30, 2022. Selectperson Reed seconded. Discussion: none. **Vote: 5 Yes – 0 No.**

#### *Appointment of Selectperson to Wescustogo Hall Committee*

Chairperson Sites stated that the Wescustogo Hall Committee had already been filled with two (2) Selectpersons for FY22: Selectperson Moulton and Sites. Chairperson Sites asked that the tape be looked over to verify this. The item was tabled. No action was taken.

#### Housing Study Scope Task Force

Chairperson Sites moved to establish the Housing Development Research Task Force for a term of six (6) months. Selectperson Reed seconded. Discussion: Chairperson Sites stated that the Board would be asking the task force to create a proposal, find a group willing to work with the town to accomplish the scope, and make a presentation. **Vote: 5 Yes – 0 No.**

#### Appointments

##### *Parks and Recreation Committee Appointment*

Selectperson Reed asked if the Board could choose the terms by random by having the residents interested in the positions choose the term from a hat.

Chairperson Sites moved to appoint to the Parks and Recreation Committee Laurie Gilman for a term to expire on June 30, 2024, Kim Merrill for a term to expire June 30, 2023, and Elise Kern for a term to expire on June 30, 2022. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

##### *Economic Development & Sustainability Committee Appointment*

Chairperson Sites moved to appoint Alicia Dostilio to the Economic Development & Sustainability Committee for a term to expire June 30, 2024. Selectperson Reed seconded. Discussion: Chairperson Sites recognized Mike



Mallory, Walnut Hill Road, suggested that the Board create a running list of volunteers for one (1) year. Selectperson Harrell stated that the Town Office does have a procedure for keeping applications. Selectperson Reed commented in favor of Ms. Dostilio's nomination. **Vote: 5 Yes – 0 No.**

#### *Planning Board Appointment*

Chairperson Sites moved to appoint Jeffrey Brown to the Planning Board for a term to expire on June 30, 2024. Selectperson Harrell seconded the motion. Discussion: Selectperson Reed asked who Jeffrey Brown was. Mr. Brown introduced himself. **Vote: 5 Yes – 0 No.**

#### *Budget Committee*

Chairperson Sites recognized Jay Fulton, New Gloucester Road, to make a speech to the Board. Mr. Fulton shared his credentials and why he's interested on being on the committee. Selectperson Reed inquired about what Mr. Fulton's priorities would be concerning the budget. Mr. Fulton responded to Selectperson Reed's question citing his experience working in the private industry. Mr. Fulton stated that he was interested in analysis of the budget.

Chairperson Sites recognized Bill Young. Mr. Young discussed his experiences in owning a small business, researching the TIF, and what he believes needs to be addressed. Selectperson Reed asked the same question asked to Mr. Fulton. Mr. Young stated that he would reach out to the Department Heads to ask their thoughts on what can be cut to assist the town.

Chairperson Sites clarified that the position is an elected position and not an appointed one. Selectperson Moulton stated that he would vote for William Young. Selectperson Reed stated that the Select Board should have placed the Budget Committee seat on the June 8<sup>th</sup> election but stated that he felt the discussion tonight between the two (2) candidates was good. Selectperson Reed made a statement to urge people to apply for a committee. Selectperson Moulton moved to appoint Bill Young to the Budget Committee for a term to expire June 30, 2023. Selectperson Hodgetts seconded. Discussion: Selectperson Reed commented that he would have liked to see a public Q&A session. **Vote: 5 Yes – 0 No.**

#### *Animal Control Officer*

Chairperson Sites moved to appoint Bobby Silcott as the town's Animal Control Officer for a term to expire on June 30, 2022. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

#### Fire Barn Lease Review

Chairperson Sites moved to table the agenda item pending the attorney's review of the lease with the Fire Company. Selectperson Reed seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

#### Approval to Release Auditor Request for Proposal

Chairperson Sites moved to release the Auditor Request for Proposal, as presented. Chairperson Sites withdrew the motion for discussion. Linc Merrill, North Road, asked if the town went out to bid for an auditor per a schedule. The Executive Assistant answered in the negative (*the Town of North Yarmouth has used Berry-Talbot-Royer for many years for auditing services*). Mr. Merrill suggested a one (1) year contract. The Executive Assistant was recognized to explain if the Board could have less than a three (3) year term. The Executive Assistant explained that the previous auditor, Berry-Talbot-Royer, had staffing issues that required them to not continue auditing services for the town but that the Select Board could determine to have the RFP be less than a three (3) year contract commitment. Mr. Merrill suggested that the RFP be amended to allow for more firms to be introduced by allowing firms to work with a one (1) year or three (3) year contract. Selectperson Reed suggested one (1) contract as an amendment to the RFP. Mr. Merrill suggested adding language to have the Select Board reserve the right to change the term of the contract if there were too few responses. The Executive Assistant also mentioned that he believed the RFP included an addendum section if the Board wished to amend or add a section later on. Mr. Merrill asked if the RFP was already released. The Executive Assistant responded in the negative. Selectperson Moulton made a motion to amend the RFP to allow for firms to submit a one (1) or three (3) year contract. Selectperson Reed seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**



## **New Business (2:29:17):**

### **Casco Bay Trails – Resolution**

Chairperson Sites recognized Dick Woodbury to make a presentation to the Board on the resolution included in the Board's meeting packets. Selectperson Reed asked Mr. Woodbury how long it would take to convert the railway into a trail and vice-versa. Mr. Woodbury responded that the trails would be mechanically removed or covered, however, he added that the action to go back to a railway is very rare in the United States. Selectperson Moulton inquired about the bridges and who would be liable for those trails. Mr. Woodbury responded that a regional authority maintains the Eastern Trail, the best example he could provide that would be close to what could happen in North Yarmouth. Selectperson Moulton inquired about the abutters along the corridor. Mr. Woodbury responded that the corridor is state owned and stated that he did not believe one abutter could stop the project. Selectperson Reed asked if there was any real chance of having the rail line reactive in the near-distant future. Mr. Woodbury replied with the timeline for the freight easement on the St. Lawrence and Atlantic Corridor and the freight operator's agreement with Maine DOT. Mr. Woodbury also added that the corridor going through Yarmouth, North Yarmouth, and Pownal is still under consideration for rail service and summarized that the council created from the petition of the surrounding towns would determine its best use. Chairperson Sites clarified the resolution. Chairperson Sites opened the discussion to the public. Mr. Merrill made comments regarding the surrounding abutters by the rail corridor. Furthermore, Mr. Merrill clarified the resolution's potential action and that he believes the railway is popular. Leslie Livingston, North Road, commented that she is a direct abutter and that she does pay the state (formerly was the St. Lawrence and Atlantic rail line) to use the crossing. Ms. Livingston asked that she be included in the research. Ms. Livingston asked who would maintain a possible rail trail. Selectperson Reed responded that leveling of the land to remove the rails may make it easier for Ms. Livingston to use the property and that a regional group would be responsible for maintenance. Selectperson Moulton asked if Ms. Livingston had the insurance policy. Selectperson Moulton asked Mr. Woodbury if the state would work something out for property owners like Ms. Livingston with the conversion from rail to trails along the corridor. Mr. Woodbury responded that a feasibility study, design study, and other processes are standard actions that are done by the creation of a rail corridor council. Ann Dillion, North Yarmouth Woods, shared her support for the corridor conversion and asked that the Board approve the resolution. Mr. Merrill stated that he disagreed with supporting the resolution without addressing concerns from the public. Mr. Woodbury explained that the Director of Transportation has full discretion on creating a council to decide the use of the corridor. Mr. Woodbury explained that the Director's decision-making process includes hearing from towns who want the Director to create the council. Chairperson Sites asked about the timeline, in which Mr. Woodbury responded that the timeline was based on the municipal officers of each of the towns to approve the individual resolutions. Chairperson Sites asked if letting the lease expire on the freight easement would stop Maine DOT from engaging in another lease with the operator of the freight company. Mr. Woodbury responded in the negative. Selectperson Reed restated previous comments regarding the state of Maine's ownership of the rail line and that the Select Board may not have much of a determination on the effects on abutters. Mr. Woodbury suggested that the Board defer the item for more public comment and that he would be pleased to provide more information to the Board and public. Selectperson Moulton asked how many towns had agreed upon resolutions. Mr. Woodbury responded that there are 13 communities that could be deemed to be a part of the rail corridor. Mr. Woodbury mentioned that the Town of Freeport passed a resolution, Casco Bay Trails were on the agenda for the Town of Lisbon and the Town of Falmouth, the Town of Cumberland, and the City of Portland. Selectperson Moulton responded that he was in favor of the resolution. Ms. Livingston stated that she was in favor of the resolution but with additional language addressing abutters. Selectperson Reed inquired if looking into Ms. Livingston's concerns on abutters was part of the standard process of the rail council. Mr. Woodbury responded that he would discuss the question with the Eastern Trail Director. Selectperson Reed moved to table the agenda item for two (2) weeks to allow Mr. Woodbury to invite the Eastern Trail Director to the next meeting (No action taken). Selectperson Reed moved to approve the resolution. Selectperson Reed withdrew his motion. By consensus the Board tabled the agenda item.

The Board took a brief recess.

**Mill Road Paving Bid** – Clark Baston, Road Commissioner, gave a brief presentation to the Board. Selectperson Moulton asked if the \$170,000 cost included the Budget Committee's recommendation. The Executive Assistant answered in the affirmative. Selectperson Reed asked the Road Commissioner what the price difference was for the materials used on Parsonage Road in relation what the Road Commissioner is recommending the town use for Mill Road. The Road Commissioner responded that he does not know the exact cost. The Road Commissioner stated that there was only one company available that could do the work needed to pave Mill Road. The Executive



Assistant stated that the town had no purchasing agent and asked the Select Board on guidance on how to move forward with paving Mill Road. The Executive Assistant also reminded the Board that the town is expected to receive roughly \$192,000 in funds from the American Rescue Plan and that the Road Commissioner's quote was from an approved vendor. Selectperson Reed made a motion to approve the expense. Chairperson Sites asked if there needed to be a motion to approve the expense and use of roadway reserves. Selectperson Moulton asked how the Board would need to motion for the added expenses. The Executive Assistant explained that the ARP funds will eventually be available to the town and that the Board would need to vote where those funds are allocated. The Executive Assistant also responded that the funds were already approved to be expended out of roadway reserves (CIP's) by the townspeople at Town Meeting. The Road Commissioner explained that the Sweetser Road Culvert Project was decided to be delayed a year and that the town is expecting to receive \$25,000.00. Selectperson Reed moved to expense \$229,751.50 to pave Mill Road. Selectperson Harrell seconded. Discussion: Chairperson Sites recognized Paul Napolitano, Mill Road. Mr. Napolitano asked how much overbudget the cost was. Selectperson Harrell responded that it was difference of approximately \$51,000.00. Mr. Napolitano responded that the expense has already been approved to be taken out of undesignated funds. The Executive Assistant and Road Commissioner explained that the Board could go over on the reserve account for spending. **Vote: 5 Yes – 0 No.**

Senior Housing Forum – Set Date – Chairperson Sites apologized for a confusion regarding the scheduling of a Senior Housing Forum. Chairperson Sites suggested September 11, 2021 from 8 AM – 11 AM. Chairperson Sites recognized Judy Potter, Walnut Hill Road. Ms. Potter asked about a postcard being sent out to the residents. Kit Maloney, EDSC member, clarified that a postcard was planned for the July 17, 2021 but the committee was not able to follow through due to a string of events. Ms. Maloney agreed with the September 11<sup>th</sup> date. Selectperson Hodgetts responded that he was not sure if he was able to make the September 11<sup>th</sup> date. By consensus, the Board agreed to hold a forum on September 11, 2021 from 8 AM – 11 AM.

Maine Design Workshop Contract for Services Review – Chairperson Sites recommended that the Board table the item. Selectperson Reed moved to table the item until the next meeting. Selectperson Moulton commented that the town is changing directions and that the funds used to purchase a contract with Maine Design Workshop (MWD) could be reallocated to look into the Village Center TIF, senior citizen housing, and other pending items. Selectperson Reed withdrew his motion. Selectperson Moulton would like to see some flexibility in the line item with zoning review and independent review. Chairperson Sites asked the town attorney what the Board could do to address individual TIF line items. Chairperson Sites stated that the item should be tabled for public discussion. Selectperson Reed responded that there has been enough public discussion based on the two (2) most recent elections in which himself and Selectperson Hodgetts were voted onto the Select Board. Selectperson Reed stated that he does not believe the contract should be renewed. Chairperson Sites stated that the townspeople voted to not adjust the line item and that the argument to not renew the contract should not be one-sided. Selectperson Reed stated that he believed the direction the town was going in was not good for the town. Selectperson Reed stated that elections have a higher participation rate than town meeting by hundreds of people. Kit Maloney, Walnut Hill Road, stated that it was her understanding that the town operates based on the votes recorded at town meeting and that the following discussion is not in congruence with what the townspeople voted on. Ms. Maloney further responded that the town needs someone to guide the town in a constructive way. Selectperson Reed responded to Ms. Maloney that the Select Board should pursue different experts to guide the town's development. Selectperson Moulton also responded that there is no line item to fund for the Maine Design Workshop budget. Selectperson Moulton stated that the legal opinion gave the Board discretion on how the funds are spent in the TIF. Chairperson Sites recognized Linc Merrill. Mr. Merrill stated that he agreed with Selectperson Moulton's statement that the Select Board decides where the money is spent. Mr. Merrill further stated that the Select Board has not conducted a good analytical study on what the townspeople want the Village Center to look like. Mr. Merrill stated that more planning was necessary and that he was not in favor of continuing of what is been done. Chairperson Sites recognized Paul Napolitano. Mr. Napolitano concurred with Mr. Merrill's previous statements and stated that the town needed to think more deeply about the TIF. Bill Young, Sweetser Road, made a comment stating that the people don't understand the TIF and that some truths were told regarding a \$300,000.00 grant the town was not growing to receive if the TIF expenses were not passed. Selectperson Hodgetts stated that he heard from constituents that they do not like the development in the center of the Town and that he did not agree with a three (3) year contract. Selectperson Moulton moved not to authorize the contract, as written. Selectperson Hodgetts seconded the motion. Discussion: Selectperson Moulton stated that he knew the decision was not popular but that this is an opportunity for the town to reset and evaluate senior housing and a professional review. Selectperson Reed also responded that he did not see a path with Vanessa Farr as the town's Economic Development Consultant. Vanessa Farr, Maine Design Workshop, provided thanks for being able to work with the town. Ms. Farr stated that she serves the Select Board first with the town manager providing



the leadership that gives guidance to the Consultant. Ms. Farr stated that the Board's involvement is to provide direction to leadership. Ms. Farr responded that she holds a senior level policy position at the Greater Portland Council of Governments and that she's deployed to 30 different municipalities to help them navigate the topics regarding urban, sub-urban, and rural issues. Ms. Farr stated that she has over 20 years of experience working with those topics. Ms. Farr requested that the Board hold an exit interview to allow for the passing on of the work Ms. Farr has completed. Ms. Farr stated that she continued, without a contract, to represent North Yarmouth.

**Vote: 3 Yes – 2 No. (Chairperson Sites & Harrell)**

Future Meeting Location – Lisa Thompson, Community Center Director, gave a report to the Board on the increase of use in the Wescustogo Hall. The Community Center Director explained the tedious activity of moving equipment in the room and then moving it out for an event. The Community Center Director stated that she needed an answer from the Board on how they would like to move forward so that she can prepare for any event cancellations or workarounds that may need to occur to accommodate the Board. Selectperson Reed stated that he would be in favor of investing into audio/visual equipment because of accommodating the venue is for public participation. The Executive Assistant explained that the Board would need to look at the Wescustogo Hall Fundraising account for funding as well as a possible grant to purchase the equipment. The Executive Assistant also mentioned that his research into the 1997 Grange Association agreement may not allow the Board to create a permanent meeting location in the Wescustogo Hall. Chairperson Sites responded that he did not believe the agreement limited the Board from meeting permanently at the Wescustogo Hall. Selectperson Reed also stated that there was language that prioritized the Board to allow for public meetings in the Wescustogo Hall. The Executive Assistant answered that the Public Facilities Use Policy mentions the priority designation but, he believes, was not intended for permanent meetings. The Executive Assistant, again, brought up the issue of funding. Linc Merrill, Wescustogo Hall Committee, stated that there was a movement to create the previous hall into a Town Hall space which was not received well. Mr. Merrill stated that he believes the current use as a Select Board meeting space, however, does not violate the agreement as it was written to avoid the building of any separate rooms in the hall that would be used for town use (other than storage). Selectperson Hodgetts asked if another section could be used. The Community Center Director responded that the equipment would still be visually unappealing and constant set-up and breakdown was tedious and time consuming. The Director explained that she approached SMI to provide a quote of how much money it would cost to put up equipment in the Wescustogo Hall. The quote was over \$50,000.00. Selectperson Hodgetts also asked about an expense of \$60,000 for curtains that the previous town manager approved. The Director responded that the Selectperson may be referring to the acoustic panels which cost the town approximately \$37,000.00 (*The funds were taken out of the Wescustogo Fundraising Account*). Selectperson Reed asked how much revenue is collected for conferences. The Director explained that the fees range from \$150 - \$300 per hour. Selectperson Reed responded that the fee schedule could include a charge for using the equipment and the space. Judy Potter, Walnut Hill Road, stated that tax payer dollars were spent to utilize the Wescustogo Hall and that it was sad that the Board would not meet at the Wescustogo Hall. Ms. Potter asked if the TIF funds could be used for paying for the equipment. Chairperson Sites stated that there was a capacity of 48 people in the Town Office room. The Director responded in agreement. Chairperson Sites also responded that spending money in the Wescustogo Hall from the TIF, he believes, was not an approved project from the TIF. The Director made further comments on utilizing the full room. Chairperson Sites asked that the Board request for more research into costs and asked the Board if meeting at the Town Office Meeting Room could be done if an event impedes with the Board's meetings. Chairperson Sites recognized Bill Young. Mr. Young stated that the TIF may allow the purchase of business equipment in the Wescustogo Hall. Selectperson Moulton and Reed stated that they hoped the Wescustogo Hall could be the meeting place for the Select Board. The Chair asked the Director what the peak season was for event requests for the Wescustogo Hall & North Yarmouth Community Center. The Director responded that every weekend, before COVID-19, was being rented for birthday parties and other events. The Business Association was the first potential event to use the full Wescustogo Hall. Selectperson Moulton asked if Tuesday night was a big night for events. The Director explained that the constant breakdown of equipment was tedious. Selectperson Moulton explained that he was looking for a tradeoff. The Director stated that the meeting room was completely outfitted for the Select Board meetings. The Director stated that she was not looking action from the Board but explained that the agenda item was to present on her findings and concerns with the Board's continued use of the Wescustogo Hall. Chairperson Sites asked if the Director could come out and find the details to outfit the Wescustogo Hall. Selectperson Moulton inquired if the Grover Room was the best room for the meetings. The Director stated that she would look into the question. The Board asked the Community Center Director and the Broadcast Technician to provide more detail on the project.

**Accounts Payable (4:31:16)** – Chairperson Sites moved to approve accounts payable warrant 59 in the amount of \$ 59,550.85, as presented for FY 21. Selectperson Moulton seconded. Discussion: Selectperson



Hodgetts asked about charges made to the town attorney. Selectperson Hodgetts asked about more detail (per hour) of the attorney charges. Chairperson Sites clarified some expenses regarding personnel legal fees and Selectperson Reed included more information on the cost for COVID-19 related legal expenses. Selectperson Hodgetts inquired about a check to Ransom Engineering. There was some discussion between the Board members. Chairperson Sites responded that he did not know the expenses right away but that Debbie Grover provided some expense sheets for legal for the past three (3) years. Chairperson Sites stated that the Board should look further into the expenses at a future meeting. **Vote: 5 Yes – 0 No.** Chairperson Sites moved to approve accounts payable warrants 1 & 2 in the amount of \$ 819,839.57, as presented for FY22. Selectperson Reed seconded. Discussion: none. **Vote: 5 Yes – 0 No.**

**Any Other Business** – none.


**Adjournment** – Selectperson Hodgetts moved to adjourn at approximately 11:37 PM. Selectperson Reed seconded. Discussion: none. **Vote: 5 Yes – 0 No.**


Prepared By: Draven Walker  
Executive Assistant/Recording Secretary

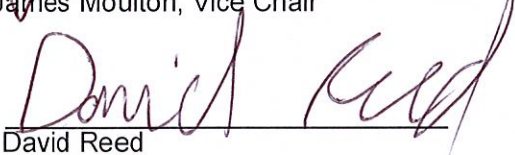
Select Board

  
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Brian Sites, Chair

  
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Austin Harrell

  
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Paul Hodgetts

  
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James Moulton, Vice Chair

  
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David Reed