

**Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, September 21, 2021
Wescustogo Hall & North Yarmouth Community Center**

Call to Order – Brian Sites, James Moulton, Austin Harrell, David Reed, and Paul Hodgetts were present. The interim Town Manager was not present. Chairperson Sites called the meeting to order at approximately 7:00 PM.

Public Hearing:

00:07:25

Chairperson Sites moved to open the public hearing on the amendments of the General Assistance (GA) Ordinance. Selectperson Moulton seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

Chairperson Sites gave a brief presentation on the amendments to the General Assistance Ordinance Appendixes A-H. Selectperson Hodgetts inquired why the town gets lumped into the income brackets for Cumberland County. Chairperson Sites responded that the data was based on the Housing of Urban Development (HUD). Selectperson Hodgetts inquired on reimbursements from GA by the state. Chairperson Sites responded that the state reimburses the town for interpreter and outsourcing GA services.

Donna Palmer, Mountfort Road, asked how many applicants applied for general assistance and that the number has historically been low. Selectperson Reed inquired how much money has been repaid to the town.

Steve Palmer, Mountfort Road, asked on what latitude the town has in determining the figures allowable for assistance through GA. Chairperson Sites responded that the Board has the ability to conduct a market survey and present to DHHS prior to adoption. Chairperson Sites stated that additional information can be found in Chapter 323 of the Maine General Assistance Manual, Section 10-144, § 1-13. Selectperson Reed stated that it might be beneficial for the Board to evaluate the rental costs in the town. Chairperson Sites responded that the rents he was aware of were in line with what was presented in the appendixes.

Anne Graham, Farms Edge Road, discussed how she could not remember a time when the Select Board actively had a discussion on the topic. Ms. Graham made comments supporting Chairperson Site's previous comments.

Rob Wood, Milliken Road, stated that his experience with General Assistance while on the Select Board was quite low. Mr. Wood also mentioned how one recipient volunteered for the town after receiving assistance.

Mike Mallory, Walnut Hill Road, inquired on how much latitude the Board has to expand GA if the need arises. Chairperson Sites responded that the Board reviews the Ordinance once a year. Mike Mallory further inquired if more than budgeted funds were requested, if the Board would have the authority to serve those citizens in town. Chairperson Sites responded that the Select Board has a wide latitude to serve the town's citizens. Selectperson Reed if the town manager position would also be the GA administer. Chairperson Sites responded in the affirmative but that Opportunity Alliance administers the program on behalf of the town.

Selectperson Moulton moved to close the public hearing on the General Assistance Ordinance amendments. Selectperson Hodgetts seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

Selectperson Moulton moved to amend the General Assistance Ordinance, Appendices A-H, as presented. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

Minutes of Previous Meeting(s):

00:25:13

Selectperson Moulton moved to approve the minutes for August 17, 2021 and September 7, 2021 as presented. Selectperson Hodgetts seconded the motion. Discussion: Selectperson Reed stated that he saw

some digital clipping in the online version of the document but did not see it with the printed version. **Vote: 5 Yes – 0 No.**

Public Comment - Non-Agenda Items:

00:27:07

Chairperson Sites read the following vacancies:

- Economic Development & Sustainability Committee (EDSC): 1 alternate
- Events Committee: 4 members
- Flag Committee: 1 member
- North Yarmouth School Fund Committee: 1 member
- Recycling Committee: 3 alternates
- Zoning Board of Appeals: 3 members

Selectperson Moulton provided comment on the Old Town House groundbreaking ceremony. Katie Murphy, Historical Society Chairperson, recognized members involved at the ceremony and thanked those who participated. Donna Palmer, Mountfort Road, informed the Board and public that the Kite Festival was cancelled and why the decision was made. Anne Graham, Farms Edge Road, commented on her concerns with the Wescustogo Hall & North Yarmouth Community Center not being utilized and lack of revenues being generated. Ms. Graham also mentioned that ARPA funding is coming to North Yarmouth and commented that the Board should be ready to receive it and utilize it. Ms. Graham shared her concerns with the town manager search and how the meetings were being conducted. Lastly, Ms. Graham commented on the Historical Society groundbreaking ceremony and encouraged the Board to watch a video created by Nora Dexter on the Historical Society's progress over the years. Bill Young, Sweetser Road, read a letter he wrote regarding the cutting taking place for building more trails in the Hayes Town Forest. Mr. Young stated that he was particularly concerned with the trails being created in the Hayes Forest and commented that, overall, poor conservation efforts have resulted in the degradation of the ecology in the forest as well as similar practices that have taken place at Same Ristich Trail. Selectperson Moulton responded that a forester has been assigned to the property to evaluate the forest and also stated that its history has not been untouched by humans. Mr. Young responded with his concerns on the abilities of the current forester. Selectperson Moulton commented that he wanted to hear a statement from the forester before making any judgement. Judy Potter, Walnut Hill Road, inquired about the road plan showing the junction of Route 115 and Route 9 included in the packet. The Chairperson stated that the interim Town Manager was scheduled to discuss the item but was currently not present at the meeting. Nelson Smith, Ledge Road, shared concerns regarding the parking at the Fire Rescue Station for visitors of Toots Ice Cream. Mike Mallory, Walnut Hill Road, inquired on why committees had alternates in its membership. Chairperson Sites stated that the Board would review the committees at a future date. Selectperson Moulton also responded that, in the past, individuals typically served as an alternate before becoming a full member. Rob Wood, Milliken Road, added to Selectperson Moulton's comments.

Selectperson Hodgetts inquired on more information of who signed off on the audit.

Bill Young, Sweetser Road, inquired about well monitoring for private wells. Chairperson Sites responded that the Select Board will bring in someone to assist in the conversation.

Kevin Robinson, Walnut Hill Road, explained that the Water District has five times the capacity needed to feed the town. Mr. Robinson stated that he attended a recent Water District meeting.

Management Reports & Communications:

00:46:45

Interim Town Manager's Report – The Town Manager's report can be found on the town's website, www.northyarmouth.org, or at the Town Office.

Chairperson Sites stated that the Board should vote to approve the PACTS MPI agreement. Chairperson Sites recognized Judy Potter, Walnut Hill Road. Ms. Potter asked if there was a feasible study on the project and stated that she did not agree with the project. Chairperson Sites responded that the plan was presented as a conceptual idea with no serious engineering work completed yet. Ms. Potter inquired if the Board has considered any issues with curbside parking as proposed in the initial project design. Ms. Potter asked if the Board is still considering a "reset". Chairperson Sites responded that the Board will determine the project as it comes along. Selectperson Moulton inquired if there was any flexibility in the project. The Road Commissioner explained that the engineering process can be flexible but that MDOT regulations would still apply. Selectperson Moulton clarified his question. The Road Commissioner reiterated that there was flexibility in the engineer process of the intersection. Selectperson Moulton inquired on the line of sight and added that a foot and foot-and-a-half would make a good addition to the existing line of sight for the intersection of Route 9 and 115. Selectperson Reed commented on the grant and how it could be used towards reducing the cost of the project and inquired if the project funds from PACTS were for one or two years. Chairperson Sites responded that the project was a two-phase (two-year) project. Selectperson Reed added that using the TIF funds would not affect the mil rate. Selectperson Hodgetts inquired if the Road Commissioner agreed with the concrete sidewalks over asphalt. The Road Commissioner stated that he was still researching the effectiveness of concrete sidewalks versus asphalt sidewalks. Selectperson Hodgetts added that he would be in favor of asphalt sidewalks with concrete shouldering. Chairperson Sites inquired if the Road Commissioner had somebody in mind. The Road Commissioner responded that he would need to release an RFP. Selectperson Moulton inquired on the side street parking proposed. The Road Commissioner responded that parking could be eliminated from the plan, if the Board chose. Selectperson Reed stated that he felt the discussion to be preemptive without having a finalized plan. Chairperson Sites recognized Nelson Smith, Ledge Road, who made an additional comment to share his concern with the conceptual plan for the project. By consensus, the Board agreed to allow the Town Manager to sign a contract and move forward with the engineering. Rich Parenteau, Pine Ridge Road, asked the Select Board what the goal was for the project. Chairperson Sites responded that the goal was to improve walkability in the village center, beautification, and attracting businesses. Gay Peterson, Milliken Road, added to Chairperson Sites's comment that the project's goal is to provide pedestrian safety improvement, ADA improvements, geometry adjustments, curbing, and stormwater infrastructure. Ms. Peterson stated that she became interested in the topic due to the opportunity to discuss traffic calming in the village center. Lastly, Ms. Peterson made comments regarding street calming and the need for professional help. Bill Young, Sweetser Road, asked when the Board would look at the Comprehensive Plan. Chairperson Sites responded that the Board would not engage in a discussion about the Comprehensive Plan at this meeting. Mr. Young stated that he thought the Board was doing a "reset". Selectperson Moulton responded that the Board is taking a second look at individual projects. Selectperson Moulton and Mr. Young engaged in dialogue regarding the Board's discussion on a "reset" at previous meetings. Selectperson Reed made a point of order. Selectperson Reed moved to authorize the Town Manager to sign the agreement with PACTS in addition to have an engineer provide the Board with a wide range of options for the project. No second to the motion. *As stated in this discussion, the Board approved, by consensus, to instruct the Town Manager to move forward with the MPI PACTS agreement.*

Wescustogo Hall Funds – Chairperson Sites gave a brief explanation of the funds available in the account. Chairperson Sites reported that there was a surplus of around \$20,000 - \$30,000. Chairperson Sites reported that the new auditor the Board chooses will look at the previous audit. Chairperson Sites communicated that a management letter was sent to the auditors acknowledging that all items required to complete the audit were provided to the auditor. Chairperson Sites recognized Judy Potter. Ms. Potter inquired if the mil rate would reduce. Chairperson Sites explained that additional funds were to be applied but were not to be depended because they are an outside revenue source. Chairperson Sites recognized Nelson Smith, Ledge Road. Nelson Smith commented on the Board's previous knowledge of the deficit. Selectperson Moulton responded that the Board was not aware of the deficit at town meeting. Chairperson Sites responded that he was not aware of the deficit. Selectperson Reed also responded that he did not recall the Board spending a lot of time on the audit. Chairperson Sites recognized Steve Palmer who stated that the Board does not need to keep

reviewing the issue, that it happened, and that the CPA firm is most likely largely responsible. Chairperson Sites recognized Scott Kerr who stated that he agreed with Mr. Palmer's previous statements.

Old Business:

01:34:21

Walnut Hill Parkway Association – The Road Commissioner explained that he was requesting two Board members to attend future meetings and bring any agreements back to the Board. Chairperson Sites moved that the Select Board authorize Selectpersons Hodgetts & Reed to attend future meetings of the Walnut Hill Parkway associations and report back to the Select Board any final agreements that require Board approval. Selectperson Moulton seconded the motion. Discussion: none. **3 Yes – 0 No – 2 Abstentions (Selectpersons Hodgetts and Reed)**

Tax Increment Financing (TIF) – Next Steps – Chairperson Sites suggested that a workshop be held on the second meeting of October (October 19th) at 5:30 PM – 7:00 PM. By consensus, the Board agreed to hold a workshop.

Senior Housing Workshop/Forum – Set Date – Chairperson Sites suggested a workshop on October 5th at 6:00 PM. Chairperson Sites stated that he would like to have a joint workshop with the Select Board, Living Well in North Yarmouth Committee, Economic Development & Sustainability Committee, and Planning Board. The Select Board, by consensus, agreed to the workshop and that a meeting date to meet with the three other committees would be set at the workshop on October 5th.

New Business:

01:44:45

Remote Access Policy Discussion & First Review – The Executive Assistant to the Town Manager gave a brief explanation of the policy. Selectperson Hodgetts moved to table the item for further review. Selectperson Reed seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.** The Chairperson of the Living Well in North Yarmouth committee expressed gratitude for allowing to meet via Zoom.

Town Charter 30-day Comment Period – Selectperson Reed stated that he was concerned with what items that have been suggested to him since they would require charter revisions rather than charter amendments. Furthermore, Selectperson Reed stated that it might be best for the Select Board to discuss these items in the spring. Chairperson Sites responded that the purpose was to collect the information and take action when a new Town Manager is hired. Selectperson Hodgetts and Moulton stated that they agreed with the action. Selectperson Reed recommended a 60-day written comment period. Chairperson Sites recognized Mike Mallory. Mr. Mallory inquired about criteria that would determine an amendment vs. a revision. Chairperson Sites referred to the meeting materials for an outline of the process. Anne Graham, Farms Edge Road, expressed that the comment period be in writing rather than in a meeting setting. Ms. Graham also stated her concerns with how the board meetings are run. Chairperson Sites stated that he agreed with Ms. Graham. Selectperson Moulton agreed with Ms. Graham. Mr. Mallory added that respondents put their name on their submission. Selectperson Reed moved to approve a 60-day written comment period on potential town charter revisions. Selectperson Moulton seconded the motion. Discussion: Chairperson Sites added that the comment period should start on October 1st. Donna Palmer was recognized. Ms. Palmer suggested that the Board push the start date to the second week of October to prioritize the newsletter and allow enough time for the Town Clerk to create form. The Board agreed to have the start date be October 10th. **Vote: 5 Yes – 0 No.**

Accounts Payable:

02:04:13

Chairperson Sites moved to approve accounts payable warrants 9 & 10 in the amount of \$ 770,302.68, as presented for FY22. Selectperson Reed seconded the motion. Discussion: Selectperson Hodgetts stated that he wanted the time broken down used for each individual project. Selectperson Hodgetts inquired about a payment made for landfill mowing in the amount of \$325.00. Selectperson Hodgetts inquired about a charge made to Perma Line Corp in the amount of \$2,738.80. Chairperson Sites responded that the charge was more

than likely for informational signs. Lastly, Selectperson Hodgetts inquired about a charge of \$441.99 from Toolin LLC. **Vote: 5 Yes – 0 No.**

Any Other Business:

02:08:08

Chairperson Sites read correspondence from the North Yarmouth Historical Society Chairperson, Katie Murphy. The North Yarmouth Historical Society is requested that all fees associated with permitting from the town be waived. Selectperson Reed moved to waive the fees associated with the construction on the lot in the amount of \$1,727.21. Selectperson Moulton seconded the motion. Discussion: Selectperson Moulton made remarks on why the matter was brought to the Board. Selectperson Moulton supported the action. **Vote: 5 Yes – 0 No.**

Executive Session – Personnel Matter

02:12:11

Chairperson Sites moved that the Select Board enter into executive session pursuant to Title 1 M.R.S. Chapter 13 Public Records and Proceedings § 405 Executive Sessions § 6(A) to discuss a personnel matter. Selectperson Moulton seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No – 1 Abstention (Selectperson Harrell)**

The Board came out of executive session at approximately 9:40 PM.

Adjournment - Chairperson Sites moved to adjourn at approximately 9:40 PM.

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

Select Board



Brian Sites, Chair



James Moulton, Vice Chair



Austin Harrell

David Reed



Paul Hodgetts