

Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, October 19, 2021
Wescustogo Hall & North Yarmouth Community Center

Call to Order – At 5:00 PM, Brian Sites, Paul Hodgetts, and James Moulton were present. The interim Town Manager (will be referred to as Town Manager in the minutes), Christopher Bolduc, was also present. David Reed came shortly after 5:00 PM. Austin Harrell was present at 7:00 PM. Chairperson Sites called the meeting to order at approximately 5:00 PM.

Executive Session – (06:31) Chairperson Sites moved that the Select Board, MMA counsel, and the Town Manager enter into executive session pursuant to 1 M.R.S. § 405(6)(A) to review applications for the open town manager position at approximately 5:06 PM. Selectperson Moulton seconded the motion. Discussion: none.
Vote: 3 Yes – 0 No. (Selectperson Reed and Harrell were absent)

Chairperson Sites moved to come out of Executive Session at approximately 5:50 PM. Selectperson Moulton seconded. Discussion: none. **Vote: 4 Yes – 0 No. (Selectperson Harrell did not attend the meeting until 7 PM; Selectperson Reed was in attendance at the time of closing the executive session)**

Recess for Tax Increment Financing Workshop

Special Presentation – (2:08:00) Ryan Keith, Code Enforcement Officer, gave a brief presentation on the current projects taking place in the Code Office. The Code Enforcement Officer reported on the status of a project to update the GIS map records with previous historical data filed as paper copies at the Town Office. Selectperson Hodgetts inquired if there were any costs associated with the project. The Code Enforcement Officer clarified that the town doesn't pay more than his time to do the work. The Code Enforcement Office has discussed hiring an intern or volunteer to assist them with the process.

Public Hearing – (2:18:10) Selectperson Reed moved to open the public hearing to consider the adoption of the Select Board Remote Participation Policy. Selectperson Harrell seconded the motion. Discussion: none.
Vote: 5 Yes – 0 No.

Chairperson Sites introduced the policy to the Board. The Town Manager explained the policy and why it was required.

Audrey Lones, Baston Road, inquired if the policy has been updated since it was last addressed. Ms. Lones inquired if the Town Manager knew of other towns who were still conducting meetings via Zoom. The Town Manager responded that he was aware of towns utilizing a hybrid option. Selectperson Reed responded that a month ago the Planning Board was meeting online. The Town Manager stated that the Board may have been meeting their policy or other ruling to allow the remote meeting.

Chairperson Sites stated that he would like to see a hybrid solution. The Executive Assistant responded that one member of the body who met remotely would require an option for the rest of the body and public to also be able to meet remotely or in-person. The Executive Assistant also described that if the body decided to meet virtually, that a room could be set-up to allow others to meet in-person while attending a virtual meeting. Selectperson Reed shared his support for the policy.

Audrey Lones inquired if the format came from MMA. The answer was 'yes'.

Selectperson Hodgetts inquired if any committee could go into a remote meeting. Chairperson Sites responded. Selectperson Reed read the requirements listed in the policy to allow bodies to meet remotely. The Town Manager also responded that the state law requires the body to meet in-person.

Linc Merrill, North Road, shared his concern with specifically naming a platform in the policy. Mr. Merrill shared concerns regarding residents not being able to hear muffled voices in a meeting. Selectperson Reed stated that the policy does allow room for other platforms to be used. Selectperson Reed suggested that the Board strike out language including "Zoom" from the policy. Chairperson Sites recognized that "Town Hall Streams" should also be stricken from the policy for the same reason "Zoom" would be. The Executive Assistant responded that he agreed with the Board but clarified that those platforms were listed in the policy as town staff are familiar with

the products and are being paid for through the budget. Selectperson Reed responded that he understood the concerns but did not see an issue with addressing the matter with the individual committees in the future.

Selectperson Reed moved to close the public hearing on the proposed Select Board Remote Participation Policy. Selectperson Harrell seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

Selectperson Reed moved to adopt the Select Board Participation Policy with the following amendments: to strike out the word "Zoom", and replace "Town Hall Streams" with "will be broadcast on at least one (1) publicly available streaming platform." Discussion: none. **Vote: 4 Yes – 1 No. (Selectperson Hodgetts)**

Minutes of Previous Meeting(s) – (2:33:18) Selectperson Moulton moved to approve the minutes for October 5, 2021 as presented. Selectperson Harrell seconded the motion. Discussion: Selectperson Reed asked that the minutes for the April 24, 2021 Annual Town Meeting were properly addressed from the last meeting. The Executive Assistant read the following into the record: "In reference to amendment #1, Gay Peterson stated that she would not vote for or against and requested legal review. In addition, Walnut Hill Road, inquired on the purpose of third-party involvement in the article. Article 2 passed as amended." **Vote: 5 Yes – 0 No.**

Public Comment - Non-Agenda Items – (2:36:30) Chairperson Sites communicated a message from the Chairperson of the MSAD 51 School Board of Directors: The district is currently operating at staffing levels that are causing significant stress on the staff. The two most severe areas of shortage are educational technicians and special education, they have 16 vacancies, and substitute teachers across the board. As a result, staff are being asked to take on additional responsibilities more than typical years. They've done some measures to mitigate this by hiring ed tech II's, hiring lunch and recess supervisors, hiring permanent substitutes, providing incentives to substitutes, and they started having all kids eat in the lunch room to reduce staffing needs. They are reducing expectations around academics to prioritize health.

Chairperson Sites reported on the open comment period (October 10, 2021 – December 10, 2021). Chairperson Sites also reported on two Senior Housing Forums (November 7th at 1 PM & November 10th at 7 PM).

Chairperson Sites reported on the Select Board's decision to move the regular meeting on November 2nd to November 3rd due to elections. Chairperson Sites also added that the Joint Standing Committee will be meeting at 5 PM on November 10th.

Chairperson Sites also reported on an October 27th tentative date for a joint workshop with the Cumberland Town Council, Select Board, and MSAD 51 Board of Directors.

Anne Graham, Farms Edge Road, requested that the Town Office be open on Fridays.

Linc Merrill, North Road, provided comment on funding available for senior housing. Mr. Merrill commented on an issue where his neighbor was being over taxed on his property due to conflicting property records. Mr. Merrill inquired on the status of the Wescustogo Hall funds and that the Board and Budget Committee be apprised of situation. Lastly, Mr. Merrill commented that the meeting materials were not uploaded in a timely manner. The Town Manager responded that he apologizes for the error and that he will work to correct the issue.

Selectperson Reed inquired if the Board could set an agenda item to discuss the Town Office hours. The Town Manager responded that he would need to know why the office closed in the first place. Selectperson Reed stated that staff's hours could possibly be moved around. The Town Manager responded that quality was also a priority. Chairperson Sites asked that the Board table the item for the next meeting. The Town Manager responded that he would report on why the office was closed.

Kevin Oliver, Royal Road, commented that the Town Office should be open five (5) days a week. Mr. Oliver thanked the Select Board.

Management Reports & Communications:

(2:50:50)

Town Office Report

The Town Manager provided a written and verbal report. The written report can be found on the town's website, www.northyarmouth.org. The Town Manager updated the Board on a meeting with Summit Natural Gas. The Town Manager explained that the natural gas company was looking into connecting six (6)-inch line onto Route 115 to the York property. The Town Manager added that the Board could expect requests for public hearings in the near future. The Town Manager reported that the staff met with the town auditors and that the FY21 audit has started. The Town Manager stated that he planned for the auditor to attend a Select Board meeting to meet with the Board to report on the Wescustogo Hall funds. Lastly, the Town Manager reported that a date for the presentation from the Yarmouth Water District has been confirmed (November 3rd at 7 PM).

Old Business:

(2:54:44)

Appointments – Shellfish Conservation Commission – Stephen Demelle, Royal Road, introduced himself and stated that he was interested in the ecosystem and getting involved with the town. Selectperson Reed inquired why Mr. Demelle was interested in shellfish. Mr. Demelle responded that keeping the ecosystem healthy was important to him. Selectperson Reed moved to appoint Stephen Demelle to the Shellfish Conservation Commission (*not stated in the motion however the term would expire June 30, 2023*). Selectperson Hodgetts seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

New Business:

(2:58:40)

Select Board Request to MSAD 51 Board of Directors – Selectperson Moulton stated that he would like to have a discussion to ask that the MSAD 51 Board of Directors look further into land in North Yarmouth for a proposed school currently that's currently being considered. Selectperson Harrell asked if Selectperson Moulton had a particular site in mind. Selectperson Moulton mentioned a possibility on the York property being sold by Mr. Grover or any property available in North Yarmouth. Chairperson Sites clarified that the Board would be supporting an alternate plan. Selectperson Reed stated that by supporting an alternate plan could make it seem the Board was not supporting the MSAD 51 Board of Director's current plans. Selectperson Harrell inquired on the exact location of the property mentioned. Selectperson Moulton made comments summarizing that there could be a possibility for utility hook ups. Selectperson Reed responded that any natural gas lines would be taxable. Chairperson Sites added that the lines could be financed through the TIF.

Chairperson Sites moved to affirmatively support the MSAD 51 Board of Directors to research alternative locations for the new school, being either in North Yarmouth or Cumberland, that provides for adequate room for growth in the future and access to appropriate utilities and infrastructure. Selectperson Reed seconded the motion. Discussion: none. **Vote: 5 Yes – 0 No.**

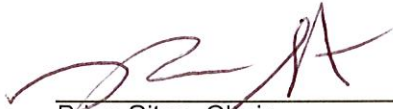
Accounts Payable – (3:07:21) Chairperson Sites moved to approve accounts payable warrants 13, 14, & 15 in the amount of \$476,521.30, as presented for FY22. Selectperson Reed seconded the motion. Discussion: Selectperson Reed commented that the notes on the AP warrant have improved each week. **Vote: 4 Yes – 0 No – 1 Abstention. (Selectperson Hodgetts)**

Any Other Business – Selectperson Hodgetts inquired why Living Well in North Yarmouth Committee met via Zoom. The Town Manager clarified that the committee will need to follow the same procedure the Board had this meeting to adopt a remote participation policy. Chairperson Sites stated that he would reach out to the committee.

Adjournment – Selectperson Moulton moved to adjourn at approximately 8:09 PM. Selectperson Reed seconded the motion. **Vote: 4 Yes – 0 No – 1 Abstention. (Selectperson Moulton)**

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

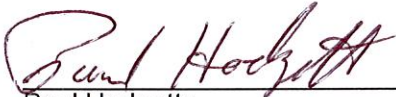
Select Board



Brian Sites, Chair



Austin Harrell



Paul Hodgetts



James Moulton, Vice Chair



David Reed