

Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, July 19, 2022
Wescustogo Hall & North Yarmouth Community Center



Call to Order – Brian Sites, Paul Hodgetts, Katherine Perrin, and Andrea Berry were present. Selectperson Haile gave her notice of absence to Chairperson Sites. The town manager was also present. Chairperson Sites called the meeting to order at 7:00 PM.

Special Presentation – Sam Hurley, State of Maine EMS Medical Director, honored Chief Payson with the EMS Merit Award for his commitments to the EMS service across the state.

Appointments:

Joint Standing Committee – Bob Abbott (New Appointment) (13:17)

Selectperson Berry moved that the Select Board appoint Bob Abbott to the Joint Standing Committee for a term to expire on June 30, 2023. Selectperson Perrin seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Annual Re-Appointments to Charter & Ad-hoc Committees (13:56)

Selectperson Hodgetts moved that the Select Board re-appoint the individuals listed in this packet to the following charter committees for three (3) year terms expiring June 30, 2025. Selectperson Berry seconded the motion. Discussion: Selectperson Hodgetts asked if there has been discussion about dissolving the commission from the Town of Yarmouth. Chairperson Sites responded that there may be but has not heard any updates. **Vote: 4 Yes – 0 No.**

Zoning Board of Appeals – Thaddeus Day

Economic Development & Sustainability Committee – Maureen Lucy and Kit Maloney

Shellfish Conservation Commission – Len Kaminow

Selectperson Berry moved that the Select Board re-appoint the individuals listed in the packet to the following Cumberland/North Yarmouth committees for one (1) year terms expiring June 30, 2023. Selectperson Perrin seconded the motion. Discussion: Chairperson Sites noted a discrepancy in the terms presented for Johnna Mulligan. The chairperson clarified that the motion was for a one (1) year term, but the item could be brought back to the Select Board if a correction was needed.

Select Board Liaisons (13:38)

Chairperson Sites requested that the item be tabled until the next meeting. There was no objection by any board member.

Alternate Code Enforcement Officer (CEO)/Building Inspector/LPI (20:06)

Selectperson Berry moved that the Select Board appoint Ryan Keith as the town's alternate code enforcement officer, building inspector, and plumbing inspector for a term to expire on June 30, 2023. Selectperson Perrin seconded the motion. Discussion: Selectperson Hodgetts asked what the job would entail. The town manager responded that the town needed to hire a licensed inspector to act on inspections until the new code enforcement officer was licensed by the state. **Vote: 4 Yes – 0 No.**

Public Participation

Chairperson Sites allowed Linc Merrill, North Road, to comment. Linc Merrill asked if the alternate code enforcement officer would be signing the permits. The town manager responded that the alternate code enforcement officer would be the only individual authorized to sign the permits but that the current code enforcement officer would be the point of contact for collecting the forms.

Consent Agenda (23:57) – The town manager explained the [Treasurer's Disbursement Policy](#). Selectperson Hodgetts moved that the Select Board approve the consent agenda, as presented. Discussion: none. **Vote: 4 Yes – 0 No.**

Public Comment - Non-Agenda Items (24:40):

Linc Merrill, North Road, asked the town manager if she had any updates on the town's financials. The town manager responded that she had no new information for this meeting. She added that the town assessor, Cumberland County Assessing, should have figures in the coming weeks.

Selectperson Hodgetts inquired about when the auditor would be available to discuss the town's financial position. The town manager responded that the auditor was unavailable for the board's first meeting in August and that they would be working with staff on the audit from August 10th to August 12th.

Management Reports & Communications (26:46):

Town Manager's Report – The town manager reported that the town needs to hire conflict counsel in cases where the current town attorney has a conflict. The town manager contacted Brann & Isaacson. Selectperson Perrin inquired on the cost and the estimated hours their services would need to be utilized. The town manager responded that the current attorney's associate attorney was a similar price as the attorneys of Brann & Isaacson. The town manager reported that she did not know the exact number of hours that the town would need Brann & Isaacson's services but that they would be attending the next Planning Board meeting.

Select Board Action – Legal Counsel

Chairperson Sites moved to authorize the town manager to enter into an agreement with Brann & Isaacson to provide legal counsel to the town, if needed, regarding the Deacon Hayes Project. Selectperson Berry seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

The town manager presented the Select Board with changes to the town's charter. The town manager stated that the changes have not been reviewed by legal at the time of the meeting.

The changes were described by Town Manager Barnes as follows:

1. **Convening the Town Meeting** – Town Manager Barnes suggested changing the date from a Saturday in April to on or before June 30th of each year. In addition, Town Manager Barnes suggested that the date be set by no later than the preceding April 1st of each year.
2. **Chair of the Select Board** – Town Manager Barnes suggested allowing the Select Board to call a special meeting, if necessary, to elect a chairperson rather than waiting until the first meeting of the year to elect the officers.
3. **Elect Boards and Commissions** – Town Manager Barnes recommended that the charter require that all positions be required to reside in the Town of North Yarmouth while they hold office.
4. **Board of Assessment Review** – Town Manager Barnes recommended adding two (2) alternates on the Board of Assessment Review. Those members would only vote in the election of officers and when a member would be absent.
5. **Parks and Recreation Committee** – Town Manager Barnes recommend reducing the number of full members from seven (7) to five (5) and removing "[and] Recreation" from "Parks and Recreation Committee"
6. **"Selectmen" to "Selectperson"** – correction in language.

Chairperson Sites stated that the Select Board would discuss the items further and hold a public hearing on the changes. The final changes will be available in a future Select Board packet.

Town Manager Barnes asked the Select Board if they could meet on September 13th, 14th, or 23rd with the Town of Cumberland and MSAD #51 Board of Directors in a joint meeting. A majority of the board agreed that a meeting at 6:00 PM on September 13th would be preferable.

Town Manager Barnes read legal notes regarding LD 290. The notes clarified that municipal assessors must continue to record a property's just value and the law does not freeze the valuation of the property. Furthermore,

a taxpayer can apply from August 8th to December 1st, however stabilization will only be applied to properties assessed on April 1, 2023.

Old Business:

Planning Board Member Appointment Process (38:64)

Chairperson Sites presented [\[click here for Chairperson Site's presentation\]](#) to the Select Board and public a process for appointing new members to the planning board. Chairperson Sites also presented last year's board goals.

The Select Board discussed the slides, particularly slide 3. Selectperson Perrin noted the Select Board's role in appointing members, their qualifications and what the Select Board can expect, and shared her appreciation with Chairperson Site's presentation.

Chairperson Sites recommend appointing two (2) individuals to interview applicants outside of a meeting. Selectperson Hodgetts stated that he did not agree with just two (2) members interviewing the applicants. Chairperson Sites made an unofficial nomination of Selectperson Hodgetts being on the interview committee. Selectperson Berry made comments supporting narrowing down the applications received before bringing a list of interviewees back to the board. Selectperson Perrin made comments supporting Selectperson Berry's suggestion and adding a process to include a resume and asking more specific questions to applicants to help narrow down the qualifiable applications. Chairperson Sites responded that he would like to see his presented criteria published on the town's website.

Town Manager Barnes recommended that the board provide 2-3 questions that she can forward to the applicants and follow up questions once the board is ready to interview the applicant.

Town Manager Barnes suggested discussing potential questions with the town planner. Chairperson Sites responded that the Select Board needs to nominate individuals by the second meeting in August.

Selectperson Berry moved to appoint Selectperson Haile and Hodgetts to an interview committee for the purposes of appointing alternates to the planning board and request that Ben Smith also be on that committee. Selectperson Hodgetts seconded the motion. Discussion: Selectperson Berry requested that the questions to the applicants be available to the public for fairness. **Vote: 4 Yes – 0 No.**

Public Participation

Rich Parenteau, Pine Ridge Road, was recognized by Chairperson Sites. Rich Parenteau suggested that the Select Board call an off meeting to discuss the applications. Town Manager Barnes and the Select Board discussed their concerns with initially having a public meeting to interview potential candidates.

Steve Palmer, Mountfort Road, suggested that the town planner be present for the initial interviews.

Mike Mallory, Walnut Hill Road, commented on structuring the process based on the individual's qualifications.

Linc Merrill, North Road, commented that the planning board needs further review by the Select Board.

Jay Fulton, New Gloucester Road, commented on Chairperson Site's presentation and making additional comments that there should be more specificity on "diversity" and "sectors" regarding the planning board criteria presented by Chairperson Sites.

Steve Palmer, Mountfort Road, gave his concerns for allowing the public to be involved in any interview process.

New Business:

Award Bid for North Yarmouth Public Safety Needs Assessment (1:12:16) – Chief Payson read a memo [\[click here for memo\]](#) provided to the board. A proposal from Port City Architecture was included in the Select Board's packet [\[click here for proposal\]](#).

Chairperson Sites inquired if all the town facilities in North Yarmouth had a completed needs assessment from prior years. Chief Payson explained that the assessment was done but not to the degree that the station needs for future planning.

Andy Hyland, Port City Architecture, explained his qualifications and the proposal that as presented. Chairperson Sites inquired on the timeframe and the deliverables. Chief Payson explained that phase # 1-4 would be completed prior to the budget season. Andy Hyland explained the report that the board should expect.

Selectperson Berry inquired if there was a way to assess the whole of the department's needs in the future. Chief Payson made comments indicating that the process is ongoing with town leadership and that he was continuously factoring in the growth of the town – Andy Hyland explained that the needs assessment looks at how growth would impact the station over time. Chief Payson discussed current programs he's working on that are mentioned in his department head report [\[click here for Chief Payson's department head report\]](#).

Selectperson Berry recommended having public participation when discussing moving the building. Chairperson Sites clarified that the first four steps are just to assess what the town needs.

Selectperson Hodgetts inquired if the Town of Cumberland received grants for their public safety building project and asked how much the project cost. Andy Hyland followed up on the question. Selectperson Hodgetts asked how many employees work for the town. Chief Payson answered that there were 34 employees. Chief Payson also stated that tax increment financing funds (TIF) would qualify for this project.

Chairperson Sites commented on the impact of regionalization and the building of a new school. Chief Payson responded with comments that the town should consider the current needs and develop a process based on those needs. Chief Payson made comments that he was planning for the school to be in North Yarmouth and would evaluate the need as he is provided more information; Chief Payson has not received information from other parties since the initial meetings at the beginning of the school's project.

Selectperson Berry moved that the Select Board award the North Yarmouth Fire Department Facility Needs Assessment Bid to Port City Architecture for an amount of \$9,600.00 to complete phases 1-4. Selectperson Perrin seconded the motion. Discussion: Selectperson Hodgetts inquired what would take place if the town decided to not move forward with the project. **Vote: 4 Yes – 0 No.**

Public Participation

Chairperson Sites recognized the following individuals:

Linc Merrill, North Road, inquired what the plan was for the fire station. Linc Merrill stated that he was concerned with the process outlined and specified that he was not sure why the town was not involved in a study completed by Cumberland County. He also stated that he was concerned with staffing for future volunteer fire fighters. Town Manager Barnes made comments that she has reviewed the County's RFP which is more focused on the whole region and preferred that the town move forward with its own study for further evaluation. Chief Payson responded that he was not able to participate in the study as he was not given the information at the time. Linc Merrill made closing remarks.

Donation Acceptance – WH&CC Kitchen Equipment (1:44:59) – Chief Payson read from his memo to the board. [\[click here for Chief Payson's memo\]](#).

Selectperson Hodgetts commented that the Wescustogo Hall Committee was initially against having a full kitchen in the facility. Chief Payson included that the equipment was gas (propane), not electric. In addition, the chief explained that the town was being gifted the equipment, including a suppression system. Selectperson Perrin commented on the town manager developing criteria for staff to follow, which the town manager agreed. Chairperson Sites asked if the town could donate the equipment to another entity if there was a liability issue. The town manager responded in the affirmative.

Selectperson Berry moved that the Select Board accept the donation of kitchen appliances from MSAD #51. Selectperson Hodgetts seconded the motion. Discussion: Selectperson Perrin thanked MSAD #51. **Vote: 4 Yes – 0 No.**

Nominations for 2022-2024 Legislative Policy Committee (LPC) (1:53:15) – The town manager recommended that the Select Board consider voting for representatives of the Town of Cumberland and Town of Gray as they are direct neighbors to the town. Selectperson Perrin moved that the Select Board vote for Nathaniel Rudy and Mark Segrist for the Legislative Policy Committee. Selectperson Berry seconded the motion. Discussion: none. **Vote: 3 Yes – 0 No – 1 Abstention (Selectperson Hodgetts).**

Nominations for Vice President and Executive Committee Members – Chairperson Sites moved that the Select Board vote to elect Diane Hines to the position of the MMA's vice-president, Ivan McPike to the MMA executive committee, Phillip Crowell to the MMA executive committee, and Anthony Ward to the MMA executive committee. Selectperson Perrin seconded the motion. Discussion: none. **Vote: 3 Yes – 0 No – 1 Abstention.**

Any Other Business – none.

Executive Session (1:58:57) – There was a motion and second that the Select Board and town manager enter executive session pursuant to 1 M.R.S. § 405 (6)(c). There was no discussion **Vote: 4 Yes – 0 No.**

Chairperson Sites moved to re-enter regular session at 9:24 PM. Selectperson Hodgetts seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Adjournment - Selectperson Berry moved to adjourn at 9:25 PM. Selectperson Hodgetts seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

Select Board

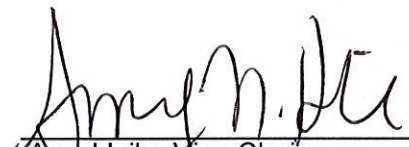


Brian Sites, Chair


Paul Hodgetts



Andrea Berry



Amy Haile, Vice Chair



Katherine Perrin