

**Town of North Yarmouth
Select Board
Meeting Minutes May 02, 2023, 7:00 PM**

Call to Order-(1:20:09-1:20:55) Members Present: Brian Sites, Chairperson, Amy Haile, Vice Chairperson, Paul Hodgetts, Selectperson, Katherine Perrin, Selectperson, and Andrea Berry, Selectperson, and Diane Barnes, Town Manager.

Pledge of Allegiance.

Executive Session – (1:20:56-2:36:33) 1 M.R.S. § 405 (6)(E)-Consultation with Legal

**Chairperson Sites, seconded by Selectperson Berry moved to enter Executive Session.
Vote 5 yes/0 No.**

Paul Hodgetts left the meeting at 8:05 PM. This was an unexcused absence.

Selectperson Berry, seconded by Selectperson Perrin, moved to exit executive session at 8:15pm. Vote 4 Yes/0 No.

Chairperson Sites, seconded by Selectperson Berry, moved to authorize the Town Manager to enter into an administrative consent agreement with Lindsay Bucci and Joseph Arsenault regarding real estate located on the West Pownal Road on terms and conditions that are in the best interest of the Town. Vote 4 Yes/0 No.

Appointment – (2:36:34-2:40:21) None

Special Presentations-Maine House Representative District 105 - Anne Graham

She was not present and sent a letter to the Select Board on various topics. The letter will be posted online for review.

Announcements-Select Board will meet on the budget June 16, 2023, 6:00 PM. They will have a special meeting June 22, 2023, at 6:00 PM, to vote on the warrant articles.

Consent Agenda-

Municipal Accounts Payable Warrants

#85	\$	10,754.92
#86	\$	10,045.89
#89	\$	114,616.52
#90	\$	12,069.00
#91	\$	181,557.59

Municipal Payroll Warrants

#87	\$	13,985.81
#88	\$	41,883.08
#92	\$	39,155.26
#93	\$	753,488.18

Select Board Minutes-April 4, 2023

Special Select Board Minutes-April 25, 2023

Special Town Meeting Warrant

MSAD #51-Countersign Ballot

FY 23 Audit and Fixed Assets Engagement Letters

Vice Chairperson Haile, seconded by Selectperson Perrin moved to approve the consent agenda as presented and authorize the Town Manager to sign the audit engagement letters.
Vote 4 Yes/0 No.

Public Comment: (2:40:22-2:44:19)

David Reed, County Creek, David commented on LD13-56. In 2018, there was a town meeting where only 51 people showed up. Anne Graham's signature was on the warrant. She was one of the five Select Board Members. He felt she used that vote to try to defend against the referendum petition, which was signed by over 400 town members. David felt Anne's comments about voter turnout were incorrect. David felt this bill will stand as an obstacle for anyone trying to institute change. He stated the power of government should be placed in the hands of the people. He feels this bill will take the power away from the people to institute change.

Chairperson Sites explains the board had not participated or had any discussion about LD13-56.

Management Reports & Communications-(2:44:20-2:56:12)
Select Board Committee Reports-

EDSC-Selectperson Perrin-The committee welcomed new board member Eliza Bachelder. One alternate member position is open. They are reviewing a charge to present to the selectboard. They meet again on May 25, 2023, at 6:30PM.

Zoning Board of Appeals-Selectperson Hodgetts-Selectperson not present. The board will put this on the next agenda.

Planning Board-Selectperson Hodgetts- Selectperson not present. The board will put this on the next agenda.

Parks-Selectperson Berry- Meeting again on May 03, 2023, 6:00 PM. Please take caution in parking at the parks. Some park parking is unavailable due to flooding. The Royal River is very high right now.

Recreation Advisory Board-Selectperson Haile no updates, they have not met.

Joint Standing Committee-Selectpersons Berry & Sites no updates. They have not met.

Waste Reduction Committee-Selectperson Berry- Reported that the committee had a table at Ecomaine's 2023 Ecofest. She stated that the event was well attended. Environmentalist Sue Inches attended their last meeting and spoke on climate change. Suzanne Lee, Faculty Fellow at the Sen. George J. Mitchell Center for Sustainability Solutions at the University of Maine spoke to the committee on "Ending Food Waste in Maine". The junk in the trunk event was postponed to Sunday May 7, 2023.

Living Well in NY-Selectperson-They feel they have fulfilled their charge. They are looking for a new charge.

Walnut Hill Parkway-Selectperson Sites & Hodgetts- no updates

School Fund Committee-Selectperson Perrin- no updates.

Town Manager's Report, Diane Barnes-
Cart Purchases

Bids for Residential Solid Waste and Recycling Carts were received from the following companies:
Cascade Engineering, Inc.

Schaefer Plastics North America, LLC
Rehrig Pacific Company
Toter

Falmouth, Windham, and North Yarmouth will be meeting on Thursday, May 4th to review the bids and select a company to provide the carts.

Fuel Bid

Fuel bids were submitted this afternoon and the following amounts were locked in:

	10/1/2023/9/30/2024	10/1/2022-9/30/2023
Gasoline	\$2.72	\$3.25
Diesel	\$2.79	\$3.85
#2 Fuel	\$2.78	\$3.77

The Department Heads are reviewing their budget requests to see if changes need to be made.

Professional Municipal Clerks Week- May 1-6, 2023, is the 54th Annual Professional Municipal Clerks Week. Initiated in 1969 by IIMC (International Institute of Municipal Clerks) and endorsed by all its members throughout the United States, Canada and 15 other countries, the week is a time of celebration and reflection on the importance of the Clerk's office. In 1984, President Ronald Reagan signed a proclamation that officially declared Municipal Clerks Week the first full week of May. In 1994, President Bill Clinton also signed proclamations confirming Municipal Clerks Week.

Department Heads Quarterly Report- available online.

Financial Reports- available online.

Chairperson Sites wanted to highlight town hall stream views report. Several people are connected to the meetings.

Diane Barnes states legal fees, solid waste and public works overtime are over budget. The legal fee to date only covers expenses through February.

New Business-(2:56:13-3:02:34)

MDOT Construction Overload Permit Agreement

Maine DOT is asking North Yarmouth to agree to issue a permit, if necessary, for overweight equipment on Town streets pursuant to 29-A MRSA § 2382 for a large culvert located on Rout 115 approximately 0.03 miles south of the intersection with Mill Road in North Yarmouth (Project 023693.00). This agreement stipulates that the municipality will issue a permit for the stated period to the MDOT contractor for transporting construction equipment that exceeds legal weight limits over municipal roads. The specific municipal roads involved are not known at this time, as the contractor's plan of operation won't be known until the start of work.

Selectperson Perrin, seconded by Vice Chairperson Haile moved that a construction overlimit permit will be issued to the contractor for the MDOT projects listed above allowing the contractor to haul non-divisible overlimit loads on municipal ways and authorize the Town Manager to establish permit conditions to protect the Town's interest. Vote 4 Yes/0 No.

Grant Match Expense

At the FY 23 Annual Town Meeting, the voters authorized the Select Board to expend up to \$25,000 from Unassigned Fund Balance, if necessary, as matching funds for any grant. I would like the Select Board to authorize the use of these matching funds for Engineering Services (Dirigo Engineering) to complete the Sweetser Road Culvert Project. The Town received a \$125,000 Stream Crossing Grant through the State of Maine. Previous engineering expenses were funded through the Roadway Reserve account.

Selectperson Berry, seconded by Vice Chairperson Haile moved to approve expenditures up to \$25,000 for engineering services for the Sweetser Road Culvert project from Undesignated Fund

Balance. Vote 4 Yes/0 No.

Any Other Business

Chairperson Sites thanked the town and staff for the Boston Cane Event. The music was great. It was heartwarming and well attended.

Diane Barns advised she received a letter from Community Concepts. They are applying for funding from the Housing Assistance Council for the Self-Help Homeownership Opportunity Program (SHOP). They are looking for a letter of support from communities. She would like permission to write up the support letter. The Select Board had no objection to Diane writing the support letter.

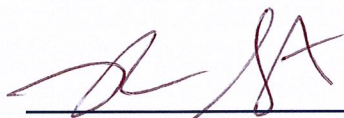
Adjournment

Selectperson Perrin, seconded by Vice Chairperson Haile moved to adjourn at 8:46 PM.

Vote 4 Yes/0 No.

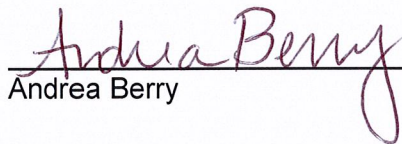
Karen Casale, Recording Secretary

Select Board

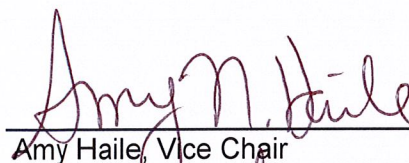


Brian Sites, Chair

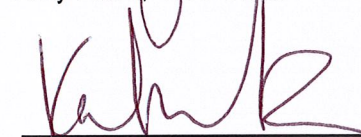
Paul Hodgetts



Andrea Berry



Amy Haile, Vice Chair



Katherine Perrin



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION

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Anne Graham

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Anne.Graham@legislature.maine.gov

May 1, 2023

Dear Select Board, North Yarmouth team and members of the community,

Thank you for letting me share this legislative update. I apologize for not being able to attend tonight's meeting but my schedule on the Health and Human Service demands the majority of my time in addition to attendance in the House Chamber. Thank you for your hard work. Please let me know if you have questions or concerns.

- Anne

Anne Graham

State Representative

LEGISLATIVE UPDATE

The State Budget/Baseline budget, Part 1: This budget makes significant investments in helping keep down property tax rates. Funding for 55% of K-12 education, sharing 5% of state sales and income tax revenue with municipalities, and honoring the promises made in 2022 to fully reimburse municipalities for the senior stabilization program will enable local leaders to continue to provide vital government services without shifting additional burdens on property owners. We also continued to fund a number of critical health care related programs including foster care, long-term care and adult family care, cost of living increases to health care providers based on rate reform, behavioral health, among other initiatives.

Changes to LD 290 An Act To Stabilize Property Taxes for Individuals 65 Years of Age or Older Who Own a Homestead for at Least 10 Years There are proposed changes to this law to help address some of the unintentional negative consequences it created. Among those changes include adding a means test to establish an income threshold for eligibility and removing the transferability provision between municipalities.

LD 665 (LD 2003 130th Leg) An Act to Extend the Date by Which Compliance is Required for Affordable Housing Development, Increased Numbers of Dwelling Units and Accessory Dwelling Units. Rep Allison Hepler has introduced legislation to extend the date by which

municipalities must be in compliance with the LD 2003 bill from last session. It would delay the deadline from July 1, 2023 to July 1, 2025. This change would allow towns across the state to catch up with resources, and technical support firmly in place to establish defensible ordinances, create community buy-in for the effort and make sure they are not using additional resources to run special town meetings for that purpose.

LD 422 An Act to Eliminate the Requirement That Municipalities Provide Public Notice in Newspapers was voted ONTP in committee. This bill has not yet come to the floor of the House or Senate.

LD 1356, An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question at the end of the Update.

As amended, the bill proposes increasing the percentage of the previous gubernatorial election votes from 10% to 15%. The public hearing for this bill was heard on April 25. A work session has not yet been scheduled.

I proposed this legislation by my own initiative without input from any members of the Select Board. Below you will see part of my testimony before State and Local Government which explains why I sponsored this legislation.

"I believe in a rigorous referendum process that taps the will of the citizens of a community. I believe that the more individuals who sign a citizens' initiative/referendum, the stronger the initiative is. Signatures of a small minority of voters to bring a question to the ballot does not serve the referendum process or the community well. I propose increasing the percentage of the previous gubernatorial election votes from 10% to 15%. Referendums have their place and they are most effective when they truly represent the will of the people on issues that have broad support and that have not been successfully tackled by the local town council, city council or select board.

The citizens' initiative process has evolved in some communities from its early days as a grassroots tool to enhance representative democracy into a tool that is too often exploited by a vocal minority. This process fundamentally lacks critical elements of the deliberative processes of local government. It can have both intended and unintended effects on the ability of the representative, local democratic process to comprehensively develop policies and priorities."



Janet T. Mills
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

April 21, 2023

Dear Friends,

On behalf of the people of Maine, I write this letter in honor of the 54th Annual Professional Municipal Clerks Week, which is recognized during the week of April 30-May 6, 2023.

The Office of the Professional Municipal Clerk, a time honored and vital part of local government throughout the world, is the oldest among public servants. The Office provides the professional link between citizens, the local governing bodies, and agencies of government at other levels, serving as the information center on functions of local government and community. In this important role, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Professional Municipal Clerks continually strive to improve the quality of local government through participation in professional development such as education programs, seminars, workshops, and the annual meetings of their state, county, or international professional organizations. With this essential training, Clerks often become leaders in their fields of governance and their communities.

As Governor, I am proud to have such dedicated public servants performing vital services in communities across our state. I encourage all Maine people to recognize and appreciate the exemplary professionalism of the Clerks who keep our state and its many local governments functioning at the highest standard.

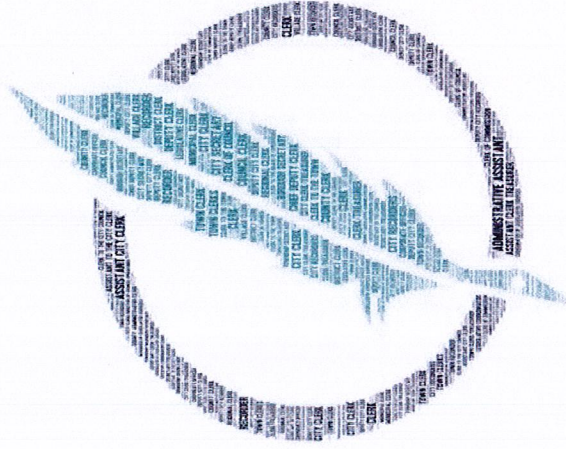
Sincerely,

Janet T. Mills
Governor



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Celebrating the 54th Annual Professional Municipal Clerks Week



Professional Municipal **CLERKS WEEK**

An International Celebration • May 1-6, 2023



Thank you
to our
Town Clerk,
Deputy Clerk,
& Assistant Clerk

May 1-6, 2023 is the 54th Annual Professional Municipal Clerks Week. Initiated in 1969 by IIMC [International Institute of Municipal Clerks] and endorsed by all of its members throughout the United States, Canada and 15 other countries, the week is a time of celebration and reflection on the importance of the Clerk's office. In 1984, President Ronald Reagan signed a proclamation that officially declared Municipal Clerks Week the first full week of May. In 1994 and 1996, President Bill Clinton also signed proclamations confirming Municipal Clerks Week.