

**Town of North Yarmouth
Select Board
Meeting Minutes June 6, 2023, 6:00 PM**

Call to Order- (21:18-1:46)

Members Present: Brian Sites, Chairperson, Amy Haile, Vice Chairperson, Katherine Perrin, Selectperson, Paul Hodgetts, Selectperson, and Andrea Berry, Selectperson, and Diane Barnes, Town Manager.

Pledge of Allegiance.

Conduct Complaint-Select Board Member

The Selectboard heard a conduct complaint from Kristen Collins, Attorney for Laurie Bachelder and 527 LLC against Selectperson Hodgetts.

David A Lourie, Attorney was present to represent and defend Mr. Hodgetts against the claim.

John Hamer, Attorney for the town gave his recommendation that there were no actional policy violations presented.

Chairperson Sites, seconded by Selectperson Berry, moved to take no further action on this complaint. Vote 4 Yes/0 No.

Chairperson Sites, seconded by Selectperson Perrin moved that the Selectboard review bylaws concerning the Liaisons specifically around Quasi-Judicial bodies. Vote 4 Yes/0 No.

Appointments-(2:04-2:08)

Budget Committee Member Resignation-Bill Young
Parks Committee Member Resignation-Scott Kerr
Assessor Resignation-Benjamin L. Thompson 6/6/2023
Assessor Appointment-Robert Sutherland 6/6/2023-6/30/2023

Selectperson Hodgetts, seconded by Selectperson Berry moved to accept the resignation of Bill Young from the Budget Committee, Scott Kerr from the Parks Committee and Benjamin Thompson, Assessor. Vote 5 Yes/0 No.

Selectperson Berry wanted to recognize and appreciate Scott Kerr for his commitment to the Parks and Town of North Yarmouth.

Selectperson Perrin seconded by Vice Chairperson Haile moved to appoint Robert Sutherland, the new Assessor for the Town of North Yarmouth from 6/6/2023-06/30/2023. Vote 5 Yes/0 No.

Public Comment (2:08:01-2:19:27)

Maureen Lucey, 482 Walnut Hill Road- reported that the Boys Track Team won the Western Maine Conference Championship. The Girls Track Team came in second. They both came in third at the State Meet. The Girls Ultimate Frisbee Team won State on Saturday. Congratulations!

Rich Parenteau, Pine Ridge Road- asked a question on the Financial Policy Fund Balance amendment.

Heather Goudeau, Cumberland- said that she hosted many events at the community center. Sunday, she hosted the American Flyers booster club. She stated it was wonderful working with Jackie, Jackson, and Mari. They were treated with a smile and made to feel like a VIP's. She further read comments from the Following:

Angela Campos, Cumberland- stated that the facility was beautiful. It was the perfect place for the event, and she was very impressed with the staff.

Shannon Cloutier, stated the facility was beautiful. She stated Jackie was a joy to work with and she responded quickly.

Nicole Esposito from Saco, stated she was floored at the amount of customer service they received. With Jackie and Mary's willingness to roll up their sleeves. Thank you, we really appreciate it.

Larry Lonegan Abbey Lane- stated that he had a concern with the proposed Fund Balance amendment and would speak to his concern during the Financial Policy agenda item.

David Reed, Country Creek. – Directed questions to the Select Board regarding the code of conduct complaint.

Vice Chairperson Haile clarified this is public comments and He may comment.

Chairperson Sites advised this was not a complaint brought by the Selectboard. The complaint was brought up by a citizen of the town.

Selectperson Berry advised that Selectperson Hodgetts chose to have a public meeting.

Judy Potter, Walnut Hill Road- read a section of M.R.S. Title 30-A, Chapter 187: Planning and Land Use Regulation §4366.

Jeff Brown, 470 Mumford Road- questioned why the proposed Land Use Ordinance process is now being proposed as an amendment to section 1.7 of the Land Use Ordinance instead of a policy.

New Business (2:19:28-2:50:57)

Financial Policy Amendment – Fund Balance

The Town of North Yarmouth recognizes the importance of maintaining an appropriate level of undesignated fund balance. The town's unassigned GF fund balance serves several stabilizing purposes. It is a surplus of amounts which have accrued from unexpected operating budget surplus and unanticipated excess revenues. The surplus also provides the town with an amount for use in unforeseen, unbudgeted emergency situations, and provides a cash flow cushion to offset the need for borrowing in anticipation of tax receipts.

To maintain financial stability, the town has established this policy to maintain an unassigned GF fund balance no less than 12% and no more than 16% of the current fiscal year's budget as defined below:

Gross town operating budget, including town's share of school budget, town's portion of the county's operating budget, and debt service.

Once the town achieves its goal of an appropriate level of undesignated fund balance, any excess funds may be utilized for other municipal purposes, including, without limitation, additional capital improvement needs, tax rate stabilization or reduction purposes. For example, by utilizing excess fund balances for capital improvements, the town will reduce the need to incur long-term debt and will avoid creating an operating funding gap for subsequent fiscal years.

This policy has been adopted by the town to recognize the financial importance of a stable and sufficient level of undesignated fund balance. However, the town reserves the right to appropriate funds with taxpayer approval, from the undesignated fund balance for emergencies and other requirements the municipal officers believe to be in the best interest of the town.

In the event the town's undesignated fund balance drops below the 12% minimum, a written plan to replenish the fund within a maximum of three fiscal years must be approved by the Select Board at the time of the emergency GF fund balance appropriation.

Chairperson Sites, seconded by Vice Chairperson Haile moved to amend the Fund Balance Section of the Financial Policy with exception 6A and unstrike "that many be applied as a revenue for purposes of developing the subsequent municipal budget." Vote 5 Yes/0 No.

Larry Lonagan, Abbey Lane- questioned a section of the Fund Balance Policy that is proposed to be deleted.

Fee Schedule Amendment-WH&NYCC Fees

Jackie Hersey, Community Center Director, explained her reasons for recommending the change tot he WH&NYCC Fees. She stated that the Community Center Director would like to amend section "Public Facility Use (Wescustogo Hall & Community Center)" by removing the charges for the Combo WH/Room 1 & 2 and Combo WH/Room 2 & 3. Providing a discount for additional space is less incentive to reserve the entire hall for events. It generates more set up/clean-up time for staff without generating anymore revenue for the use of the space.

Selectperson Perrin, seconded by Selectperson Berry moved to amend the WH&NYCC Fee section of the Fee Schedule as presented. Vote 5 Yes/0 No.

LUO-Proposed Amendment to 1.7

Chairperson Sites presented a PowerPoint that explained the LUO Amendment Process that he presented to the Board for review.

Larry Lonagan Abbey Lane- asked if this amendment would go to a public meeting. Chairperson Sites advised it would need approval from the voters. Larry questioned why the Town does not send out notices on public hearings.

Diane Barnes advised that in certain circumstances the Town would send out a mailer to the households. The notice for a public hearing is posted in the newspaper, posted on the website, and the subscribers to notices would get a link to the material on the website. Mr. Lonagan was encouraged to subscribe to these notices.

Consent Agenda (2:50:58-2:53:43)

Payroll Warrants

#97 \$ 7,482.50
#98 \$ 7,378.62
#100 \$ 62,509.09

#101 \$770,618.29

Municipal Accounts Payable Warrants

#99 \$43,725.73

Select Board Minutes of May 16, 2023, May 22, 2023.

CMP Pole Location Permit-Lufkin Road

CMP is requesting permission from the Municipal Officers to construct and maintain a pole with attached facilities upon, along or across Lufkin Road. This pole is being installed to service a new customer who is building a home.

Vice Chairperson Haile, seconded by selectperson Berry moved to approve the consent agenda as presented minus May 22, 2023, minutes. Vote 5 Yes/0 No.

Selectperson Hodgetts would like the end time of the May 22, 2023, updated from 6:20 PM to 6:14 PM.

Selectperson Hodgetts, seconded by Chairperson Sites moved to approve the May 22, 2023, minutes after changing the meeting end time from 6:20 PM to 6:14 PM. Vote 5 Yes/0 No.

Management Reports & Communications (2:53:44-2:58:20)

Town Manager's Report

Election Day

The Town Office will be closed for business on Tuesday, June 13th for staff to be present and work the polls

Servpro Certificate of Appreciation-EMS Appreciation

Servpro proudly presented to Greg Payson, a certificate of appreciation as a nominee of Servpro's Paint the Plate at Fenway Hero 2023 in grateful recognition for his enduring commitment to exceptional service and unparalleled dedication the communities in which he serves.

MMA Site Visit

Jason Johnson, MMA Risk Inspector was on site to conduct his annual inspections of the Town's facilities. He wanted to specifically mention two employees who make a great team when it comes to workplace safety – Debbie Allen Grover and Greg Payson. Together these two – and I assume with the work of others – have put North Yarmouth in a great spot. It's one of the reasons why he recommended that the Town consider enrolling in the Bureau of Labor's SHAPE Award. Obtaining the SHAPE Award can be a bit of hard work, but in addition to a plaque there is a discount on Workers Compensation with Maine Municipal and no surprise inspection from the State for a period of 3 to 7 years. He sincerely believes North Yarmouth would be an excellent candidate for this award based on his recent visit yesterday.

The Recycling Partnership Grant

The Recycling Partnership awarded the Town of North Yarmouth \$8,000 in grant funding along with a wide range of technical assistance and in-kind support from the Recycling Partnership to assist with the implementation of our community-wide-cart-based automated curbside program. They landed on \$5 per

- Our recycling program's performance was already pretty high so their investment of grant funds in our community would return relatively fewer new tons since our community is already full of such good recyclers.
- Their program, at its best, is meant to catalyze new investment in residential recycling that might not have otherwise occurred.

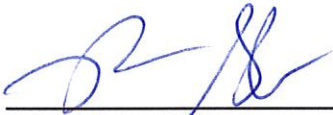
Judy Potter, Walnut Hill Road- said there were spelling errors on the School ballot and warrant. She also questioned the wording on the Town ballot. Diane said she would bring it to their attention.

Adjournment

**Selectperson Hodgetts, seconded by Chairperson Sites moved to adjourn at 8:43 PM.
Vote 5 Yes/0 No.**

Karen Casale, Recording Secretary

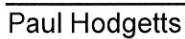
Select Board



Brian Sites, Chair



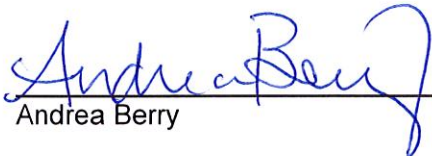
Amy Haile, Vice Chair



Paul Hodgetts



Katherine Perrin



Andrea Berry