

**Town of North Yarmouth  
Select Board Meeting Agenda  
Tuesday, September 19, 2023  
Regular Business Meeting**

**6:00PM**

**Wescustogo Hall & North Yarmouth Community Center**

**Select Board Members**

Amy Haile, Chair  
Karl Cyr, Board Member

Andrea Berry, Vice Chair  
Paul Hodgetts, Board Member

Katherine Maloney, Board Member

**1. Call to Order**

- A. Pledge of Allegiance
- B. Select Board Goals Workshop

**2. Appointments**

- A. Select Board Liaisons
  - 1. PML Advisory Board-Appointment

**3. Special Presentations**

**4. Announcements**

**5. Public Comment-Non-Agenda Items**

**6. New Business**

- A. Resolution-Casco Bay Trail Alliance
- B. EDSC-Committee Charges

**7. Old Business**

- A. Set Joint Workshop with Planning Board (10/24/2023)
- B. Select Board Community Engagement
- C. Legal Fees-Analysis

**8. Consent Agenda**

- A. Payroll Warrants
- B. Municipal Accounts Payable Warrants
- C. Set Public Hearing for GA Maximums-October 17, 2023
- D. Liquor License Incorporated Civic Organization (Foundation #51)

**9. Management Reports & Communications**

- A. Select Board Committee Reports:
  - 1. EDSC-Kit Maloney
  - 2. Parks-Karl Cyr
  - 3. Joint Standing Committee-Amy Haile, Andrea Berry
  - 4. Waste Reduction Committee-Andrea Berry
  - 5. Walnut Hill Parkway-Paul Hodgetts, Kit Maloney
  - 6. Recreation Advisory Board-Karl Cyr
  - 7. School Fund Committee-Paul Hodgetts
  - 8. Prince Memorial Library-Amy Haile
  - 9. Shellfish Commission-Karl Cyr
  - 10. Budget Committee-Andrea Berry

- B. Town Manager's Report

**10. Any Other Business**

**11. Adjournment**

**REMINDERS TO THE ATTENDING PUBLIC:** Please mute all digital devices; Select Board meetings are open to the public, but the public may not speak unless recognized by the Chairperson first. **Workshops:** The public is welcome to attend workshops and listen to the discussion that takes place. The purpose of holding a workshop is to provide the Select Board with the opportunity to focus on specific town matters to later present at a regular business meeting. Therefore, public participation is limited to only regular business meetings of the Select Board.

**Version 2.0 – 9/19/2023**

# Town of North Yarmouth

## Select Board Business

### *Summary of Recommended Motions & Other Action Items*

September 19, 2023

#### **5. *New Business***

##### **A. Resolution-Casco Bay Trail Alliance**

#### **Executive Summary**

After a 9-month review of potential rail and non-rail uses for the state-owned Berlin Subdivision rail corridor from Portland to the Auburn/New Gloucester town line, a majority (7 of 15 members) of the Portland to Auburn Rail Use Advisory Council (RUAC) voted to recommend the conversion of 26.5 miles of existing railroad track to an interim bicycle and pedestrian trail. Additionally, five (5) members of the RUAC voted to recommend the Trail with Rail option (i.e., leaving the track in place and building bicycle and pedestrian trail at an offset) and one (1) member voted for the Rail Use-only option. Both the majority and minority recommendations are included in this report. Two (2) members of the Council abstained.

#### **Background**

In June of 2021, two bills were signed into law that established a new process for reviewing a non-rail recreational or nonrecreational transportation use along state-owned rail corridors. [Public Law 21, Chapter 239](#) gave the Maine Department of Transportation (MaineDOT) Commissioner the authority to establish a Rail Use Advisory Council, upon the petition of one or more governmental entities. The purpose of these councils is to facilitate discussion, gather information, and provide advice to the commissioner regarding the future use of a rail corridor identified in the petition. These recommendations will include the benefits and costs of potential uses of the rail corridor, including rail and trail use, with the understanding that any non-rail use of the corridor is considered interim in nature.

MaineDOT received letters of support from all communities along the rail corridor requesting the formation of a Rail Corridor Council and that the future use of the 26.5 miles of state-owned, inactive rail-line be studied and reviewed. The initial meeting of the RUAC occurred in April 2022. The process was concluded in January 2023.

The 15-member RUAC was composed of a single representative from each town along the section of rail corridor under consideration: Portland, Falmouth, Cumberland, Yarmouth, North Yarmouth, Pownal, New Gloucester and Auburn. In addition, members included representatives from Bicycle Coalition of Maine, Casco Bay Trail Alliance, Genesee & Wyoming, Greater Portland Council of Governments (GPCOG), Live + Work in Maine, and Maine Yacht Center.

*Source: MDOT/Rail Use Advisory Council*

#### **Suggested Motion**

# Town of North Yarmouth Select Board Business

## *Summary of Recommended Motions & Other Action Items*

**Adopt and sign the resolution to implement the recommendation of the Portland to Auburn Rail Use Advisory Council as presented to present to the Casco Bay Trail Alliance.**

**Motion \_\_\_\_\_, Second \_\_\_\_\_ Vote \_\_\_\_\_**

### **6. *Old Business***

#### **A. Set Joint Workshop with Planning Board**

As a follow-up to legal and planning review of the proposed Advanced Wastewater Treatment Systems, the Select Board would like to hold a joint meeting with the Planning Board, Town Attorney, and Town Planner.

#### **Suggested Motion**

**Schedule a joint workshop with the Planning Board on Tuesday, October 24<sup>th</sup> at 6pm.**

**Motion \_\_\_\_\_, Second \_\_\_\_\_ Vote \_\_\_\_\_**

### **7. *Consent Agenda***

#### **A. Payroll Warrants**

#17 \$ 44,709.67

#22 \$ 41,407.84

#### **B. Municipal Accounts Payable Warrants**

#18 \$ 15,312.22

#19 \$ 3,209.31

#20 \$ 7,810.05

#21 \$332,067.73

#### **C. Set Public Hearing for GA Maximus-October 17, 2023**

Each year the municipal officers must adopt the local General Assistance Ordinance and yearly Appendices. The law requires that the municipal officers conduct a notice and hearing prior to the adoption of the Ordinance and or Appendices.

#### **Select Board Motion**

**Set the Public Hearing for October 17, 2023**

#### **Suggested Motion**

**To approve the consent agenda as presented.**

# Town of North Yarmouth Select Board Business

## *Summary of Recommended Motions & Other Action Items*

**Motion** \_\_\_\_\_, **Second** \_\_\_\_\_ **Vote** \_\_\_\_\_

Goal	Strategy	Action Step	What can we do this year?	Who will do it? Select Board, Town Manager, or Committee(s)?	Fiscal Impact	Measures of Success	Connection to Comp Plan
Goal 1: Improve Communications & Resident Engagement	In order to increase resident awareness and involvement in town work, the Select Board aims to continue to increase the quantity and quality of town-generated communications about meetings, process, and volunteer opportunities so residents will be more informed and engaged.	Reimagine how we coordinate and communicate community gatherings in our town, including how our committees work together. Provide more accessible presentations of key information for public consumption Continue to provide regular times for the public to engage with the Select Board and other Town Committees Develop accessible pathways for citizens to meaningfully volunteer in town outside of Committees	<ul style="list-style-type: none"> <li>- host a town boards and committees summit</li> <li>- identify joint committee work when appropriate</li> <li>- include a presentation in Select Board meetings once a month about issues that arise from public comment or other discussions</li> <li>- identify opportunities for community engagement</li> <li>- participate in events at least quarterly</li> <li>- investigate insurance needs to have volunteers NOT on committees participate in town events and park work</li> <li>- identify events at WHCC that outside volunteers could be needed and share in town communications</li> </ul>				

Goal	Strategy	Action Step	What can we do this year?	Who will do it? Select Board, Town Manager, or Committee(s)?	Fiscal Impact	Measures of Success	Connection to Comp Plan
Goal 2: Explore the public interest in Meeting to a Town Council form of government	As our town grows in size and participation in Town Meetings wane, the Select Board looks to understand public opinion of shifting away from a town Meeting form of government.	Host a series of public forums to explore and explain the differences in style of governance and the process for potentially shifting our form of Town government Communicate clearly with residents about the pros, cons, and mechanics of shifting from a Town Meeting to Town Council form of government Assess public opinion using multiple communication pathways Follow resident input and proceed accordingly					

Goal	Strategy	Action Step	What can we do this year?	Who will do it? Select Board, Town Manager, or Committee(s)?	Fiscal Impact	Measures of Success	Connection to Comp Plan
Goal 3: Support sensible and sustainable Town development	In the face of competing town priorities, the Select Board will work to find balance between infrastructure management, short- and long-term costs, environmental impacts, and community needs.	Thoughtfully consider the ongoing development of the North Yarmouth Village Center Create a town vision plan for the acquisition and management of open space and meaningful locations in North Yarmouth as a guide for conservation and preservation Protect our water and other natural resources Move forward a climate resilience vision for the Town					

## TOWN OF NORTH YARMOUTH RESOLUTION

### Request to Petition the Commissioner of Transportation and the Maine State Legislature To Implement the Recommendation of the Portland to Auburn Rail Use Advisory Council

- WHEREAS,** the State Railroad Preservation and Assistance Act requires the Department of Transportation to seek legislative approval for any conversion of a state-owned rail corridor in which the department controls the right-of-way to a non-rail recreational or non-recreational transportation use; and
- WHEREAS,** the Portland to Auburn Rail Use Advisory Council was formed in April 2022 pursuant to Maine Revised Statutes, Title 23, section 75, to review the section of the St. Lawrence and Atlantic rail corridor from mile post 0.0 in Portland to mile post 26.5 in Auburn, referred to as the Berlin Subdivision Rail Corridor, for potential non-rail use; and
- WHEREAS,** any conversion to non-rail use is considered interim in nature, with rail corridors preserved for future rail use as provided under the State Railroad Preservation and Assistance Act; and
- WHEREAS,** conversion to an interim trail would involve removing the existing tracks and ties and developing a multi-use trail on the former track bed, with a paved or gravel/stone trail surface; and
- WHEREAS,** authorizing an interim trail use is only the first step, and would enable additional planning regarding construction and funding of an interim trail; and
- WHEREAS,** of the 13 members of the Portland to Auburn Rail Use Advisory Council to cast a vote, a majority of 7 members voted to recommend the conversion of 26.5 miles of the inactive Berlin Subdivision Rail Corridor to an interim bicycle and pedestrian trail; and
- WHEREAS,** 5.1 miles of the state-owned Berlin Subdivision Rail Corridor run through the Town of North Yarmouth; now, therefore be it
- RESOLVED,** that the Town of North Yarmouth supports an interim trail on the 5.1 miles of state-owned, inactive track in North Yarmouth, and be it further
- RESOLVED,** that the Town of North Yarmouth petitions the Commissioner of Transportation and the Maine State Legislature to permit the conversion of 26.5 miles of the Berlin Subdivision Rail Corridor to an interim bicycle and pedestrian trail, consistent with the commendation of the rail use advisory council.

**NOW, THEREFORE, BE IT RESOLVED BY THE SELECT BOARD OF THE TOWN OF NORTH YARMOUTH ASSEMBLED THIS 19<sup>th</sup> DAY OF SEPTEMBER, 2023, THAT:**

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Amy Haile, Chair

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Andrea Berry, Vice-Chair

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Katherine Maloney

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Paul Hodgetts

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Karl Cyr



STATE OF MAINE  
 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

**Application for a License for an Incorporated Civic Organization**

**Section A: Applicant Information:**

1. Legal Name of Applicant: Foundation 51
2. Contact Name for Applicant: Heather Goddu
3. Mailing Address of Primary Office of Applicant: P.O. Box 545  
Cumberland, ME 04021
4. Contact Name Telephone/Mobile Number: 207.240.1867
5. Email Address of Contact: hgoddu@gmail.com

**Section B: Event Information:**

1. Title Event: F51 Fall Fling
2. Purpose of Event: Fundraiser
3. Duration of Event (check one):  One Day  Multiple Days (only 1 permitted per year)
4. Type of Event: (check one)  Indoor  Outdoor
5. Town or City where Event will take place: North Yarmouth, ME
6. Complete Physical Address of Event:  
skyline Farm  
95 The Lane North Yarmouth 04097
7. Date of Event: September 29, 2023 Time: From 6:30 To 9:30  
Under Maine liquor laws, alcoholic beverages can only be served from 5:00 am to 1:00 am of the next day, Sunday through Saturday; event times cannot deviate from this statutory requirement.
8. Number of Persons Attending: 100

9. Describe specific indoor and/or outdoor area to be licensed: (for an outdoor event, please include a diagram of the outside space in Section F below.)

outdoor space away from road

10. Will dancing be part of the event? Yes  No

a. Does the venue have a dance license? Yes  No

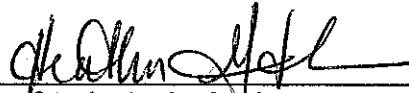
b. If yes, please provide a copy of the license from the State's Fire Marshall's Office

**Section C: Signature of Applicant**

By signing this application, the licensee understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 9/16/23



Signature of Duly Authorized Person

Heather Goddu

Printed Name of Duly Authorized Person



**Section D: For use by Municipal Officers and County Commissioners only**  
**Approval of an Application for a License for an Incorporated Civic Organization**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this catering event application on this date: \_\_\_\_\_.

Check only one:       City                       Town                       Unorganized Territory

Name of City/Town/Unorganized Territory: \_\_\_\_\_

Who is approving this application?     Municipal Officers  
     County Commissioners of \_\_\_\_\_ County

**Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of license to be issued by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**Section E: Application Fee; Other Information**

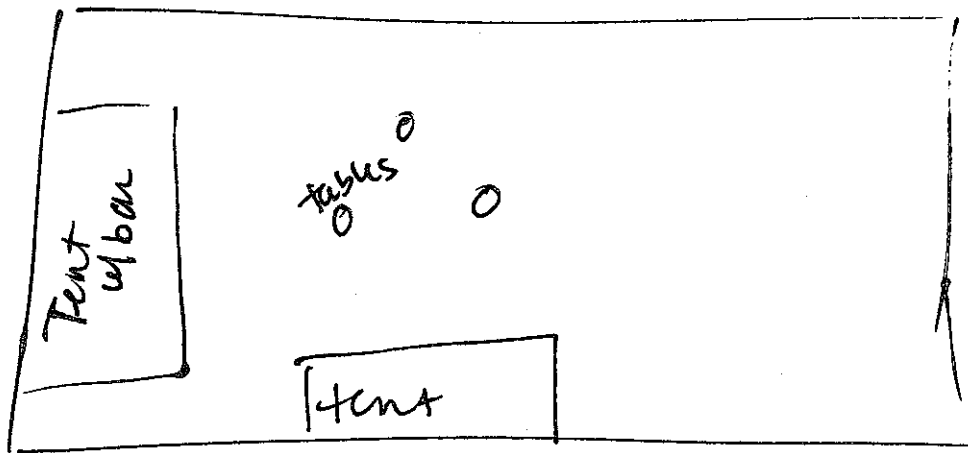
1. The license fee is \$50.00 plus a \$10.00 filing fee; make checks payable to Treasurer State of Maine.
2. The law requires the application to be submitted at least 24 Hours prior to the function, however, a longer notice is appreciated to allow additional time for processing.
3. Once issued, this permit is not assignable and is valid only for use by the licensee named in this application and for the date, time, and location listed in this application. This permit is issued subject to Maine liquor laws under Title 28-A and the Bureau's Administrative Rules. Penalties for failure to comply with the laws and rules are provided in Chapter 33 of Title 28-A.
4. The Division is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.
5. Payments to the Division by check subject to penalty provided by 28-A MRS Section 3-B.

**Section F: Diagram for Outdoor Events**

**The following restrictions apply to outdoor events:**

- There must be a stanchion or a fence completely enclosing the area.
- Signs must be posted stating "No alcohol beyond this point".
- There must be sufficient employees at the event to control and monitor the area.

In an effort to clearly define the area that consumption and storage of liquor will occur during this outdoor event, diagrams must be submitted on this form and should be as accurate as possible. Be sure to label the areas of consumption and storage on your diagram.



**For Division Use Only**

Date Filed: \_\_\_\_\_

Approved       Not Approved

Date Approved: \_\_\_\_\_

Approved By: \_\_\_\_\_

License No: \_\_\_\_\_

Deposit Date: \_\_\_\_\_

Amt. Deposited: \_\_\_\_\_

Payment Type: \_\_\_\_\_