

Town of North Yarmouth
Select Board Meeting Agenda
Regular Business Meeting
June 6, 2023
6:00 PM

Wescustogo Hall & North Yarmouth Community Center

Select Board Members

Brian Sites, Chairperson
Andrea Berry, Board Member

Paul Hodgetts, Board Member
Kate Perrin, Board Member

Amy Haile, Board Member

I. Call to Order

- A. Pledge of Allegiance
- B. Conduct Complaint-Select Board Member
- C. History Minute

II. Appointments

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

III. Special Presentations

IV. Announcements

V. New Business

- A. Financial Policy Amendment – Fund Balance
- B. Fee Schedule Amendment-WH&NYCC Fees
- C. LUO-Proposed Amendment to 1.7

VI. Old Business

VII. Consent Agenda

- A. Payroll Warrants
- B. Municipal Accounts Payable Warrants
- C. Select Board Minutes of May 16, 2023 & May 22, 2023
- D. CMP Pole Location Permit-Lufkin Road

VIII. Public Comment – Non-Agenda Items

IX. Management Reports & Communications

- A. Town Manager's Report

X. Any Other Business

XI. 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 1.0 6/6/2023

Town of North Yarmouth

Select Board Business

Summary of Recommended Motions & Other Action Items

June 6, 2023

V. New Business

A. Financial Policy Amendment

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.

Suggested Motion

To amend the Fund Balance section of the Financial Policy as presented.

Motion _____, Second _____ Vote _____

Town of North Yarmouth

Select Board Business

Summary of Recommended Motions & Other Action Items

B. Fee Schedule Amendment-WH&NYCC Fees

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.

Suggested Motion

To amend the WH&NYCC Fee section of the Fee Schedule as presented.

Motion _____, Second _____ Vote _____

VII. Consent Agenda

A. Municipal Accounts Payable Warrants

#97 \$ 7,482.50

#98 \$ 7,378.62

#100 \$ 62,509.09

#101 \$770,618.29

B. Municipal Payroll Warrants

#99 \$ 43,725.73

C. Select Board Minutes-May 16, 2023 & May 22, 2023

D. 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.

Suggested Motion

To approve the consent agenda as presented.

Motion _____, Second _____ Vote _____



Town of North Yarmouth

Financial Policies

**Adopted January 15, 2019
Amended December 15, 2020
Amended June 7, 2022
Amended August 16, 2022
Amended June 6, 2023**

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Town of North Yarmouth
Financial Policies

I. PURPOSE

The purpose of this policy is to provide objectives, the delegation of authority, standards of prudence, reporting requirements, internal controls, eligible investments, transactions, risk tolerance, safekeeping and custodial procedures, and selected guidelines for the financial management of the Town of North Yarmouth under the direction of the Town Manager/Purchasing Agent for the Town or his or her designee.

II. PURCHASING

Purchasing policies set forth the duties and responsibilities of the Town Manager, Department Heads, and the Select Board in standardizing the purchasing of goods and services for the Town of North Yarmouth, thereby securing for the Town the advantages of a centralized and uniform purchasing saving the taxpayers money and increasing public confidence in the procedures for municipal purchasing. This policy establishes an overall purchasing policy from which the Town Manager will develop methods to be utilized by all Town departments, as well as boards and committees that receive budgetary appropriations from the Town; and to promote the fair and equitable treatment of all suppliers of goods and services.

A. Purchasing Definitions

1. **Approved Vendors and Contractors:** Those vendors and contractors identified by each Department Head to the Town Manager. The Town Manager and or Department Head is responsible for maintaining the list of such approved parties for bidding purposes and for promoting and soliciting North Yarmouth vendors and residents for said list. The Town Manager shall keep detailed records for each department on file at all times. Such listing shall be reviewed and updated every two fiscal years.
2. **Most Advantageous Bid:** A bid chosen on the basis of price, quality of merchandise, suitability of merchandise, and the service reputation of the vendor, and therefore may not necessarily mean the lowest bid received.
3. **Competitive Bidding:** The process of obtaining the bid most advantageous to the town for any purchase, whether through formal or informal bidding procedures.
4. **Field Purchase:** An informal purchase of supplies needed in small quantities for day-to-day operation made directly by a department head or his/her designated representative from an approved vendor.
5. **Formal Bid:** A written quotation obtained in a sealed envelope from an approved vendor or through advertisement and opened at a specific day, place, and time either by the Town Manager of the Board of Selectmen
6. **Emergency:** A situation by its nature and severity that would require an override of the timeframes set out in this policy.
7. **Informal Bid:** A written or oral quotation obtained from an approved vendor or contractor, but not required to be opened publicly at a specified day, place, and time.

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8. Purchase: Buying, contracting, renting, leasing, or otherwise acquiring supplies or services for a price.
9. Services: The lease or rental of all grounds, buildings, offices, space or equipment required by the Town, the repair or maintenance of all equipment or real property owned by or the responsibility of the Town, and all labor furnished to the Town by persons, firms, individuals or corporations not part of or connected with Town government.
10. Specifications: Standards including quality set by Department Heads as a guide to the Town Manager and as a measure of that which successful vendors must achieve. Specifications shall be either technical specifications for bids, which shall state formulations as broadly as practicable, yet shall be specific enough to describe the requirements of the department, or non-technical specification for bids, which shall state the quality required in general terms.
11. Applicability: This policy shall apply to all purchases and services made by or used by departments and agencies of the Town, except as otherwise specified herein.

B. Purchasing Parameters

1. Spending Authorization

The Town Manager is designated as the Purchasing Agent for the Town. Accordingly, the Town Manager and Department Heads are authorized to spend within budget appropriations. Purchases within the dollar range specified below must meet the requirements listed. Dollar ranges are per piece or in the order total, whichever would meet the dollar range last and are meant to be guidelines and not rigidly defined.

2. Products, Goods, and Equipment

- a) \$0 - \$1,000: Defined as Field purchases
- b) \$1,001-\$4,999: Purchase Order authorized in advance is required. Formal competitive bidding is not required. However, the purchaser should endeavor to get the best value for the money spent. Town Manager or designee will approve the purchase.
- c) \$5,000 - \$99,999: Purchase Order authorized in advance is required. Informal bids will be solicited from a minimum of three bidders, if available. Preferably these bidders will be found on the department list of approved vendors and contractors. The quotes will be attached to the purchase order. If within appropriation amounts, the purchase only needs approval by the Town Manager; if outside the appropriation amounts, needs a recommendation by the Town Manager and approval from the Select Board.
- d) \$100,000 and Over: Written bid specifications or equivalent shall be created by the Department Head and approved by both the Town Manager and the Select Board prior to being advertised. This is a formal bid process the Select Board has the final awarding responsibility. The Select Board will award the bid to the most advantageous or in the best interest to the Town.
- e) Record of Bids: The Town Manager shall keep a record of all bids submitted for a time period of at least three (3) years, and such record shall be open to proper inspection by any interested party.

Town of North Yarmouth
Financial Policies

- f) Disqualification of Bidders: The Town Manager shall have the authority to disqualify bidders who default on their bids, quotations, contracts, or purchase orders from receiving further awards from the Town. Such decisions will be subject to the right of the disqualified bidder to appeal to the Select Board for a reversal or reinstatement.
- g) Rejection of Bids: The Town Manager and the Select Board shall have the authority to reject any, and all bids (or Request for Proposals) received in response to invitations for bids (or Request for Proposals) are deemed non-responsive, token, collusive or otherwise non-acceptable and when such action is in the best interests of the Town.
- h) Product & Warranty Information: The Town Manager shall be responsible for these documents and for ensuring that appropriate insurance coverage is secured.
- i) Authorization of Documentation: The Town Manager has the authorization to execute such documents that are required to perfect the purchase.

3. Service Contracts

- a) \$0 - \$4,999; formal competitive bidding is not required; contractor shall be on the approved vendors and contractors list. Town Manager or designee will approve the contract.
- b) \$5,000 - \$49,999; Informal bids shall be solicited from a minimum of three bidders, if available. Preferably these bidders will be found on the department list of approved vendors and contractors. If within appropriation amounts, the contract only needs approval by the Town Manager; if outside the appropriation amounts, it needs a recommendation by the Town Manager and approval from the Select Board.
- c) \$50,000 and over; A written Request for Proposal specifications or equivalent shall be created by the Town Manager and approved by the Select Board prior to being advertised. The request shall be advertised by the most efficient means possible, in order to encourage the broadest possible competition. Sealed proposals shall be specified and opened at a public meeting by the Town Manager. The Select Board has the final awarding responsibility. The Select Board may award the service contract to someone other than the lowest bidder if they feel that it is in the best interests of the Town.
- d) Record of Bids: The Town Manager shall keep a record of all bids submitted for a time period of at least three (3) years, and such record shall be open to proper inspection by any interested party.
- e) Contract Information: The Town Manager shall be responsible for these documents and for ensuring that appropriate insurance coverage is secured. All contracts shall contain language that it falls under the jurisdiction of the State of Maine legal provisions, and should their duration extend over one (1) year, that the contract is subject to a non-appropriation clause.
- f) Authorization of Documentation: The Town Manager has the authorization to execute such documents that are required to perfect the contract.

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Financial Policies

4. Conflicts of Interest

- a) Any official, officer or employee of the Town who has a financial interest, direct or indirect, or by reason of ownership of stock in any corporation or ownership interest in a business entity, in any contract with the town, or in the sale of any land, material, supplies or services to the town or to a contractor supplying the Town shall make known that interest and shall refrain from voting upon or otherwise participating in his/her capacity as an official, officer or employee in making such sale or otherwise in the making or performing of such contract.
- b) Any official, officer, or employee who willfully conceals such financial interest or willfully violates the requirement of this section shall be guilty of malfeasance in office or position and shall forfeit his/her office or position. Violation of this section with the express or implied knowledge of the person or business entity contracted with or making a sale to the town shall, at the option of the town, render the contract or sale voidable.
- c) In all proceedings before the town, every municipal official shall attempt to avoid the appearance of a conflict of interest by disclosure or abstention.

5. Miscellaneous

- a) Emergencies - In such defined times, the Town Manager may authorize immediate negotiated purchases of supplies or services, not to exceed \$5,000 that are needed to protect the best interests of the Town
- b) Revision Power in the Town Manager - The Town Manager shall examine each purchase order and shall have the authority to revise it as to quantity, quality, or estimated cost, but revision as to quality shall be only with the concurrence of the using agency or department.
- c) Tax Exemptions - The Town Manager shall act to procure for the Town all Federal and State tax exemptions to which the town is entitled.
- d) Town Debit and Credit Cards - The ability to purchase with the town credit card is allowed only by prior approval. If the purchase is made by a Department Head, then the Town Manager or Assistant Town Manager grants the approval. Debit and Credit Card purchases shall not exceed amounts described here as Products, Goods & Equipment.

III. FIXED ASSETS

This policy establishes the minimum cost value (capitalization amount) that shall be used to determine the capital assets, including infrastructure assets that are to be recorded in the Town's annual financial statements in order to comply with the requirements of GASB Statement No. 34. The Town Manager and Department Heads shall be responsible for updating and maintaining asset records on an annual basis or as activity occurs.

It is the policy of the Town of North Yarmouth to annually adopt a Capital Improvement Program (CIP) to ensure regularly scheduled maintenance of existing assets and the funding of mandated or much-needed new capital projects. In order to qualify as a CIP item, the project or item must exhibit a useful life and have a minimum value of no less than \$10,000.

**Town of North Yarmouth
Financial Policies**

- A. Capital Asset Definition - Capital assets will be defined as tangible and intangible assets that have initial useful lives that extend beyond a single reporting period (1 year).
- B. Capitalization Method - All capital assets will be recorded at historical costs as of the date acquired or constructed. If historical cost information is not available, assets will be recorded at estimated historical cost by calculating current replacement cost and deflating the cost using the appropriate price-level index.
- C. Capitalization Thresholds - The Town establishes the following minimum capitalization thresholds for capitalizing fixed assets:
- Land and Improvements: \$ 25,000
 - Buildings and Improvements: \$ 50,000
 - Machinery/Equipment/Vehicles: \$ 10,000
 - Infrastructure: \$ 50,000
- D. Infrastructure Assets - In accordance with GASB Statement #34, the Town will record, at a minimum, "major" infrastructure assets as defined in Statement #34 that were acquired, constructed or significantly reconstructed, or that received significant improvements after June 30, 1980. Other infrastructure assets may be capitalized as deemed appropriate. The Town does not intend to use the "modified approach" to record infrastructure.
- E. Other Assets - Detailed records shall be maintained at the discretion of the Town Manager for all items below the capitalization thresholds that should be safeguarded from loss. These items will be part of the annual physical inventory.

IV. INVESTMENTS

The Town of North Yarmouth Investment Management Account has been established to segregate all capital reserve and special fund accounts into one investment account so that the funds are invested and managed in a manner consistent with appropriate municipal care. This policy shall provide the Investment Manager with a general framework within which the investment objectives will be defined and general guidelines outlining how the investment portfolio will be structured. The investments will be managed, and the performance will be monitored by the Town Manager and the Investment Manager.

The Select Board shall select a financial institution to serve as the Town's Investment Manager.

Specific objectives include:

- Assure policy compliance;
- Developing investment objectives and performance standards which are acceptable to the Town of North Yarmouth's Select Board;
- Reviewing asset allocations;
- Reporting to the Select Board and or Town Manager on a regular basis, including a face to face meeting at least annually.

A. Investment Manager Responsibilities

In its fiduciary capacity, the Town's chosen Investment Manager will act prudently and implement the policy solely in the interest of the Town of North Yarmouth.

Town of North Yarmouth Financial Policies

The Investment Manager shall also guard this policy. The policy statement also guards against “Board Risk” the possibility that the Select Board members at some stress point (most frequently a low point in the stock or bond markets) will react in a manner detrimental to the long-term health of the investment management account. Board members tend to serve only a few years at a time, and those who adopt this policy today may not be here ten years from now to maintain the steady course that is one prerequisite of a successful investment plan.

The investment manager(s) shall manage the assets of the investment account with the care, skill, prudence, and diligence that a prudent person familiar with such matters would use. Responsibilities

include, but are not limited to, providing the Town with strategic investment counsel, custody of securities, income collection, portfolio management (including all buy/sell decisions), trade execution, and cash flow analysis. The investment manager will be available for meetings at such times as the Town Manager and or Select Board may request. The investment manager(s) will provide the Town Manager with performance data quarterly and will be available to meet with the Town Manager and or Select Board no less than annually. The agenda for meetings with the investment manager will include, at a minimum, the following:

- Current investment strategy;
- Prospective economic climate;
- Portfolio performance with respect to investment objectives and relative benchmarks;
- Expected levels of cash flow projected over the next fiscal year.

B. Investment Objectives

1. Return Requirements - The policy's primary return objective is to provide safety of principal through the diversification of the assets of the Town of North Yarmouth's Investment Management Account by investing in high-quality securities that will provide a high degree of liquidity. The investment account performance goal is expressed as a total return, without distinction between income and capital gains.
2. Risk Tolerance - Although the investment account has an infinite time horizon, liquidity needs are scheduled as needed and thus suggests that the investment account should assume a low-risk level.

C. Investment Constraints

1. Liquidity - Prudence dictates maintaining some liquidity for scheduled distributions and emergency expenses. This avoids a sudden need to sell long-term investments to meet unexpected demands for cash.
2. Time Horizon - A relatively long-time horizon can be assumed for planning purposes. The investment portfolio is likely to remain in existence for at least twenty (20) years and beyond.
3. Taxes - Not applicable; the Town is a tax-exempt entity.
4. Laws and Regulations - Funds may be used only for those purposes that the legislative body of the Town has set for each individual fund.

Town of North Yarmouth
Financial Policies

D. Investment Guidelines

The investment manager(s) shall maintain a diversified portfolio employing a fixed income investment strategy to meet the cash flow needs.

Within the parameters below, the investment manager(s) shall have the discretion to allocate funds to fixed-income investments or cash reserves depending on the investment manager's outlook for the investment markets. Unless otherwise determined by the Town from time to time, the asset allocation for the funds shall be guided by the following:

Target Allocation (as a % of Fair Market Value)

- Equities 0%
- Fixed 85% to 100%
- Cash & Cash Equivalents 0% to 15%

E. Fixed Income Investments

Fixed income investments shall be limited to direct debt obligations of the US Treasury, domestic corporations, securities issued by Federal Agencies, and US Government Agencies. In addition, fixed-income investments shall be limited to the following guidelines:

1. Fixed income securities at the time of purchase must be investment grade or better by Standard & Poor's or Moody's Investor Service.
2. Maturities of fixed income securities shall be structured to provide an average life of five (5) to ten (10) years, with an average life of up to fifteen (15) years for mortgage-backed securities.
3. Fixed-income mutual funds may be used from time to time in order to enhance yield during an interim investing period.

F. Cash Reserves

Investments in cash and cash equivalents shall be limited to insured or collateralized bank deposits, US Treasury Bills, repurchase agreements, or money market funds whose investments are limited to short-term direct obligations of the US Treasury, US Government Agencies, or domestic corporations.

Town of North Yarmouth
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G. Performance Benchmarks

The performance will be monitored on a regular basis and evaluated relative to the IMA's long-term objectives using appropriate benchmarks for comparison. The account will be compared against the following indices:

- | | |
|-------------------------------|---|
| ▪ Cash Reserve Component | 91 Day Treasury Bill |
| ▪ Convertible Securities | ML Investment Grade Convertibles |
| ▪ International | MSCI EAFE Index |
| ▪ Large Capitalization Equity | Standard & Poor's 500 Index |
| ▪ Mid Cap Equity | Standard & Poor's 400/Russell Midcap |
| ▪ Small Cap Equity | Standard & Poor's 600/Russell 2000 |
| ▪ Taxable Fixed Income | Barclays Capital Aggregate Bond Index |
| ▪ Tax-Free Fixed Income | Barclay's Five (5) year Municipal Index |

V. CASH MANAGEMENT

Cash management establishes uniform procedures to be followed in the collection, custody, reporting, and deposit of cash receipts for all departments within the Town of North Yarmouth (the Town). "Cash," as referenced herein, includes coin, currency, checks, cashier's checks, traveler's checks, money orders, and debit/credit card transactions.

A. Cash Policy

Cash received at each department shall be adequately safeguarded at all times and properly receipted and/or documented. Until deposited, all cash collections shall be kept in locked drawers, cash boxes, or cash registers. All cash kept overnight will be moved into the safe and locked. All customer checks, cashier's checks, traveler checks, and money orders will be restrictively endorsed immediately upon receipt. The restrictive endorsement will be made with stamped imprint indicating, "For Deposit Only, Town of North Yarmouth."

The Town Manager (or his/her designee) will be responsible for depositing cash received by the Town to the proper bank depository. Funds accumulating to more than \$5,000 shall be promptly deposited. During transport of deposits, prudent measures shall be taken to assure that funds are adequately safeguarded.

Under no circumstances should disbursements be made from cash receipts. Cash receipts should be accounted for in detail and reconciled against the corresponding source journal(s). No checks are to be cashed from the cash receipt coin/currency originally collected. Refunds may only be authorized by only by the Town Manager (or his/her designee) against like-tender; currency for currency, credit card for a credit card, etc.

No employee has authorization to receipt any transaction for themselves.

B. Transactions Policies

1. Currency, Personal Checks, Bank Checks, Money Orders, and Debit/Credit Cards are all acceptable forms of payment for any transaction.

Town of North Yarmouth
Financial Policies

2. Coinage payment shall not exceed \$10 per transaction.
3. Checks should be made payable to the Town of North Yarmouth.
4. Any check presented shall have a full name, current address, phone number, and license/id number written or listed on the check.
5. No check may be written for cash or in excess of the amount of the transaction.
6. Tax payments made in the form of a check that is inadvertently written in excess of the amount owed, the Town Manager (or his/her designee) shall authorize a refund once the check has passed through the Town bank's clearinghouse.
7. Visa, MasterCard, Discover, and American Express are accepted.
8. The name on the debit/credit card must be verified that it matches the receipted name, along with verifying the signature upon receipt.
9. All debit/credit card payments shall be processed immediately through the third-party card authorization system, and a receipt showing the transaction is accepted must be printed and signed by the cardholder when paying in person. Credit Card payments over the phone may be accepted.
10. A third-party card convenience fee as set by the authorization company shall be added to each transaction processed.
11. A printed receipt shall be provided to all customers showing the amount tendered.
12. The Town Manager (or his/her designee) shall be responsible for the collection of checks returned for non-sufficient funds. Non-sufficient fund procedures are followed until the collection is obtained.

VI. UNDESIGNATED FUND BALANCE

The undesignated fund balance or unreserved General Fund balances are reflected on the balance sheet of the Town of North Yarmouth. All surplus policy formulas and discussions refer specifically to the undesignated and unreserved fund balance at year-end (June 30) as reported in the audited financial statements of the Town. Excluded from the calculations and policy formulas are fund balances in designated capital reserve or special fund accounts, or any funds other than the General Fund.

A. Targeted Undesignated Fund Balance

~~The Town's management objective is to carry a fund balance of 90 days of the total annual budget. The "total annual budget" would include education, contributions to capital reserves, special funds, county taxes, and any debt service.~~

~~A fund balance of less than 90 days is cause for some concern except in unusual and deliberate circumstances. Fund balance in excess of 90 days, although attractive features on a balance sheet, are generally considered excessive, and should be applied to capital projects, debt reduction, or in~~

Town of North Yarmouth Financial Policies

~~certain cases, to reduce the annual tax requirements of the Town (when surplus fund balances are likely to be reliably available each year).~~

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.

B. A. Undesignated Fund Balance Appropriations

On or about ~~February~~ May 1st of each year, the Select Board shall determine the amount of excess funds to be taken from the surplus fund balance, if any, ~~that may be applied as a "revenue" for purposes of developing the subsequent municipal budget.~~ to be utilized for other municipal purposes, including without limitation, additional capital improvement needs, tax rate stabilization, or reduction purposes. The Town Manager is responsible for projecting such year-end balances and recommending an amount of surplus fund balance, if any, that may be applied to the budget proposal consistent with this policy.

C. B. Investment of Undesignated Fund Balance

Undesignated fund balance amounts represent an accounting balance and not necessarily a segregated investment account or pool of funds (idle cash) waiting to be expended or invested. The Town Manager/Treasurer is responsible for forecasting cash flow requirements for all town

purposes and to safely invest any idle cash or capital reserve balances prudently and properly. As such, surplus fund balance investment does not have an investment policy distinct from the general investment guidance and objectives for all Town Funds as contained in these financial policies.

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Financial Policies

(Certain trust accounts, accounts held under grant agreements, and escrow-type funds, such as security deposits, may have special investment rules or limitations, but otherwise, all town investments are subject to the general rules of prudence and state law. The Town, in that policy, seeks to provide security, liquidity, and return, in that order.)

D.C Reserve Funds/Capital Improvement Plan

It is the policy of the Town of North Yarmouth to limit tax fluctuations by annually setting aside capital purchase reserve funds (designated by use). The Town Manager recommends amounts and uses in the annual proposed budget, which is then reviewed and recommended to Town Meeting by the Select Board and the Budget Committee. The Town Meeting vote establishes final amounts and uses for those reserve funds.

The Select Board and Town Manager/Treasurer are authorized to sell, on behalf of the Town, at public or private sale, used town vehicles and or equipment and to see that said sales are placed into the equivalent reserve fund. Additionally, the Selectpersons are authorized to expend amounts previously placed into reserve accounts only for purposes that are consistent with the intent of the reserve fund when created and funded.

VII. POLICY AMENDMENTS

The Select Board shall periodically review the Financial Policies and make modifications when warranted. Proposed modifications to this policy will be documented in writing and be put into effect only after an official majority vote of the Board.

Town of North Yarmouth
Financial Policies

Select Board

Brian Sites, Chairperson

Amy Haile, Vice Chairperson

Paul Hodgetts

Katherine Perrin

Andrea Berry

Town of North Yarmouth
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

Administrative Fees

| | |
|--|-------------------|
| Animal Impoundment Fee | |
| Flat fee for impoundment | \$ 40.00 |
| Emergency medical bills attributed to the animal | Cost |
| Dangerous Dog License | \$100.00 |
| Dangerous Dog License Late Fee | \$140.00 |
| Nuisance Dog | \$ 30.00 |
| Nuisance Dog Late Fee | \$ 70.00 |
| | |
| Bumper Stickers | \$ 1.00 |
| | |
| Faxes (per page - Incoming or outgoing) | \$ 2.00 |
| | |
| Photocopies per page | |
| 8 ½ inch x 11 inch or smaller (black and white ONLY) | \$ 0.10 |
| 8 ½ inch x 11 inch or smaller (color) | \$ 0.50 |
| 8 ½ inch x 14 inch (black and white or color) | \$ 0.75 |
| 11 inch x 17 inch (black and white or color) | \$ 1.00 |
| Thumb drive (Type A) | \$ 5.00 |
| | |
| FOAA Fees | |
| Staff time – first two (2) hours at no charge | \$ 25.00 per hour |
| | |
| Notary Fee (per page) | \$ 2.50 |
| | |
| Non-Sufficient Funds | \$ 40.00 |
| | |
| Search Fee (Genealogy) | |
| Per surname | \$ 15.00 |
| Abstract | \$ 5.00 |
| | |
| Street Map (11 inch x 17 inch) | \$ 1.00 |
| | |
| Tax Account Listing - electronic format | \$ 75.00 |
| | |
| Tax Maps complete set | |
| 11 inch x 17 inch | \$ 25.00 |
| 24 inch x 36 inch | Cost |
| | |
| Junkyards | |
| Application fee | \$250.00 |
| Advertising fee | Cost |
| | |
| Liquor License | |
| Application fee | \$ 25.00 |
| Advertising fee | Cost |
| | |
| Bottle Club License | |
| Application fee | \$ 25.00 |
| Advertising fee | Cost |

Town of North Yarmouth
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

| | |
|---|----------|
| Catering License - Application Fees | |
| Catering Privileges off Premises | \$ 25.00 |
| Catered Function by Qualified Catering Organization | \$ 25.00 |
| Catered Function by B.Y.O.B. License | \$ 25.00 |

Cemetery Fees - Set by Cemetery Commission

| | Lots Established After 2015 | Lots Established Prior to 2015 |
|---|--------------------------------|-----------------------------------|
| Resident | | |
| Lot Fees | \$300.00 | \$250.00 |
| Perpetual care | \$200.00 | \$150.00 |
| Non-Resident | | |
| Lot Fees | \$400.00 | \$350.00 |
| Perpetual care | \$250.00 | \$200.00 |
| Administrative Fee per Interment | | \$175.00 |
| Transfer of Burial Rights | | \$ 75.00 |
| Interment Fees | | Separate fee set by contractor |
| Disinterment | | Separate fee set by contractor |
| Administrative Fee – Code Enforcement Office | | \$ 25.00 |
| Fee applies to all permits issued by the Code Enforcement Officer | | |
| Business Registration Fee – Code Enforcement Office | | \$ 50.00 |
| Change of Use Permits – Code Enforcement Office | | \$ 50.00 |
| PAYT (Pay-As-You-Throw) | | |
| One (1) Roll of 10 - 15 Gallon Bags | | \$ 15.00 |
| One (1) Roll of 5 - 33 Gallon Bags | | \$ 15.00 |
| Recycle Containers | | Cost |
| Composter | | Cost |
| Clean Up Day Fees | | Cost |

Ambulance Service

Town of North Yarmouth Ambulance Service Ordinance - The North Yarmouth Board of Selectmen shall annually establish a schedule of fees that support the cost of ambulance service to the extent practical while respecting all state and federal laws, rules and regulations.

| | |
|-----------------------------|------------|
| Mileage (per loaded mile) | \$ 16.00 |
| ALS1 (A0427) | \$ 900.00 |
| ALS2-2 (A0433) | \$1,200.00 |
| ALS - Non Emergency (A0426) | \$ 500.00 |

Town of North Yarmouth
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

| | |
|-----------------------------|-----------|
| BLS – Non Emergency (A0428) | \$ 400.00 |
| BLS - Emergency (A0429) | \$ 700.00 |
| Paramedic Intercept | \$ 300.00 |
| On Scene | \$ 150.00 |
| Records Request | \$ 5.00 |

Amusement Devices

| | |
|---|-----------|
| Coin-Operated Amusement Device Ordinance Annual license for 5 machines | \$ 100.00 |
| Each additional machine | \$ 50.00 |

Barking Dogs

| | |
|---|----------|
| Per offense upon conviction in District Court (Ordinance) | \$ 50.00 |
|---|----------|

Building Permit Fees - Code Enforcement

Administrative Fee Applies

Residential buildings or buildings accessory to residential buildings:

| | |
|--|---------|
| Finished living space area (sq. ft.) | \$ 0.60 |
| Unfinished area, foundations and garages (sq. ft.) | \$ 0.20 |

Commercial Buildings:

| | |
|---------------------------|---------|
| Commercial area (sq. ft.) | \$ 0.60 |
| Foundation area (sq. ft.) | \$ 0.20 |

| | |
|--|----------|
| Temporary Housing Permit from CEO | \$ 25.00 |
| Demolition | \$ 50.00 |
| Swimming Pools | \$100.00 |
| Chimneys | \$ 50.00 |
| Temp plastic or canvas structures (or temporary greenhouses) | \$ 50.00 |
| Sign Permit | \$ 50.00 |
| Driveway/Road Entrance Permit from CEO | \$ 50.00 |
| Property Naming Permit | \$ 25.00 |
| Certificate of Occupancy | |
| Residential | \$ 50.00 |
| Commercial | \$ 50.00 |
| Re-inspection Fee | \$ 50.00 |
| Minimum Fee | \$ 50.00 |
| Late Fee - double amount of regular fee | |

Town of North Yarmouth
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

Electrical Permit Fees - Code Enforcement

Administrative Fee Applies

| | |
|---|----------|
| Residential Work - all sq. ft. | \$ 0.08 |
| Commercial Work | |
| Up to 5,000 sq. ft. | \$ 0.11 |
| 5,001 to 10,000 sq. ft. | \$ 0.08 |
| 10,001 and up | \$ 0.05 |
| Adding Appliances | \$ 50.00 |
| Temporary or Permanent Service | \$ 50.00 |
| Re-inspection Fee | \$ 50.00 |
| Minimum Fee | \$ 50.00 |
| Late fee - double amount of regular fee | |

Explosives

Administrative Fee Applies

| | |
|---|----------|
| Ordinance Regulating the Use of Explosives Blasting Permit | \$ 50.00 |
|---|----------|

Floodplain

Administrative Fee Applies

| | |
|---|-----------|
| Floodplain Management Ordinance | |
| Application Fee | \$ 100.00 |
| Expert's Fee - Payable 10 days after the town submits an invoice to the applicant. | Cost |

Land Use - Code Enforcement/Planning

Town of North Yarmouth, Maine Land Use Ordinance

| | |
|---|-----------------------------|
| Site Plan Review Permit from Planning Board | \$ 250.00 |
| Amendment to Site Plan Review Permit (Planning Board) | \$ 75.00 |
| Subdivision Approval (Planning Board) | |
| Minor Subdivision | |
| Non-refundable application fee | \$ 250.00 |
| Plus for each lot/dwelling unit | \$ 100.00 |
| Technical Review | Cost + \$ 25.00 |
| Major Subdivision | |
| Non-refundable application fee | \$ 350.00 |
| Plus for each lot or dwelling unit | \$ 100.00 |
| Technical Review | Cost + \$ 25.00 Conditional |

Town of North Yarmouth
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

Roadway Ordinance – Code Enforcement/Road Commissioner

Administrative Fee Applies

| | |
|---------------------------------------|-----------------|
| Parking Fine for On-Street (4+ hours) | \$ 25.00 |
| Roadway Sign Installation Fee | \$ 50.00 + Cost |
| Private Road Sign Replacement Fees | \$ 25.00 + Cost |
| Road Inspection Fee (each inspection) | \$ 50.00 |
| Road Permit | \$ 50.00 |
| Street Entrance Permit | \$ 50.00 |
| Temporary Entrance Permit | \$ 50.00 |
| Street Opening Fee | \$ 100.00 |
| Culvert Installation Permit | \$ 50.00 |
| Snow on Public Highway Fine | \$ 50.00 |
| Winter Parking Ban Fine | \$ 50.00 |
| Obstructing Traffic | \$ 25.00 |
| Emergency Vehicle Access Evaluation | \$ 50.00 |

Mass Gatherings

| | |
|---------------|---|
| Licensing Fee | \$ 200.00 |
| Penalty Fee | \$ 200.00 per day, with a maximum penalty of \$2,500 |

Fire Rescue Department Permits

| | |
|-----------------------------------|----------|
| Alarm: Residential | \$ 50.00 |
| Alarm: Commercial | \$100.00 |
| Sprinkler Systems | \$ 25.00 |
| Liquid/Gas Fuel Burning Appliance | \$ 25.00 |
| Solid Fuel Burning Appliance | \$ 25.00 |

Nuisance Calls or False Alarms

| | |
|--------------------------------|-----------|
| First three (3) calls | No charge |
| Fourth (4 th) Call | \$100.00 |
| Fifth (5 th) Call | \$250.00 |
| Sixth (6 th) Call | \$500.00 |

Applies to a calendar year.

False Alarm calls are defined as a faulty detector or problem with the system. Actual smoke, be it food on the stove or other types of real activations do not constitute a false alarm. CO (Carbon Monoxide) Alarms that actually have CO reading does not constitute a false alarm.

Nuisance calls are defined as repeat responds for the same reason, such as the odor of gas with no readings on the gas meter and alike or other reason deemed a "nuisance" by the Fire Rescue Chief.

Town of North Yarmouth
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

Parks & Recreation Areas

| | |
|--|----------|
| Ordinance Violations - Per Offence | \$100.00 |
| Domestic Animal Commercial Businesses Park Use Permits | |
| North Yarmouth - Monthly | \$ 25.00 |
| Outside North Yarmouth - Monthly | \$ 50.00 |
| North Yarmouth - 1 Day | \$ 5.00 |
| Outside North Yarmouth - 1 Day | \$ 10.00 |
| Groups or Organized Groups Single Event Use Permit (profit or non-profit*) | |
| Singular Event - per day | |
| Resident | \$ 50.00 |
| Non-Resident | \$100.00 |

*Fee is waived for nonprofits associated with the Town.

Planning Board

| | |
|----------------------------------|----------|
| Use Approval from Planning Board | \$250.00 |
|----------------------------------|----------|

Plumbing Code - Code Enforcement

Administrative Fee Applies

| | |
|--|--------------------------------------|
| Uniform Plumbing Code Plumbing Fees | As established by the State of Maine |
|--|--------------------------------------|

Town of North Yarmouth
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

Public Facility Use (Wescustogo Hall & Community Center)

| Wescustogo Hall & Community Rentals Rental Rates (per hour) | | | | | | |
|---|------------------------------|---------------------------------------|--|---------------------|---|---------------|
| FACILITY SPACE | Residents of NY & Cumberland | Anyone NOT living in NY or Cumberland | Non-Profit or 501c3 organization that is not Municipal Government or Town Committee/ Board | | Any Business, Private or Public, Operating for Profit | |
| | Resident | Non-Resident | Non-Profit Res. | Non-Profit/Non-Res. | For Profit - Res. | For Profit NR |
| Wescustogo Hall | \$225.00 | \$325.00 | \$150.00 | \$250.00 | \$250.00 | \$350.00 |
| Wescustogo Hall Room 1 | \$75.00 | \$125.00 | \$50.00 | \$75.00 | \$100.00 | \$125.00 |
| Wescustogo Hall Room 2 | \$75.00 | \$125.00 | \$50.00 | \$75.00 | \$100.00 | \$125.00 |
| Wescustogo Hall Room 3 | \$100.00 | \$150.00 | \$75.00 | \$125.00 | \$125.00 | \$150.00 |
| Combo-WH / Room 1 & 2 | \$75.00 | \$125.00 | \$50.00 | \$100.00 | \$150.00 | \$200.00 |
| Combo-WH / Room 2 & 3 | \$100.00 | \$150.00 | \$75.00 | \$125.00 | \$175.00 | \$225.00 |
| Gymnasium (Includes stage) | \$60.00 | \$85.00 | \$50.00 | \$50.00 | \$125.00 | \$150.00 |
| Community Room | \$60.00 | \$85.00 | \$50.00 | \$75.00 | \$100.00 | \$125.00 |
| Kitchen | \$30.00 | \$55.00 | \$25.00 | \$50.00 | \$60.00 | \$75.00 |
| 2 – HOUR Party package, 2 hours in Gym & Community Room | \$125.00 | \$175.00 | N/A | N/A | N/A | N/A |
| 50% of all deposit and rental fees are due at the time of rental confirmation. | | | | | | |
| Damages All groups/individuals shall be responsible in full for any costs to the center to include labor and materials. | | | | | | |

Wescustogo Hall & North Yarmouth Community Center Misc. Fees

| | |
|-------------------------------------|------------------|
| Events & Programming (Resident) | \$ 0 - \$400.00* |
| Events & Programming (Non-Resident) | \$ 0 - \$450.00* |
| Equipment Rentals | |
| Damage Deposit | \$ 0 - \$250.00* |
| Rental Fee | \$ 0 - \$350.00 |

*Variation of fee structure to allow for any and as many different events/programs throughout the year.

Shellfish Conservation Ordinance (Chapter 305 – Towns of Yarmouth/North Yarmouth)

| | |
|---|----------|
| License | |
| Resident Commercial | \$200.00 |
| Non-resident Non-reciprocating Commercial | \$400.00 |
| | |
| Resident Recreational | \$ 25.00 |
| Non-resident Non-reciprocating Recreational | \$ 50.00 |
| Three-day Recreational license (pursuant to section II.B.5) | \$ 30.00 |

Resident/Non-resident Recreational license fees are waived for individuals of age 65 or older.

Town of North Yarmouth
SCHEDULE OF APPLICATION, LICENSE AND PERMIT FEES

Solid Waste

Solid Waste Disposal & Recycling Ordinance
Refuse Hauler Permit Application \$ 25.00

Sprinklers

Sprinkler Ordinance Refer to Ordinance

Subsurface Wastewater

Subsurface Wastewater Disposal Rules Plumbing fees as established by the State of Maine.

Zoning Board of Appeals

Administrative Appeal to Zoning Board \$250.00
Miscellaneous Appeal to Zoning Board \$250.00
Variance Appeal to Zoning Board of Appeals \$250.00

Select Board

Brian Sites, Chairperson

Amy Haile, Vice-Chairperson

Andrea Berry

Paul Hodgetts

Kate Perrin

ADOPTED July 6, 2010, EFFECTIVE July 7, 2010
AMENDED June 7, 2011, EFFECTIVE July 1, 2011
AMENDED June 19, 2012, EFFECTIVE July 1, 2012
AMENDED June 18, 2013, EFFECTIVE July 1, 2013
AMENDED August 5, 2014, EFFECTIVE August 6, 2014
AMENDED October 20, 2015, EFFECTIVE October 21, 2015
AMENDED October 4, 2016, EFFECTIVE October 5, 2016
AMENDED September 5, 2017, EFFECTIVE September 5, 2017
NO AMENDMENTS 2018
AMENDED August 20, 2019, EFFECTIVE August 21, 2019
AMENDED December 3, 2019, EFFECTIVE December 4, 2019
NO AMENDMENTS 2020
AMENDED July 20, 2021, EFFECTIVE July 21, 2021
AMENDED January 4, 2022, EFFECTIVE January 5, 2022
AMENDED May 17, 2022, EFFECTIVE May 18, 2022
AMENDED June 6, 2023, EFFECTIVE June 7, 2023

Section 1.7 AMENDMENTS TO THIS ORDINANCE

A. Initiation of proposed amendments.

A proposed amendment to the Town of North Yarmouth Zoning Map or to the text of this Ordinance may be initiated in the following ways:

1. Upon application by an individual, corporation, or other entity having right, title or interest in property within the Town of North Yarmouth that will be affected by said proposed amendment (“Requested Amendment”).
2. Upon the written petition of a number of registered voters equal to at least 10% of the number of votes cast in the Town at the last gubernatorial election (“Citizen-Initiated Amendment”).
3. The Select Board may initiate a proposed amendment and refer it to the Planning Board for review as provided under this Section (“Town-Initiated Amendment”).
4. The Planning Board may recommend to the Select Board any non-policy, administrative amendments to the Ordinance, without prior referral from the Select Board.

B. Procedure for Requested Amendments.

1. Application form. All proposed Requested Amendments shall be submitted to the Code Enforcement Office on an application form provided by the Town, which will include, at a minimum, the following information:
 - (a) Name and address of the applicant(s);
 - (b) For proposed text amendments, copies of the sections of this Ordinance in which text changes are proposed, and draft text changes to be considered along with a written summary describing the changes proposed;
 - (c) For proposed map amendments, the address or location of the subject property, the location and dimensions of any changed zoning district boundary, and a location map that shows the relationship of the location to the surrounding area, with any proposed zoning district boundary changes shown on the applicable Assessor’s Tax Map and shall indicate Tax Map and lot number(s);
 - (d) Statement regarding the way in which the proposed amendment complies with paragraph 5; and
 - (e) Documentation of right, title or interest in property within the Town of North Yarmouth.

2. Fees and Deposits. To help recover costs incurred by the Town in the review, administration, site inspection, and public notice associated with a Requested Amendment, the following fees and deposits in such amount(s) and for such purpose(s) as the Select Board may from time to time establish by order shall be paid by the applicant to the Town at the time of filing the proposed amendment:
 - (a) Publishing and public notice fee;
 - (b) A non-refundable application fee; and
 - (c) Independent consulting and peer review escrow deposit.

No such request or proposal shall be referred to the Select Board or Planning Board unless the fees are paid. All fees shall be non-refundable except for unexpended escrow deposits.

3. Referral.
 - (a) Following the receipt of a complete application for a Requested Amendment, the Code Enforcement Office shall submit the application to the Select Board.
 - (b) The applicant, or the applicant's designated representative, shall be notified of any meetings at which the applicant's proposed amendment application will be reviewed. If the applicant or the applicant's designated representative is not present at any meeting at which the amendment application is scheduled to be reviewed, the application may be denied.
 - (c) The Select Board shall consider the Requested Amendment and vote whether to forward it to the Planning Board for public hearing in accordance with 30-A M.R.S. § 4352(9). Such a vote is a purely legislative determination in the sole discretion of the Select Board, and is not appealable. If the Select Board decides not to forward the proposal to the Planning Board, the Code Enforcement Office shall inform the applicant in writing.
4. Public Hearing. If the Select Board forwards a Requested Amendment to the Planning Board, the Planning Board shall conduct at least one public hearing, and shall give notice of the hearing in accordance with the requirements of 30-A M.R.S. § 4352(9), as amended, and where applicable, 30-A M.R.S. § 4352(10), as amended. The applicant shall be responsible for paying the cost of such notices. The Planning Board shall hold the required public hearing within 35 days of presentation of the amendment application to the Planning Board.
5. Recommendation. Within 35 days of the Planning Board public hearing, the Planning Board shall prepare and submit a written recommendation on the proposed amendment to the Select Board, which may hold its own public hearing. In making its recommendation, the Planning Board shall review the Requested Amendment in accordance with the following considerations:

- (a) Whether the Requested Amendment is consistent with the purposes of this Ordinance as set forth in Section 1.3;
- (b) Whether the Requested Amendment will be materially detrimental to the public welfare or injurious to the subject property or properties in the vicinity where it is located;
- (c) Whether the Requested Amendment is consistent with the Town of North Yarmouth Comprehensive Plan, as amended; and
- (d) Whether the Requested Amendment is consistent with all other applicable regulations of the Town and with all applicable state and federal statutes.

The written recommendation may include the Planning Board's proposed changes to the Requested Amendment' draft language and/or draft map change.

6. Select Board Action.

- (a) Within 35 days of receiving the Planning Board recommendation, the Select Board shall consider the Planning Board recommendation on the Requested Amendment and consider whether any additional changes are necessary.
- (b) If the Select Board proposes no additional substantive changes to the Requested Amendment, it shall vote either to deny the application or to accept the application and include the Requested Amendment on the next annual town meeting warrant. Such a vote is a purely legislative determination in the sole discretion of the Select Board, and is not appealable.
- (c) If the Select Board proposes substantive changes to the Requested Amendment, it shall return the proposal to the Planning Board to repeat paragraphs 4, 5 and 6.

7. Technical Assistance. The Select Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical or legal expert for review. The applicant shall pay for the review by any such experts and all associated costs.

C. Procedure for Citizen-Initiated Amendments.

- 1. Certification. Within 20 days after the date on which a petition for Citizen-Initiated Amendment is filed, the Town Clerk will determine whether the petition has a sufficient number of valid signatures under the provisions of this Ordinance and state law and will promptly send written notice of the determination to the petitioner by registered mail.
- 2. Referral. If the Town Clerk determines that the petition is valid, the Select Board shall automatically forward a Citizen-Initiated Amendment to the Planning Board for

public hearing in accordance with 30-A M.R.S. § 4352(9). The Planning Board shall hold the required public hearing within 35 days of presentation of the amendment petition to the Planning Board.

3. Select Board Action. Following the Planning Board public hearing, the Select Board shall, at its option, either insert an article on the Citizen-Initiated Amendment in the next warrant issued or shall within 60 days call a special town meeting for its consideration, in accordance with 30-A M.R.S. § 2522.

D. Procedure for Town-Initiated Amendments.

1. Referral. The Select Board shall refer any Town-Initiated Amendment to the Planning Board for review and public hearing in accordance with 30-A M.R.S. § 4352(9). The Planning Board shall hold the required public hearing within 35 days of presentation of the proposed amendment to the Planning Board. Within 35 days of the Planning Board public hearing, the Planning Board shall prepare and submit to the Select Board a written recommendation on the proposed amendment that meets the requirements of paragraph B.5 above.
2. Select Board Action. Following receipt of the Planning Board recommendation, the Select Board shall consider the Planning Board recommendation on the Town-Initiated Amendment and consider whether any additional changes are necessary. The Select Board may make such changes to the Town-Initiated Amendment as it deems proper and, if such changes are material, shall refer the revised Town-Initiated Amendment back to the Planning Board for further review and hearing in accordance with paragraph 1. Once the Planning Board review process is completed, the Select Board shall vote whether to include the Town-Initiated Amendment on a special or annual town meeting warrant, at the sole discretion of the Select Board.

E. Shoreland Zoning Amendments.

Copies of amendments relative to the shoreland zone, as that term is defined in Section XII, shall be attested and signed by the Town Clerk and submitted to the Commissioner of the Department of Environmental Protection following adoption by the Town and shall not be effective unless approved by the Commissioner. If the Commissioner fails to act on any amendment within 45 days of his/her receipt of the amendment, the amendment is automatically approved. Any application for a permit in the shoreland zone, submitted to the town within the 45-day review period shall be governed by the terms of the amendment if the Commissioner approves such amendment.

**Town of North Yarmouth
Select Board
Meeting Minutes May 16, 2023, 6:00 PM**

Call to Order-(19:54-32:20) Members Present: Brian Sites, Chairperson, Amy Haile, Vice Chairperson, Katherine Perrin, Selectperson, and Andrea Berry, Selectperson, and Diane Barnes, Town Manager.

Paul Hodgetts, Selectperson was excused by Chairperson Sites.

Pledge of Allegiance.

Special Presentations
Spirit of America Tribute

The 2023 North Yarmouth, Maine Spirit of America Foundation Tribute honors the North Yarmouth Waste Reduction Committee for commendable community service.

BE IT RESOLVED by the Select Board of the Town of North Yarmouth as follows:

WHEREAS, the North Yarmouth Waste Reduction Committee advises and assists the town of North Yarmouth transitioning toward a zero-waste community, examining and highlighting opportunities to minimize waste in the community.

WHEREAS, The North Yarmouth Waste Reduction Committee is committed to promoting best practices for how our community consumes and disposes of goods and services. Their "Plastic-Free October" initiative offered strategies to reduce reliance on single-use plastics that was shared widely throughout the community.

WHEREAS, The North Yarmouth Waste Reduction Committee collaborates with other groups, companies, and services to expand public access to waste reduction options such as recycling, composting, and donation. The partnership with Garbage to Garden has diverted substantial amounts of food waste from the waste stream, saving the town thousands of dollars. While the new partnership with Apparel Impact provides textile recycling for the community, offering an option for recycling worn and torn clothes, sheets, and blankets that did not exist previously.

WHEREAS, The North Yarmouth Waste Reduction Committee volunteers contribute many hours to host engaging events that help make reducing, reusing, and recycling accessible and fun. The Junk in the Trunk and Community Swap Shop events provided creative opportunities to share unwanted items, keeping them from the landfill. The new speakers series will bring environmentalists from across the state to our town to educate and inform community members about waste alternatives.

WHEREAS, The North Yarmouth Waste Reduction Committee serves the town in many and varied ways, acting as a shining example of how neighbors can work together to protect the environment.

NOW THEREFORE, BE IT RESOLVED by the Select Board of the Town of North Yarmouth, that the North Yarmouth Waste Reduction Committee and its volunteers are hereby recognized for their great achievements and the honors that they have brought upon this community with the 2023 North Yarmouth Spirit of America Foundation Tribute; and

BE IT FURTHER RESOLVED that a copy of this resolution be framed and presented to the North Yarmouth Waste Reduction Committee for appropriate display.

Greely Middle School National History Day Club

PROCLAMATION

WHEREAS, *The Greely Middle School National History Day Club have made the Community proud with their momentous wins at the Maine State History Day competition.*

WHEREAS, *The Maine State History Day competition was held at the University of Maine, Orono on April 29, 2023.*

WHEREAS, *The projects submitted to the state competition by the Greely Middle School National History Day Club covered topics about "Frontiers in History: People, Places, Ideas", with projects exploring the Spanish Civil War, Al Capone and the Mafia, Artic exploration, the Warsaw Ghetto uprising, the atomic bomb, and Francis Glessner Lee: the founder of modern forensic science.*

WHEREAS, *At the 2023 State of Maine History Day competition, 13 students competed in six teams. Five projects placed first in their division, and one placed second in their division, all earning a chance to compete at the National History Day competition in Washington, DC. And the team exhibit "Frances Glessner Lee: Mother of Forensics" won additional recognition with the Women's History Award.*

WHEREAS, *The scholars are headed to compete representing the great State of Maine at the National History Day competition in Washington, DC on June 11-15, 2023.*

NOW, THEREFORE, *we, the Select Board of the Town North Yarmouth wish to congratulate and thank the Greely Middle School National History Day Club and their teacher, Katie Cassesse for their fine representation of the Greely Community while winning the State competition and wish them the best of luck as they head to compete at the National competition in Washington DC.*

New Business(32:21-1:44:09)

FY 24 Budget Decisions

Municipal Administration

Chairperson Sites, seconded by Selectperson Perrin moved to approve the Municipal Administration budget of \$1,480,139.00 as presented. Vote 4 Yes/0 No.

Community Services

Selectperson Berry, seconded by Vice Chairperson Haile moved to approve the Community Services budget of \$16,768.00 as presented. Vote 4 Yes/0 No.

Community Center

Vice Chairperson Haile, seconded by Selectperson Berry moved to approve the Community Center budget of \$605,318.00 as presented. Vote 4 Yes/0 No.

Committees

Selectperson Perrin, seconded by Vice Chairperson Haile moved to approve the Committees budget of \$3,400.00 as presented. Vote 4 Yes/0 No.

Public Safety

Selectperson Berry, seconded by Selectperson Perrin moved to approve the Public Safety budget of \$909,375.00 as presented. Vote 3 Yes/0 No. Vice Chairperson Haile abstained.

Public Works

Vice Chairperson Haile, seconded by Selectperson Perrin moved to approve the Public Works budget of \$950,632.00 as presented. Vote 4 Yes/0 No.

Solid Waste/Recycling

Chairperson Sites, seconded by Vice Chairperson Haile moved to approve the Solid Waste budget of \$528,780.00 as presented. Vote 4 Yes/0 No.

Capital Reserve Appropriations

Vice Chairperson Haile, seconded by Selectperson Berry moved to approve the Capital Reserve Appropriations budget of \$150,000.00 as presented. Vote 4 Yes/0 No.

Capital Reserve Expenses

Chairperson Sites, seconded by Vice Chairperson Haile moved to approve the Capital Reserve Expenses budget of \$165,864.00 as presented. Vote 4 Yes/0 No.

ARPA Expenses

Selectperson Perrin, seconded by Selectperson Berry moved to approve the ARPA Expenses budget of \$36,573.00 as presented. Vote 4 Yes/0 No.

TIF Expenses

Vice Chairperson Haile, seconded by Selectperson Perrin moved to approve the TIF Expenses budget of \$376,949.00 as presented. Vote 4 Yes/0 No.

Public Comments

Diane Morrison, 4 Brown Dog Drive

Had a question if it was too late to add to the TIF Budget an Economical Developer.

Chairperson Sites advised the FY24 budget is almost complete and that it was too late to add for FY24.

Revenues

Chairperson Sites, seconded by Vice Chairperson Haile moved to approve the Revenues budget of \$748,498.00 as presented. Vote 4 Yes/0 No.

All other Revenues

Chairperson Sites, seconded by Selectperson Perrin moved to approve the All-Other Revenues budget of \$1,643,325.00 as presented. Vote 4 Yes/0 No.

The Selectboard and Budget Committee will approve the FY24 Budget Warrants on May 22, 2023, at 6:00 PM.

July 3, 2023, Office Closure

July 4th falls on a Tuesday this year, we are recommending that the Town Office, Public Works Department, and Wescustogo Hall be closed on Monday, July 3rd. Staff will use accrued vacation or earned paid leave for the absence.

Selectperson Perrin, seconded by Chairperson Sites moved to approve the July 3, 2023 office closure. Vote 4 Yes/0 No.

Schedule Select Board Organizational Meeting-July 10, 2023, 6pm

The first Tuesday of July falls on the Fourth of July holiday. We are recommending that the Select Board schedule the Organizational Meeting of the Select Board on Monday, July 10th at 6pm.

This meeting date was changed to July 5, 2023, 6PM due to scheduled vacations.

Chairperson Sites, seconded by Selectperson Berry moved to approve The Select Board Organizational Meeting on Wednesday July 05, 2023, at 6pm. Vote 4 Yes/0 No.

Consent Agenda-

Municipal Accounts Payable Warrants

#94 \$11,696.75

#95 \$65,008.59

Municipal Payroll Warrants

#96 \$43,541.80

Corrected Special Town Meeting Warrant-Municipal Election Notice-6/13/2023

Vice Chairperson Haile, seconded by Selectperson Berry moved to approve the consent agenda as presented. Vote 4 Yes/0 No.

Select Board Minutes of May 2, 2023

Selectperson Berry, seconded by Vice Chairperson Haile moved to update and approve the May 2, 2023, selectboard minutes to include adding unexcused absence for Selectperson Hodgetts to the meeting minutes. Vote 4 Yes/0 No.

Public Comment: (1:44:10-1:50:54)

Chairperson Sites states that the comments cannot be on agenda items and to keep under 3 minutes.

David Reed, Country Creek,

Asked where is the selectboard's policy as to what constitutes an absence for a meeting? He cannot find anything.

Chairperson Sites stated this section is for comments only.

David Reed stated his comment is that it is irresponsible for the board to apply standards that are not written down, especially when it could lead to forfeiture of a position.

Chairperson Sites stated when you are going to be absent from a meeting you notify someone, you just do not walk out. He cannot comment on what is spoken in the executive session.

Selectperson Berry stated that a regular s business meeting was scheduled after the executive session and Selectperson Hodgett's was not present and it was not an excused absence.

Chairperson Sites advised David Reed, that his 3 minutes is complete.

Mike Mallory, Walnut Hill Road

He is curious why we opted to have sidewalks going on the east side of Rt 115, which is the right-side heading toward Yarmouth. The child getting an ice cream would have to cross a Maine State Highway 8 times to get to the ice cream store and back home. He feels it would be better on the left side. He does not understand why we chose the right side.

Management Reports & Communications-(1:50:55-1:54:03)

Town Manager's Report, Diane Barnes

Casella-Automated Service-Schedule Update

Casella contacted me last week to let me know that there has been a delay in the truck delivery schedule. Estimated delivery will be in late December with a rollout date of April or May of 2024. Windham received the same news and plans are still in the works to begin the mechanical collection for both communities in the spring of 2024.

Cart Update

Falmouth, Windham, and North Yarmouth met with Toter, the preferred bidder for cart purchases. Due to the delay in starting the automated service, we have asked them if they will hold the pricing. We are waiting to hear back.

Standard Offer Electricity Supplier

Maine Power Options secured pricing from Constellation for our electricity accounts. The pricing below is based on a June 2023 meter read start date:

6 months; June 2023 – December 2023 = \$ 0.09170/kWh

18 Months; June 2023 – December 2024 = \$ 0.11200/kWh

30 Months; June 2023 – December 2025 = \$ 0.11320/kWh

42 Months; June 2023 – December 2026 = \$ 0.11140/kWh

54 Months; June 2023 – December 2027 = \$ 0.11050/kWh

The Town Manager requested permission to enter into a contract with Constellation for 54 months beginning June 2023-December 2027 at a fixed rate of \$0.11050. The average rated weight that we are paying currently is \$.16 kwh. If we were locked into the rate for the past 12 months, we would have saved \$6,000 in electricity supply portion of our bill at the WH&NYCC.

Vice Chairperson Haile, seconded by Selectperson Perrin moved to authorize the Town Manager, Diane Barnes to enter into a contract with Constellation. Vote 4 Yes/0 No.

Safety Improvement for Cumberland Rd & Walnut Hill Road

The PACTS construction project was slated to begin during the week of May 22nd or May 29th. It doesn't appear that the project will start during the week of May 22nd. I am hoping to have a firm date later this week.

Candidates Night

Just a reminder that Candidates Night is scheduled for May 31st beginning at 6pm at Wescustogo Hall and North Yarmouth Community Center.

Trek Across Maine 2023

The Trek Across Maine starts on Friday, June 16th and will end on Sunday, June 18th. The cyclists will be passing through North Yarmouth on day 3 (6/18/2023) along Rts. 231 & 115.

Any Other Business(1:54:04-2:02)

Selectperson Berry advised that on September 07, 2021, the Selectboard passed the Casco Bay Rail Trail. This is now coming forward to the legislature. The legislature asked the Selectboard to provide support. Selectperson Berry wrote a letter of support, and she can share it to the selectboard and then add to the packet. The Selectboard agreed.

"Statement of Support for LD 209 submitted by the Town of North Yarmouth

Senator Chipman, Representative Williams, and Members of the Transportation Committee:

The Town of North Yarmouth respectfully submits this testimony in support of LD 209 the "Resolve, to Direct the Department of Transportation to Implement the Recommendation of the Portland to Auburn Rail Use Advisory Council".

The proposed Casco Bay Rail Trail that will run from Portland to Auburn will pass directly through our community. On September 7, 2021 the North Yarmouth Select Board unanimously passed a resolution in favor of the creation of the Casco Bay Rail Trail. The Select Board continues to see the opportunity in having such a trail travel through our town.

Our townspeople are united in our passion for the vibrant and accessible parks, trails, and open spaces throughout our community. In our most recent Comprehensive Plan, community surveys showed that residents ranked scenic views, the Royal River Corridor/greenway, public access to open space, and Royal River access as important. We know that the addition of the Casco Bay Rail Trail will add to the connectivity of these community assets and will open up an additional outdoor opportunity for residents and visitors alike.

Being a rural town easily accessible to Portland, our roads are frequently used by bicyclists for both recreation and commuting. It is not uncommon during the summer months to see groups of bikers passing through our village center. Those bikers often stop and frequent local businesses for food and other amenities. Increased bike traffic will only act to increase customers at the small businesses that call North Yarmouth home.

We do not have accessible public transportation in North Yarmouth. The addition of the Casco Bay Rail Trail will likely act to improve the desirability of our town both for existing and new residents, adding in a new, safe way to access Portland and Auburn. We see this as a benefit to our climate strategy in relation to the Maine Won't Wait initiative, striving to increase bicycling as a strategy to decrease greenhouse gas emissions.

In summation, the Town of North Yarmouth supports LD 209 and the creation of the Casco Bay Rail Trail and encourages the Transportation Committee to vote in favor of this initiative.

Chairperson Sites was upset with some of the activity, language, and treatment of others. The event was to provide lunch for the staff. It was supposed to honor the staff. He looks back on being chair, He feels he did poorly at calling out inappropriate behavior. The fact that people leave the meeting and do not feel safe walking to their car. He does not know where this community is going. He thought he could put a bunch of people in a room together and they would solve problems and issues. That is not happening. He is leaving the position. The pizza lunch issue upset him. Where are we going as going as a community? If we cannot build relationships, trust, and credibility we are not going to go anywhere. He had hoped to say more but he is just tired."

Adjournment

**Chairperson Sites, seconded by Selectperson Perrin moved to adjourn at 7:50 PM.
Vote 4 Yes/0 No.**

Karen Casale, Recording Secretary

Select Board

Brian Sites, Chair

Amy Haile, Vice Chair

Paul Hodgetts

Katherine Perrin

Andrea Berry

**Town of North Yarmouth
Select Board & Budget Committee
Meeting Minutes May 22, 2023, 6:00 PM
Wescustogo Hall & North Yarmouth Community Center**

Call to Order-(20:32-29:53) Members Present: Brian Sites, Chairperson, Amy Haile, Vice Chairperson, Katherine Perrin, Selectperson, and Andrea Berry, Selectperson, and Diane Barnes, Town Manager.

Budget Committee members present: Andy Walsh, Chairperson, Steve Palmer, Board Member, Linc Merrill, Board Member, and Jay Fulton, Board Member.

Town Meeting Warrant Articles

Article 3-4 – Select Board

Selectperson Berry, seconded by Selectperson Hodgetts moved to approve Article 3 and Article 4 as presented. Vote 5 Yes/0 No.

Article 5-16 – Select Board & Budget Committee

Selectperson Perrin, seconded by Vice Chairperson Haile moved to approve Article 5 through Article 16 as presented. Vote 5 Yes/0 No.

Board Member Palmer, seconded by Board Member Fulton moved to approve Article 5 through Article 16 as presented. Vote 3 Yes/1 No Board Member Merrill.

Article 17 – Select Board & Budget Committee

Chairperson Sites, seconded by Selectperson Berry moved to approve Article 17 as presented. Vote 5 Yes/0 No.

Board Member Fulton, seconded by Board Member Palmer moved to approve Article 17 as presented. Vote 3 Yes/1 No Board Member Merrill.

Article 18-20 – Select Board & Budget Committee

Selectperson Perrin, seconded by Vice Chairperson Haile moved to approve Article 18 through Article 20 as presented. Vote 5 Yes/0 No.

Board Member Merrill, seconded by Board Member Fulton moved to approve Article 18 through Article 20 as presented. Vote 4 Yes/0 No.

Article 21-22– Select Board

Chairperson Sites, seconded by Selectperson Hodgetts moved to approve Article 21 and Article 22 as presented. Vote 5 Yes/0 No.

Article 23-25 – Select Board & Budget Committee

Selectperson Hodgetts, seconded by Vice Chairperson Haile moved to approve Article 23 through Article 25 as presented. Vote 5 Yes/0 No.

Board Member Palmer, seconded by Board Member Merrill moved to approve Article 23 through Article 25 as presented. Vote 4 Yes/0 No.

Article 26 – Select Board

Selectperson Berry, seconded by Vice Chairperson Haile moved to approve Article 26 as presented.
Vote 5 Yes/0 No.

Adjournment

Selectperson Hodgetts seconded by Selectperson Berry moved to adjourn at 6:20 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

Budget Committee

Andy Walsh, Chair

Steve Palmer, Board Member

Linc Merrill, Board Member

Jay Fulton, Board Member

RECEIVED
MAY 25 2023

XY:.....

**Central Maine Power
Town Pole Permit
Fax Cover Sheet**

Date 05/25/23

Subject: Town Pole Permit

To: Town/City of North Yarmouth 829-3743

Road: Lufkin Rd

CMP Job # 801000547848

From: Casey, CMP Line Clerk

E-mail Lineclerknewservice@cmpco.com

Fax: 207-629-4752

Please sign attached and fax or e-mail back.

If you have any concerns or questions, please call me direct at 1-207-629-2527

Thank You

Auto Fill Form for:
4501 - 4502 - 4503

| | |
|---|--|
| Notification: <input type="text" value="10300984964"/> | <input checked="" type="checkbox"/> Not Published |
| Work Order: <input type="text" value="801000547848"/> | <input type="checkbox"/> Public Notice of this application has been given by publishing the text of the same |
| Field Planner Name: <input type="text" value="Frank Bayley"/> | In: <input type="text"/> |
| Field Planner Phone #: <input type="text"/> | On: <input type="text"/> |
| Date: <input type="text" value="May 23, 2023"/> | |

City / Town

To the: City
 Town
 County of: , Maine

CMP applying for: Overhead URD

1. Starting Point:

2. Road (State & CMP):

3. Direction:

4. Distance: feet

5. Number of Poles:

| | |
|--|---|
| TEL CO: <input type="text" value="N/A"/> | Refer To Field Planner Web Page for selecting the appropriate Tel Co.: Home Page > Field Planner Resources > Telco Information |
|--|---|

If you only need 1 copy of the 4502 Form, just click "Print Form" A print dialogue will open, click print to print all 3 forms.

If you need multiple copies of the 4502 Form, click "Print Form" A print dialogue will open, again, click print to print all. After you print all, click "Print Form" again, but this time select print range page "3" only and select the number of copies you need

Notification: 10300984964

Work Order: 801000547848

CENTRAL MAINE POWER COMPANY

APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: North Yarmouth, Maine

To the: [] City

[X] Town

[X] County of: Cumberland, Maine

[X] Central Maine Power hereby applies for permission to:

[X] Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

[] Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

[X] Central Maine Power Company and N/A

jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: Pole 12H

2. Road (State & CMP): Lufkin Rd

3. Direction: N

4. Distance: 1 feet

5. Number of Poles: 1

[X] Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.

[] Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

[] Public Notice of this application has been given by publishing the text of the same

[X] Not Published

In: []

On: []

CENTRAL MAINE POWER COMPANY

N/A

By: Frank Bayley

Date: May 23, 2023

By: Date:

Form 4503

Notification: 10300984964

Work Order: 801000547848

LOCATION PERMIT

Upon the Application of Center Maine Power Company and N/A

dated May 23, 2023, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the City / Town of North Yarmouth,

approximately located as follows:

- 1. Starting Point: Pole 12H
- 2. Road (State & CMP): Lufkin Rd
- 3. Direction: N
- 4. Distance: 1 feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____

Clerk