

**Town of North Yarmouth
Select Board Meeting Agenda
Tuesday, January 02, 2024
Regular Business Meeting
6:30PM**

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
2. **Appointments**
3. **Announcements**
4. **Public Comment-Non-Agenda Items**
5. **New Business**
 - A. Committee Forum
6. **Old Business**
 - A. North Yarmouth Open Space & Planning Committee-Establish Ad Hoc Committee & Review Charge
 - B. Senior Tax Program-Update
 - C. Highlights from Community Engagement Activities
 - D. Charter Commission Information Forum-Scheduling
7. **Consent Agenda**
 - A. Payroll Warrants
 - B. Municipal Accounts Payable Warrants
 - C. Select Board Minutes of 11/21/2023
8. **Management Reports & Communications**
 - A. Town Manager's Report
9. **Any Other Business**
10. **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 –01/02/2024

Town of North Yarmouth

Select Board Business

Summary of Recommended Motions & Other Action Items

January 2, 2023

6. Old Business

- A. North Yarmouth Open Space & Planning Committee-Establish Ad Hoc Committee and Charge

Suggested Motion

Establish an Ad Hoc Committee known as “North Yarmouth Open Space and Planning” and approve committee charge as presented.

Motion _____, Second _____ Vote _____

7. Consent Agenda

- A. Municipal Accounts Payable Warrants

49 \$ 3,258.92

51 \$ 1,891.75

52 \$845,425.27

- B. Municipal Payroll Warrants

50 \$ 45,102.86

- C. Select Board Minutes-11/21/2023

Suggested Motion

To approve the consent agenda as presented.

Motion _____, Second _____ Vote _____

North Yarmouth Open Space Planning Committee

In accordance with Town Charter, Art. IV, Sec. 4, the Select Board creates this Ad Hoc Committee to be charged with inventorying existing public and conservation land, identifying potential areas for habitat and recreational priority on unprotected land, and creating a vision for maintaining and expanding open space in North Yarmouth.

The Committee will coordinate with the Parks Committee and Select Board to gather data from community members, including administering a community survey and hosting at least one community visioning session, to understand community priorities for open space and land protection. The Committee will prioritize community land conservation and access goals and will develop a written Open Space Acquisition Plan with accompanying Acquisition Evaluation Process (AEP), which will be used to evaluate potential acquisitions in a consistent manner. The Committee will engage in discussions with landowners and regional land trusts and make recommendations to the Select Board to secure access to land/corridors through acquisitions, easements, land swaps, and other forms of agreements.

The Committee will consist of seven (7) voting members made up of North Yarmouth residents, and one (1) or two (2) non-voting Select Board Liaison(s). The Select Board may also appoint additional non-voting liaisons from local conservation organizations or other interested parties as appropriate. The term of the Committee shall be [] months/years, which may be extended by the Select Board for additional terms if deemed necessary.

**Town of North Yarmouth
Select Board
Meeting Minutes November 21, 2023, 6:30 PM**

Select Board Members

Amy Haile, Chairperson
Karl Cyr, Board Member

Andrea Berry, Vice Chairperson
Paul Hodgetts, Board Member

Katherine Maloney, Board Member

Call to Order (17:50-18:18)

Pledge of Allegiance

Appointments (18:19-18:28)

Animal Control Officer-Nicole Doyle

Chairperson Haile, seconded by Vice Chairperson Berry moved to appoint Nicole Doyle as Animal Control Officer with a term expiring June 30, 2024. Vote 5 Yes/0 No.

Interim Town Manager-Debbie Grover 11/24/2023-12/8/2023

Chairperson Haile, seconded by Vice Chairperson Berry moved to appoint Debbie Grover as Interim Town Manager from 11/24/2023-12/08/2023. Vote 5 Yes/0 No.

Special Presentations (18:29-22:45)

Greely High School Girls' Cross Country 2023 State Champions

Congratulations to the Greely High School Girls Cross Country Team for winning the 2023 Western Maine Conference Championship.

Announcements (22:46-25:30)

Lewiston Strong Letter of Support



4. A Lewiston
Strong Letter of Sup

Public Comments-Non-Agenda Items (25:30-40:14)

Chairperson Haile shared that Selectperson Cyr and herself had the chance to meet and talk with some residents who came down to Wescustogo Hall and North Yarmouth Community Center. One of the topics shared was public comments. Some residents felt that setting the timer was rude and perceived that the board was just waiting for comments to be over. Chairperson Haile advised that this was not the Select Boards intent. The time limit is set for fairness. Public comment is not open to back-and-forth communication, because the Select Board may not have all the answers on the spot. It is also a business meeting, and the board must get through the agenda business.

Selectperson Hodgetts suggested a public meeting for questions and answers. He stated it should include

the entire Select Board and be recorded.

Selectperson Maloney advised that they are doing that on December 05, 2023, from 7:00 PM to 8:00 PM, but it will just be Selectperson Hodgetts and herself.

Chairperson Haile advised we could try Selectperson Hodgetts idea for a future meeting.

Judy Potter, Walnut Hill Road, stated someone spoke to her out in the parking lot and she felt it was inappropriate. Comments should be addressed and recorded in a public forum. She spoke on increasing taxes and how the elderly cannot afford to live in their own homes. She advised the Select Board spent money on legal to get information on switching to a Town Council. Why not just try to change the meeting time to a weeknight to see if it improves voter turnout. She felt there should be a public budget meeting so the residence can see what the Select Board is spending their money on. She felt the appointments of committee members were bias. There should be representation of all opinions regardless of political view.

Linc Merrill, 1572 North Road, advised that he sent the Select Board a note about open space on the Village Green. He advised having public comments in the beginning does not give residence the opportunity to communicate on the subjects being discussed. He encouraged asking residents if someone in the audience may have information that would be helpful. He thanked Andrea Berry and Paul Hodgetts for attending the Cumberland, North Yarmouth taxpayers' group open house. He advised that they previously presented over 15 pages on the Charter. The information was submitted but never went anywhere. He still does not have an answer to what we are doing about the sidewalks on Parsonage Road. The sidewalks are not on the roads right of way. We cannot plow or maintain private property. He would like an answer to this question.

Mike Mallory, Walnut Hill Road, commented on the taxes. We have a mill rate of \$19.18 and median home price of \$663,000.00 and annual taxes would be \$12,150 a year. Yarmouth's mill rate is \$23.54 with a median home value \$719,000.00 with annual taxes \$16,900.00. That is a lot of money to pay with no kids in school. He has no trouble helping the kids go to school or building a new school if needed but feels there is a way to have people with kids pay more than people without. We need to look at the senior tax relief program and help the people who need it.

Chairperson Haile closed public comments.

New Business (40:15-1:38:28)

Trudy Bird, LLC. d/b/a Trudy Birds Olbar-Liquor License Renewal.

Each year the municipal officers must approve and sign an on-premises liquor license renewal application for any licensed establishment that sells and serves alcoholic beverages.

Chairperson Haile, seconded by Selectperson Maloney moved to approve and sign the liquor license renewal for Trudy Bird, LLC. Vote 5 Yes/0 No.

Tangible Benefit Agreements-Boundary Line Solar, LLC & Water Line Solar, LLC

Boundary Line Solar, LLC and Water Line Solar, LLC has proposed to make a voluntary annual payment in lieu of taxes to the Municipality to ensure that the Municipality receives revenue in a minimum amount of not less than \$2,000 per MW AC of installed capacity per year.

The solar energy equipment constituting the Solar Facility potentially qualifies for property tax exemptions under 36 M.R.S. §§ 655(U) and 656(K) (the "Solar Equipment Exemption"). Pursuant to the State of Maine Constitution, Article IV, Section 23, and 36 M.R.S. § 661, the Municipality may

receive reimbursement from the State of Maine for fifty percent (50%) of the property tax revenue that would have been owed by the Solar Facility if the Solar Equipment Exemption did not apply.



6. B 1 Tangible
Benefit Overview_NN



6. B Tangible
Benefit Agreement_I

Linc Merrill, 1572 North Road, stated he was happy with this. He does not have any trouble with this piece, but wanted to know if it changes the Water Districts tax status since the land, they own will now generate revenue?

Chairperson Haile, seconded by Selectperson Maloney moved to approve and authorize the Town Manager to execute the Tangible Benefit Agreements with Boundary Line Solar, LLC & Water Line Solar, LLC as presented. 5 Yes/0 No.

Emergency Operations Plan

§783. Disaster Emergency Plan or Emergency Operations Plan

Each municipality, county and regional emergency management agency shall prepare and keep a current disaster emergency plan for the area subject to its jurisdiction. The plan must be approved by the jurisdiction's governing body. The plan must follow the risk assessment and planning guidance provided by the director under section 704, subsection 10 and address the hazards and threats that pose the greatest risk to the jurisdiction and the capabilities and actions needed to respond to and recover from disasters.

What is an Emergency Operations Plan?

An Emergency Operations Plan describes actions to be taken in response to natural, manmade, or national security hazards, detailing the tasks to be performed by specific agencies at projected times and places based on established objectives, assumptions, and assessment of capabilities. Simply put, it is a document describing how people, property, and the environment will be protected in a disaster or emergency.

In North Yarmouth, as in other cities and towns in Maine, this local government emergency plan is called the Emergency Operations Plan (EOP). The Emergency Management Director is responsible for maintaining and updating this plan in cooperation with all town department heads.

One goal of the Federal Emergency Management Agency (FEMA) is to develop, in partnership with State and local governments, a national emergency management system that is comprehensive, risk based, and all-hazard in approach.

Crucial to this system are emergency operations plans (EOP), which describe who will do what, as well as when, with what resources, and by what authority--before, during, and immediately after an emergency.

This plan allows emergency managers to address all the hazards that threaten our jurisdiction in a single EOP instead of relying on stand-alone plans.

The Emergency Operation Plan should help the town and emergency management with the following:

- serve as the basis for effective response to any hazard that threatens the jurisdiction.

- facilitate integration of mitigation into response and recovery activities; and

- facilitate coordination with the Federal Government during catastrophic disaster situations that necessitate implementation of the Federal Response Plan (FRP).

The Town of North Yarmouth's Emergency Plan was last updated in 2006. Many things have changed since that time. With the input of the towns department heads, we have designed our plan to help ensure life safety, economic security, and resilience of communities.

Greg Payson, Fire Chief advised the Emergency Operation Plan was done in 2006 so it was out of date. This new one brings it up to standard. He advised of a change on page 23. Cheryl Goodwin will now be replaced by April Woodcock.

Margaret Cushing, Cumberland County Emergency Management Agency, stated that Chief Payson has done an excellent job and it is one of the best plans that has ever been written. He is a gem, and the residents are lucky to have him.

Selectperson Cyr asked him to summarize the changes.

Chief Payson advised it has all changed. It has been completely re-written.

Vice Chairperson Berry thanked him for working on this and bringing the community up to standard. She appreciated the effort.

Chairperson Haile, seconded by Selectperson Maloney moved to approve and authorize the Select Board Chair and Town Manager to sign the EOP as presented. Vote 5 Yes/0 No.

North Yarmouth Open Space & Planning Committee-Establish Ad hoc Committee & Review Charge

North Yarmouth Open Space Planning Committee This Ad Hoc Committee is charged with inventorying existing public and conservation land, identifying potential areas for habitat and recreational priority on unprotected land, and creating a vision for existing and expanding Open Space in North Yarmouth. The North Yarmouth Open Space Planning Committee will coordinate with the Parks Committee and Select Board to gather data from community members, including administering a community survey and hosting at least one community visioning session, to understand community priorities for open space and land protection. The Committee will prioritize community land conservation and access goals and will develop a written Open Space Acquisition Plan with accompanying Acquisition Evaluation Process (AEP) which will be used to evaluate potential acquisitions in a consistent manner. The Committee will engage in discussions with landowners and regional land trusts and make recommendations to the Select Board to secure access to land/corridors through acquisitions, easements, land swaps, and other forms of agreements. This Ad Hoc Committee will consist of seven North Yarmouth residents, one or two Select Board Liaison(s), and may also include non-voting liaisons from local conservation organizations, or other interested parties as appropriate.

Vice Chairperson Berry advised this is not a plan that would require the town to purchase land. This is a process that is community engaged that could support us in easement work and land conservation.

Selectperson Cyr asked if there were towns that have done well with this?

Vice Chairperson Berry advised Yarmouth and Scarborough have done a great job on this. New Gloucester is under the radar, but they have done a great job. They have been successful in obtaining larger slots of land protected through the strategic easement process.

Judy Potter, Walnut Hill Road, stated if landowners put land in the conservation they will no longer be

taxed. There could be a lot of property that people put in to avoid taxes. What does this do to the rest of us? Taxes are a concern.

Linc Merrill, 1572 North Road, advised he was on the past future land committee. Their focus at the time was access to the Royal River. The committee ended up fading away. He felt this was a good idea. He advised that at his property in Yarmouth, he was forced to provide public access from Rt 1 to Bridge Street. He stated that there is land in subdivisions that is not being taxed but has no conservation. He does not know if there is existing land that should be taxed or has public use. There may be land that is useful for the Town that we are not aware of. Maybe this committee could investigate it.

Rob Wood, 116 Milliken Road, stated he is a resident and a member of the Royal River Land Trust. He is excited about this prospect. He said they have been talking about open space and connectivity. He stated he was glad we sat down to figure out Old Town House Park and Westcustogo Hall and North Yarmouth Community Center because those places are great. There are other possibilities. Royal River Conservation cannot handle it all. There will be some money needed for consultation, mapping, and tomography. There is money at the State and Federal level, but you must have a plan and advocate for it. He thinks it is a great idea and would like to move forward.

Scott Bernardy, Sligo Road, stated that Vice Chairperson Berry did a great job on this. He asked how long this committee will be around? When will they meet? Will they have interface with other towns Ad Hoc Committees?

Vice Chairperson Berry advised she did not have the answers to his questions yet. Talking with other towns would be a first step for the committee. This needs to go to legal before details can be made.

Audrey Lones, Baston Road, stated this is a good effort and she appreciated Vice Chairperson Berry for working on this. She felt the committee members should be on this committee for more than a year. She wanted to advocate for town staff to work on this. She stated that funds for this committee should be included in the FY25 budget.

Paul Whitmarsh, 110 Wild Turkey Lane, stated our land use ordinance requires landowners for a major subdivision to leave a certain percentage of land open. The planning board does not have the power to designate what part is preserved.

Old Business (1:38:01-1:41:40)

Fire Station Study Update. This topic was not discussed.

Charter Commission Exploration Update

Diane Barnes, Town Manager, advised Don Gerrish is a retired town manager and will come in to talk to us about the changes from a Select Board to a Town Council form of government.

A member of the Charter Commission who is a resident volunteered to come in to speak on the changes from Select Board to Town Council.

Consent Agenda (1:41:41-1:42:03)

Payroll Warrants

#34 \$ 39,553.64

#35 \$ 2,159.20

#39 \$ 43,213.46

Municipal Accounts Payable Warrants

#31 \$ 2,643.50

#32 \$ 18,592.50

#33 \$ 9,541.97

#36 \$ 561,034.75

#37 \$ 832,987.63

#38 \$ 26,900.27

#40 \$ 254,724.90

October 17, 2023, Select Board Minutes

Chairperson Haile, seconded by Selectperson Hodgetts moved to approve the consent agenda as presented. Vote 5 Yes/0 No.

Management Reports & Communications (1:42:04-1:53:40)

Select Board Committee Reports:

EDSC-Kit Maloney advised the meeting was cancelled due to the tragedy in Lewiston.

Recreation Advisory Board-Karl Cyr advised they did not meet.

Parks-Karl Cyr advised there is work happening to repair the trail at Knights Pond. He is excited about the volunteers working on a boardwalk.

School Fund Committee-Paul Hodgetts advised they did not meet.

Joint Standing Committee-Amy Haile, Andrea Berry advised they did not meet, and the next meeting is in the third week of January 2024.

Prince Memorial Library-Amy Haile advised they are getting new library cards. They provide more access to intra library loans. They are talking about expansion of the library and what fund raising will look like.

Waste Reduction Committee-Andrea Berry advised they had a successful speaker on reducing single use plastic. There is a student government lead effort around composting. Reminder that we have Garbage to Garden Bins for all your Thanksgiving food waste items at the entrance to the town office. North Yarmouth Variety has recycling for Tech Pack Tops. Drop them off there.

Shellfish Commission-Karl Cyr advised there is no update.

Walnut Hill Parkway-Paul Hodgetts, Kit Maloney, stated they talked about a standard agreement on how dues are to be paid. There are no Bylaws, but they do have an agreement. The group decided to meet once a year. They will set dues at the annual October meeting.

Budget Committee-Andrea Berry advised no budget committee updates.

Town Manager's Report, Diane Barnes advised there is no management update. She would like to take the opportunity to answer Linc's questions. She is working with legal and hopefully there will be an easement recorded for the sidewalks on Parsonage Road.

Cheryl Goodwin is retiring, and the town hired April Woodcock to replace her.

Any Other Business (1:53:41-2:07:34)

Selectperson Hodgetts asked if The Cumberland, North Yarmouth Taxpayer Advisory Group could use Westcustogo Hall and North Yarmouth Community Center without paying a fee. The Cumberland Fire Department and Cumberland Town Office do not ask for a fee.

Chairperson Haile says it is something to think about. Vice Chairperson Berry advised she must pay to rent the room for the Wild Seed Project.

Selectperson Hodgetts asked if the new members of the Planning Board and Zoning Board of Appeals took the MMA course.

Diane Barnes, Town Manager, advised she will check.

Selectperson Hodgetts wished everyone a Happy Thanksgiving.

Selectperson Cyr stated he did some research on what other towns do for public comment. The time limits are in place to make sure everyone gets time, and the business gets done. The way we allow public comment is like other towns.

Chairperson Haile and Selectperson Cyr will attend a class on November 29, 2023. It is called Chairs in a Circle, put on by GPCOG.

Chairperson Haile stated Happy Thanksgiving, enjoy and compost.

Reminder on December 05, 2023, from 7:00PM to 8:00 PM please stop by to see Selectperson Hodgetts and Selectperson Maloney.

Adjournment

Chairperson Haile, seconded by Selectperson Hodgetts moved to adjourn at 8:22 PM. Vote 5 Yes/0 No.

Karen Casale, Recording Secretary

Select Board

Amy Haile, Chairperson

Andrea Berry, Vice Chairperson

Paul Hodgetts

Karl Cyr

Katherine Maloney