



**Town of North Yarmouth, Maine
Annual Town Meeting Minutes
Fiscal Year July 1, 2022-June 30, 2023**

Opened June 17, 2023

To: Clark M. Baston, a resident in the Town of North Yarmouth, County of Cumberland, and the State of Maine.

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of North Yarmouth, Maine qualified by law to vote in town affairs, to meet at the Wescustogo Hall & North Yarmouth Community Center located in North Yarmouth, Maine on Saturday the 17th day of June A.D. 2023, at nine (9) o'clock in the forenoon, then and there to act upon Articles 1 through 26 as set out below, to wit:

The Registrar of Voters gives notice that citizens will be able to register to vote on June 17, 2023, from 8:30 AM to the close of the meeting.

ARTICLE 1: To elect a Moderator by written ballot to preside over the said meeting.

9:00 AM: June 17, 2023, Debbie Grover, Town Clerk called the Town Meeting to order. Eighty-two (82) registered voters of North Yarmouth were present in the audience. Nominations for Moderator were taken.

Chairperson Sites moved to nominate Michael Traister as Moderator, seconded by Selectperson Perrin. Article 1 passed.

ARTICLE 2: To see if the Town will vote to adopt the **Maine Moderator's Manual** as prepared by the Maine Municipal Association as the parliamentary procedure at Town Meeting for the ensuing year.

Vice Chairperson Haile seconded by Chairperson Sites moved to adopt the Maine Moderator's Manual as prepared by the Maine Municipal Association as the parliamentary procedure at Town Meetings for the ensuing year.

The Moderator asks the town to allow nonresident employees (Diane Barnes, Town Manager & Ben Scipione, CEO) to speak during today's town meeting. All in favor. Carries without objection. Article 2 passed.

ARTICLE 3: To see if the Town will vote to authorize the Select Board to accept delivery of a deed from Donald L. Cluff conveying a public turnaround easement on a portion of the land located at 48 Cluff Road, designated by the Town as Tax Map 13, Lot 4, and to further authorize the Select board to execute any documents related to the acceptance of said public turnaround easement on such terms and conditions as it deems advisable.

Selectperson Berry Seconded by Vice Chairperson Haile moved to approval Article 3 as written. Article 3 passed.

The Select Board recommends approval.

Article 4: Shall an ordinance entitled "2023 Amendments to the Town of North Yarmouth, Maine Land Use Ordinance Regarding Zoning District Regulations and Definitions" be enacted? (The proposed ordinance is available for review and inspection at the Town Clerk's Office and will be available at the Town Meeting.) **Selectperson Perrin, seconded by Selectperson Berry moved to approve Article 4 as written. Article 4 passed.**

Bob Wood, Millikan Road, asked for a little brief explanation of the proposed changes.

Brian Sites, Chairperson, explained the changes.

The Planning Board & Select Board recommend approval.

Article 5: To see if the Town of North Yarmouth will vote to join the Maine Public Employees Retirement System (MainePERS) as a Participating Local District effective August 1, 2023, and: To offer Regular Plan AC to its regular, full-time general government employees and appointed officials who work at least 40 hours per week, 52 weeks per year; and

a) To offer Special Plan 3C to its regular, full-time firefighters and emergency medical services employees who work at least 40 hours per week, 52 weeks per year; and

b) To exclude all other employees, including part-time, seasonal, and temporary employees, and elected officials from participating in MainePERS; and

c) To allow its eligible employees and appointed officials who are employed by the Town on August 1, 2023, who elect to join MainePERS, the option to purchase prior Service upon the employee's full payment of all associated costs. The Town will not participate in the purchase of prior service and so employees who wish to purchase prior services are responsible for paying the full liability associated with this service; and

d) To authorize Diane Barnes, Town Manager, or the Select Board to sign the agreement between the Town and the Maine Public Employees Retirement System. **Chairperson Sites, seconded by Selectperson Perrin moved to approve Article 5 as written. Article 5 passed.**

Link Merrill 1572 North Road, spoke in opposition for Article 5.

Nelson Smith Ledge Road, asked how many Full time employes do we have?

Debbie Grover, Town Clerk/Assistant Town Manger states we have 16 Full time employes.

Scott Kerr New Gloucester, spoke in opposition to Article 5.

Mike Mallory Walnut Hill Road, to what extent is recruiting and how will this help?

Greg Payson Fire Chief, 48 Memorial Highway. Other towns have MPERS. This will help draw people from other communities who offer these benefits.

Judy Potter, Walnut Hill Road, stated that MEPERS does not include part-time staff. So how does this help recruit?

Greg Payson Fire Chief, 48 Memorial Highway, advised he has a full-time position open, and this will help recruit as most towns offer this benefit.

Vice Chairperson Haile advised this is not centered around fire/rescue. This is a system a majority of the towns offer. We have senior employees, and we need to think about recruitment in the future.

Selectperson Perrin advised that we could leave this plan if costs jump. An analysis was done over the last 16 years and the Select Board researched this plan.

The Select Board and Budget Committee recommend approval.

Diane Barnes, Town Manager advised they do their best to try to calculate and project. Last week she was waiting for a major taxpayer to declare the value of their property. Their value decreased 3.5 million dollars for personal property and real estate tax. This is because the sales ratio went from 99% to 87%. The mil rate will now increase 6%. We will also see a decrease in what is going into our TIF value of \$291,000.00 and this will go back into the general fund. North Yarmouth property values have increased over 60 million dollars.

Article 6: To see if the Town will vote to raise and appropriate **\$1,480,139.00** for **MUNICIPAL ADMINISTRATION:**

Division	Amount
Operations	\$ 610,302.00
Contracted/Professional	\$ 112,610.00
Town Office	\$ 83,014.00
Insurance	\$ 46,516.00
Assessing/CEO/Planning	\$ 318,350.00
Technology	\$ 44,447.00
Debt Service	\$ 264,900.00

Vice Chairperson Haile, seconded by Chairperson Sites moved to raise and appropriate \$1,480,139 for Municipal Administration. Article 6 Passed.

The Select Board and Budget Committee recommend approval.

Article 7: To see if the Town will vote to raise and appropriate **\$16,768.00** for **COMMUNITY SERVICES:**

Division	Amount
General Assistance	\$ 6,900.00
Social Services	\$ 9,868.00

Selectperson Berry, seconded by Vice Chairperson Haile moved to raise and appropriate \$16,768.00 for Community Service. Article 7 passed.

Nelson Smith, Ledge Road, asked about the 24% increase?

Diane Barnes, Town Manager, advised the bulk of this increase is coming from Capital Expenses. We must buy the toters from Casella. This is a onetime purchase.

Mike Mallory Walnut Hill Road, how many people do we expect to help with the money? Any plans for more funds in the future?

Diane Barnes, Town Manager, has no idea how many people will need this. This will depend on what happens in the future. She does not know how many people they serve.

Chairperson Sites stated this is only for the contract cost.

The Select Board and Budget Committee recommend approval.

Article 8: To see if the Town will vote to raise and appropriate **\$605,318.00** for the **COMMUNITY CENTER:**

Division	Amount
Operations	\$ 359,468.00
Contracted Services	\$ 245,850.00

Selectperson Perrin, seconded by Selectperson Berry moved to raise and appropriate \$605,318.00 for the Community Center. Article 8 passed.

Judy Potter, Walnut Hill Road, asked if this amount includes the part-time employee for the community center? She thought there has been discussion to not fund a part-time position this year and close on Sunday.

Diane Barnes, Town Manager, advised yes, it includes a part-time position. The Budget Committee and Selectboard chose to add the part-time position.

The Select Board and Budget Committee recommend approval.

Article 9: To see if the Town will vote to raise and appropriate **\$3,400.00** for **COMMITTEES:**

Division	Amount
Parks	\$ 1,100.00
Living Well	\$ 1,200.00
Waste Reduction	\$ 1,100.00

Chairperson Sites, seconded by Selectperson Perrin moved to raise and appropriate \$3,400.00 for Committees. Article 9 passed.

The Select Board and Budget Committee recommend approval.

Article 10: To see if the Town will vote to raise and appropriate **\$909,375.00** for **PUBLIC SAFETY:**

Account	Amount
Fire/Rescue	\$ 775,729.00
Contracted/Professional	\$ 133,646.00

Vice Chairperson Haile, seconded by Chairperson Sites moved to raise and appropriate \$909,375.00 for Public Safety. Article 10 passed.

Link Merrill, 1572 North Road, spoke against this Article 10.

Nelson Smith, Ledge Road, spoke in support of the Public Safety Budget.

Dan Rose, 417 New Gloucester Road, spoke in support of the Public Safety Budget.

Greg Payson, Fire Chief, spoke in support of Article 10.

Selectperson Perrin, spoke in support of Article 10.

Vice Chairperson Haile, spoke in support of Article 10.

Article 11: To see if the Town will vote to raise and appropriate **\$950,632.00** for **PUBLIC WORKS:**

Division	Amount
Operations	\$ 560,230.00
Winter Operations	\$ 374,962.00
Parks	\$ 4,220.00
Cemeteries	\$ 11,220.00

The Select Board and Budget Committee recommend approval.

Selectperson Berry, seconded by Selectperson Perrin moved to raise and appropriate \$950,632.00 for PUBLIC WORKS. Article 11 passed.

The Select Board and Budget Committee recommend approval.

Article 12: To see if the Town will vote to raise and appropriate **\$528,780.00** for **SOLID WASTE AND RECYCLING. Selectperson Perrin, seconded by Selectperson Berry moved to raise and appropriate \$528,780.00 for SOLID WASTE AND RECYCLING. Article 12 passed.**

Link Merrill, 1572 North Road, had a question since the truck is delayed; can we appropriate a different amount?

Diane Barnes, Town Manager, advised we will implement the program in May, it is the same fiscal year, so this amount needs to be in the current budget. We are under contract. We will still see more revenue from the bags due to the delay. That revenue will go into the undesignated funds.

Al Ahlers, North Road, we are under contract with Casella? We have no other options. Concern about people putting stuff in containers you cannot see. Any provisions to monitor this?

Diane Barnes, Town Manager advised we are in a contract with Casella until June 30, 2028. We have no other options. Diane advised we will not monitor what is put in the toter.

The Select Board and Budget Committee recommend approval.

Article 13: To see if the Town will vote to raise and appropriate **\$150,000.00** for **RESERVE ACCOUNT APPROPRIATIONS**. **Chairperson Sites, Seconded by Selectperson Perrin moved to raise and appropriate \$150,000.00 for reserve account appropriations. Article 13 passed.**

Link Merrill, 1572 North Road, asked if there could be an explanation. He feels we are underfunding this account.

Diane Barnes, Town Manager, advised this \$150,000.00 will go into your reserve account for future capital expenditures.

The Select Board and Budget Committee recommend approval.

Article 14: To see if the Town will vote to accept and appropriate **\$748,498.00** in **Municipal Revenue Sharing** and **\$1,643,325.00** in **Other Revenues**, for a total amount in **non-Property Taxes** of **\$2,391,823.00**, to reduce the total amount authorized to be raised by taxation, and to further authorize the Select Board and Treasurer to accept and appropriate any additional revenues or funds that may be used to reduce the amount required to be raised by taxation. **Vice Chairperson Haile, seconded by Chairperson Sites moved to approve article 14 as written. Article 14 passed.**

The Select Board and Budget Committee recommend approval.

Article 15: To see if the Town will vote to accept and appropriate **\$36,573.60** from the **Coronavirus Local Fiscal Recovery Funds** (aka American Rescue Plan Act or ARPA funds) received by the Town from the federal government to furnish and install acoustic panels in the gym and additional electrical work at Wescustogo Hall (audio/visual project), and to fund a portion of the installation of safety padding around the gym walls and poles, which are eligible government services as set forth in the U.S. Department of Treasury's Final Rule and as determined by the Select Board to be in the best interests of the Town. **Selectperson Berry, seconded by Vice Chairperson Haile moved to approve article 15 as written. Article 15 passed.**

The Select Board and Budget Committee recommend approval.

Article 16: To see if the Town will vote to appropriate up to **\$165,864.00** from the following **Capital Improvement Reserve Accounts**: **\$28,675.00** from Parks & Recreation, **\$42,189.00** from Public Works & Fire Equipment, and **\$95,000.00** from Roadway. **Selectperson Perrin, Seconded by Selectperson Berry moved to approve Article 16 as written. Article 16 passed.**

The Select Board and Budget Committee recommend approval.

Article 17: To see if the Town will vote to appropriate up to **\$379,449.00** from the **Village Omnibus Municipal Development and Tax Increment Financing (TIF) Development Program Fund Account**, and to authorize the Select Board to expend those funds for one or more of the following project costs consistent with the TIF Development Program: Administrative

Costs, Professional Costs, Economic Development, Street Related Public Safety Measures, and Sidewalks and Streetscape Projects. **Chairperson Sites, seconded by Selectperson Perrin moved to approve article 17 as written. Article 17 passed.**

The Select Board and Budget Committee recommend approval.

Article 18: (Written ballot required by State statute.) To see if the Town will vote to increase the property tax levy limit (LD1) of \$1,274,562.00 established for the Town of North Yarmouth by State law if the municipal budget approved under the preceding articles results in a tax commitment that is greater than the property tax levy otherwise allowable. **Vice Chairperson Haile, seconded by Chairperson Sites moved to approve article 18 as written. Article 18 passed.**

Vote Results:

**YES 64
NO 16
Blank 02
Total 82**

June 17, 2023, Debbie Grover, Town Clerk and Marlee Baston, Ballot Clerk.

The Select Board and Budget Committee recommend approval.

Article 19: To see if the Town will vote to appropriate funds received from the registration of snowmobiles to be allocated to Town established snowmobile club(s) for the purpose of maintaining their snowmobile trails, on the condition that those trails be open to the public for snowmobile purposes at no charge during the snow season. **Selectperson Berry, seconded by Vice Chairperson Haile moved to approve article 19 as written. Article 19 passed.**

The Select Board and Budget Committee recommend approval.

Article 20:

1)To see if the Town will vote to make all taxes assessed for the Town's 2024 fiscal year, July 1, 2023, through June 30, 2024, due in two (2) installments, with the first half (1/2) of the total amount assessed due and payable on **September 18, 2023**, and the second half (1/2) due **March 18, 2024**; and to charge **interest** at the rate of eight percent (8%) per year computed on a daily basis on any portion of the installment due that remains outstanding as of **September 19, 2023** and **March 19, 2024**;

2)To see if the Town will vote to authorize the Tax Collector to accept payment of real estate property taxes not yet due or assessed at zero percent (0%) interest pursuant to 36 M.R.S. § 506;

3)To see if the Town will vote to authorize the Treasurer to release payment of tax abatements and applicable interest approved by the Town's Assessor from the property tax overlay account then, if necessary, from Unassigned Fund Balance; and

4)To see if the Town will vote to set the interest rate to be paid by the Town on overpaid and abated taxes at four percent (4%), pursuant to 36 M.R.S. § 506-A. **Selectperson Perrin, seconded by Selectperson Berry moved to approve article 20 as written. Article 20 passed.**

The Select Board and Budget Committee recommend approval.

Article 21: To see if the Town will vote to authorize the Treasurer to waive the foreclosure of a tax lien mortgage by recording a waiver of foreclosure at the Registry of Deeds in which the tax lien certificate is recorded prior to expiration of the right of redemption pursuant to 36 M.R.S. § 944 upon a finding by the Select Board that ownership of the property that is subject to the tax lien mortgage would be contrary to the Town's best interests. **Chairperson Sites, seconded by Selectperson Perrin moves to approve article 21 as written. Article 21 passed.**

Select Board recommends approval.

Article 22: To see if the Town will vote to authorize the Select Board and the Treasurer, on behalf of the Town and any of the Town's departments, to accept gifts, real estate, donations, and other funds, including trust funds that may be given or let to the Town, and to further authorize the Select Board to expend such sums of money as it deems necessary from these funds for their designated purposes. These expenditures may be reflected outside of the Town's approved budget. **Vice Chairperson Haile, seconded by Chairperson Sites moved to approve article 22 as written. Article 22 passed.**

Select Board recommends approval.

Article 23: To see if the Town will vote to authorize the transfer of **\$25,000.00** from the Town's undesignated fund balance to be set aside in a reserve account to be expended for property tax assistance in accordance with the Town's Property Tax Assistance Ordinance. (Approval of this article will not increase the property tax levy.) **Selectperson Berry seconded by Vice Chairperson Haile moved to approve article 23 as written. Article 23 Passed.**

The Select Board and Budget Committee recommend approval.

Anne Graham, Farms Edge Road, reported on the status of the amendments to the property tax stabilization (LD290), that the Legislators have been working on in this session.

Article 24: To see if the Town will vote to authorize the transfer of **\$10,000.00** from the Town's undesignated fund balance to be set aside in a reserve account to be expended for employee disbursements of earned but not expended benefits. (Approval of this article will not increase the property tax levy.) **Selectperson Perrin, seconded by Selectperson Berry moved to approve article 24 as written. Article 24 passed.**

The Select Board and Budget Committee recommend approval.

Article 25: To see if the Town will vote to authorize the Select Board, or the Treasurer acting in concurrence with the Select Board, to apply for State, Federal (including Community Development Block Grants) and other grants on behalf of the Town for purposes deemed by the Select Board to be in the best interest of the Town; to accept such grants, including, when necessary, the authority to sign contracts and related documents and to accept conditions of approval; to appropriate such grant funds for any purpose for which the Town has appropriated funds in the Town's 2024 fiscal year, July 1, 2023, through June 30, 2024; and to authorize the Select Board to expend up to **\$25,000.00** from Unassigned Fund Balance, if necessary, as matching funds for any grant. These expenditures may be reflected outside of the Town's approved budget. (Approval of this article will not increase the property tax levy.) **Chairperson Sites, seconded by Selectperson Perrin moved to approve article 25 as written. Article 25 passed.**

The Select Board and Budget Committee recommend approval.

Article 26: To see if the Town will vote to authorize the Select Board to dispose of Town-owned personal property with a value of **\$25,000.00** or less, as determined by the Select Board, under such terms and conditions as it deems advisable, and to further authorize the Select Board to execute all documents necessary for the transfer of such property. **Vice Chairperson Haile, seconded by Chairperson Sites moved to approve article 26 as written. Article 26 passed.**

Select Board and Budget Committee recommended Approval.

**The moderator asked for a motion to dismiss.
Chairperson Sites, seconded by Vice Chairperson Haile moved to adjourn 10:45AM.**

Karen Casale, Recording Secretary

Attest: A True Copy


Debbie Allen Grover, Town Clerk