

**Town of North Yarmouth
Select Board Meeting Agenda
Tuesday, February 18, 2020 - 7:00 PM
Town Office Conference Room**

I. Call to Order

- Pledge of Allegiance

- II. Public Hearings:** 1) Proposed New Animal Control Ordinance
2) Proposed Amendments to the Regulations for the Use of Parks and Recreation Areas Ordinance

III. Minutes of Previous Meeting(s)

- January 21, 2020
- February 4, 2020

IV. Public Comment - Non-Agenda Items

Comments regarding issues, concerns, commendations, or matters of general public information are welcome. Individuals shall have three (3) minutes to speak and be asked to state their name & legal residence. The public is encouraged when commenting or expressing points of view about an individual(s) that they do so in a respectful and constructive manner. Topics relating to personnel or personnel matters cannot be acknowledged.

V. Management Reports & Communications

- Select Board Communications
 - School Building Update – Selectman Morrison
- Town Manager's Report
- Financial Report - January

VI. Old Business

- By Your Side Program - NE Volunteers of America
- Chairitable Fundraising Policy - Report
- Property Foreclosure

VII. New Business

- Committee Appointments

VIII. Accounts Payable

- Review & Approval

IX. Any Other Business

X. 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.

February 18, 2020

Agenda - Section II. 1) Public Hearing – Proposed Animal Control Ordinance

PRIMARY PROCESS

1. **Open the Hearing** - *Move to open the Public Hearing on the proposed Animal Control Ordinance.* Second, discussion and vote follow.
2. **Presentation/Explanation** - A brief presentation/summary by the Chair or Town Manager is expected.
3. **Public Participation** - The Select Board shall recognize the individuals in the order that they present themselves to the podium. Name and street address should be stated by each individual, making a statement to the Board.
4. **Board Inquiries/Discussions** - After public participation, the Board may discuss the subject matter further if deemed necessary.
5. **Close the Hearing** - *Move to close the Public Hearing on the proposed Animal Control Ordinance.* Second, discussion and vote follow.

ACTION ITEMS

1. *Move to place on the Annual Town Meeting warrant for April 11, 2020, an article to enact the Animal Control Ordinance, as presented.* Second, discussion and vote follow.
2. *Move to place on the Annual Town Meeting warrant for April 11, 2020, an article to repeal the Town ordinance entitled Barking Dog Ordinance.* Second, discussion and vote follow.

MANAGER'S NOTES

None.

Town of North Yarmouth Animal Control Ordinance

I. Purpose and Authority

- A. The purpose of this chapter is to require that all animals in the Town of North Yarmouth, be always kept under control of their owner/keeper so they will not injure persons or other animals, damage property, or create a public health threat or nuisance. "Under control," as defined below, means that the animal's proper and safe activity is directed by the owner/keeper. Control is achieved by proper use of a leash or voice control.
- B. This chapter is enacted pursuant to the authority in 30-A M.R.S.A. §§ 2101 and 3001, and the purpose of this chapter is to provide regulations in addition to those contained in Title 7 of the Maine Revised Statutes Annotated with respect to controlling companion animals throughout the Town of North Yarmouth in the interest of the health, safety and general welfare of its residents.
- C. North Yarmouth Parks are for the enjoyment of North Yarmouth citizens and their guest. It is the goal of North Yarmouth that citizens can bring domestic animals to our parks for their owners' enjoyment and their animals. Priority shall always be given to citizens, wildlife, and the parks themselves. Citizens are encouraged to address issues between themselves using the rules but may report complaints to the Animal Control Officer or Town Manager.

II. Definitions

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. **Animal** - Every living, sentient creature, not a human being.
- B. **At Large/Stray** - Off the premises of the owner and not under the control of any person whose personal presence and attention would reasonably control the conduct of the companion animal. "Premises" includes residences, including land and buildings, and motor vehicles belonging to the owner or keeper of the companion animal.
- C. **Companion Animal** - A cat or a dog.
- D. **Control** - The power or ability to direct the proper and safe activity of an animal.
- E. **Dog** - A member of the genus and species known as "canis familiaris" and or a member of the genus and species known as "canis familiaris" or any canine, regardless of generation, resulting from the interbreeding of a member of canis familiaris with a wolf hybrid.
- F. **Keeper** - A person in possession or control of a dog or other animal. A person becomes the keeper of a stray domesticated animal, other than dog or livestock, if the person feeds that animal for at least ten (10) consecutive days. If a companion animal is in violation of the restrictions of this chapter, the owner of the companion animal and the keeper are jointly and severally liable for the violation.

Town of North Yarmouth Animal Control Ordinance

- G. **Leash** - A handheld device which can be used to restrain a companion animal if the companion animal fails to respond to voice commands. In cases where a leash is required by law or ordinance or by order of a law enforcement officer, the owner or responsible party will be required to use a leash of 15 feet or less.
- H. **Licensed Dog** - A dog whose owner or keeper has presented to Town officials, evidence that the dog has been vaccinated against rabies and has paid the annual registration fee for the dog, in compliance with Title 7, Chapter 721, § 3921, of the Maine Revised Statutes Annotated.
- I. **Owner** - A person owning, keeping, or harboring a dog or other animal.
- J. **Voice Control** - The dog returns immediately to and remains by the side of the owner/keeper in response to the owner/keeper's verbal command, whistle or hand signal. If a dog approaches or remains within 10 feet of any other person other than the owner/keeper, that dog is not under voice control and shall be deemed to be "at large," unless such person (or in the case of a minor child, an adult present with the child) has communicated to the owner/keeper by a spoken word or gesture that such person consents to the presence of the dog.

III. Dogs at Large

- A. It is unlawful for any dog, licensed or unlicensed, to be at large, except when used for hunting. The owner/keeper of any dog found at large shall be subject to the civil penalties provided in Title 7, Chapter 719, of the Maine Revised Statutes Annotated. Dogs on public property are also subject to the regulations set forth in this Code.

IV. Impoundment

- A. **Impoundment or Return of Companion Animals at Large** - All companion animals found at large/stray in violation to Title 7, Chapters 719 and 720, of the Maine Revised Statutes Annotated may be impounded at the animal shelter or returned to the owner, at the discretion of the Animal Control Officer.
- B. **Disposition of Impounded Animal** - An owner is entitled to resume possession of any impounded animal provided that all provisions of this chapter have been met and that all impoundment fees due under the provisions of this chapter have been paid. Any animal not claimed after the owner has been notified may be classified as an abandoned animal, and the animal's owner may be subjected to all civil penalties authorized by Title 7 of the Maine Revised Statutes Annotated.
- C. **Impoundment and Boarding Fees** - An owner may reclaim an impounded companion animal at the animal shelter by paying to the Town of North Yarmouth a fee established by order of the Town for each companion animal, plus the boarding fee established by the shelter. The shelter will collect the Town's impound fee.

Town of North Yarmouth Animal Control Ordinance

V. Animal Noise

- A. Except as provided in Subsections **B** and **C** below, no owner/keeper shall permit or allow any companion animal to bark, howl or make other sounds common to its species if such sounds recur in steady, rapid succession for 20 minutes or more or recur intermittently for one hour or more.
- B. Subsection **A** shall not apply if any companion animal has legitimate cause for provocation.
- C. Subsection **A** shall not apply to farm animals kept on a property located in North Yarmouth. For purposes of this exception, dogs are not farm animals, and kennels are not farms.

VI. Sanitation

It shall be unlawful for any person who owns, possesses, controls, or keeps a dog to fail to promptly remove and properly dispose of any feces left by his/her dog on any sidewalk, street, beach, or public owned property or private property (other than the property of the owner of the dog or of a person who has consented to the presence of the dog on his/her property). This provision shall not apply to any working police dog while on duty or a disabled person who, by reason of his/her disability, is unable to remove and properly dispose of the feces.

VII. Possession of Leash Required

An owner/keeper shall have a leash, as defined above, in his/her possession for each dog, which is off-leash, always, except when the dog or dogs are on the premises of the owner/keeper or other private property if permitted to be there. A leash shall not include an electronic control collar or other device.

VIII. Interference Forbidden

No person shall interfere with, hinder or molest any Police Officer or Animal Control Officer in the performance of any duty of such officer, or seek release of any dog in the custody of a Police Officer or Animal Control Officer, except as herein provided.

IX. Commercial Businesses

Groups or organized groups (profit or non-profit) must obtain permission from the Town Manager for use. **FEE SHALL APPLY.**

X. Dogs Prohibited During Certain Events

When proper notice has been provided, dogs shall be prohibited. Proper notice shall consist of conspicuously placed signs at the entrances of and shall also consist of notice, posted at least 24 hours prior to the event, on the Town's website.

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XI. Grazing Animals

The grazing of animals is not allowed unless the Town Manager grants permission.

XII. Violations and Penalties

- A.** Any person(s) found in violation of this ordinance shall be subject to a civil penalty of not less than \$50 and not more than \$250 for the first violation and not less than \$100 nor more than \$500 for each subsequent offense.
- B.** All civil penalties collected pursuant to this chapter shall be recovered for the use of the Town of North Yarmouth and deposited in the separate account required by Title 7 of the Maine Revised Statutes Annotated.
- C.** The fine for failure to obtain a dog license shall be \$100.
- D.** A person, not previously convicted of or having paid a waiver fee for a violation under this chapter, may elect to pay a waiver fee of the minimum penalty of \$50 specified above in lieu of appearing in court to answer the citation. Such payment must be received by the office of the Town Clerk within seven (7) business days from the date the citation was issued. Upon receipt of such payment by the Town Clerk, the Animal Control Officer or Police Officer shall cause the citation to be dismissed. A person, having been previously convicted of or having paid a waiver fee for a single violation of this chapter, may elect to pay a penalty of \$100 in lieu of appearing in court to answer the citation. If a person elects to pay the minimum penalties above in lieu of appearing in court to answer the citation, and if the person is cited for a third or subsequent violation, the civil penalty for the subsequent violation shall not be less than \$100 nor more than \$500 and must be referred to court.
- E.** Domestic animals that pose a risk to citizens, other domestic animals, wildlife, or the park infrastructure may be barred from North Yarmouth parks at the Town Manager's discretion. Progressive restrictions may not be warranted.
- F.** Citizen(s) and or guest(s) of North Yarmouth found in violation of this ordinance may be barred from the use of North Yarmouth parks. Citizens may appeal ordinance enforcement restrictions to the Select Board, through the Town Manager.

ENACTED: ____/____/____

February 18, 2020

Agenda - Section II. 2) Public Hearing - Proposed Amendments to the Regulations for the Use of Parks and Recreation Areas

PRIMARY PROCESS

1. **Open the Hearing** - *Move to open the Public Hearing on the proposed amendments to the Regulations for the Use of Parks and Recreation. Second, discussion and vote follow.*
2. **Presentation/Explanation** - A brief presentation/summary by the Chair or Town Manager is expected.
3. **Public Participation** - The Select Board shall recognize the individuals in the order that they present themselves to the podium. Name and street address should be stated by each individual, making a statement to the Board.
4. **Board Inquiries/Discussions** - After public participation, the Board may discuss the subject matter further if deemed necessary.
5. **Close the Hearing** - *Move to close the Public Hearing on the proposed amendments to the Regulations for the Use of Parks and Recreation. Second, discussion and vote follow.*

ACTION

1. *Move to place on the Annual Town Meeting warrant for April 11, 2020, an article to amend the Regulations for the Use of Parks and Recreation Areas Ordinance, as presented. Second, discussion and vote follow.*

MANAGER'S NOTES

None.

**TOWN OF NORTH YARMOUTH
REGULATIONS FOR THE USE OF PARKS AND RECREATION AREAS ORDINANCE**

SECTION 1: TITLE

1.1 This ordinance shall be known and be cited as the “Regulations for the Use of Parks and Recreation Areas within the Town of North Yarmouth (Town).

SECTION 2: AUTHORITY

2.1 This ordinance is adopted pursuant to and consistent with Title 30-A M.R.S.A. ~~§Section~~ 3001: Ordinance Power.

2.2 Town Charter Article IV § 2 d, reads:-

d. Parks & Recreation Committee. There shall be a Parks & Recreation Committee consisting of five (5) members appointed by the Select Board to staggered three (3) year terms. The terms of those appointed to the Parks & Recreation Committee shall expire on June 30th of their expiration year. The Recreation Committee shall elect from its membership a chair and a secretary at its first regular meeting occurring on or after July 1st of each year.

(i) The Parks & Recreation Committee shall advise the town and municipal officers on matters of parks and recreation and supervise any parks and recreation programs by the town.

(ii) The Parks & Recreation Committee shall oversee any town property designated as a parks and recreation area by the Select Board and make recommendations to the Select Board regarding its use.

SECTION 3: PURPOSE

3.1 The purpose of this ordinance is to regulate the use of the public parks and recreation areas of the Town so as to preserve these areas for the use of members of the public and to protect these areas from misuse, damage, or destruction.

SECTION 4: DEFINITIONS

4.1 Recreation Area: All lands owned by the Town of North Yarmouth which allow public access by deed, ~~conservation~~ easement, other rights, Town Meeting vote, action of the Select Board or common practice.

4.2 Park: A subset of recreation areas; Those recreation areas with Town built infrastructure, outbuildings, etc. and/or established parking lots, existing upon them or associated with them at the time this ordinance is adopted and designated as parks by this ordinance, and those recreation areas subsequently designated as parks by action of the Select Board under Section 11.1.

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~~4.3 **Domestic Animal:** A domestic animal means any of various non-venomous animals domesticated so as to live and breed in a tame condition. Specific but not limited to dogs, horses, cows, and goats. See ACO Sec. II~~

~~4.4-3~~ **User:** A User is defined as a resident of North Yarmouth, Business, Organization or Visitor.

~~4.4 **Smoking:** Smoking shall include the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar, or other tobacco product, marijuana, electronic nicotine delivery system, vaporizer, or any illegal substance.~~

SECTION 5: DESIGNATED AREAS

5.1 **Parks** - For purposes of establishing rules and regulations, the following areas are designated as parks within the Town of North Yarmouth.

- A. Wescustogo Park - All Town owned acreage where New Gloucester Road intersects with the Royal River;
- B. Old Town House Park - All Town owned acreage behind the Old Town House on Memorial Highway including the boat launch;
- C. Baston Park;
- D. Sharp's Field;
- E. The Village Green;
- F. Chandler Brook Preserve;
- G. Sam Ristich Trail - Portion of Public Work's property bordered by Parsonage Road;
- H. Former North Yarmouth Memorial School - Those portions of the Sam Ristich Trail that intermix with the property;
- G. Knight's Pond Preserve - Specifically the North Yarmouth portion [in cooperation with the Joint Standing Committee and the Town of Cumberland](#).

5.2 **Recreation Areas** - For purposes of establishing rules and regulations, the following areas are designated as recreation areas within the Town of North Yarmouth at the time of adoption of this ordinance:

- A. Eleanor Hayes Town Forest: East and West side of Memorial Highway;
- B. Deer Brook Forest: All ~~Town~~-[Town](#)-owned land adjacent to Wild Turkey Lane.

SECTION 6: HOURS OF OPERATION

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- 6.1 All Town Parks shall be open to the public only between ~~the hours of 5:00 A.M.~~[dawn](#) and ~~9:00 P.M.~~[dusk](#). No person shall be present in the parks outside of these hours without the permission of the Public Works Director or Town Manager.
- 6.2 Closures: Any park or section of any park may be declared closed to the public by the Public Works Director, the Town Manager or the Select Board for any interval of time, and notice of such will be posted at the entrance of the park.

SECTION 7: TOWN DEPARTMENT OR TOWN CONTRACTED WORK

- 7.1 All Town departments or Town contracted work projects that occur in the park and recreation areas are exempt from Sections 6 and 11 of this Ordinance.

SECTION 8: DOMESTIC ANIMALS IN PARKS

- 8.1 North Yarmouth Parks are for the enjoyment of North Yarmouth citizens and their guests. It is the goal of NY that citizens can bring domestic animals to our parks for their owners' enjoyment and the animal. Priority shall always be given to citizens, wildlife, and the parks themselves. [The rules and regulations of town parks and animal control are outlined in the North Yarmouth Animal Control Ordinance.](#) Citizens ~~should be able~~[are encouraged](#) to address issues between themselves using the rules, but may ~~refer disputes~~[report complaints](#) to the Animal Control Officer or Town Manager.
- ~~8.2 Commercial businesses, groups, or organized groups (profit or non-profit) must obtain permission from Town Manager for use. Fee shall apply. [See ACO Section X](#)~~
- ~~8.3 All domestic animals must be under the control of owners, leash, harness or immediate voice recall. [See ACO Section VII](#)~~
- ~~8.4 Any user must leash and or harness their domestic animal if requested to do so by another user. [See ACO Section VII](#)~~
- ~~8.5 All users shall clean up after their domestic animal. [See ACO Section VI](#)~~
- ~~8.6 Domestic animals shall not harass wildlife, the user shall leash and or harness their animal if this occurs. [See ACO Section I A.](#)~~
- ~~8.7 Damage to Parks by domestic animals shall be repaired by user or charged to user by Town. [See ACO Section I A.](#)~~
- ~~8.8 Domestic animals that pose risk to citizens, other domestic animals, wildlife, or the park infrastructure can and will be barred from NY parks at the Town Manager's discretion. Progressive restrictions may not be warranted. [See ACO Section XII E.](#)~~
- ~~8.9 Grazing of animals is not allowed unless permission is granted by the Town Manager in conjunction with a weed control program or other conservation effort. [See ACO Section XI](#)~~

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~~8.10 Organized town events take precedence over domestic animal use, specifically off-leash or harness use. [See ACO Section X](#)~~

~~8.11 Where allowed, hunting will not be curtailed in favor of domestic animal use. State law shall apply to users deliberately impeding a legal hunt. [SEE SECTION 10.3 of this ordinance.](#)~~

~~8.12 These rule apply to all users. Citizens and guests of NY may be subject to being barred from the use of NY parks. Citizens may appeal restrictions to the Select Board, through the Town Manager. [See ACO Section XII F.](#)~~

9. PROHIBITED USES

9.1 Littering: No person shall deposit any waste material in a park or recreation area, except in the receptacles so provided. Where receptacles are not provided, all such waste shall be carried away from the park or recreation area by the person or persons generating the waste.

9.2 Camping Prohibited: No person or groups of persons shall use any park or recreation area in the Town of North Yarmouth for the purpose of overnight camping or either as a temporary or permanent abode of habitation [without the written approval of the Town Manager](#).

~~**Exception:** After review by the Town Manager and with the written permission of the Town's Code Enforcement Officer, non-profit groups are allowed to use a park or recreation area for overnight camping for a period of time not to exceed five (5) days only if the chosen camping area will not be located in a Resource Protection or Shoreland Zoning District.~~

9.3 Alcoholic Beverages: No person shall consume or possess alcoholic beverages in a park or recreation area.

9.4 Fires: No person shall build a fire in a park or recreation area, except as authorized by the Fire Rescue Chief and Town Manager as part of a special event.

9.5 On-site Sales: No person may offer for sale any food or merchandise within any park property without permission from the Town Manager.

9.6 Discharge of Firearms: The discharge of [any](#) firearms for target practice on any park or recreation area is prohibited.

[9.7 Smoking: For the good health, quality of life and promotion of healthy activities for residents and visitors of North Yarmouth, as well as the protection of safe recreational areas and the enjoyment of outdoor scenery, no person shall smoke or use any tobacco or marijuana product, including but not limited to cigarettes, cigars, electronic nicotine delivery systems and chewing tobacco, on, in, or within twenty-five \(25\) feet of town-owned parks and recreational properties.](#)

[All tobacco products and electronic nicotine delivery systems listed in this article are prohibited on, in, or within twenty-five \(25\) feet of town-owned parks and recreational properties 24 hours a day, 365 days per year. Disposal of such tobacco litter is also prohibited.](#)

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[A notice of prohibition of smoking and vaping shall be clearly posted in key areas in every location where smoking and vaping is prohibited by this article.](#)

SECTION 10: HUNTING & TRAPPING

10.1 At the time of the ordinance adoption, there are existing designations of park and recreation areas that allow or disallow hunting and trapping by deed easement and/or restrictions. These designations will supersede language in this ordinance.

[Reference: _ Old Town House Park Hunting Permission Regulations
https://www.northyarmouth.org/sites/northyarmouthme/files/uploads/old_town_house_park_hunting_permission_regulations.pdf](https://www.northyarmouth.org/sites/northyarmouthme/files/uploads/old_town_house_park_hunting_permission_regulations.pdf)

10.2 Should any park, or recreation area have no such designation as referenced in Section 8.1, then the Select Board, following Section 12.1, shall establish for each park and recreation area a hunting and or trapping designation as defined in Section 12.

[10.3 Where allowed, hunting will not be curtailed in favor of domestic animal use. State law shall apply to users deliberately impeding a legal hunt.](#)

SECTION 11: VEHICLE OPERATION

11.1 State Law Applies – All provisions of state law relating to the operation of motor vehicles shall apply within Town parks.

11.2 Use Areas – No person shall operate any vehicle in a park on any areas except a public way, park road, parking area, and any other areas specifically designated by the Town.

11.3 Night Parking Prohibited – A person shall not leave a vehicle, construction equipment or construction materials standing or parked at night in a park after closing hours, without written permission from the Town Manager. Any vehicle found in a park after closing hours will be removed and stored at the expense of the owner.

11.4 Restricted Vehicles – ~~All~~All-terrain vehicles (ATVs) and motorized dirt bikes are not allowed in any of the park areas.

SECTION 12: SELECT BOARD PROVISIONS

12.1 The Select Board upon 1) receiving written recommendations from the Parks & Recreation Committee; 2) posting required notice; 3) completing a public hearing; shall have the authority:

A. To designate “parks” and “recreation areas” as the property is acquired or located within the boundaries of the Town.

B. To modify rules and regulations referenced in Section 6, Section 9, and Section 11.4

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- C. To establish for each park and recreation area not previously designated by Section 9.1 a hunting and or trapping designation.
- D. To establish procedures for the use and regulation of all park and recreation areas at least once annually.

12.2 When establishing or modifying rules, regulations, designations or procedures, the Select Board shall attempt to accomplish the following purposes:

- A. To assure safe and healthful conditions on all park and recreation areas;
- B. To promote peaceful and considerate public use and enjoyment of the parks and recreation areas;
- C. To minimize any nuisance, disturbance, interference, or safety concerns on adjoining or nearby lands;
- D. To protect or enhance the scenic, recreational and environmental value of the property and to prevent erosion, unreasonable disturbance of natural habitat and wildlife, and to prevent pollution;
- E. To allocate the limited use of time and space fairly and equitably among various persons or groups seeking the use of the parks and recreation areas;
- F. To provide for efficient care and maintenance of all park and recreation areas.

SECTION 13: DEFINED GATHERINGS OR ACTIVITIES

13.1 Town Parks shall be available to the public for purposes of defined gatherings or recreational activities for specific date(s). Such requests will require approved permissions from town officials and the Town Manager. Town officials shall mean the Parks & Recreation Committee and the Select Board. Examples of these types of events would be weddings, family reunions, and organized recreation competitions. A fee for these events will apply. Town committee events are exempt from these fees.

SECTION ~~13~~14: PENALTY

~~13~~14.1 Any person or persons found in violation of any provision of this ordinance shall be punished by restitution and/or a fine~~penalized~~ punished by a fine per for of not more than One Hundred dollars (\$100) per offense to be recovered on complaint for the use of the Town each offense to be recovered on the complaint for the use of by the Town. The Town shall seek restitution from any person or persons responsible for damage to Town property in addition to said fine. ~~of not more than One Hundred dollars (\$100) per offense to be recovered on complaint for the use of the Town.~~

ADOPTED: June 18, 2011
AMENDED: April 8, 2017
AMENDED: TBD

February 18, 2020

Agenda - Section III. Meeting Minutes

- *Move to approve the minutes for January 21, 2020, as presented. Second, discussion and vote follow.*
- *Move to approve the minutes for February 4, 2020, as presented. Second, discussion and vote follow.*

**Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, January 21, 2020**

Call to Order – William Whitten, Stephen Morrison, James Moulton, and Jennifer Speirs. Town Manager Rosemary Roy was also present. Chairperson Whitten called the meeting to order.

Minutes of Previous Meeting(s) – Selectperson Speirs moved to approve the minutes of December 17, 2019, as presented. Chairperson Whitten seconded the motion. Discussion: Chairperson Whitten made a short comment on the lease between Consolidated Communications and the Town of North Yarmouth. **Vote: 4 Yes – 0 No.** Chairperson Whitten moved to approve the minutes of January 6, 2020, as presented. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.**

Public Comment - Non-Agenda Items – Katie Murphy, North Yarmouth Historical Society, provided the Board with an update on the progress of moving the Old Town House to the Village Green. Chairperson Whitten stated to the Board that he asked Katie Murphy to provide an update to the Board to further inform them of the project and to ask further questions. Selectperson Moulton asked Katie Murphy why the Historical Society chose to move the Old Town House in pieces. Katie Murphy responded. Selectperson Moulton asked Katie Murphy what the state of the Historical Society's fundraising efforts were. Katie Murphy responded. Linc Merrill, North Road, presented to the Board another project being done by the North Yarmouth Fire Company. The Town Manager asked Linc Merrill if the Fire Company has intentions of retaining ownership of items already in their possession. North Yarmouth Fire Chief Payson and Linc Merrill responded in the affirmative. Linc Merrill inquired on the process the Fire Company should follow to develop a lease with the Town for the property they wish to use. The Town Manager clarified that process to the parties and the Board. Chairperson Whitten asked the Town Manager to set-up a workshop for February 4, 2020 before the Select Board regular business meeting.

Steve Palmer, Mountfort Road, addressed the Board on a matter of communication. The Board acknowledged and responded to Mr. Palmer.

Judy Potter, Walnut Hill Road, stated her concerns with speeding in the Village Center as well as her disapproval in the aesthetic look of the Village Center. She referred to the new construction and development on Route 9 and Route 115.

Management Reports & Communications:

Select Board Communications:

- Chairperson Whitten congratulated two Greely students who did well on their basketball teams
- Selectperson Morrison informed the public about the meeting he attended regarding the location of a new school proposed by the MSAD 51 School Board. Selectperson Morrison wanted to be clear that no location was decided on the proposed school brought forth by MSAD 51 School Board.

Town Manager's Report

The Town Manager provided her full report to the Board. A copy of that report can be found at the Town Office or on the Town's website, www.northyarmouth.org.

Old Business:

Consolidated Communications – Lease of Town Property

Selectperson Moulton moved to authorize the Town Manager to execute the revised lease agreement as presented with Consolidated Communications for a term of five (5) years. Selectperson Speirs seconded the motion. Discussion: Chairperson Whitten inquired about an addition to the lease between Consolidated Communications and the Town. The Town Manager answered the chairperson's question. **Vote: 4 Yes – 0 No.**

New Business:

Community Center

Selectperson Morrison moved to call for a public hearing on the proposed amendments to the town Fee Schedule on February 4, 2020 at 7 PM. Selectperson Speirs seconded the motion. Discussion: Selectperson Moulton inquired about the charging station that was included with the original bond set forth by the towns people. The Town Manager and the Community Center Director did not have an immediate answer. The Town Manager told Selectperson Moulton that further research would be done. Selectperson Speirs asked the Community Center Director if the Wescustogo Hall and North Yarmouth Community Center's kitchen would incur a charge if the renter only lightly used the kitchen. The Director answered the Selectperson's question. **Vote: 4 Yes – 0 No.**

In consensus, the Board agreed that the Director can use the name *"North Yarmouth Community Center – Home of Wescustogo Hall"* for promotional uses.

In consensus, the Board endorsed the proposed Mission Statement for the Community Center.

Committee Appointments

Selectperson Speirs moved to appoint Jay Fulton to the Living Well in North Yarmouth committee with a term to expire June 30, 2020. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.**

Tax Issues

Selectperson Speirs recused herself from this agenda item. Selectperson Morrison moved to table the discussion on foreclosed property account number 759, tax map 15, lot 5. Chairperson Whitten seconded the motion. Discussion: Selectperson Moulton stated that he would like to see the bids and retain the decision to "accept any and all bids". The Town Manager clarified that the process calls for such action. Selectperson Morrison asked that the Town Manager inquire if the Town could use the property for the betterment of the Town and to have three brokers conduct a market analysis of the property and to present to the Board on their February 18, 2020 business meeting. **Vote 3 Yes – 0 No – 1 Abstained (Selectperson Speirs).**

Property Gift – Delwin Drive

Discussion: Selectperson Moulton asked the Town Manager if the property would eventually be returned to the Town if the property owner decided to abandon the property. The Town Manager responded that the selectperson's assessment of the process was correct, however, in her opinion, did not believe that the outcome of abandoning the property was likely. The board asked the Town Manager to ask the abutting neighbors if the property could be purchased in conjunction with asking the Town Manager to see if the Director of Public Works could use the property to expand Delwin Drive. The Town Manager responded that she would pursue both options. No action taken.

Spirit of America Recognition

The Town Manager provided the Board with a ballot to recognize a town committee volunteer and their contributions to the community. The award will be announced at the Annual Town Meeting.

Solar Farm

Selectperson Morrison moved to authorize the Town Manager to put together an ad hoc committee to explore the viability of a solar farm and provide the Board a recommendation six (6) months from when the ad hoc committee convenes. Selectperson Speirs seconded the motion. Discussion: The Town Manager reported to the Board the findings from Al Ahlers, one of the Town's representatives to GPCOG/PACTS. The Board asked the Town Manager to speak with Al Ahlers and ask if he could assist her in forming a committee to research if a solar farm was possible for North Yarmouth. **Vote: 4 Yes – 0 No.**

Accounts Payable – Selectperson Speirs moved to approve accounts payable warrants 30 and 31 in the amount of \$726,644.92, as presented. Chairperson Whitten seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.**

Any Other Business – None.

Executive Session – Chairperson Whitten moved that the Select Board in accordance with their roles and responsibilities to enter into executive session pursuant to Title 1 MRSA Chapter 13 Public Records and Proceedings, subsection 405 Executive Sessions subsection 6(A) with the Town Manger. Selectperson Speirs seconded the motion. The Board came out of Executive Session at 10:07 PM.

Adjournment - Chairperson Whitten moved to adjourn.

Prepared By: Draven Walker
Administrative Assistant/Recording Secretary

Select Board

William Whitten, Chair

Stephen Morrison, Vice Chair

James Moulton

Jennifer Speirs

**Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, February 4, 2020**

Call to Order – William Whitten, Steve Morrison, James Moulton, and Jennifer Speirs was present. Town Manager Rosemary Roy was also present. Chairperson Whitten called the meeting to order.

Public Hearing – Chairperson Whitten moved to open the Public Hearing on the proposed amendments to the town Fee Schedule. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.** The Town Manager explained the purpose of the change in the Fee Schedule to the Select Board and the public. Selectperson Moulton asked the Town Manager if a charging station for vehicles should incur a fee and if that fee should be posted to the Fee Schedule. The Town Manager stated that the Board could decide to discuss the topic at a later meeting and amend the Fee Schedule by holding another Public Hearing. Chairperson Whitten moved to close the Public Hearing on the proposed amendments to the town Fee Schedule. Selectperson Moulton seconded the motion. **Vote: 4 Yes – 0 No.**

Fee Schedule

Chairperson Whitten moved to approve the proposed amendments to the town Fee Schedule as presented. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.**

Minutes of Previous Meeting(s) – Selectperson Morrison moved to table the minutes of January 21, 2020 until the next Select Board business meeting. Selectperson Speirs seconded the motion. Discussion: Selectperson Speirs provided the Town Manager specific comments on two sections that needed to be corrected. **Vote: 4 Yes – 0 No.**

Public Comment - Non-Agenda Items – Steve Palmer, Mountfort Road, asked the Board to consider an agenda item on discussing how the monies being raised for the Wescustogo Hall and North Yarmouth Community Center were being used. Steve Palmer also inquired about the remaining tenure of the Friends of Wescustogo. The Board acknowledged Steve Palmer’s questions.

Management Reports & Communications:

Select Board Communications

- Absence Notification for Budget Meeting (Chairperson Whitten)
- School Board Meeting Update (Chairperson Morrison)

Town Manager’s Report

The Town Manager’s Report can be found on the town’s website, northyarmouth.org, or at the Town Office.

Old Business:

By Your Side Program

Brian Sites, Vice President of Business Development and Implementation of Volunteers of America Northern New England, presented a proposed program to the Board that is part of a grant application. The Board asked questions about the presentation. To learn more, please watch this meeting at northyarmouth.org under “Municipal Broadcasts”. No action taken.

Property Gift – Delwin Drive

Chairperson Whitten moved to place on the Annual Town Meeting warrant for April 11, 2020, an article to accept the gift of the property being real estate tax account number 681, tax map 10, lot 86, located on Delwin Drive with the owner taking responsibility for all costs associated with the transfer of ownership. Selectperson Morrison seconded the motion. Discussion: Selectperson Moulton asked the Town Manager if the current owner offered to pay all costs associated with the transfer of ownership to the Town. The Town Manager recommended that the Board does not include the phrase “with the owner taking responsibility for all costs associated with the transfer

of ownership.” Selectperson Morrison asked the Town Manager why the last phrase of the article could not be added to the warrant. The Town Manager responded that she felt that the best interest of the Board and the Town would be to include the last phrase as an explanation of the warrant article. The Town Manager recommended that the townspeople should only vote to accept the donation and that she would check with MMA (Maine Municipal Association) on the legality of adding the phrase “with the owner taking responsibility for all costs associated with the transfer of ownership.” Selectperson Moulton stated that he agreed with the Town Manager’s opinion but also stated that either asking for legal advice or only adding the original motion stated in the meeting materials should not be debated by the Board. Selectperson Speirs asked the Town Manager the implications if the warrant article did not include the phrase “with the owner taking responsibility for all cost associated with the transfer of ownership”. Furthermore, Selectperson Speirs wanted to know which party would be responsible if the warrant article was presented as is in the meeting materials and the current owner decided not to pay for any fees associated with the transfer of ownership. Chairperson Whitten withdrew his motion. Selectperson Speirs withdrew her second to Chairperson Whitten’s motion. Chairperson Whitten moved to place on the Annual Town Meeting warrant for April 11, 2020, an article to accept the gift of the property being real estate tax account number 681, tax map 10, lot 86, located on Delwin Drive. Selectperson Speirs seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

New Business:

Special Town Meeting Warrant

Chairperson Whitten moved to sign the Special Town Meeting warrant for March 3, 2020, for the purposes of electing a Select Board official. Selectperson Speirs seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

New Animal Control Ordinance

The Town Manager introduced Bobby Silcott, North Yarmouth’s Animal Control Officer, to the Board. The Board asked Bobby Silcott questions regarding clarification about the ordinance. Chairperson Whitten moved to call for a public hearing on the proposed Animal Control Ordinance for February 18, 2020. Selectperson Speirs seconded the motion. Discussion: none. **Vote 4 Yes – 0 No.**

Chairperson Whitten moved to place on the Annual Town Meeting warrant for April 11, 2020, an article to repeal the Barking Dog Ordinance enacted on March 11, 1983. Selectperson Morrison seconded the motion. Discussion: none. **Vote: 4 Yes – 0 No.**

Chairperson Whitten moved to call for a public hearing on the proposed amendments to the Regulations for the Use of Parks and Recreation Areas Ordinance for February 18, 2020. Discussion: none. **Vote: 4 Yes – 0 No.**

Community Center – Gymnasium Floor Covering

The Town Manager discussed the need for extra protection for the Wescustogo Hall and North Yarmouth Community Center gym floor. The Board provided feedback to the Town Manager.

Accounts Payable – Chairperson Whitten moved to approve accounts payable warrants 32 and 33 in the amount of \$125,561.91, as presented. Selectperson Moulton seconded the motion. Discussion: Selectperson Moulton inquired on the legal fees incurred. The Town Manager responded that she would provide Selectperson Moulton a report at a future time. Selectperson Moulton also inquired about another charge. The Town Manager responded. Chairperson Whitten asked the Town Manager about a charge of \$1,800.00 from Ion Networking. The Town Manager explained the charge to the Board. **Vote: 4 Yes – 0 No.**

Any Other Business – None.

Adjournment - Chairperson Whitten moved to adjourn.

Prepared By: Draven Walker
Executive Assistant/Recording Secretary

Select Board

William Whitten, Chair

Stephen Morrison, Vice Chair

James Moulton

Jennifer Speirs

February 18, 2020

Agenda - Section V. Management Reports & Communications

- Select Board Communications
 - School Building Update – Selectman Morrison (no meeting held)
 - Other
- Town Manager's Report*
- Financial Report - January*

*Reports herein.

The information contained in this report is intended to inform the Select Board, staff, and residents, some of the current activities taking place within the manager's office or the Town in general. All topics are open for discussion.

Verbal

Respectfully submitted,

Rosemary

Rosemary E. Roy, Town Manager



Age-Friendly Communities are Growing in Maine

With help from AARP, Mainers are building the supports they need to thrive in their own communities for life.



Volunteers set posts for Sullivan's community garden; Sullivan's Bucket Brigade delivers sand to make icy walkways safer for residents with mobility issues; students in Old Orchard Beach interview older residents for the Making Memories program.

By Jen Van Allen

Photographed by Lynn Dunbar, Rob Eaton, and Liz Gotthelf

After spending four winters in Florida, Candy Eaton, of Sullivan, grew tired of the snowbird lifestyle. Sure, the 80-degree February days were nice, but she missed her friends and her 1860 farmhouse full of 40 years of family memories.

"I just wanted to sit next to the woodstove," the 67-year-old Eaton says. "I was homesick." But the Down East town of Sullivan, population 1,200, felt dead quiet in winter. "In Florida, there was just so much to avail yourself of — music, tasting events, art shows, free community events," she says. "And we just didn't see that up here."

Today, with help from [AARP's Age-Friendly Communities program](#), things in Sullivan are changing. A new community room at the Frenchman Bay Library hosts book clubs, knitting groups, drop-in cribbage games, and other activities year-round. Every Earth Day, dozens of residents gather for a roadside cleanup and cookout. Outside the town office, dozens of volunteers work in a new community garden. Sullivan volunteers are training to provide rides to doctor appointments for those who can't drive themselves. When the snow falls, a volunteer-led bucket brigade delivers sand to seniors and those with disabilities, to make their icy walkways and driveways easier to negotiate. Every month, more than a dozen members of the [Age-Friendly Sullivan](#) steering committee meet to keep projects like these on track and launch new ones.

“It’s like there’s a breath of fresh air that’s blown in,” says Eaton, who coordinates Sullivan’s Age-Friendly efforts. “It doesn’t have to be ‘woe is us.’ We recognize that we can build a livable community ourselves.” Sullivan is one of 69 communities in Maine that are part of AARP’s Network of Age-Friendly States and Communities. The program provides a roadmap for communities to target improvements in eight domains that influence health and quality of life, including transportation, housing, social participation, and health services. Joining the network requires an application and endorsement from the local governing body, and membership gives communities access to grants and assistance from AARP. In many communities, the Age-Friendly grants help facilitate efforts already underway. In Sullivan, grants from AARP helped fund a survey about what residents want and need, the development of the library’s community room, a health fair, the sand-bucket brigade, and the community garden. But even more valuable, Eaton says, is the mentorship her community has received from people in other Age-Friendly communities working on similar efforts.

“We don’t have to reinvent the wheel,” she says.

The Age-Friendly initiatives differ from town to town. In North Yarmouth, a survey suggested transportation wasn’t an issue, but residents wanted more opportunities for social gatherings. So the Age-Friendly committee — called Living Well in North Yarmouth — launched an annual community ice cream social, a kite festival, pickleball and ping pong programs, plus a welcome initiative for new residents. The group also partnered with town government and the Bicycle Coalition of Maine to test traffic-calming strategies that make roads safer for pedestrians, cyclists, and drivers. In Old Orchard Beach, residents have been working to improve access to public transportation and offer more opportunities for intergenerational social connection. Through a partnership with the local high school, older adults are helping students refine their resumes, and a project called Making Memories enlists students to film interviews with their elders, which are aired on the local public-access channel.

It doesn’t have to be ‘woe is us.’ We recognize that we can build a livable community ourselves.

Maine — which has the highest median age in the nation, at 44 — has more communities in the Age-Friendly network than any other state. In October, it became the program’s sixth state-level member. Maine’s embrace of the AARP initiative is a testament to the rootedness of its people, says Jess Maurer, executive director of the Maine Council on Aging.

“People really feel very connected to their specific communities and want to stay there as they age,” Maurer says. “They realize that they’re going to have to build systems that support that happening.” In addition to AARP, philanthropic organizations like the John T. Gorman Foundation, Maine Community Foundation, and Maine Health Access Foundation have supported efforts to help older Mainers age safely and comfortably in their communities and allow multigenerational communities to flourish. When older Mainers thrive, says Maine Community Foundation director of grantmaking Laura Lee, it’s a rising tide that lifts all boats. Improving a community’s walkability, access to public transportation, and health services makes that place more appealing for every demographic to move to and to stay. “If you can make a community accessible for older residents,” Lee says, “you’re going to increase engagement and accessibility for people of all ages.”

Visit aarp.org/agefriendly to learn more about AARP’s Age-Friendly initiatives.

Expense Detail Report

31-Jan-20

Department	FY19 Budget	Debits/Credits	Unexpended Balance	%	Current Budget	Debits	Credits	Unexpended Balance	%
110 - MUN ADMN									
01 - OPERATIONS	335,123.00	184,518.75	150,604.25		392,333.00	234,592.64	580.00	158,320.36	
02 - CONTR/PROF	67,660.00	35,299.95	32,360.05		78,716.00	70,799.14	275.00	8,191.86	
03 - BLDG/GRNDS	63,045.00	30,282.34	32,762.66		61,577.00	48,042.19	3.59	13,538.40	
04 - COMMCOMM	9,950.00	3,531.28	6,418.72		8,500.00	4,590.64	0.00	3,909.36	
05 - NYMS	21,438.00	8,085.73	13,352.27		0.00	0.00	0.00	0.00	
	497,216.00	272,266.65	235,497.95	54.76	541,126.00	358,024.61	858.59	183,959.98	66.32
120 - COMM SVCS									
01 - CEO/PLAN	69,219.00	35,679.96	33,539.04		103,698.00	56,422.43	0.00	47,275.57	
02 - ECONOM DEV	69,400.00	15,375.47	54,024.53		58,400.00	32,916.82	0.00	25,483.18	
03 - PKS/REC	8,850.00	2,440.24	6,409.76		11,350.00	1,647.36	0.00	9,702.64	
04 - GENL ASST	7,688.00	584.00	7,104.00		7,688.00	985.57	0.00	6,702.43	
05 - SOC SERVC	3,440.00	3,105.12	334.88		3,440.00	3,106.92	0.00	333.08	
06 - CEMETERIES	5,215.00	5,120.61	94.39		5,765.00	2,960.70	0.00	2,804.30	
07 - LIVING WELL	750.00	81.89	668.11		750.00	969.73	0.00	-219.73	
08 - HIST SOCIE	5,000.00	375.00	4,625.00		1,750.00	0.00	0.00	1,750.00	
	169,562.00	65,081.49	106,799.71	38.38	192,841.00	99,009.53	0.00	93,831.47	51.34
130 - PUBL SAFETY									
01 - FIRE RESCUE	281,827.00	168,391.59	113,435.41		322,308.00	201,518.83	1,294.99	122,084.16	
02 - CONTR/PROF	99,967.00	35,826.88	64,140.12		109,902.00	46,753.62	0.00	63,148.38	
	381,794.00	222,280.01	177,575.53	58.22	432,210.00	248,272.45	1,294.99	185,232.54	57.74
140 - PUBLIC WORKS									
01 - OPERATIONS	447,813.00	251,407.29	196,405.71		429,518.00	238,287.17	1,784.61	193,015.44	
	447,813.00	260,657.43	196,405.71	58.21	429,518.00	238,287.17	1,784.61	193,015.44	55.89
150 - SW/RECYCLING									
01 - SOLID WASTE	202,905.00	118,149.29	84,755.71		228,188.00	99,511.95	0.00	128,676.05	
	202,905.00	118,149.29	84,755.71	58.23	228,188.00	99,511.95	0.00	128,676.05	43.61
160 - FIXED EXPENS									
01 - DEBT SERVICE	0.00	0.00	0.00		285,900.00	231,762.50	0.00	54,137.50	
02 - EE BENEFITS	265,654.00	128,704.61	136,949.39		323,435.00	142,283.26	0.00	181,151.74	
03 - INSURANCE	39,767.00	40,509.00	-742.00		41,457.00	46,039.00	0.00	-4,582.00	
04 - EDUCATION	7,333,711.00	4,277,997.97	3,055,713.03		7,368,665.00	4,298,387.82	0.00	3,070,277.18	
05 - SHARED SVCS	178,994.00	89,496.00	89,498.00		165,876.00	82,937.92	0.00	82,938.08	
06 - COUNTY TAX	336,663.00	336,663.00	0.00		362,248.00	362,248.00	0.00	0.00	
	8,154,789.00	4,873,370.58	3,281,418.42	59.76	9,131,681.00	5,163,658.50	0.00	3,383,922.50	56.55
Final Totals	9,854,079.00	5,811,805.45	4,082,453.03	58.98	10,955,564.00	6,206,764.21	3,938.19	4,168,637.98	56.69

**Revenue Detail Report
31-Dec-19**

100 - REVENUES	FY19 Budget	Debits/Credits	%	Current Budget	Debits	Credits	Uncollected Balance	%
4010 - AGENT FEES	12,300.00	6,673.00	54.25	12,100.00	0.00	8,775.75	3,324.25	72.53
4020 - RESCUE FEES	65,000.00	25,348.14	39.00	60,000.00	0.00	59,925.26	74.74	99.88
4030 - APPEALS	50.00	0.00	0.00	50.00	0.00	0.00	50.00	0.00
4035 - BAD CHECK FEES	0.00	40.00	100.00	1,200.00	0.00	42,712.00	-41,512.00	360.00
4050 - BOAT EXCISE	8,500.00	1,942.90	22.86	8,500.00	316.60	2,127.20	6,689.40	21.30
4060 - BUILDING PERMITS	41,000.00	23,009.20	56.12	60,000.00	0.00	62,566.23	-2,566.23	104.28
4067 - BURN PERMITS - ONLINE	240.00	156.00	65.00	240.00	0.00	168.00	72.00	70.00
4070 - CASH SHORT/OVER	0.00	- 6.44	0.00	0.00	0.00	30.80	30.80	0.00
4080 - CATV FRANCHISE FEES	29,000.00	18,004.56	62.08	30,800.00	0.00	14,558.55	16,241.45	47.27
4090 - CELL TOWER RENTAL	37,200.00	22,770.76	61.21	39,000.00	0.00	23,615.06	15,384.94	60.55
4110 - CEO MISC. PERMITS	300.00	0.00	0.00	300.00	0.00	0.00	300.00	0.00
4120 - CEO POWNAL SERVICES	15,000.00	10,079.90	67.20	17,500.00	4,818.66	12,425.33	9,893.33	43.47
4130 - CLERK FEES	755.00	448.00	59.34	755.00	0.00	763.00	-8.00	101.06
4140 - CUSTOMER SERVICES FEES	700.00	266.67	38.10	700.00	0.00	184.20	515.80	26.31
4150 - DOG LICENSE FEES / ACO SERVICE	1,650.00	1,072.00	64.97	1,650.00	0.00	1,200.00	450.00	72.73
4157 - PARK USE PERMIT DOGS	0.00	600.00	100.00	1,200.00	0.00	500.00	700.00	41.67
4160 - ELECTRICAL PERMITS	7,500.00	4,623.59	61.65	10,500.00	40.00	13,129.18	-2,589.18	124.66
4200 - GENEALOGY SEARCH	250.00	65.00	26.00	150.00	0.00	0.00	150.00	0.00
4210 - GENERAL ASSISTANCE	2,500.00	0.00	0.00	2,500.00	0.00	276.50	2,223.50	11.06
4220 - HOMESTEAD EXEMPTION	200,527.00	182,780.00	91.15	200,527.00	0.00	208,503.00	-7,976.00	103.98
4255 - EMA REIMBURSEMENTS	0.00	26,091.79	100.00	0.00	0.00	0.00	- 0.00	0.00
4260 - LOCAL ROAD ASSISTANCE PROGRAM	27,000.00	27,232.00	100.86	27,000.00	0.00	27,952.00	-952.00	103.53
4265 - PROPERTY & CASUALTY POOL	2,000.00	2,683.00	134.15	2,500.00	0.00	5,505.00	-3,005.00	220.20
4270 - MSAD ELECTIONS	2,200.00	1,503.38	68.34	1,600.00	0.00	0.00	1,600.00	0.00
4280 - MISC REVENUES	1,200.00	- 2,248.02	100.00	1,200.00	5,955.00	6,077.57	1,077.43	10.21
4290 - BMV EXCISE	867,000.00	561,810.28	64.80	965,000.00	19,239.40	596,572.03	387,667.37	59.83
4310 - PEER REVIEW	1,000.00	0.00	0.00	1,000.00	0.00	0.00	1,000.00	0.00
4320 - PLANNING BOARD	1,200.00	0.00	0.00	1,200.00	0.00	350.00	850.00	29.17
4330 - PLUMBING PERMITS	8,000.00	4,822.50	60.28	8,500.00	327.50	11,572.50	-2,745.00	132.29
4335 - PRIVATE ROAD SIGNS	300.00	101.57	33.86	300.00	0.00	155.06	144.94	51.69
4340 - RENTAL FEES	13,000.00	6,455.00	49.65	25,500.00	0.00	6,900.00	18,600.00	27.06
4345 - WH&CC FEES	0.00	0.00	0.00	0.00	0.00	5,976.00	-5,976.00	100.00
4350 - REVENUE SHARING	191,575.00	110,423.48	57.64	387,000.00	0.00	163,030.71	223,969.29	42.13
4370 - SITE PLAN REVIEW	1,200.00	300.00	25.00	1,200.00	0.00	275.00	925.00	22.92
4380 - SNOWMOBILE CLUBS STATE REIMBUR	1,200.00	1,271.04	105.92	1,250.00	0.00	1,151.88	98.12	92.15
4390 - SOLID WASTE/RECYCLING	140,000.00	74,895.00	53.50	186,300.00	0.00	102,339.00	83,961.00	54.93
4400 - SW HAULER PERMIT	75.00	0.00	0.00	75.00	0.00	0.00	75.00	0.00
4420 - TAX INTEREST	12,500.00	7,240.64	57.93	15,000.00	7.73	7,762.98	7,244.75	51.70
4430 - TAX PENALTY	3,500.00	825.11	23.57	3,000.00	0.00	1,460.59	1,539.41	48.69
4450 - TIMBER HARVEST	0.00	9,582.40	100.00	0.00	0.00	0.00	0.00	0.00
4480 - TREE GROWTH EXEMPTION	3,700.00	2,417.84	65.35	4,000.00	0.00	2,641.04	1,358.96	66.03
4500 - VETERAN'S EXEMPTION	2,950.00	1,340.00	45.42	2,950.00	0.00	1,598.00	1,352.00	54.17
4510 - VITAL RECORDS	3,100.00	1,575.60	50.83	3,100.00	0.00	1,261.40	1,838.60	40.69
Final Totals	1,705,172.00	1,136,195.89	66.63	2,085,347.00	30,704.89	1,394,040.82	722,072.67	65.38

February 18, 2020

Agenda - Section VI. Old Business

- By Your Side Program - To complete phase one of the proposed program now that the application has been introduced and reviewed by the Board and submitted to the County's grant division, a vote by the Board of acceptance and authorization is requested.

Move to approve that North Yarmouth shall be the lead community sponsor of the project of the three participating towns, to authorize Volunteers of America Northern New England (VOANNE), and the Town Manager to be the administrators of the program, and it is understood that VOANNE shall not receive any direct monetary compensation for their services. Second, discussion and vote follow.

Note: VOANNE representative Brian Sites is unable to attend this meeting.

- Charitable Fundraising Policy - Report

Information is included herein as requested on 2/4/20.

- Property Foreclosure - Update

Included herein are two market analysis on the Lufkin Road property accompanied by prior information submitted to the Board on 1/21/20.

Note: The Town Manager has no recommended action at this time except to continue the discussion on the new information and options.

Town of North Yarmouth
Charitable Fundraising Policy

I. PURPOSE - Page 1

The purpose of the Charitable Fundraising Policy is to define and provided **guidelines** in the collection of money through voluntary contributions, sales, and or events/programs for the purposes of charitable donation and or support. [Noted guideline.RR](#)

The Town understands that board and committee members, and citizens may wish to seek external funds to support key initiatives and projects. It is important that all fundraising activities are submitted to the Town Manager for approval prior to solicitation.

II. GENERAL GUIDELINES - Page 2

P. Donations with conditions attached must be submitted to the voters for acceptance or rejection. (30-A M.R.S. § 5654)

STATUTE: §5654. Conditional gifts RR

This section governs a municipality's receipt of a conditional gift for any specified public purpose.

1. Acceptance or rejection. When the **municipal officers receive written notice from a prospective donor or a representative of the proposed gift**, they shall submit the matter at the next meeting of the municipal legislative body. Within 10 days after the meeting, the municipal officers shall send written notice of their acceptance or rejection to the donor or the donor's representative. [Donor's Representative - Darla Hamlin, Chair FOW.](#)

III. NAMING PROVISIONS - Page 2

General:

A. All naming recognition must be consistent with North Yarmouth's mission. In this regard, due attention shall be given to both long-term and short-term appropriateness of naming. The Town of North Yarmouth shall not name an outdoor area, interior feature, object or space in a manner that discriminates, slanders or demeans based upon race, religion, sex, age, national origin, color, handicap creed, sexual orientation or socioeconomic status. Existing and previously named property and spaces will be grandfathered under this policy. Guidelines met. ✓

B. This policy is designed to provide guidance in facilitating the naming process. It is not intended to stifle philanthropic creativity. [Noted guideline. RR](#)

C. Naming recommendations may be presented to the Select Board by a committee or charged representative(s) assigned to the task. [Noted guideline. RR](#)

Individual/Family Naming: Page 3

5. Donations for naming should be realized in full on or before the completion of the project. [Not shall.](#)

6. Rooms named for an individual or family generally will be termed "XXX Room." If a functional title is selected, the building may be named "XXX Art Room**" for example. When**

Town of North Yarmouth
Charitable Fundraising Policy

the proposed naming of a building or feature would not include the benefactor's name (by request of the benefactor), it is recommended that a person or family name be added to the signage, or that the attribution be anonymous.

Guidelines met. ✓

Requests: Page 4

A. A formal memorandum of a request for naming should be submitted to the project representative(s) who shall review the request and present it to the Select Board for review. The memorandum shall include: Partially Met Guidelines; To be completed on February 18, 2020. ✓ **NOTE:** FOW did present large donors to the Board in December, the Town Manager was not able to connect prior to and was not in attendance at the meeting to ensure that the proper paperwork was turned over to the Board for their review. The Chair of FOW did have the paperwork on her person at the meeting. The Select Board did not request to see the paperwork at this meeting.

1. The individual donor's name or corporation/corporate foundation and information regarding the gift being recognized. Partially Met Guidelines; To be completed on February 18, 2020. ✓ The Town Manager received this information in late December as per the Select Board's requested deadline.

2. A brief profile of the donor or corporation, his or her connection to North Yarmouth and an overview of significant past giving. Partially Met Guidelines; To be completed on February 18, 2020. ✓ The Town Manager received this information in late December as per the Select Board's requested deadline.

3. Any special considerations offered to the donor or corporation, including the structure of the gift. Partially Met Guidelines; To be completed on February 18, 2020. ✓ The Town Manager received this information in late December as per the Select Board's requested deadline.

4. A description of the recognition, including proposed inscription, mounting and size information, as applicable. No specific requests were made. Guidelines met. ✓

Signage Guidelines: Page 4

A. All interior and exterior recognition signage and lettering may be developed by the committee and or representative(s) charged with the task in consultation with the Town Manager and Select Board. The goal is to design recognition plaques or signage that appropriately adhere to the graphic guidelines of North Yarmouth and are complementary to the existing interior and exterior recognition signage and fit appropriately with design elements of the representative space. Implementation of signage shall not be undertaken until final approval from Select Board. This will take place following Townspeople approval.

Approval Process: Page 5

A. No commitment for naming shall be made prior to approval of the proposed name.

Town of North Yarmouth
Charitable Fundraising Policy

- B. Proposals for naming opportunities will follow the approval process described **below** before publicly discussing recognition of a person, family, corporation or organization and before formally accepting a prospective donor for a naming gift.
- C. Discussions with the individual, corporate, or other organizational donors who seek naming rights must be conducted with the understanding that the Select Board reserves the right on both the minimum amount of a naming gift and the name of the person or organization to be honored by the naming for final approval compliance. [Guidelines met.](#) ✓
- D. In all bond financed projects bond counsel shall review gifts and naming issues for compliance with municipal bond tax laws prior to submission to the legislative body. [Guidelines met.](#) ✓
- E. The Select Board shall submit all gifts of condition to the Town's legislative body at a Town Meeting in accordance with Conditional Gifts 30-A M.R.S. § 5654. [To be completed 4/11/20.](#)

Town of North Yarmouth
Charitable Fundraising Policy

ADDENDUM ONE (1) - Amended

Committee: Friends of Wescustogo

Project: Wescustogo Hall & North Yarmouth Community Center (WH&CC)

Date: February 19, 2019

Purpose: The town's Charitable Fundraising Policy shall be used as an overall guideline for the Friends of Wescustogo committee and this addendum provides additional guidance specific to the efforts to raise funds in support of the reconstruction of the Wescustogo Hall and Community Center.

Guidelines:

1. The committee establishes the process by which to obtain the funds and provides the Select Board with the plans. **Guidelines met. ✓**
2. The Friends of Wescustogo (FOW) was established by the Select Board for the purpose of raising \$250,000 towards the construction cost of Wescustogo Hall and Community Center. **Guidelines met. ✓**
3. During construction, all funds raised up to \$250,000 shall go towards the construction costs of the Wescustogo Hall and Community Center building. **In process.**
4. Funds raised over the goal amount or after the completion of the project may go towards additional features upon Select Board approval. **N/A**
5. Gifts considered as a Substantial Contribution to a project shall be as follows:

▪ Gymnasium	\$ 100,000	Possible change to \$50K
▪ Community Room	\$ 75,000	Possible change to \$15K
▪ Wescustogo Hall Room #1	\$ 25,000	Received
▪ Wescustogo Hall Room #2	\$ 25,000	Received
▪ Wescustogo Hall Room #3	\$ 25,000	Received
▪ Kitchen	\$ 5,000	Possible Addition
6. Donations will be received and recorded at the Town Office; a separate account will be used for this project. **Guidelines met. ✓**
7. Construction costs will be reviewed and paid on a periodic basis from funds raised at the Town Manager's discretion. **To date there has been no use of these funds for construction purposes as the project came in under the projected cost.**

8. Long-term donation commitments for 1-5 years will be set up accordingly for collection.
Guidelines met. ✓
9. All products offered based on a donation, i.e., “wooden board w/name” shall be filled and prepared for installation.
Guidelines met. ✓
10. A formal memorandum of a request for naming as described in the Town policy should be submitted to the FOW Chairperson who will present the request to the full committee and the Select Board.
Guidelines met. ✓
11. Naming recommendations may be presented to the Select Board by the FOW Chairperson.
Guidelines met. ✓
12. All interior and exterior recognition signage and lettering will be developed by FOW in consultation with the Town Manager and Select Board. To be completed.



FOR OFFICE USE ONLY

Accepted via Phone Email In-Person
Accepted by: [Signature] Date: 12/18/19
Email: _____
Phone: _____

DW

REQUEST FOR NAMING – PLEDGE FORM

I/we wish to make a gift to the Town of North Yarmouth, Friends of Wescustogo in exchange for the opportunity to name a room or feature of the new Wescustogo Hall and Community Center.

I/we understand that our gift will be considered a substantial contribution towards the construction costs of the Wescustogo Hall and Community Center project. Based on the condition of having naming rights, we acknowledge that our gift must be submitted to the voters for acceptance or rejection. (30-A M.R.S. § 5654) and that payment is due on acceptance by the voters of my/our gift, approval of the naming recommendation, but no later than completion of the above-named project. EXCEPTION: By their acceptance of this pledge, the town agrees to accept payment of this pledge in five annual payments of \$5,000 each beginning with one check on December 3, 2019 with final payment no later than December 3, 2024.

I/we understand that our donation must adhere to the Town of North Yarmouth's Charitable Fundraising Policy (Adopted November 7, 2018 and Amended February 19, 2019) except whereas we are seeking an exception to Item 5, Page 3 of 5. A copy of the policy and its' addendum is attached to and is a formal part of this request.

For my/our contribution of \$25,000, we wish to name ROOM # 3 of Wescustogo Hall MERRILL ROOM *

*Rooms named for an individual or family generally will be termed "XXX Room

DONOR INFORMATION

Name(s) LINCOLN J. SR. & Kim A. MERRILL
Primary Phone 837-1380 cell line Alternate Phone 847-181 - Liai work
Address: 1572 NORTH ROAD
City NORTH YARMOUTH State MAINE Zip 04097
Email metnic@aol.com
Signature of Benefactor [Signature] Date 12/2/2019

ACCEPTED BY:

Friends of Wescustogo, Chair Carla P. Hamlin Date 12-3-2019
Town Manager _____ Date _____
Select Board, Chair _____ Date _____



FOR OFFICE USE ONLY

Accepted via Phone Email In-Person
Accepted by: [Signature] Date: 12/18/19
Email: _____
Phone: _____

REQUEST FOR NAMING – PLEDGE FORM

I/we wish to make a gift to the Town of North Yarmouth, Friends of Wescustogo in exchange for the opportunity to name a room or feature of the new Wescustogo Hall and Community Center.

I/we understand that our gift will be considered a substantial contribution towards the construction costs of the Wescustogo Hall and Community Center project. Based on the condition of having naming rights, we acknowledge that our gift must be submitted to the voters for acceptance or rejection. (30-A M.R.S. § 5654) and that payment is due on acceptance by the voters of my/our gift, approval of the naming recommendation, but no later than completion of the above-named project. EXCEPTION: By their acceptance of this pledge, the town agrees to accept payment of this pledge in five annual payments of \$5,000 each beginning with one check on December 3, 2019 with final payment no later than December 3, 2024.

I/we understand that our donation must adhere to the Town of North Yarmouth's Charitable Fundraising Policy (Adopted November 7, 2018 and Amended February 19, 2019) except whereas we are seeking an exception to Item 5, Page 3 of 5. A copy of the policy and its' addendum is attached to and is a formal part of this request.

For my/our contribution of \$25,000, we wish to name ROOM # 1 of Wescustogo Hall Anderson *

*Rooms named for an individual or family generally will be termed "XXX Room

DONOR INFORMATION

Name(s) Robert + Karen Anderson
Primary Phone 207-415-3919 Alternate Phone 207-415-5442
Address: 397 Memorial Highway
City North Yarmouth State Maine Zip 04097
Email Robert@AndersonLandscapeConstruction.com
Signature of Benefactor [Signature] Date 12/3/19

ACCEPTED BY:

Friends of Wescustogo, Chair _____ Date _____
Town Manager _____ Date _____
Select Board, Chair _____ Date _____
Approved by Town Vote _____ Date _____

"Gifts to a municipality are tax exempt in accordance with Internal Revenue Code, 26 U.S.C. §§ 115 and 170(c)(1). It is the same status for State income tax by virtue of 36 M.R.S.A. § 5102."



FOR OFFICE USE ONLY

Accepted via Phone Email In-Person
Accepted by [Signature] Date: 12/19/19
Email: _____
Phone: _____ DW

REQUEST FOR NAMING – PLEDGE FORM

I/we wish to make a gift to the Town of North Yarmouth, Friends of Wescustogo in exchange for the opportunity to name a room or feature of the new Wescustogo Hall and Community Center.

I/we understand that our gift will be considered a substantial contribution towards the construction costs of the Wescustogo Hall and Community Center project. Based on the condition of having naming rights, we acknowledge that our gift must be submitted to the voters for acceptance or rejection. (30-A M.R.S. § 5654) and that payment is due on acceptance by the voters of my/our gift, approval of the naming recommendation, but no later than completion of the above-named project. EXCEPTION: By their acceptance of this pledge, the town agrees to accept payment of this pledge in five annual payments of \$5,000 each beginning with one check on December 3, 2019 with final payment no later than December 3, 2024.

I/we understand that our donation must adhere to the Town of North Yarmouth's Charitable Fundraising Policy (Adopted November 7, 2018 and Amended February 19, 2019) except whereas we are seeking an exception to Item 5, Page 3 of 5. A copy of the policy and its' addendum is attached to and is a formal part of this request.

For my/our contribution of \$25,000, we wish to name Room 2 of Wescustogo Hall Grover*

*Rooms named for an individual or family generally will be termed "XXX Room"

DONOR INFORMATION

Name(s) Benjamin Grover
Primary Phone 207-233-6463 Alternate Phone 207-829-3373
Address: P.O. Box 307
City Cumberland State ME Zip 04021
Email ben@ahgrover.com
Signature of Benefactor [Signature] Date 12/18/19

ACCEPTED BY:

Friends of Wescustogo, Chair _____ Date _____
Town Manager _____ Date _____
Select Board, Chair _____ Date _____
Approved by Town Vote _____ Date _____

"Gifts to a municipality are tax exempt in accordance with Internal Revenue Code, 26 U.S.C. §§ 115 and 170(c)(1). It is the same status for State income tax by virtue of 36 M.R.S.A. § 5102."

Expense Detail Report

North Yarmouth- FY 2018

41 - WESCUSTOGO

5040 - FUND 40 SPEC

02/20/18	02	R	A 0274	INVOICE 121568	0033	37359	00182 - XPRESS COPY	COOK BOOKS	2,531.23
06/05/18	06	R	A 0425	WESCUSTOGO COMM.	0050	333333	00480 - NORTH YARMOUTH VARIETY	FOOD - FORUM	178.49
Object.....									2,709.72

North Yarmouth- FY 2019

44 - WH&CC

5951 - WHCC FUNDRAI

3/19/2019	3	R	A 0306	INVOICE 139201	36	38687	00182 - XPRESS COPY	PHAMPLETS	742.27
4/6/2019	4	R	A 0319	ORDER# 26539-6 MUD BALL	40	38693	00622 - A+ PARTY RENTAL	MUD BALL	187.50
4/16/2019	4	R	A 0340	MUD BALL INS REIMBURS	41	38767	00268 - HAMLIN, DARLA	MUD BALL	254.44
5/7/2019	5	R	A 0355	INVOICE A-365456 MUD BALL	43	38815	00012 - BLOW BROS	MUD BALL	168.00
5/21/2019	5	R	A 0375	REIMBURSEMENT MUD BALL	45	38873	00268 - HAMLIN, DARLA	MUD BALL	208.12
Object.....									1,560.33

North Yarmouth- FY 2020

46 - WH&NYCC

5957 - WH&NYCC (F)

11/05/19	11		A 0133	WH&CC GOLF TOURN	0019	39503	00300 - TODDY BROOK GOLF	TOURNAMENT	2,398.50
11/19/19	11		A 0157	WH&CC FURNITURE	0020	333333	01246 - MARSHALLS &	FURNITURE	727.92
11/19/19	11		A 0157	INVOICE TP200000390	0020	39577	01252 - TREETOP PRODUCTS	BENCHES	2,024.09
11/19/19	11		A 0157	INVOICE 158923	0020	39517	01251 - ARTFORMS, INC.	T-SHIRTS	1,066.00
11/19/19	11		A 0157	INVOICE 1301	0020	39580	01253 - WOOD WIZARD	BARN BOARDS	450.00
11/19/19	11		A 0157	INVOICE 227931	0020	333333	01245 - HUB FURNITURE CO	FURNITURE	1,569.97
12/17/19	12		A 0187	INVOICE 100316365	0025	39668	01263 - S&S WORLDWIDE.	SUPPLIES ECO	317.47
12/17/19	12		A 0187	INVOICE 100329630	0025	39668	01263 - S&S WORLDWIDE.	SUPPLIES ECO	91.99
12/17/19	12		A 0187	INVOICE SOKSA5568	0025	39645	01262 - KIRBYBUILT SALES	SUPPLIES	99.24
12/17/19	12		A 0187	INVOICE 3209804	0025	333333	00517 - AMAZON CAPITAL	FURNITURE	105.49
01/07/20	01		A 0220	INVOICE 2733013	0029	333333	00517 - AMAZON CAPITAL	SUPPLIES	105.48
01/07/20	01		A 0220	INVOICE 3128605849	0029	333333	00977 - WAYFAIR	SHELVING	303.82
01/07/20	01		A 0220	INVOICE 0942608	0029	333333	00517 - AMAZON CAPITAL	SUPPLIES	73.82
01/07/20	01		A 0220	INVOICE 0186618	0029	333333	00517 - AMAZON CAPITAL	BENCHES	1,008.32
01/07/20	01		A 0220	INVOICE 5849854	0029	333333	00517 - AMAZON CAPITAL	FURNITURE	293.30
01/07/20	01		A 0220	INVOICE 3145436019	0029	333333	00977 - WAYFAIR	SHELVING	367.12
01/21/20	01		A 0243	INVOICE 9447460	0031	333333	00517 - AMAZON CAPITAL	BENCHES	346.53
01/21/20	01		A 0243	INVOICE 0661800	0031	333333	00517 - AMAZON CAPITAL	FURNITURE	88.56
Object.....									11,437.62

TOTAL 15,707.67



Powers Real Estate
Professional. Service. Integrity. Results.

Patrick Powers
Broker/ Owner
Powers Real Estate
207-650-1167 cell

February 3, 2020

Broker Price Opinion

Property located at:

207 Lufkin Road, North Yarmouth

Map 015 Lot 005

Cumberland County Registry of Deeds Book 25998 Page 30

Heirs of Suzanne G McGuffey

Care of: Draven L Walker

Assistant to the Town Manger North Yarmouth

Dear Draven

Thank you for the opportunity to provide you with this broker price opinion, (BPO). This opinion or appraisal was prepared for the purpose of forming an opinion of the subject's as-is market value. It was prepared by a licensed real agent, licensed in the State of Maine, not by a licensed or certified appraiser and may not comply with the appraisal standards of the uniform standards of professional appraisal practice.

This opinion was determined by the application of historical sales data, town records, personal interior and exterior inspection and other pertinent local knowledge.



The subject property consists of a 1785, 3873 SF, 6 bedroom, 3 bath, two story home on a 9.44 acre lot. Square footage and age are from public record. Per our conversation the property is sealed for mold and is not habitable. This opinion is based upon that discussion, a drive by, historical sales in North Yarmouth over the past two years and professional local knowledge. The recommended prices takes into consideration that the property will be sold in its as is condition.

Definition of Market Value

The most probable price which a property should bring in a competitive and open market under all conditions, requisite to a fair sale, the buyer and the seller each acting prudently and knowledgeably.

Given the location, condition and amenities this property has to offer, this BPO provides a current Fair Market Value to be \$200,000 to \$210,000.

Suggested list price to be \$210,000, with an anticipated sale price to be in the \$200,000 range.

This Broker Price Opinion was completed using similar type properties, located in North Yarmouth, sold since February 2018.

Please call me to discuss if you choose.

If I can be of any further assistance to you or if there are any questions concerning this broker price opinion report, please do not hesitate to contact me.

Thank you.

Respectfully submitted,

Patrick Powers

Draven Walker

From: Scott Kerr <scottkerr@maine.rr.com>
Sent: Tuesday, February 4, 2020 4:42 PM
To: Draven Walker
Subject: 207 Lufkin Road McGuffey Estate draft

The property includes:

- 9.44 acres (that includes ~.6 acres of ROW that the owner of 208 Lufkin Road has the right to pass over)
- 3,500 to 3,800 SF cape farmhouse built ~1785 per tax card
- 40' x 52' (2,080SF) hay barn of style typical of late 1800s
- 30' x 32' pole barn
- 16' x 16' shed
- 8' x 7' shed
- 37' x 37' foot PT deck (that is not as square and as large as the tax card has it)

I have sold land for this family since 1997. I have been in the house multiple times in 1997, in the mid 2010s and late 2019.

From a distance the house has a lovely long, low cape with big hay barn look and appeal.

After a close inspection one sees that the house has small rooms or poorly remodeled rooms combining smaller rooms with few antique features and is in poor condition.

A value of this house from the exterior is meaningless.

The assessor has assessed the property at \$118,000 for the land and \$313,600 for the house and other structures. The assessor characterizes the "grade" as "below average". I don't suspect that any of the recent assessors have studied the house. "Below average" overvalues the property. The Estate has been burdened with an assessment that has been too high. This property has not seen any TLC since I was first in it in 1997 and it didn't look cared for then. A huge deck was built and a new septic system may have been installed.

A few comments about the house and other structures.

A couple of the rooms have antique features. Most of them have been poorly renovated creating a collection of small rooms with no aesthetic interest.

There is no well. It used to share a well that is on 208 Lufkin Road's land. It needs a well, lines to the house, pump and testing to determine if the water needs treatment.

If the heating and plumbing systems were winterized it does not seem that the winterization was effective given the visible burst heating pipes. The heating system has frozen and needs a new system. With no water it is hard to tell how many pipes and baseboard have burst but it would be prudent to assume that the entire system is ruined. Some bursts are visible. After the last pipe burst and flooding some of the heating was replaced and "winterized" by a friend. From the burst pipes I have seen I can't express any confidence in the winterizing. With little or no modern insulation it will take a large boiler and a lot of baseboard to keep the house warm. This house has a lot of surface area for the square footage which makes it expensive to maintain and to heat.

The kitchen and bathrooms were poorly done 40 to 50 years ago.

The basement under the kitchen and part of the family room has a concrete floor and was roughly finished. There is black mold on much of the sheet rock and framing. This requires a gutting and then a cleaning by a Serv-Pro sort of cleaner.

The basement under the front of the house has a dirt floor, is uninsulated, a variety of brick pillars and wall segments that make little sense and a huge ~5' diameter ~16' long steel pressure tank for domestic water pressure from some industrial application decades ago.

The electrical panel is an old Bryant panel. The visible wiring didn't seem too bad or at least not as bad as an electrician who saw it a couple of months ago expected.

Most of the small bedrooms are under sloping ceilings that have water stains. I don't know the condition of the house roof. It is not new given in part how many satellite dishes are on the roof.

The exterior siding, windows and doors need help.

Mostly old windows other than some windows replaced (although some damaged by a squirrel trying to get out) after an earlier freeze up and extensive water damage.

The house was built well before lead was no longer in paint.

One can see holes in the barn roof which leaks. I was in it during a recent storm and the roof leaks a lot. That roof will need about 30 squares of roofing that will cost in excess of \$10,000 to strip and shingle at \$350 per square. It may require carpentry on the roof structure.

The pole barn is shabby and unmaintained.

The 400 foot driveway from the end of Lufkin road to 208 Lufkin Road and then the 400' of driveway to 207 Lufkin Road is poorly constructed and not maintained with soft areas, ruts and pot holes. Water drains to and through the barn foundation.

The yard and open areas have not been mowed in years and prickles etc. are growing around the structures.

Internet and cable stops about 2,800' from the house.

1,900' dirt Town Road before driveway starts is poorly built and maintained.

The house and barn is full of junk and trash and is filthy. The Personal Rep put some trash in bags after her mother died.

The property abuts a huge power line that upsets people.

The owner of 207 Lufkin has multiple old vehicles, farm equipment and miscellaneous junk along and behind 400' of his lot's frontage leading to 208. The two year old aerials on Google Earth don't show all that is there now. Ryan can't do anything about it. This is unsightly and potentially an environmental issue from fluid leaks. This would negatively affect a buyer and an appraisal for financing.

When a town sells a tax acquired property the tax acquired title is not well regarded and may diminish the value. The Town might consider a quiet title action to make the title more appealing.

The condition of this property is such that an appraiser friend says that it would be hard to finance which diminishes value.

When valuing property one should research the neighborhood and check with the local police and registries.

One could sell a house lot with frontage on the town road but one would still have the neighbor issue, road and internet issues. One could tear down the house and keep the barn. That would be likely to cost more than fixing the house and make a risky investment larger.

Without these issues the assessor's valuation of \$431,000 would be appropriate for an out of date layout and house shape in good condition.

I suspect that one could spend well in excess of \$250,000 to put the house, barns, yard and driveway in good shape and would still have issues that would be out of a buyer's control including an out of date shape, bad road, no cable and the neighbor. The big question is how large a discount would one want on a house that otherwise might be worth \$450,000 to \$500,000 if one had these uncontrollable problems. Most buyers are going to say no to the uncontrollable issues. A few might have the nerve to buy the property for a price that reflected a 20 to 25% discount off the fixed up value or \$100,000.

These considerations suggest that in its current sad condition and circumstances the property might be worth as little as \$100,000 and that could be a risky investment.

Thanks
Scott

Scott Kerr
ScottKerr@maine.rr.com
skerr@mba1976.hbs.edu
Cell 207-329-5799
Home: 207-829-5912

RE/MAX Shoreline
The Common at 88 Middle Street
Portland, Maine 04101
Office Direct: 207-553-7323
Office 207-553-7500 Ext 323
Office Fax 207-773-2525 Please use cover
ScottKerr@homesinmaine.com

If you think that an acquaintance might benefit from my services, I would be pleased to help. I am never too busy for any of your referrals, which I really appreciate.

Total Control Panel

[Login](#)

To: dwalker@northyarmouth.org [Remove](#) this sender from my allow list

From: scottkerr@maine.rr.com

You received this message because the sender is on your allow list.

New Business – Property Foreclosure

Excerpts from the Town's Management of Tax Acquired Property Ordinance:

Article 3. Management of Tax Acquired Property Pending Final Disposition

3.2 The Tax Collector/Treasurer shall prepare a list of properties acquired and submit a copy to the Select Board. The list will include:

- A. A fact sheet on all properties identifying current use, assessed value, size, location, zoning, and other relevant data, and

Manager's Note: There is one tax acquired property and the above information is included with these materials.

- B. A recommendation on each tax acquired property based on the following substance:

- 1. Retain the property for town purposes.

- a) The property has or will have recreational value or economic value to the Town;
- b) The property has or will have potential for public facility or additions to public facilities;
- c) The property has or will have potential use for the inhabitants of North Yarmouth as determined by the Select Board (i.e., forest land, park land, etc.)

- 2. Retain the property and lease it.

- 3. Donate the property to some appropriate non-profit organization whose mission benefits North Yarmouth citizens in general.

- 4. Other uses.

Manager's Note: I have no immediate recommendation in reference to this section of the ordinance. I will note that retaining the property could require financial support that may lead to a good investment or possible hindrance. The Select Board may want to discuss the options noted above.

3.3 The responsibility for the management of tax acquired property rests with the Select Board. The Select Board's decision regarding the action plan for the final disposition of property shall:

- A. Determine whether the Town's best interest would be served by immediately disposing of the property (consider potential liability interest in owning the property);

- B. Determine and obtain, if necessary, a level of insurance required to protect the town's interest in the property and to protect the Town from liability;

Manager's Note: Obtaining insurance on a tax acquired property is an automatic action required through the Town's insurance (MMA), has been acted upon and is based on the current valuation.

- C. Determine if and when any occupants of tax acquired property shall be required to vacate the property;

Manager's Note: The Code Enforcement Officer has inspected the property and there are no inhabitants. The property has been posted.

- D. Determine whether a rental fee should be charged to any occupants of the property. A rental fee shall not be imposed unless the Town has acquired sufficient liability insurance;

Manager's Note: N/A

- E. Notwithstanding the provisions of Article 6, Property to be Sold, the Select Board shall determine any special conditions, if any, for property sales. Title 14 MRS, 8104-A.

Article 5. Repurchase of Tax Acquired Property

5.1 The party from whom the property was acquired may repurchase the property by paying all outstanding property taxes, including the total amount of all delinquent property taxes, plus the total taxes for the current tax year (and an estimated amount for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property including, but not limited to, insurance, noticing and other related costs. The Town may also require the payment of any other delinquent taxes or obligations due to the Town.

Manager's Note: The Select Board may elect to support this action.

5.2 The party from whom the property was acquired may, upon approval of the Town Manager, enter into a written agreement to make reasonable payments to satisfy the obligations set forth in section 5.1 above, pursuant to the conditions set forth in Title 33 MRS, § 481 and 482, in exchange for a promise of the Town to give a municipal quit claim deed if all of the terms and conditions of the payment agreement are fulfilled by the obligor.

Manager's Note: Heirs of this property have been offered to enter a payment plan and did not show any interest.

Article 6. Property to be Sold

Manager's Note: Below is the complete process that is required to take place for the sale of the property should the Select Board chose this option.

6.1 If the Town Manager and the Select Board decide to sell the property by advertised sale, the Select Board shall establish a sale date. The Town Manager shall publish a notice of the sale of the tax-acquired property in a local newspaper. Said notice shall be published at least three (3) times with the last publication at least fourteen (14) days prior to the sale. The notice shall be posted in the Municipal Office and at least two other conspicuous places within North Yarmouth. The notice shall specify the time and date bids are due and the general terms of the bid. It shall also contain the following information for each piece of property:

- A. Brief description of the property, i.e., land, building, mobile home, etc.;
- B. Location of the property including Map and Lot numbers;
- C. Brief description of the conditions of the sale;
- D. Minimum bid; and
- E. Required deposit.

6.2 The Select Board will determine the minimum bid for any tax acquired property. The minimum bid shall be at least, but not limited to, the total of all outstanding taxes, including estimated taxes for the current year if the conveyance is prior to commitment and the actual amount of taxes for the current year is not yet known, interest, lien costs, and any other actual costs, such as legal and insurance costs.

6.3 Bids shall be publicly opened and read on the date and at the time specified.

6.4 The Town Manager shall review all bids and make recommendations to the Select Board. The Select Board shall determine the successful bidder.

6.5 The Town Manager shall notify the successful bidder by certified mail.

6.6 The Town of North Yarmouth reserves the right to reject any or all bids, accept any bid (not necessarily the highest) and waive any of the requirements of this policy should the Select Board, in its sole determination, judge such actions to be in the best interest of the Town of North Yarmouth. Instances, where this right may be invoked, include but are not limited to determining if the town would benefit greater by a use proposed by a party other than the highest bidder.

6.7 Should the Select Board reject all bids; the property may again be offered for public sale without notification to the prior owner.

6.8 The bid deposit of the successful bidder shall be retained as a credit towards the purchase price. All other deposits shall be returned to the bidders.

- 6.9 The Select Board shall require payment in full from the successful bidder within thirty (30) days from the date the bids are opened. Should the bidder fail to pay the full price within thirty (30) days, the Town shall retain the bid deposit and title to the property. The Select Board may offer the property to the next highest bidder who shall also have thirty (30) days to make payments in full.
- 6.10 Title to tax acquired property shall be transferred only by means of a Municipal Quit Claim Deed.
- 6.11 The successful bidder shall be responsible for the removal of any and all occupants and contents of purchased tax acquired property.

Property Card: 207 LUFKIN RD

Town of North Yarmouth, ME



Parcel Information	
Parcel ID: 015-005 Vision ID: 759 Owner: MCGUFFEY, SUZANNE G. - HEIRS OF Co-Owner: Mailing Address: 1080 17TH STREET <p style="text-align: center;">MARION, IA 52302</p>	Map: 015 Lot: -005 Use Description: SINGLE FAMILY Zone: Land Area in Acres: 9.44
Sale History	Assessed Value
Book/Page: 25998/ 30 Sale Date: 12:00:00 AM Sale Price:	Land: \$118,000.00 Buildings: \$251,200.00 Out Buildings: \$55,800.00 Extras: \$6,600.00 Total: \$431,600.00

Building Details: Building # 1		
	Model: Residential Living Area: 3873 Appr. Year Built: 1785 Style: Antique Stories: 1.5 Occupancy: 1 No. Total Rooms: 13 No. Bedrooms: 06 No. Baths: 3 No. Half Baths:	Int Wall Desc 1: Plastered Int Wall Desc 2: Ext Wall Desc 1: Clapboard Ext Wall Desc 2: Roof Cover: Asph/F Gls/Cmp Roof Structure: Gable/Hip Heat Type: Hot Water Heat Fuel: Oil A/C Type: None



www.cai-tech.com

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North Yarmouth

**RE Account 759 Detail
as of 01/18/2020**

12:17 PM

Name: MCGUFFEY, SUZANNE G. - HEIRS OF

Land: 118,000

Location: 207 LUFKIN RD

Building: 313,600

Acreage: 9.44 Map/Lot: 015-005

Exempt 0

Book Page: B25998P30

Total: 431,600

Ref1: NOTES:

Year/Rec #	Date	Reference	P	C	Principal	Interest	Costs	Total
2019-1	L *				7,194.77	603.97	64.40	7,863.14
2018-1	L *				6,522.64	934.43	67.63	7,524.70
2017-1	L *				3,170.72	621.46	47.56	3,839.74
2016-1	L *				0.00	0.00	0.00	0.00
2015-1	L *				0.00	0.00	0.00	0.00
2014-1	L *				0.00	0.00	0.00	0.00
2013-1	L *				0.00	0.00	0.00	0.00
2012-1	R				0.00	0.00	0.00	0.00
2011-1	L *				0.00	0.00	0.00	0.00
Account Totals as of 01/18/2020					16,888.13	2,159.86	179.59	19,227.58

Per Diem

2019-1	1.5769
2018-1	1.2509
2017-1	0.6081
Total	4.3203

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

February 18, 2020

Agenda - Section VII. New Business

- Committee Appointments - Flag Committee

Applicants: Holly Day
Paul Hodgetts

*Move to appoint XXXXX to the Flag Committee with a term to expire June 30, 2020.
Second, discussion and vote follow.*

Note: Volunteer applications are included. The Board may opt to take action in one motion.



TOWN OF NORTH YARMOUTH
BOARD & COMMITTEES
Volunteer Form

Select the Board(s) or Committee(s) you would like to serve on:

- Board of Assessment Review
- Budget Committee
- Communications Advisory Committee
- Economic Development and Sustainability Committee
- Events Committee
- Flag Committee
- Joint Standing Committee
- Living Well in North Yarmouth
- Parks & Recreation Committee
- Planning Board
- Zoning Board of Appeals

Please provide the following information:

Name: Holly Day
 Email: hday@maine.com
 Mailing Address: 55 Hallowell Road N. Yarmouth
 Phone: 939-0842

1. Please give a short narrative as to why you would like to be appointed to this Board(s) or Committee(s) you have selected above. I have been a supporter of the Flags since they started, and I would like to assist so this continues.
2. Do you have any relevant experience, training or credentials that you would like us to consider? Community member since 1994.
3. Have you ever served on any boards/committees before? If so, when and where? North Yarmouth Lake Walk & Bike Way - probably back in early 2000's

Holly Day
Volunteer Signature

2.13.2020
Date

Please email this form to manager@northyarmouth.org, mail to 10 Village Square Road, North Yarmouth, ME 04097, or drop it off at the Town Office; (207)829-3705



**TOWN OF NORTH YARMOUTH
BOARD & COMMITTEES
Volunteer Form**

Select the Board(s) or Committee(s) you would like to serve on:

- | | |
|--|--|
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Joint Standing Committee |
| <input type="checkbox"/> Budget Committee | <input type="checkbox"/> Living Well in North Yarmouth |
| <input type="checkbox"/> Communications Advisory Committee | <input type="checkbox"/> Parks & Recreation Committee |
| <input type="checkbox"/> Economic Development and Sustainability Committee | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Events Committee | <input type="checkbox"/> Zoning Board of Appeals |
| <input checked="" type="checkbox"/> Flag Committee | |

Please provide the following information:

Name: Paul Hodgetts
Email: PHD0006@AOL.COM
Mailing Address: 1095 Sligo Rd N. Yarmouth Me 04097
Phone: 829 5340

1. Please give a short narrative as to why you would like to be appointed to this Board(s) or Committee(s) you have selected above. Darla Ask if I would help where she is the only member.
2. Do you have any relevant experience, training or credentials that you would like us to consider? School of hard knocks
3. Have you ever served on any boards/ committees before? If so, when and where? Parks + Rec, NYVMP, WBDC

Paul Hodgetts
Volunteer Signature

21412020
Date

Please email this form to manager@northyarmouth.org, mail to 10 Village Square Road, North Yarmouth, ME 04097, or drop it off at the Town Office; (207)829-3705

February 18, 2020

Agenda - Section VIII. Accounts Payable

Item(s):

- *Move to approve accounts payable warrants 34 and 35 in the amount of \$712,841.59, as presented. Second, discussion and vote follow.*