

**Town of North Yarmouth
Select Board Meeting Agenda
Wednesday, November 6, 2019 - 7:00 PM
Town Office Conference Room**

I. Call to Order

- Pledge of Allegiance

II. Minutes of Previous Meeting(s)

- October 1, 2019
- October 15, 2019

III. 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.

IV. Management Reports & Communications

- Select Board Communications
- Town Manager's Report

V. Old Business

None.

VI. New Business

None.

VII. Accounts Payable

- Review & Approval

VIII. Any Other Business

IX. 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.

November 6, 2019

Agenda - Section II. Meeting Minutes

- *Move to approve the minutes for October 1, 2019, as presented. Second, discussion and vote follow.*
- *Move to approve the minutes for October 15, 2019, as presented. Second, discussion and vote follow.*

**Town of North Yarmouth
Select Board
Meeting Minutes of Tuesday, October 1, 2019**

Call to Order – Members Present: William Whitten, Jennifer Speirs, and James Moulton. Selectpersons Graham and Morrison were absent with notification. Town Manager Rosemary Roy was also present. Chairperson Whitten called the meeting to order.

Public Hearing

General Assistance – Chairperson Whitten moved to open the Public Hearing on the proposed amendments to the General Assistance Ordinance. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No**. The Town Manager provided the public and the Board with a presentation on the proposed amendments to the General Assistance Ordinance. No comment from the public or Board. Chairperson Whitten moved to close the Public Hearing on the proposed amendments to the General Assistance Ordinance. Selectperson Moulton seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No**. Chairperson Whitten moved to authorize and approve the proposed amendments to the General Assistance Ordinance as presented and effective October 1, 2019. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No**

Minutes of Previous Meeting(s) – Selectperson Moulton moved to approve the minutes of the September 17, 2019 business meeting. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No**

Public Comment - Non-Agenda Items – Steven Palmer of 527 Mountfort Road informed the public of the Annual Kite Festival on October 5, 2019.

Management Reports & Communications:

Select Board Communications

- Traffic Calming and Survey (Chairperson Whitten and Town Manager)

Town Manager's Report

- Liquor License
- Yarmouth Water District Trustee
- General Assistance Language Interpretation Service
- Public Works Department New Employee
- Tax Supplemental FY17
- Event Reminders

FURTHER ACTION: Selectperson Speirs moved to authorize the Tax Collector, Rosemary E. Roy, to issue a supplemental tax bill to Spectra Energy Corp/Maritimes & Northeast Pipeline, LLC for fiscal year 2017. Selectperson Moulton seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No**

Chairperson Whitten moved to approve Stones Café to sell spirits, malt liquor, and wine and to be effective on October 1, 2019. Selectperson Speirs seconded the motion. Discussion: Selectperson Moulton noted that there were no stores in the town that sold liquor before. Jay Fulton from 739 New Gloucester Road inquired on the hours of operation of Stone's Café. Roger Beaudoin, part owner of Stone's Café, replied. **Vote: 3 Yes – 0 No**

Old Business:

MSAD 51 Bus Facilities – Selectperson Moulton moved to support the decision made by the MSAD 51 School Directors to have the school bus department facilities remain located in the Town of Cumberland with proposed improvements to the location and facilities. Selectperson Speirs seconded the decision. Discussion: Audrey Lones of 107 Baston Road questioned why the board felt they needed to take a vote on this particular matter since the board was no longer a party involved in the decision on where the Bus Garage would be located. Chairperson Whitten stated that the board felt that a vote to endorse the school board on their decision to keep the bus garage in Cumberland was necessary to absolve the board of further discussion on the matter. **Vote: 3 Yes – 0 No**

Wescustogo Hall and Community Center – Selectperson Speirs moved to approve Change Order # 30 in the amount of \$2,640.30 to provide lobby lighting and installation of the barn board display, as presented. Selectperson Moulton seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No**

New Business –

Pine Tree Waste Services/Casella – Selectperson Speirs moved to grant permission for Pine Tree Waste Services to dispose of potting soil and peat moss material known as FlexiPlug, Flexi Tray, and or FlexiMis produced by Quick Plug, N.A., Inc. in amounts of approximately 120 yards per week to the town-owned gravel pit located behind the Public Works facility for a period of one (1) year at which time the site and arrangement will be reviewed. Selectperson Moulton seconded the motion. Discussion: Selectperson Speirs inquired on if Clark Baston, Public Works Director and Road Commissioner, approved of the substance that would be dumped into the pit. The Town Manager responded that the Public Works Director did approve of the substance. Selectperson Speirs also inquired on the amount of fill that will be put into the pit. Morgan Blanton, territory manager of Pine Tree Waste Services stated that the fill would not meet the size of the pit in the short term. Selectperson Moulton stated that he would like for Pine Tree Waste Services to offer the Town a fee for dumping the materials into the pit. Morgan Blanton stated that the company has no way of providing the Town a service income through a contract and that the company is duty bound and legally bound to use certified weight scales when assessing the cost of the materials. **Vote: 2 Yes – 1 No (Selectperson Moulton)**

North Yarmouth Veteran's Memorial Corporation – Selectperson Speirs moved to approve and expend from the Parks and Recreation Reserve \$2,503.00 for the installation of a water fountain and spigot in the North Yarmouth Veteran's Memorial Park, as presented. Selectperson Moulton seconded. Discussion: Eric Robinson, President of the Veteran's Corporation discussed the benefits for the community for the installation as well as stating that the North Yarmouth Veterans Park is not a committee under the Town and requires volunteers and donations for operation. **Vote: 3 Yes – 0 No.** Selectperson Speirs moved to include in the annual budgeting process the cost of the water usage under the department of Community Services/Social Services for the purposes of supporting the North Yarmouth Veteran's Memorial Park Corporation a non-profit entity, as requested. Selectperson Moulton seconded the motion. **Vote: 3 Yes – 0 No**

Annual Town Meeting – Chairperson Whitten moved to call for the Annual Town Meeting to be held on Saturday, April 11, 2020 beginning at 9:00 am at the Wescustogo Hall & Community Center. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No**

Accounts Payable – Selectperson Speirs moved to approve accounts payable warrants 12,13, and 14 in the amount of \$117,029.50. Chairperson Whitten seconded the motion. Discussion: Selectperson Moulton inquired about quarterly payroll. The Town Manager clarified that the payments were for Fire Rescue per-diem employees. Selectperson Moulton inquired on a charge of \$7,700.00 to the Town of Yarmouth Public Safety. The Town Manager clarified that the payment was for the Town's shared use of an Animal Control Officer. **Vote: 3 Yes – 0 No.**

Any Other Business – Chairperson Whitten wanted to remind the Board of the Select Board Goals pertaining to transitioning to a Town Council form of government. No action was taken.

Adjournment - Chairperson Whitten moved to adjourn.

Prepared By: Draven Walker
Administrative Assistant/Recording Secretary

Select Board

William Whitten, Chair

Stephen Morrison, Vice Chair

Anne Graham

Jennifer Speirs

James Moulton

**Town of North Yarmouth
Select Board
Meeting Minutes of October 15, 2019**

Call to Order – Members Present: William Whitten, Stephen Morrison, and Jennifer Speirs. Selectperson Moulton was absent with notice. Town Manager Rosemary Roy was also present. Chairperson Whitten called the meeting to order.

Resignation – Selectperson Morrison moved to accept Anne Graham’s resignation from the Select Board. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No.**

Minutes of Previous Meeting(s) – Chairperson Whitten moved to approve the minutes for October 1, 2019, as presented. Selectperson Speirs seconded the motion. Discussion: Selectperson Morrison reminded the Board of his absence from the last meeting. The Board did not have a quorum to approve the minutes. Chairperson Whitten and Selectperson Speirs withdrew their motions. By consensus of the Board tabled the minutes for the next business meeting.

Public Comment - Non-Agenda Items – Daniel Bisson, 16 Fieldstone Drive, spoke to the Board about why he was running for the Yarmouth Water District. Steve Palmer, Mountfort Road, thanked Public Works and the North Yarmouth Fire Department for their hard work in helping with the Kite Festival. Steve Palmer also thanked other supporters for their help. He also notified the Public that the Kite Festival would be held annually on the first Saturday of October.

Management Reports & Communications:

Select Board Communications:

- GPCOG Executive Committee Meeting (Selectperson Speirs)
- Falmouth Communications Survey (Selectperson Morrison)
- Yarmouth Water District Meeting (Selectperson Morrison)

Town Manager’s Report – The Town Manager provided the Board with a verbal report.

Special Town Meeting – Selectperson Speirs moved to hold a special town meeting to elect a new Select Board member on March 3, 2020. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No.**

Old Business:

Wescustogo Hall & Community Center – The Town Manager, provided a report to the Board on the status of the costs of providing the building with the necessary items for a Community Center.

Friends of Wescustogo – Darla Hamlin, Chair of the Friends of Wescustogo Committee, provided the Board with an update of the committee’s fundraising efforts.

Select Board Goals FY 21 – Selectperson Speirs inquired on the process for the Board to explore the option of establishing a Town Council form of government. After discussion, the Board agreed to hold a workshop on the matter before going forward. The Town Manager will draft a charge for such a committee and also provide the Board with information already available on the subject. At the workshop, the Board can then review the charge, the number of committee members, and the process.

New Business

Living Well in North Yarmouth Appointment

Selectperson Speirs moved to appoint Peter Lindsay to the Living Well in North Yarmouth committee term to expire 6/30/20. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No.**

Planning Board Appointment

Selectperson Morrison moved to appoint Christopher Gordon to the Planning Board for a term to expire on June 30, 2022. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No.**

Special Town Meeting Warrant

Chairperson Whitten moved to sign the Special Town Meeting Warrant for November 5, 2019, as presented. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No.**

Accounts Payable – Selectperson Speirs moved to approve accounts payable warrants 16 and 16 in the amount of \$1,022,335.07, as presented. Selectperson Morrison seconded the motion. **Vote: 3 Yes – 0 No.**

Any Other Business – The Town Manager inquired on the possibility of having a parking space designated to an individual that would be raffled off by the Friends of Wescustogo committee as part of a fundraiser. The Board was in support of the idea.

Executive Session – Chairperson Whitten moved that the Select Board enter into executive session pursuant to Title 1 MRSA, Chapter 13 Public Records and Proceedings, subsection 405 Executive Sessions, subsection 6 (a) with Town Manager, Rosemary Roy, and Code Enforcement Officer, Ryan Keith to discuss or consider a matter of duties associated with the Code Enforcement Office. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No.** Out of Executive Session at 9:04 PM. No action taken.

Adjournment - Chairperson Whitten moved to adjourn.

Prepared By: Draven Walker
Administrative Assistant/Recording Secretary

Select Board

William Whitten, Chair

Stephen Morrison, Vice Chair

Jennifer Speirs

James Moulton

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.

Visit from Assessor - Renee LaChapelle will attend the Select Board meeting of December 5th to update the Board on the assessment process.

Leadership Meeting - A reschedule date of January 6th (Monday) has been proposed. If this date is agreeable to the Board, I will confirm with Town Manager, Bill Shane, and Superintendent, Jeff Porter and proceed with planning the event. North Yarmouth will host the event in the community center.

Summit - The next summit will be held at the community center on November 21st, beginning at 5:30 pm.

NYFRD - A thank you to all department members who aided the Town of Farmington Fire Department by taking shifts while they were recovering from the Town's recent tragedy.

Elections - Included with this report is an update on the 2020 elections submitted by Debbie Grover in her capacity as Town Clerk.

Community Center Gymnasium - To reinforce a request/announcement from Lisa Thompson, our center's director that street shoes, boots, etc. will not be allowed in the gym. Individuals using the gym are asked to change into proper footwear (sneakers) before entering. It is especially important as the floor is still curing.

Audit FY19 - Audit work continues. There was a slight set back due to a change in auditors working on the Town's account. The originally assigned auditor left Barry, Talbot & Royer. We are working steady, as time allows, to complete the work.

ReVision Solar Panels/PPO - The Town's attorney and I have reviewed the PPO (payment purchase option) agreement, and I have executed said agreement. I hope to have an installation date before the end of this week.

Litigation - On September 30, 2019, NCTA (National Cable & Telecommunications Association) - The Internet & Television Association filed a lawsuit against the Maine Attorney General and the towns of Freeport and North Yarmouth. It was one of several suits filed in "clusters" across the state based on the new law L.D. 1371, "An Act To Ensure Nondiscriminatory Treatment of Public, Educational and Governmental Access Channels by Cable System Operators." It affected North Yarmouth for two particular reasons one being the twenty (20) residences per linear strand mile of aerial cable (the law now calls for 15) and the assignment number of the Town's public access channel being it is a higher numbered channel as opposed to a low number. Upon consultation with both town's attorney and the Town Manager of Freeport, it was agreed to file for a dismissal of the Towns from the suit based on the fact there was a remarkable lack of factual allegations against the Towns and that the suit was really with the Attorney General. On October 28, 2019, the case against the two Towns was dismissed as the Attorney General agreed that he is the proper defendant in the suit action, and the Towns are not parties to the action.

Respectfully submitted,

Rosemary

Rosemary E. Roy, Town Manager



11/1/19 - Elections 2020 Update

March 3, 2020

- Presidential Preference Primary
 - ~ Local Caucuses
 - Democratic 3/8/2020
 - Republican 2/TBD/2020
- NY – Select Board for a term ending 6/30/2022
 - ~ Nomination Papers available Thursday 11/21/2019
 - ~ Filing Deadline for Nomination Papers, Thursday 1/2/2020
 - ~ Absentee Ballots available Monday 2/3/2020

April 11, 2020

- Annual Town Meeting

June 9, 2020 Elections

- State of Maine Primary
- MSAD#51 Budget Validation Referendum
 - ~ Budget Hearing 5/28/19 (not yet confirmed)
- NY Municipal Officers
 - ~ Nomination Papers available Monday 3/2/2020
 - ~ Filing Deadline for Nomination Papers Thursday 4/9/2020
 - ~ Absentee Ballots available Monday 5/11/2020

Submitted by: Debbie Grover, Asst. Town Manager/Town Clerk

November 6, 2019

Agenda - Section VII. Accounts Payable

Item(s):

- *Move to approve accounts payable warrants 17, 18 and 19 in the amount of \$314,732.21, as presented. Second, discussion and vote follow.*