



Town of North Yarmouth
Annual Town Meeting
Minutes

Fiscal Year July 1, 2015 - June 30, 2016

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

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of North Yarmouth, Maine qualified by law to vote in town affairs, to meet at the North Yarmouth Memorial School Gymnasium, in said Town on Saturday the 11th day of April A.D. 2015, at nine (9) o'clock in the forenoon, then and there to act upon Articles 1 through 29 as set out below, to wit:

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

Nominations were taken. Gary Wood was nominated and elected and sworn in as Moderator.

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

Gary Wood gave an overview of the Town Meeting's procedures. The Moderator asked for a motion to allow the following non-residents to speak at this meeting.

It was moved and seconded to allow non-residents to speak at this meeting. Discussion: None. Motion passed.

ARTICLE 3: To see if the Town will vote to raise and appropriate **\$385,340.00** for **Municipal Administration**, or see what action the Town will take.

Municipal Administration	FY15 Budget	FY16Request	Difference	Percent
Wages/Allowances/Training	\$ 213,441.00	\$ 210,071.00	\$ (3,370.00)	- 2%
Operating Expenses	\$ 76,500.00	\$ 59,008.00	\$ (17,492.00)	-23%
Contracted / Professional Services	\$ 64,870.00	\$ 54,785.00	\$ (10,085.00)	-16%
Buildings & Grounds	\$ 32,394.00	\$ 31,474.00	\$ (920.00)	- 3%
Supplies/Maintenance/Repairs	\$ 24,092.00	\$ 26,724.00	\$ 2,632.00	+11%
Communications Committee	\$ -	\$ 3,278.00	\$ 3,278.00	+100%
TOTAL	\$411,297.00	\$385,340.00	\$ (25,957.00)	-6.31%

Board of Selectmen and Budget Committee recommend approval.

It was moved and seconded to approve Article 3, as written. Discussion: None. Article 3 passed as written.

ARTICLE 4: To see if the Town will vote to raise and appropriate **\$111,158** for the operation and public use of the North Yarmouth Memorial School, or see what action the Town will take.

NYMS Public Use	FY15 Budget	FY16 Request	Difference	Percent
TOTAL	\$ 56,250	\$ 111,158	\$ 54,908	+ 98%

Board of Selectmen and Budget Committee recommend approval.

It was moved and seconded to approve Article 4, as written. Discussion: None. Article 4 passed as written.

ARTICLE 5: To see if the Town will vote to raise and appropriate \$171,224.00 for **Community Services**, or see what action the Town will take.

Community Services	FY15 Budget	FY16 Request	Difference	Percent
Planning & Development	\$152,031.00	\$ 140,926.00	\$ (11,105.00)	-7.3%
Parks & Recreation	\$ 9,225.00	\$ 9,850.00	\$ 625.00	+ 7%
General Assistance	\$ 15,000.00	\$ 7,688.00	\$ (7,312.00)	- 49%
Social Service Agencies	\$ 8,800.00	\$ 8,800.00	\$ 0.00	-----
Cemetery Operations	\$ 780.00	\$ 3,960.00	\$ 3,180.00	+ 408%
TOTAL	\$ 185,836.00	\$ 171,224.00	\$ (14,612.00)	- 7.86%

Board of Selectmen and Budget Committee recommend approval.

It was moved and seconded to approve Article 5, as written. Discussion: None. Article 5 passed as written.

ARTICLE 6: To see if the Town will vote to raise and appropriate \$333,026.00 for **Public Safety**, or see what action the Town will take.

Public Safety	FY15 Budget	FY16 Request	Difference	Percent
Wages/Allowances/Training	\$119,565.00	\$178,035.00	\$ 58,470.00	+ 49%
Physicals	\$2,000.00	\$6,993.00	\$4,993.00	+ 250%
Dues/Membership/Licenses	\$1,500.00	\$3,986.00	\$2,486.00	+ 166%
Operating Expenses	\$50,876.00	\$41,600.00	\$(9,276.00)	- 18%
Contracted / Professional Services	\$ 17,170.00	\$ 17,350.00	\$180.00	+ 1%
Operating Supplies	\$ 16,200.00	\$ 25,997.00	\$9,797.00	+ 60%
Sub-total /Fire Rescue Dept.	\$ 207,311.00	\$ 243,961.00	\$36,650.00	+ 18%
Dispatch Service	\$23,215.00	\$23,186.00	\$(29.00)	- .12%
Animal Control Services	\$ 16,579.00	\$ 13,644.00	\$ (2,935.00)	- 18%
Health Officer	\$400.00	\$400.00	\$ ---	
Hydrants	\$53,200.00	\$49,200.00	\$(4,000.00)	- 8%
Street Lighting Operational	\$2,435.00	\$2,635.00	\$200.00	+ 8%
Speed Monitor	\$4,810.00	\$ ---	\$(4,810.00)	- 100%
TOTAL	\$307,950.00	\$ 333,026.00	\$25,076.00	+ 8%

Board of Selectmen and Budget Committee recommend approval.

It was moved and seconded to approve Article 6, as written. Discussion: It was explained that the town had recently received a notice from the Yarmouth Water District and that water costs have been projected at a higher rate. The Town Manager has recommended that the cost of hydrants be increased by \$4,300.00 for a total budget expense of \$53,500.00. A motion was made by **Selectman Girard and seconded by Selectman Palmer to amend Article 6 by increasing the article by \$4,300.00 for a total Public Safety budget of \$337,326.00. Discussion: None. Article 6 passed as amended.**

ARTICLE 7: To see if the Town will vote to raise and appropriate \$686,097.00 for **Public Works**, or see what action the Town will take.

Public Works	FY15 Budget	FY16 Request	Difference	Percent
Wages/ Allowances	\$171,640.00	\$178,390.00	\$6,750.00	+ 4%
Operational Expenses	\$ 157,668.00	\$164,268.00	\$6,600.00	+ 4%

Roadway Maintenance	\$ 324,565.00	\$240,000.00	\$(64,065.00)	- 20%
TOTAL	\$ 653,873.00	\$582,658.00	\$(71,215.00)	-11%

Board of Selectmen and Budget Committee recommend approval.

It was moved and seconded to approve Article 7, as written. Discussion: None. Article 7 passed as written.

ARTICLE 8: To see if the Town will vote to raise and appropriate \$192,170.00 for **Solid Waste/Recycling**, or see what action the Town will take.

Solid Waste/Recycling	FY 15 Budget	FY 16 Request	Difference	Percent
MSW Disposal	\$63,500.00	\$63,500.00	\$-	
Recyclables Collection	\$63,845.00	\$63,845.00	\$-	
MSW Collection Surcharge	\$1,800.00	\$1,000.00	\$(800.00)	- 44%
Ecomaine Tonnage	\$45,825.00	\$45,825.00	\$-	
Ecomaine Assessment	\$-	\$-	\$-	
PAYT Disposal Bags	\$12,400.00	\$12,400.00	\$-	
HHW Collection / Clean Up Day	\$10,000.00	\$5,600.00	\$(4,400.00)	- 44%
Compost & Recycling Bins	\$-	\$-	\$-	
TOTAL	\$ 197,370.00	\$ 192,170.00	\$(5,200.00)	- 3%

Board of Selectmen and Budget Committee recommend approval.

It was moved and seconded to approve Article 8, as written. Discussion: None. Article 8 passed as written.

ARTICLE 9: To see if the Town will vote to raise and appropriate \$192,170.00 for **Fixed Expenses**, or see what action the Town will take.

Fixed Expenses	FY 15 Budget	FY 16 Request	Difference	Percent
Debt Service	\$ 100,596.00	\$66,880.00	\$(33,716.00)	- 34%
Municipal Insurance	\$ 29,950.00	\$31,100.00	\$1,150.00	+ 4%
Employee Benefits	\$220,717.00	\$221,960.00	\$(751.30)	- .34%
Shared Services NY/Cumberland	\$ 179,835.00	\$ 155,981.00	\$(23,854.00)	- 13%
County Taxes	\$ 279,732.00	\$ 293,370.00	\$13,638.00	+ 5%
TOTAL	\$ 810,830.00	\$ 769,291.00	\$(43,533.30)	- 5.4%

Board of Selectmen and Budget Committee recommend approval.

Selectman Carr moved and Selectman Girard seconded to approve Article 9, as written. Discussion:

Selectman Carr moved and Selectman Palmer seconded to amend Article 9 from \$192,170.00 to \$769,291.00. Discussion: Marnie Diffin asked about the legality of amending the motion regarding county taxes as this is something that is an amount that must be paid and that placing it as a warrant article, it implies that it can the amount can be voted to be changed by the residents.

Marnie Diffin moved and it was seconded to amend the amended motion by reducing the total amount by \$ 293,370.00.

Selectman Palmer stated that County taxes must be paid. Jeff Shorey, Sligo Rd stated that in the past, county taxes and the town's school share have not been listed in the warrants. They were part of the assessment and he recommended that the warrants be prepared as in the past.

Norman Smith asked about the voting procedure regarding amending and amended motion. Selectman Palmer stated that it can be set-up either way, but as accounting practice, they need to be paid. Town Manager Roy stated that neither procedure for listing county taxes is illegal. But, regardless, residents must pay them. Jeff Toorish stated that the comments being articulated are more related to the quality of the warrant preparation. Thaddeus Day, Hallowell Rd indicated that residents should vote no on amending the amendment.

Motion to amend the amended motion by \$ 293,370.00 failed.

A resident asked what shared services are and why there is a decrease. Selectman Palmer indicated that the reduction is due to increases in revenue from the Recreation Department programs. Linc Merrill asked about the Insurance line item and if it is sufficient. Town Manager Roy indicated that she anticipates that this will be at or nearly that increased amount given that the MMA assesses the rates with surrounding communities rather than solely.

Article 9 passed as first amended to read \$769,291.00.

ARTICLE 10: To see if the Town will vote to raise and appropriate **\$51,810** for **FY16 Capital Project** described as the relocation of the portable classroom located on the NYMS property to the Public Works town property as a building addition for the purposes of creating a lunch room, office space, storage area, and storm housing, or see what action the Town will take.

Capital Projects	FY 15 Budget	FY 16 Request	Difference	Percent
TOTAL	\$ 86,275.00	\$ 51,810.00	\$ (34,475.00)	-40%

Board of Selectmen and Budget Committee recommend approval.

Selectman Girard moved and Selectman Napolitano seconded to approve Article 10, as written. Discussion: None. Article 10 passed as written.

ARTICLE 11: To see if the Town will vote to raise and appropriate **\$55,000** for the **Public Works / Fire Rescue Departmental Equipment Reserve**, or see what action the Town will take.

Capital Reserves	FY 15 Budget	FY 16 Request	Difference	Percent
Sub-Total	\$ 68,793.00	\$ 55,000.00	\$ (13,793.00)	-20%

Board of Selectmen and Budget Committee recommend approval.

Selectman Napolitano moved and Selectman Girard seconded to approve Article 11, as written. Discussion: A resident from Summit Terrace asked what the current amount in reserve is currently and what the plans are. Selectman Palmer stated that the current amount is \$924,754. Selectman Girard stated that in discussion is an ambulance purchase along with some other requests. The Fire Chief gave an estimated amount for the ambulance. Selectman Palmer commented on the need for keeping the reserve amount for future planning for these departments and gave a general list of projected purchases. He also outlined the CIP reserve process looking out to 5 year planning based on resident approve at the Town Meeting 2 years ago. Jeff Toorish asked if the ambulance price is all inclusive of equipment. The Fire Chief indicated that the quotes did not include a monitor.

Dixie Hayes, New Gloucester Rd. stated that while having this amount listed is fine, in the past, and her preference is to have an itemized list of purchases so that residents can debate if they should be purchased. Selectman Girard stated that striking a balance by combining the accounts and plan for 3-5 years was to keep the public informed and is a more efficient and accurate reflection of what the needs are. The discussion of specific items and the pros and cons would be on Board of Selectmen agendas for the public to hear the details and comment on.

Marnie Diffin commented on the process and that Selectman Girard's comments are correct. But, she commented on the need for clarity on the definitions and urged caution on the current process taking place. Nelson Smith, Ledge Rd. indicated that a purchase could pass with a 3-2 vote at a Selectmen's meeting and prefers the process with specific items listed on the warrant for discussion at Town Meeting. Jim Moulton, Mill Rd. stated that listing the individual items on the warrant was a clearer, accurate process and outlined his reasons as to why.

David Kennedy, North Rd. asked that the process be reconsidered in the future for town discussion. Selectman Girard commented that the line item reserve can be ineffective given the changes in needs as they come up. Dave Holman, Sligo Rd. and a member of the Budget Committee supports this item but also believes that specific line items as in the past should be listed, yet allow town flexibility. This will be a continued discussion on improving this process at the Budget Committee level.

Selectman Palmer cited an example of a potential equipment discussion and the change in the town's needs to clarify the suggested process. Nelson Smith agreed but that the vote should come back to Town Meeting as residents should do their homework to prepare and debate. He also commented on the process for placing funds in the reserve accounts.

Town Manager Roy stated that in recent years, towns have left the final purchase up to the Selectmen and Town staff as pricing and needs change. Steve Gorden stated that this discussion is more about process and should continue but that this warrant item should be voted on. **Article 11 passed as written.**

ARTICLE 12: To see if the Town will establish a **Contingency Reserve** for the purposes of unanticipated and or emergency expenses, or see what action the Town will take.

Board of Selectmen and Budget Committee recommend approval.

Explanation: The purpose in establishing this reserve is to eliminate the need to raise and appropriate contingency funds each year and establish a fund that when not used, will hold the funds so that they are available for future when necessary.

Selectman Palmer moved and Selectman Girard seconded to approve Article 12, as written.

Discussion: Marnie Diffin asked for a definition of contingency and why this article is listed as Article 13 requests an appropriation. Selectman Girard outlined the changes and that it is more a housekeeping item within the budget and is for unforeseen expenses. A resident asked about the difference between a capital and contingency reserve. Another resident asked if the Article 12 vote fails, then the assumption would be that Article 13 is null in void. Selectman Palmer stated that there has always been a contingency fund but that placing it as a separate account which could be used for an unexpected expense across any warrant category.

Linc Merrill asked where legal fees and insurance deductibles are located in the budget. Town Manager Roy stated that they are under Administration, under Contracted Services and under Fixed Expenses. Jeff Toorish commented on the contingency versus capital account funding. Selectman Girard stated that contingency is for the unknowns and unanticipated expenses. Thaddeus Day, Hallowell Rd and Chair of the Budget Committee stated that they recommend this. He reminded the residents that they are looking for members for the Budget Committee. **Article 12 passed as written.**

ARTICLE 13: To see if the Town will vote to raise and appropriate **\$10,000** for the **Contingency Reserves**, or see what action the Town will take.

Capital Reserves	FY 15 Budget	FY 16 Request	Difference	Percent
Sub-Total	\$ 0.00	\$ 10,000.00	\$ 10,000.00	+100%

Board of Selectmen and Budget Committee recommend approval.

Selectman Palmer moved and Selectman Girard seconded to approve Article 13, as written. Discussion: None. Article 13 passed as written.

ARTICLE 14: To see if the Town will establish a **Municipal Facilities Reserve** for the purposes of needed major repairs and or fixture replacements to town facilities, or see what action the Town will take.

Board of Selectmen and Budget Committee recommend approval.

Selectman Napolitano moved and Selectman Girard seconded to approve Article 14, as written. Article 14 passed as written. Discussion: None.

ARTICLE 15: To see if the Town will consolidate, transfer and repurpose the following reserve accounts and remaining project balances totaling **\$49,385** to the **Municipal Facilities Reserve** for the purposes of needed major repairs and or fixture replacements for town facilities, or see what action the Town will take.

<u>Account</u>	<u>Current Balance</u>
Replacement Systems	\$ 33,203
Sharp House	\$ 15,220
HVAC and Town Air System	\$ 962
TOTAL	\$ 49,385

Board of Selectmen and Budget Committee recommend approval.

Selectman Napolitano moved and Selectman Girard seconded to approve Article 15, as written. Discussion: Nelson Smith, Ledge Rd asked about the systems replacement and where they would be located. Town Manager Roy indicated that this is what is remaining for work that has been done. This purpose is to merge and to establish a single account and bring the items together and plan ahead for projects. Nelson stated that while merging the accounts is fine, residents will not be voting on particular projects. Selectman Girard reiterated the need for combining the accounts to streamline the process. **Article 15 passed as written.**

ARTICLE 16: To see if the Town will establish a **Parks & Recreation Reserve** for the purposes of projects and preservation of all Town parks and recreational activities, or see what action the Town will take.

Board of Selectmen and Budget Committee recommend approval.

Selectman Carr moved and Selectman Girard seconded the motion to approve Article 16, as written. Discussion: None. Article 16 passed as written.

Selectman Palmer thanked the newly formed Parks & Recreation Committee for their energy and work. Brian Sites encouraged people to join the group.

ARTICLE 17: To see if the Town will consolidate and transfer the following reserve accounts and remaining project balances totaling **\$29,100** to the **Parks & Recreation Reserve** for the purposes of projects and preservation of all Town parks and recreational activities, or see what action the Town will take.

<u>Account</u>	<u>Current Balance</u>
Walkways and Bikeways	\$ 6,437
*Irrigation System	\$ 10,000
Recreation	\$ 12,663
TOTAL	\$ 29,100

Board of Selectmen and Budget Committee recommend approval.

Selectman Carr moved and Selectman Palmer seconded the motion to approve Article 17, as written.

Discussion: Marnie Diffin asked for clarification of the asterisk notation. Selectman Palmer stated that it is intended to preserve the original purpose of this item funding and for transparency. Gary Wood stated that should this item be amended, this item could remain in this account for this purpose. Town Manager Roy stated that this is to consolidate the account but the purpose of this project would remain. There was a discussion on whether or not amending this motion by removing the asterisk is necessary. Gary stated that amending the article is not necessary as the asterisk outlines the information for clarity and asked if the Selectmen accept that if approved this amount would be part of this reserve account.

Audrey Lones, Baston Rd. asked if the irrigation is for Old Town House Park. Selectman Carr stated that the Parks & Recreation Committee will be discussing this and agrees with striking the asterisk and putting the amount in this reserve account. **Article 17 passed as written.**

Gary Wood, moderator acknowledged State Representative Paul Chase and State Senator Stan Gerzofsky and they made a few remarks and reminded residents that they want to hear from them.

ARTICLE 18: To see if the Town will amend the name of the Cable TV Technology Reserve to the **Technology & Communications Reserves** and to also amend its purpose to include repairs, replacements, and advances in technology equipment and communication abilities for all Town departments and services, or see what action the Town will take.

Board of Selectmen and Budget Committee recommend approval.

Selectman Girard moved and Selectman Napolitano seconded the motion to approve Article 18, as written. Discussion: None. Article 18 passed as written.

ARTICLE 19: To see if the Town will vote to accept and apply the following **non-property tax revenues** to reduce the total amount authorized to be raised by taxation.

Revenues	FY 15 Budget	FY 16 Request	Difference
Clerk Fees	\$ 25,800	\$ 27,700	\$ 1,900
Code Enforcement	\$ 22,000	\$ 49,300	\$ 27,300
Planning	\$ 1,000	\$ 1,100	\$ 100
Peer Review	\$ -	\$ 2,000	\$ -
Ambulance Fees	\$ 42,500	\$ 42,500	\$ -
Cable TV Franchise Fees	\$ 29,000	\$ 29,000	\$ -
Cell Tower Rental	\$ 27,500	\$ 37,000	\$ 9,500
Insurance Claims	\$ 1,000	\$ -	\$ (1,000)
Auto Excise	\$ 650,000	\$ 710,000	\$ 60,000
MISC Revenues	\$ 200	\$ 2,200	\$ 2,000
Solid Waste / Recycling	\$ 106,500	\$ 108,600	\$ 2,100
General Assistance	\$ 5,000	\$ 2,500	\$ (2,500)
Local Road Assistance	\$ 28,700	\$ 26,876	\$ (1,824)
Revenue Sharing	\$ 156,000	\$ 173,524	\$ 17,524
Snow Club Reimbursement	\$ 1,000	\$ 1,000	\$ -
Rental Fees	\$ 13,200	\$ 12,000	\$ (1,200)
Interest/Fees	\$ 13,000	\$ 14,500	\$ 1,500
BETE Reimbursement	\$ 1,000	\$ 1,000	\$ -
Homestead Exemption	\$ 93,579	\$ 93,759	\$ 180
Tree Growth Exemption	\$ 1,000	\$ 1,566	\$ 566
Veteran's Exemption	\$ 2,000	\$ 2,029	\$ 29
Property&Casualty Pool	\$ -	\$ 1,998	\$ 1,998
Cable Reserve Transfer	\$ 16,100	\$ -	\$ (16,100)
Impact Reserve Transfer	\$ 12,000	\$ -	\$ (12,000)
Rescue Reserve Transfer	\$ 30,000	\$ -	\$ (30,000)

Conservation Reserve Transfer	\$ 1,000	\$ -	\$ (1,000)
MISC /Capital Reserve Transfer	\$ 25,125	\$ -	\$ (25,125)
TOTALS	\$ 1,304,204	\$ 1,340,152	\$ 33,948

And further to see if the Town will authorize the Board of Selectmen and Treasurer to accept any additional revenues or funds that may be used to reduce the amount required to be raised by taxation, or see what action the Town will take.

Board of Selectmen and Budget Committee recommend approval.

Gary Wood stated that there will need to be an amendment to this Article for \$2,000 for the Peer Review line item.

Selectman Napolitano moved and Selectman Palmer seconded the motion to approve Article 19, as written.

Selectman Palmer moved and Selectman Napolitano seconded to amend the motion from the Difference column to carryover \$2,000 from the Peer Review line for a total of \$35,948. Discussion: Woody Brewer expressed his frustration for the poor preparation of the Town Meeting Warrant. Selectman Girard apologized for the errors. David Smith thanked the Selectmen for all of their efforts and work. Marnie Diffin commented on the word "and" in the article wording and it may create confusion. Gary Wood reread the item and asked for a motion again for clarification.

Selectman Napolitano moved and Selectman Palmer seconded to approve Article 19, as written.

Selectman Girard moved and Selectman Palmer seconded to amend the motion from the Difference column to carryover \$2,000 from the Peer Review line for a total of \$35,948. Discussion: Pam Ames asked about the total amount and that this motion is to clarify the total in the difference column. **The amendment to the article passed.**

Anne Graham asked if Revenue Sharing changes has been factored in and should it be maintained or increased, can it be accepted and will this be factored in to lower property taxes. Selectman Palmer stated that there understanding at present, is that the amount will be higher. Selectman Girard stated that this is the best information they have to date. Should there be an increase but the funds arrive late, it would be placed in Undesignated Funds and applied for the next fiscal year.

Town Manager Roy stated that property tax information should be completed by July-August and should there be an increase in revenue sharing, it could be applied. Linc Merrill asked if some items (such as excise tax revenue) are optimistic or a reflection on past items. Selectman Palmer stated that it is a reflection on recent trends. Selectman Girard offered some additional comments regarding some of the line items. Scott Kerr, New Gloucester Rd asked what would happen should there be no revenue sharing. Selectman Palmer stated that there would likely need to be a special Town Meeting to discuss what steps to take for this deficit.

Article 19, as amended, passed.

ARTICLE 20: To see if the Town will raise and appropriate an estimated **\$16,687** for overlay for the purposes of granting tax abatements or see what action the Town will take.

Board of Selectmen and Budget Committee recommend approval.

Selectman Palmer moved and Selectman Napolitano seconded to approve Article 20, as written. Discussion: Marnie Diffin asked for clarification as to whether or not it is legal to appropriate an overlay as only the Assessor can establish this based on State law. Gary Wood suggested that they consider it as legal, and request the Town Manager get legal advice from MMA.

Town Manager Roy stated that the wording of this article is taken from MMA's suggested wording and Selectman Girard reminded people that the word "estimated" is included and that the Assessor will determine the rate. Marnie Diffin stated that she disagreed with this and it is a false representation and that the town cannot tell the Assessor what amount to set. There was a discussion on the process.

David Kennedy asked for clarification on an overlay and that if it is illegal, it is not enforceable. Town Manager Roy explained what an overlay is and its purpose. Selectman Girard indicated that in areas of the warrants that are new, efforts have been made to inform the public of the purpose for additional clarification.

Article 20 passed as written.

ARTICLE 21: Shall the Town vote to authorize the Board of Selectmen to transfer from the town's undesignated general fund an amount not to exceed **\$150,000** for the purpose of reducing the total amount authorized to be raised by taxation for the fiscal year 2016, or see what action the Town will take.

Board of Selectmen and Budget Committee recommend approval.

Selectman Napolitano moved and Selectman Girard seconded to approve Article 21, as written. Discussion: None. Article 21 passed as written.

ARTICLE 22: To see if the Town will vote to exceed the maximum property tax levy limit (LD1) established by State law in the event that the municipal budget approved results in a tax commitment in excess of the property tax levy otherwise allowable, such that the increased maximum property tax levy hereby established will equal the amount committed, or see what action the Town will take. (By State Law, the vote on this article must be by written ballot)

Note: This article only requires action if the town budget exceeds the tax levy limit establish by State law. It is not projected that the town's budget will exceed tax levy limits established by State law.

Selectman Girard moved and Selectman Napolitano seconded to approve Article 22, as written. Discussion: Selectman Girard stated that they do not expect to exceed the LD1 limit, but should, through the revaluation process then this vote would eliminate the need to call a special Town Meeting for this purpose. This vote is in the unlikely event this should happen.

It was asked what the State law amount is. Selectman Girard stated that the town is currently under the \$900,000 limit. Dave Holman requested that the Moderator would allow more time for public comment just before a vote. Gary Wood apologized and encouraged anyone to call out to him to speak. Jeff Toorish asked if this is a one-time vote. Selectman Girard stated that it is only for the proposed fiscal year and each subsequent fiscal year the Selectmen would have to request a vote. Jeff Shorey, Sligo Rd. asked if there were to be no revenue sharing and a bond vote for new public buildings would that make the town exceed the LDI limit. Selectman Girard stated that no revenue sharing could, but bonding likely would not. This vote is only to allow exceeding the limit but not authorize a specific amount.

Secret Ballot vote: 92- yes 17- no. Article 22 passed as written.

ARTICLE 23: To see if the Town will vote to authorize the Board of Selectmen enter into a purchase and sale agreement with The Trust for Public Land to acquire the property located in the town of North Yarmouth known as Knight's Pond and Blueberry Hill, Map 7, Lot 52, for a sum not to exceed **\$100,000** with such terms and conditions the Board of Selectmen deem appropriate, said funds to be used shall be from the town's Future Land Reserve, or see what action the Town will take.

Board of Selectmen and Budget Committee recommend approval.

Selectman Carr moved and Selectman Girard seconded to approve Article 23, as written. Discussion:

Harry Nelson, Walnut Hill Rd gave an overview of the parcel and the amount is the town's share and a great opportunity for the town. There has been a lot of private donations, and state funding. He supports this item.

Dave Holman encouraged people to vote for this and encouraged conservation. Keith Thompson stated that the town will be benefiting by its investment. Anne Graham supports this item but asked what will happen given that the Lands for Maine's Future funds is being held by the Governor.

Alan Stearns of the Royal River Trust gave an update on the process and believe they will get the funds, but are working on contingencies. Selectman Girard stated that The Trust for Public Land will be the purchaser and the town is working directly with them. Should the trust not get the state funding, the town will not lose the funds.

Audrey Lones, Baston Rd. supports this project and is a perfect use of the town's Future Land Reserve. Selectman Palmer stated that there will be some shared maintenance costs in the future with Cumberland and the Joint Standing Committee will be working together on this. The amount in fiscal year 2017 would be around \$5,000. **Article 23 passed as written.**

ARTICLE 24: Shall the ordinance entitled "Town of North Yarmouth, Maine Land Use Ordinance" Article 1. General Provisions be amended to add Section 1-8., Contract Zoning (Attachment A) as described and presented?

Planning Board recommends approval.

Note: An attested copy of Attachment A is posted with this warrant. Copies of the ordinance are available at the Town Office and on the Town Website www.northyarmouth.org.

Peter Lindsay moved and Selectman Girard seconded to approve Article 24, as written. Discussion: Peter stated that this item is being recommended to be added as area communities have this ordinance which was reviewed and allows flexibility for the town for a developer. This is simply permits a process, which is an extensive one. This does not change the existing ordinance rules and processes. **Article 24 passed as written.**

ARTICLE 25:

- 1) To see if the Town will vote to make all taxes assessed for the Town's 2016 fiscal year, July 1, 2015 through June 30, 2016, due in two (2) installments, with the first half (1/2) of the total amount assessed due and payable on **October 1, 2015**, and the remaining half (1/2) due on **April 1, 2016**; and to charge **interest** at the rate of seven percent (**7.00%**) per year computed on a daily basis on any portion of the installment due that remains outstanding as of October 2, 2015 or April 2, 2016, and
- 2) To see if the Town will permit the Tax Collector or her designee to waive unintentional tax interest payment shortages in an amount not to exceed \$5.00; and
- 3) To see if the Town will vote to authorize the Tax Collector to accept payment of real estate and personal property taxes not yet due or assessed pursuant to M.R.S.A. Title 36, Section 506-A. The Town does not apply interest on such collections.

Board of Selectmen recommends approval.

Selectman Girard moved and Selectman Palmer seconded to approve Article 25, as written. Discussion: Linc Merrill commented on #2 in the article and that in the past, # 1 and # 3 were voted on separately. Selectman Girard commented on the occasional incidence on the timing of a resident's bank

delivery, #2 was added for this. Jeff Shorey asked how often this happens. Debbie Grover, Town Clerk and Town Manager Roy stated that it was a nominal amount. **Article 25 passed as written.**

ARTICLE 26: To see if the Town will vote to authorize the payment of tax abatements and applicable interest approved by the Town's Assessor from the property tax overlay account.

Board of Selectmen recommends approval.

Selectman Napolitano moved and Selectman Palmer seconded to approve Article 26, as written. Discussion: None. Article 26 passed as written.

ARTICLE 27: To see if the Town will vote to authorize the Board of Selectmen and the Treasurer, on behalf of the Town and any of the Town's departments, to accept gifts, real estate, donations and other funds, including trust funds that may be given or left to the Town and to grant the Board of Selectmen the further authority to expend up to **\$25,000** from undesignated funds, if necessary, to match the grant funding such sums of money as they deem necessary from these donations for their designated purposes. These expenditures may be reflected outside of the Town's approved budget.

Board of Selectmen recommends approval.

Selectman Palmer moved and Selectman Napolitano seconded to approve Article 27, as written. Discussion: None. Article 27 passed as written.

ARTICLE 28: To see if the Town will vote to authorize the Town Manager acting in concurrence with the Board of Selectmen to accept and expend, on behalf of the Town, any Federal or State funds received in the form of grants during the period July 1, 2015 until June 30, 2016. These expenditures may be reflected outside of the Town's approved budget.

Board of Selectmen recommends approval.

Selectman Napolitano moved and Selectman Girard seconded to approve Article 28, as written. Discussion: None. Article 28 passed as written.

ARTICLE 29: To see if the Town will vote to authorize the transfer of all unexpended balances to the Undesignated Fund Balance and to authorize any overdrafts that may occur in Town operations during the fiscal year ending June 30, 2015 to be taken from Undesignated Fund Balance.

Board of Selectmen recommends approval.

Selectman Carr moved and Selectman Girard seconded to approve Article 29, as written. Discussion: None. Article 29 passed as written.

The meeting adjourned at approximately 12:00pm.