



Town of North Yarmouth
Annual Town Meeting Warrant
 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:

The Registrar of Voters gives notice that citizens will be able to register to vote April 11, 2015 from 8:30AM to close of meeting.

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

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.

Note: The Maine Moderator's Manual is the current guideline used by the Moderator presiding at North Yarmouth's Annual Town Meetings. Article 2 is a housekeeping matter to ensure a record procedural process.

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	FY16 Request	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.

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.

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.

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.

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.

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	\$ -	\$ -	\$ -	

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.

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.

Account	Current Balance
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.

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.

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.

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

**Irrigation Funds will continue to be reserved for the original purpose of the project.*

Board of Selectmen and Budget Committee recommend approval.

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 it's 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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Given under our hands this 31st day of March, 2015 at North Yarmouth, Maine.

Steven Palmer
Steven Palmer, Chairperson

Paul Napolitano
Paul Napolitano, Vice Chairperson

Mark Girard
Mark Girard

Clark Whittier
Clark Whittier

Alex Carr
Alex Carr

A true copy of the warrant,

Attest: [Signature] Town Clerk

RETURN OF THE WARRANT

North Yarmouth, Maine April 1, 2015

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said Town qualified as herein expressed, to meet at said time and place, and for purposes therein named, by posting an attested copy of said warrant at the Town Office, North Yarmouth Variety, Ames Farm Center, Fire Station and Toddy Brook Café in said town, being public and conspicuous places in said town, on the 1st day of April, 2015, being at least seven days before the meeting.

[Signature]

Clark Baston, Resident

Attachment A - Proposed Amendment to the Land Zoning Ordinance

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.

SECTION 1-8. CONTRACT ZONING

A. Authorization:

Pursuant to 30-A M.R.S.A. § 4352(8), contract zoning is hereby authorized for rezoning of property where, for reasons such as the unusual nature or unique location of the development proposed, the Board of Selectmen finds it necessary or appropriate to modify the zoning district regulations applicable to a parcel of land, which will allow reasonable uses of the land which would not have been permitted by the existing zoning district regulations but which remain consistent with the Town of North Yarmouth Comprehensive Plan and compatible with the existing and permitted uses within the existing zoning district classification.

In consideration of a request for a change in zoning classification for a particular property or group of properties under this section, the Board of Selectmen may impose certain conditions and restrictions on the use of the property where it finds that such conditions and restrictions are necessary to protect the public health, safety, and general welfare and when the Board of Selectmen seek to advance desired land use objectives consistent with the Comprehensive Plan, and where such uses provide a public purpose or benefit.

B. Standards:

- (1) Any zone change adopted pursuant to this section shall be subject to a contractual agreement executed by authorized representatives of both the property owner and the Town of North Yarmouth providing for the implementation and enforcement of the conditions and restrictions of the agreement.
- (2) The agreement shall only include conditions or restrictions which relate to the physical development or operation of the property.
- (3) Any zone change permitted under this section shall be consistent with the Comprehensive Plan of the Town, and with the existing and permitted uses in the original zone.
- (4) The proposed contract zoning agreement shall clearly describe the extent of variation (if any) from the lot standards for the zone in which the parcel is located.

C. Conditions and Restrictions:

Conditions and restrictions imposed by the Board of Selectmen under the authority of this section shall relate only to the physical development and operation of the property and may include, but shall not be limited to, the following:

- (1) Limitation of the number and type of permitted uses of the property.

Attachment A - Proposed Amendment to the Land Zoning Ordinance

- (2) The height and lot coverage of any structure.
- (3) The setback of any structure.
- (4) The lot standards.
- (5) The hours of operation for the proposed use.
- (6) The installation, operation and maintenance of physical improvements, such as parking lots, traffic control devices, fencing, shrubbery and screening.
- (7) The creation of open space areas or buffer zones.
- (8) The dedication of property for public purposes, such as streets, parks, utility systems, and conservation easements.

D. Notice Requirements and Procedures:

- (1) The Board of Selectmen shall hear the request for a contract zoning proposal in a public meeting, and will decide whether to continue consideration of the proposal by referring the matter to the Planning Board for an advisory recommendation.
- (2) In accordance with 30-A M.R.S.A. §4352(8), the Planning Board shall hold a public hearing. Notice of this hearing shall be posted in the town office at least thirteen (13) days prior to the public hearing and shall be published in a newspaper of general circulation within the town at least two (2) times, the date of the first publication must be at least twelve (12) days prior to the hearing and the second notice at least seven (7) days prior to the hearing. Notice shall also be sent to the property owner and all abutters within a five-hundred foot (500 ft.) radius of the boundary lines property to be rezoned at their last-known address. This notice shall contain a copy of the proposed conditions and restrictions, with a map indicating the property to be rezoned.
- (3) The Planning Board shall make a recommendation to the Board of Selectmen on the proposal and its conformance with the Town's Comprehensive Plan and land use goals. This recommendation is advisory in nature; the Board of Selectmen may act independently of the recommendation of the Planning Board.
- (4) The Board of Selectmen shall hold a public hearing and, following any testimony, approve, modify or deny the contract zoning request. If the Board of Selectmen modifies the proposal by doing any one or more of the following, the proposal will need to be referred again to the Planning Board for a public hearing and subsequent recommendation to the Board of Selectmen:
 - (a) Adds to the list of permitted uses;
 - (b) Eliminates or makes less restrictive performance standards;
 - (c) Reduces setback requirements;
 - (d) Increases the density beyond that allowed in the zone;
 - (e) Makes any other change or changes which substantially modify the proposed agreement that was presented to the Planning Board.
- (5) The term of the contract zoning agreement shall be set forth in the contract agreement. Any violation of the contract zoning agreement shall be considered a violation of this chapter and shall be subject to enforcement under the provisions of 30-A M.R.S.A. § 4452. The contract zoning agreement may include additional provision(s) concerning enforcement of specific provisions of the agreement.



**Town of North Yarmouth Annual Town Meeting
April 11, 2015**

WARRANT REVISIONS

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.

Should read: To see if the Town will vote to raise and appropriate **\$582,658.00** 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	\$ (84,565.00)	- 26%
TOTAL	\$ 653,873.00	\$ 582,658.00	\$ (71,215.00)	- 11%

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.

Should read: To see if the Town will vote to raise and appropriate **\$ 769,291.00** 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	\$ 1,243.00	- .56%
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	\$ (41,539.00)	- 5.1%

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
Peer Review Should Read:	\$ -	\$ 2,000	\$ 2,000
TOTALS	\$ 1,304,204	\$ 1,340,152	\$ 35,948

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.

POSTING CHECKLIST

EVENT Annual Town Meeting Warrant **DATE** 4/11/2015

		COMPLETED BY	DATE
<input type="checkbox"/>	NEWSPAPER		
<input checked="" type="checkbox"/>	WEBSITE	D. Grover	4/1/2015
<input checked="" type="checkbox"/>	TOWN OFFICE	<i>D. Grover</i>	<i>4-1-2015</i>
<input checked="" type="checkbox"/>	FIRE DEPT BULLETIN BOARD	<i>D. Grover</i>	<i>4-1-2015</i>
<input checked="" type="checkbox"/>	NORTH YARMOUTH VARIETY	<i>D. Grover</i>	<i>4-1-2015</i>
<input checked="" type="checkbox"/>	AMES FARM CENTER	<i>D. Grover</i>	<i>4-1-2015</i>
<input checked="" type="checkbox"/>	TODDY BROOK GOLF COURSE	<i>D. Grover</i>	<i>4-1-2015</i>

Post public hearings in the newspaper as required by ordinance.
 Post public hearings on the website and in all public locations shown above.
 Post public meetings on the website, at the Town Office and the Fire Dept
 bulletin board only.

