



Town of North Yarmouth, Maine  
Annual Town Meeting Minutes  
Fiscal Year July 1, 2017 - June 30, 2018  
April 8, 2017

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 8th day of April A.D. 2017, at nine (9) o'clock in the forenoon, then and there to act upon Articles 1 through 27 as set out below, to wit:

The Registrar of Voters gives notice that citizens will be able to register to vote April 8, 2017, from 8:30 AM to close of meeting.

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

**Chairperson Chadbourne moved to elect Michael Traister, seconded by Selectperson Carr. Mr. Traister was 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.

*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 procedural process.*

**Selectperson Carr moved to adopt the Maine Moderator's Manual, seconded by Chairperson Chadbourne. Motion passed.**

The Moderator gave an overview of the Town Meeting's procedures. The Moderator asked for a consensus to allow non-residents to speak at this meeting. **Visitors were allowed to speak by a unanimous show of hands.**

**ARTICLE 3:** Shall the Town Charter be amended as described and presented in **Exhibit A** of this warrant?

**Chairperson Chadbourne moved to pass Article 3 as read, seconded by Selectperson Graham. Discussion: None. Motion passed.**

**ARTICLE 4:** Shall the ordinance entitled "Property Tax Assistance Ordinance" be amended as described and presented in **Exhibit B** of this warrant?

**Chairperson Chadbourne moved to pass Article 4 as read, seconded by Selectperson Graham. Discussion: Steve Fournier, North Road and Darla Hamlin, New Gloucester Road asked questions on criteria. Town Manager Roy addressed questions on the process and criteria which is based on total household income. Motion passed.**

**ARTICLE 5:** Shall the ordinance entitled "Regulations for the Use of Parks and Recreation Areas" be amended as described and presented in **Exhibit C** of this warrant?

Selectperson Graham moved to pass Article 5 as read, seconded by Selectperson Lacy. Discussion: None. Motion passed.

**ARTICLE 6:** Shall the ordinance entitled "CATV Ordinance" be amended as described and presented in Exhibit D of this warrant?

Selectperson Graham moved to pass Article 6 as read, seconded by Selectperson Lacy. Discussion: Katie Murphy, Mountfort Road requested clarification of the ordinance. Motion passed.

**ARTICLE 7:** Shall the ordinance entitled "Town of North Yarmouth, Maine Land Use Ordinance" be amended as described and presented in Exhibit E of this warrant?

Selectperson Carr moved to pass Article 7 as read, seconded by Selectperson Napolitano. Discussion: Steve Fournier of North Road asked for clarification, Katryn Gabrielson advised reason is that the Town no longer owns this property. Motion passed.

**ARTICLE 8:** Shall the ordinance entitled "Victualers' License Ordinance" be repealed?

*Explanation: The State statute requiring victualers to be licensed annually by the Municipal Officers was repealed in 1997.*

Selectperson Lacy moved to pass Article 8 as read, seconded by Selectperson Napolitano. Discussion: Unidentified resident asked for explanation which was provided by Town Manager Roy. Motion passed.

**ARTICLE 9:** To see if the Town will vote to raise and appropriate \$416,490.00 for Municipal Administration, or see what action the Town will take.

Municipal Administration	Budget FY17	Request FY18	Difference	Percent
Wages/Allowances/Training	\$ 225,475	\$ 209,672	(\$ 15,803)	(7.01)
Operating Expenses	\$ 68,572	\$ 76,463	\$ 7,891	11.51
Contracted / Professional Services	\$ 51,947	\$ 62,100	\$ 10,153	19.54
Buildings & Grounds	\$ 49,517	\$ 44,774	(\$ 4,743)	(9.58)
Communications Committee	\$ 5,250	\$ 4,250	(\$ 1,000)	(19.05)
Memorial School Operations	\$ 58,600	\$ 19,231	(\$ 39,369)	(67.18)
<b>TOTAL</b>	<b>\$ 459,361</b>	<b>\$ 416,490</b>	<b>(\$ 42,871)</b>	<b>(9.33)</b>

Selectperson Napolitano moved to pass Article 9 as read, seconded by Selectperson Carr. Kevin Desmond moved to amend the amount to \$438,954, seconded by Pamela Ames. Discussion: Clark Whittier asked reasons Select Board was opposed to Budget Committee recommendations. Selectpersons Graham and Chadbourne along with Bill Whitten agreed with Budget Committee recommendations. Leslie Livingston asked if this item is amended what would be decreased. Selectperson Carr answered stating the Budget would increase. Rob Wood feels uncomfortable making a decision without knowing what the need is. He feels the Select Board should have done a pay study to provide a better picture of the need. Selectperson Napolitano stated the Town Manager was asked how the budget could be cut and she chose to remove the administrative assist position. The amendment was approved. Motion passed as amended.

**ARTICLE 10:** To see if the Town will vote to raise and appropriate \$128,613 for Community Services, or see what action the Town will take.

Community Services	Budget FY17	Request FY18	Difference	Percent
Code Enforcement & Planning	\$ 61,947	\$ 63,428	\$ 1,481	2.39
Planning & Economic Growth	\$ 40,000	\$ 32,500	(\$ 7,500)	(18.75)





Parks & Recreation	\$ 11,800	\$ 9,600	(\$ 2,200)	(18.64)
General Assistance	\$ 7,688	\$ 7,688	-----	-----
Social Service Agencies	\$ 10,000	\$ 9,432	(\$ 568)	(5.68)
Cemetery Operations	\$ 5,608	\$ 5,215	(\$ 393)	(7.01)
Living Well	\$ 0	\$ 750	\$ 750	100
<b>TOTAL</b>	<b>\$ 137,043</b>	<b>\$ 128,613</b>	<b>(\$ 8,430)</b>	<b>(6.15)</b>

Selectperson Napolitano moved to pass Article 10 as read, seconded by Selectperson Carr. Discussion: None. Motion passed.

**ARTICLE 11:** To see if the Town will vote to raise and appropriate \$368,829.00 for Public Safety, or see what action the Town will take.

Fire Rescue Department	Budget FY17	Request FY18	Difference	Percent
Wages/Allowances/Training	\$157,653	\$151,033	(\$6,620)	(4.20)
Physicals	\$ 7,000	\$ 7,000	-----	-----
Dues/Membership/Licenses	\$ 4,805	\$ 5,380	\$ 575	11.97
Operating Expenses	\$ 57,090	\$ 59,410	\$2,320	4.06
Contracted / Professional Services	\$ 20,350	\$ 19,050	(\$1,300)	(6.39)
Operating Supplies	\$ 22,925	\$ 30,482	\$7,557	32.96
Fire Rescue Dept. Sub-total	\$ 269,823	\$272,355	\$2,532	0.94

Public Safety - Other	Budget FY17	Request FY18	Difference	Percent
Dispatch Service	\$ 23,822	\$ 24,705	\$ 883	3.71
Animal Control Services	\$ 12,644	\$ 12,644	-----	-----
Health Officer	\$ 400	\$ 400	-----	-----
Hydrants	\$ 53,500	\$ 55,500	\$ 2,000	3.74
Street Lighting Operational	\$ 2,930	\$ 3,225	\$ 295	10.07
Other Sub-Total	\$ 93,296	\$ 96,474	\$ 3,178	3.41
<b>GRAND TOTAL</b>	<b>\$ 363,119</b>	<b>\$ 368,829</b>	<b>\$ 5,710</b>	<b>1.57</b>

Selectperson Carr moved to pass Article 11 as read, seconded by Chairperson Chadbourne. Discussion: Bill Whitten moved to amend the article to \$371,329.00, seconded by Andrew Walsh. Selectperson Graham, Pamela Ames, Gray Road, Darla Hamlin, New Gloucester Road, Chief Greg Payson and Michelle Zimmerman voiced their support of the amended motion. Steve Palmer of Mountfort Rd asked for clarification of amounts that have been discussed. Vote to amend motion was passed. Motion passed as amended.

**ARTICLE 12:** To see if the Town will vote to raise and appropriate \$692,080.00 for Public Works, or see what action the Town will take.

Public Works Department	Budget FY17	Request FY18	Difference	Percent
Wages/Allowance/Training	\$ 184,706	\$ 243,165	\$ 58,459	31.65
Operating Expenses	\$ 172,403	\$ 205,915	\$ 33,512	19.44
Roadway Maintenance	\$ 225,000	\$ 243,000	\$ 18,000	8.00
<b>TOTAL</b>	<b>\$ 582,109</b>	<b>\$ 692,080</b>	<b>\$ 109,971</b>	<b>18.89</b>

Selectperson Carr moved to pass Article as read, seconded by Chairperson Chadbourne. Kevin Desmond moved to amend Article to \$663,880.00, seconded by Steve Palmer. Discussion: Clark Whittier asked for explanation from Select Board as to the amount recommended. Kathryn Whittier of Walnut Hill, Darla Hamlin, New Gloucester Road, Virginia VanDyke, Delwin Drive asked questions for clarification. Regionalization of services have been discussed with other towns, however, no

agreements have been reached. Gay Peterson, Milliken Road and Dan Smith feel the needs have been addressed by fill-ins and question the need for an additional employee. Rob Taisey of Mountfort Road and Nelson Smith support this article. Diane Morrison of Brown Dog Drive and Bill Whitten both felt more communication between the Select Board and Budget Committees may have lessened confusion today. Leslie Livingston of North Road spoke in support due to safety concerns. Dan Rose, New Gloucester Road spoke in support of this article. Chairperson Chadbourne requested the question be moved. Motion to move the question was passed. Motion to amend failed. Article 12 passed.

Meeting was recessed for 10 minutes at 10:55am.

**ARTICLE 13:** To see if the Town will vote to raise and appropriate \$199,705 for Solid Waste / Recycling, or see what action the Town will take.

Solid Waste / Recycling	Budget FY17	Request FY18	Difference	Percent
MSW Disposal	\$ 63,865	\$ 63,865	-----	-----
Recyclables Collection	\$ 63,890	\$ 63,890	-----	-----
MSW Collection Surcharge	\$ 1,000	\$ 300	(\$ 700)	(70.00)
Ecomaine Tonage	\$ 49,350	\$ 49,350	-----	-----
PAYT Disposal Bags	\$ 11,910	\$ 14,000	\$ 2,090	17.55
HHW Collection / Clean Up Day	\$ 5,600	\$ 7,500	\$ 1,900	33.93
Garbage to Garden Composting	\$ -	\$ 500	\$ 500	100
Compost & Recycling Bins	\$ -	\$ 300	\$ 300	100
<b>TOTAL</b>	<b>\$ 195,615</b>	<b>\$ 199,705</b>	<b>\$ 4,090</b>	<b>2.09</b>

Chairperson Chadbourne moved to pass Article 13 as read, seconded by Selectperson Graham. Discussion: None. Motion passed.

**ARTICLE 14:** To see if the Town will vote to raise and appropriate \$520,302.00 for Fixed Expenses, or see what action the Town will take.

Fixed Expenses	Budget FY17	Request FY18	Difference	Percent
Debt Service	\$ 13,482	-----	(\$ 13,482)	(100)
Employee Benefits	\$ 232,742	\$ 292,921	\$ 60,179	25.86
Municipal Insurance	\$ 34,400	\$ 38,591	\$ 4,191	12.18
Shared Services NY/Cumberland	\$ 190,673	\$ 188,790	(\$ 1,883)	(0.99)
<b>TOTAL</b>	<b>\$ 471,297</b>	<b>\$ 520,302</b>	<b>\$ 49,005</b>	<b>10.40</b>

Chairperson Chadbourne moved to pass Article 14 as read, seconded by Selectperson Graham. Discussion: Peter Lindsey and Stacey Hawke, Mountfort Road asked for clarification including reasons the Select Board and Budget Committee made the recommendations as stated. Pam Ames motioned to amend the Article to \$505,302.00, seconded by Kevin Desmond. Ms. Ames clarified reasons for Budget Committee recommendations. Selectperson Carr explained the Select Boards' intentions. Motion passed as amended.

**ARTICLE 15:** To see if the Town will vote to raise and appropriate \$233,100 for Capital Improvements Reserves, or see what action the Town will take.

Capital Reserves	Budget FY17	Request FY18	Difference	Percent
PWD/FRD (Heavy Equipment)	\$ 130,000	\$ 130,000	-----	-----
Future Land Reserve	\$ 0	\$ 10,000	\$ 10,000	100
Parks & Recreation	\$ 0	\$ 5,000	\$ 5,000	100
Municipal Facilities/Grounds	\$ 0	\$ 50,000	\$ 50,000	100



Contingency Reserve	\$ 0	\$ 9,000	\$ 9,000	100
Records Preservation	\$ 25,924	\$ 29,100	\$ 3,176	12.25
<b>TOTAL</b>	<b>\$ 155,924</b>	<b>\$ 233,100</b>	<b>\$ 77,176</b>	<b>49.50</b>

Selectperson Graham moved to pass Article 15 as read, seconded by Selectperson Lacy. Discussion: Clark Whittier, Steve Palmer, Rob Taisey, Dixie Hayes asked for clarification for reasons to pass this motion. Selectperson Carr explained the need to plan for future needs of parks and to increase town owned land. Town Manager Roy explained the needs for work to current aging town buildings. Darla Hamlin asked for the clarification of Records Preservation which was addressed by Town Manager Roy. Nelson Smith shared concerns of additional funds being spent on town facilities. Selectperson Carr reminded the public of the current Zero Based Budget and need for residents to get involved in planning previous to Town Meeting. Motion passed.

**ARTICLE 16:** To see if the Town will vote to accept and apply **\$1,539,201** of the following **non-property tax revenues** to reduce the total amount authorized to be raised by taxation.

Revenues	Budget FY17	Request FY18	Difference	Percent
State Municipal Revenue Sharing:	\$ 181,018	\$ 179,209	(\$ 1809)	(0.99)
Motor Vehicle Excise:	\$ 800,000	\$ 830,000	\$30,000	3.75
Solid Waste & Recycling:	\$ 110,500	\$ 110,500	-----	-----
Local Road Assistance:	\$ 27,000	\$ 27,000	-----	-----
Ambulance Service Fees:	\$ 35,000	\$ 45,000	\$10,000	28.57
All Other Anticipated Revenues:	\$ 337,865	\$ 347,492	\$ 9,627	2.85
<b>TOTAL</b>	<b>\$ 1,491,383</b>	<b>\$ 1,539,201</b>	<b>\$47,818</b>	<b>3.20</b>

And further to see if the Town will authorize the Select Board 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.

Selectperson Lacy moved to pass Article 16 in the amount of **\$1,539,201** as read, seconded by Selectperson Graham. Pamela Ames moved to amend the amount to **\$1,559,201**, seconded by Steve Palmer. Discussion: Selectperson Carr & Katherine Dion spoke along with Town Manager Roy how the use of funds will be used. Motion to amend article for change in amount requested. Motion as amended.

**ARTICLE 17:** To see if the Town will vote to authorize the Select Board to transfer **\$6,000** received from the sale of assets in the fiscal year 2017 to the Public Works Department/Fire Rescue Department Heavy Equipment Reserve to support future purchases from the account or see what action the Town will take.

Selectperson Lacy moved to pass Article 17 as read, seconded by Selectperson Napolitano. Discussion: None. Motion passed.

**ARTICLE 18:** To see if the Town will raise and appropriate an estimated **\$30,000** for overlay for the purposes of granting tax abatements or see what action the Town will take.

Selectperson Lacy moved to pass Article 18 as written, seconded by Selectperson Napolitano. Discussion: None. Motion passed.

**ARTICLE 19:** To see if the Town will vote to authorize the Select Board to transfer from the town's undesignated fund balance an amount not to exceed **\$200,000** for the purpose of reducing the total amount authorized to be raised by taxation for the fiscal year 2017, or see what action the Town will take.



Selectperson Napolitano moved to pass Article 19 as read, seconded as Selectperson Carr. Discussion: Peter Lindsey, Steve Palmer, Andrew Walsh, Clark Whittier, Town Manager Roy, Selectpersons Carr and Napolitano and Bill Whitten spoke on funding and determination of funds. Motion passed.

**ARTICLE 20:** To see if the Town will vote to authorize the transfer of \$50,000 from the Town's undesignated fund balance to be set aside in a committed fund balance account to be expended in future years for providing the property tax assistance, in accordance with the Town's Property Tax Assistance Ordinance or see what action the Town will take. *(Approval of this article will not increase the property tax levy.)*

Selectperson Napolitano moved to pass Article 20 as read, seconded by Selectperson Carr. Discussion: Sandra Falsey made a motion to amend amount to \$30,000.00, seconded by Bill Whitten. Selectperson Lacy shared reason for \$50,000 request. Darla Hamlin asked if funds could be rolled to next year. Town Manager Roy advised the funds will be rolled over from year to year. Motion to amend failed. Motion passed.

**ARTICLE 21:** To see if the Town will vote to authorize the transfer of \$25,000 from the Town's undesignated fund balance to be set aside in a committed fund balance account to be expended in future years for the purpose of employee disbursements of earned but not expended benefits or see what action the Town will take. *(Approval of this article will not increase the property tax levy.)*

Selectperson Carr moved to pass Article 21 as stated, seconded by Chairperson Chadbourne. Discussion: Rob Wood voiced opposition to this Article. Bill Whitten & Selectperson Napolitano shared the need for funds. Dixie Hayes & Catherine Dion, North Road both asked questions on caps and amounts that may need to be paid. Town Manager Roy advised the auditor felt \$25,000 would be an appropriate amount. Motion passed.

**ARTICLE 22:** To see if the Town will vote to allocate funds received from the registration of snowmobiles to Town established snowmobile club(s) for the purpose of maintaining their snowmobile trails to be open to the use of the public at all times.

Selectperson Carr moved to approve Article 22 as stated, seconded by Chairperson Chadbourne. Discussion: Nelson Smith asked if this Article applies to snowmobiles only. Selectperson Graham reiterated explanation. Motion passed.

**ARTICLE 23:** 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.

Chairperson Chadbourne moved to approve Article 23 as read, seconded by Selectperson Graham. Discussion: Steve Palmer asked if the Select Board would be willing to amend. Moderator Traister ruled the motion to amend out of order. Clark Whittier & Stacey Caulk asked questions to clarification. Town Manager Roy and Selectperson Graham offered explanations. Vote: 51-Yes 12-No 1-Blank vote. Motion passed.

#### **ARTICLE 24:**

1) To see if the Town will vote to make all taxes assessed for the Town's 2018 fiscal year, July 1, 2017 through June 30, 2018, due in two (2) installments, with the first half (1/2) of the total amount assessed due and payable on **October 1, 2017**, and the remaining half (1/2) due on **April 1, 2018**; 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, 2017 or April 2, 2018, 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, and
- 4) To see if the Town will vote to authorize the Treasurer to release payment of tax abatements and applicable interest approved by the Town's Assessor from the property tax overlay account.

**Chairperson Chadbourne moved to pass Article 24 as read, seconded by Selectperson Graham. Selectperson Lacy moved to amend the article to change dates payable on October 2, 2017 and April 2, 2018 with interest assessed on balances remaining after October 3, 2017 and April 3, 2018. The motion to amend was seconded by Selectperson Carr. Discussion: None. Motion passed as amended.**

**ARTICLE 25:** To see if the Town will vote to authorize the Select Board and the Treasurer, on behalf of the Town and any of the Town's departments, to accept gifts, real estate, donations and other funds, including trust funds that may be given or left to the Town and to grant the Select Board 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 funds for their designated purposes. These expenditures may be reflected outside of the Town's approved budget.

**Selectperson Graham moved to pass Article 25 as read, seconded by Selectperson Lacy. Discussion: None. Motion passed.**

**ARTICLE 26:** To see if the Town will vote to authorize the Town Manager acting in concurrence with the Select Board 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, 2017, until June 30, 2018. These expenditures may be reflected outside of the Town's approved budget.

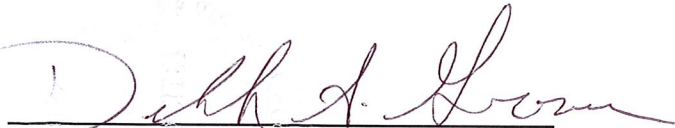
**Selectperson Graham moved to approve Article 26 as read, seconded by Selectperson Lacy. Discussion: None. Motion passed.**

**ARTICLE 27:** 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, 2018, to be taken from Undesignated Fund Balance.

**Selectperson Lacy moved to approve Article 27 as read, seconded by Selectperson Napolitano. Discussion: None. Motion passed.**

**Selectperson Graham moved to adjourn, seconded by Chairperson Chadbourne.**

Attest: A True Copy

  
Debbie Allen Grover, Town Clerk