



Town of North Yarmouth, Maine
Annual Town Meeting Warrant
April 30, 2022
Fiscal Year July 1, 2022 - June 30, 2023

To: Clark M. Baston, a resident in the Town of North Yarmouth, County of Cumberland, and the 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 Wescustogo Hall & North Yarmouth Community Center located in North Yarmouth, Maine on Saturday the 30th day of April A.D. 2022, 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 on April 30, 2022, from 8:30 AM to the close of the meeting.

ARTICLE 1: To elect a Moderator by written ballot to preside over the said meeting. **Chairperson Sites nominated Christopher Gordon, seconded by Vice Chairperson Moulton. Mr. Gordon was elected by unanimous vote and sworn in.**

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. **Moved by Vice Chair Moulton, seconded Chairperson Sites. Article passed. Chairperson Sites moved to allow non-resident employees to speak during Town Meeting, seconded by Vice Chair Moulton. Discussion: None. Article 2 Passed.**

ARTICLE 3: To see if the Town will vote to authorize the 7, Lot 34, and which is depicted as Lot 25 on an approved subdivision plan entitled "Construction Aggregate Inc. Village Center Estates, Phase 2" and recorded in the Cumberland Registry of Deeds in Plan Book 222, Page 128, and to further authorize the Select Board to execute any documents related to the acceptance of said gift on such terms and conditions as it deems advisable. **Moved by Chairperson Sites, seconded by Selectperson Reed. Discussion: Rob Wood, Milliken Road, thanked Ben Grover and family. Article 3 passed.**

Select Board recommends approval.

ARTICLE 4: Shall an ordinance entitled "2022 Amendments to the Town of North Yarmouth Management of Tax Acquired Property Ordinance" be enacted? **Vice Chair Moulton moved and seconded by Chairperson Sites. Discussion: None. Article 4 passed.**

Select Board recommends approval.

ARTICLE 5: Shall an ordinance entitled "2022 Amendments to the Town of North Yarmouth, Maine Land Use Ordinance Regarding Site Plan Review and Conditional Use Procedures" be enacted? **Selectperson Reed moved, seconded by Vice Chair Moulton. Discussion: Audrey Lones, Baston Road advised the Land Use Articles are in the Town Meeting packet. Article 5 passed.**

Select Board recommends approval.

ARTICLE 6: Shall an ordinance entitled "2022 Amendments to the Town of North Yarmouth, Maine Land Use Ordinance Regarding Subdivision Review Procedures and Criteria" be enacted? **Moved by Chairperson Sites, seconded by Selectperson Reed. Discussion: None. Article 6 passed.**

Select Board recommends approval.

Chairperson Sites moved to take Article 8 out of order, seconded by Vice Chair Moulton. Move over Article 7. Discussion: Judy Potter, Walnut Hill Road, asked the Moderator to allow more time between

questions. Vote passed. Chairperson Sites explained Article 6 was being passed over was due to wording change to the warrant which would require a Public Hearing.

ARTICLE 7: Shall an ordinance entitled “2022 Amendments to the Town of North Yarmouth, Maine Land Use Ordinance Regarding Zoning District Regulations” be enacted? **Article passed over.**

Select Board recommends approval.

ARTICLE 8: Shall an ordinance entitled “2022 Amendments to the Town of North Yarmouth, Maine Land Use Ordinance Regarding Performance and Design Standards for Site Plan Review and Subdivision Review” be enacted? **Selectperson Hodgetts moved, seconded by Selectperson Reed. Discussion: None. Article 8 passed.**

Select Board recommends approval.

ARTICLE 9: Shall an ordinance entitled “2022 Amendments to the Town of North Yarmouth, Maine Land Use Ordinance Regarding Definitions” be enacted? **Selectperson Hodgetts moved, seconded by Chairperson Sites. Discussion: None. Article 9 passed.**

Select Board recommends approval.

ARTICLE 10: To see if the Town will vote to raise and appropriate \$560,993.00, to transfer appropriate \$58,745.00 from the Village Omnibus Municipal Development and Tax Increment Financing District, and to transfer and appropriate \$13,885.00 from the Technology Reserve, for a total appropriation of \$633,623.00 for the **Municipal Administration Department.**

Chairperson Site moved, seconded by Vice Chair Moulton. Discussion: Town Manager Barnes began to explain when a point of order was brought by Paul Napolitano, Mill Ridge Road, stating the residents have not granted non-residents to speak. Moderator Gorden advised that it was voted on earlier. Town Manager Barnes said the Warrant looks different this year as they are budgeting all expenses including already appropriated funds through Capital Improvements and TIF for tracking. Also, Proposed Fiscal Year 2023 Budget, the Municipal side of it is down \$124,354 from last year and projected Revenue Sharing is going to increase to \$272,959. If the TIF and Reserves are removed from the Article the net impact to this Budget is \$47,951. The TIF revenues and reserves have no impact on the Budget. Vice Chair Moulton explained where the increases lie. No other discussion. Article 10 passed.

Select Board and Budget Committee recommend approval.

ARTICLE 11: To see if the Town will vote to raise and appropriate **\$164,480.00**, and to transfer and appropriate **\$53,857.00** from the Village Omnibus Municipal Development and Tax Increment Financing District, for a total appropriation of **\$218,337.00** for the **Community Services Department.** **Selectperson Reed moved, seconded by Selectperson Hodgetts. Discussion: Pamela Ames, Gray Road, asked for clarification of Selectperson Moulton’s previous comments regarding baseline budget and how it impacts the mil rate. Selectperson Reed shared his thoughts. Pamela Ames spoke to confusion of numbers on handouts. Chairperson Sites advised there are errors while Richard Parenteau of Pine Ridge Road stated the sub-totals were wrong but overall numbers are correct. Kimry Corrette, Gray Road, questioned funds for Parks and Recreation, with the addition of land gift from Grover will there be enough in the budget to maintain parks and trails. Also, Ms. Corrette asked to consider better clarification at next year’s meeting on handouts. Jeff Candura, Christopher Road, asked for clarification of expenditures. Town Manager Barnes and Chairperson Sites provided answers to the questions. Article 11 passed.**

Select Board and Budget Committee recommend approval.

ARTICLE 12: To see if the Town will vote to raise and appropriate **\$121,806.00** for the **Community Center**



Department. Selectperson Hodgetts moved, seconded by Chairperson Sites. Discussion: Holly Day, Hallowell Road questioned whether a study had been done to see if current position was not enough to satisfy needs. Town Manager Barnes confirmed it was and with the additional use of WH&NYCC and needs for broadcasting for additional meetings. Jay Fulton, New Gloucester Road, feels the need is there after listening to Budget Meeting presentations from Lisa Thompson, current Director, Town Manager Barnes, and the Select Board. Selectperson Hodgetts moved to amend the Article to remove the second full time position at \$39,520 seconded by Selectperson Reed. Andy Walsh, Firefly Lane, and Chair of the Budget Committee spoke in favor of the second position. Vice Chair Moulton asked Town Manager Barnes for clarification of the effect on mil rate. The answer approximately .10 on mil rate. Andrea Berry, Memorial Highway, spoke in favor of passage. Alicia Dostilio, Parsonage Road, suggested finding middle ground by a part-time position. Town Manager Barnes stated with the difficulty of hiring people she would not suggest the position to be part time but rather hold off 6 months and then hire a full-time employee. She clarified position was for a programmer rather than an assistant. Selectpersons Moulton and Reed shared concerns. Chairperson Sites advised there has been much interest in the position and a replacement should be found quickly without a huge loss in revenues. Amy Haile, North Road supports a second position. Judy Potter, Walnut Hill, suggested with new broadcasting equipment if committee members could start recording of meetings to decrease hours needed by employees. Also, she would like to have the WH&NYCC open during school vacations. Paul Whitmarsh, Wild Turkey Lane, asked if second position would allow WH&NYCC to be open except for Federal holidays and how confident are these budget figures. Town Manager Barnes stated the plan would be to open more often and she is unsure of budget figures. Lincoln Merrill shouted from the crowd to move the question, seconded by Selectperson Reed. Vote for amendment to remove \$39,520 from the appropriation. Thad Day, Hallowell Road, challenged the chain of events to end discussion. Moderator Gordon requested assistance in counting votes. Call to end discussion fails. Steve Berry, Memorial Highway, asked if there is some sort of comparison in what we are paying currently verses how a second position would impact this. Selectperson Hodgetts moved to withdraw his amendment request, seconded by Selectperson Reed as he feels concerns regarding staffing and revenue have been answered. Article 12 passed.

Select Board and Budget Committee recommend approval.

ARTICLE 13: To see if the Town will vote to raise and appropriate **\$494,746.00** for the **Public Safety Department.** Selectperson Reed moved, seconded by Vice Chair Moulton. Discussion: None. Article 13 passed.

Select Board and Budget Committee recommend approval.

ARTICLE 14: To see if the Town will vote to raise and appropriate **\$519,880.00**, to transfer and appropriate **\$20,447.00** from the Village Omnibus Municipal Development and Tax Increment Financing District, transfer and appropriate **\$32,480.00** from the Heavy Equipment Reserve, and to transfer and appropriate **\$80,977.00** from the Roadway Reserves, for a total appropriation of **\$653,784.00** for the **Public Works Department.** Vice Chair Moulton moved, seconded by Chairperson Sites. Discussion: Kimry Corrette, Gray Road, asked if there are funds appropriated for sidewalks. Selectperson Reed acknowledged funds have been allocated. Katie Murphy, Mountfort Road inquired about spraying for brown-tail moths. Town Manager Barnes advised it was initially included then removed as it did not pass Select Board or Budget Committee. Clark Baston, Sweetser Road, spoke on funding for sidewalks and preliminary work has begun. He also shared where brown tail moth spraying would be. Tim May, Cumberland Road, opposes funding brown tail moth spraying. Alicia Dostilio, Parsonage Road, feels spraying for brown tail moths is important. Selectperson Reed shared how weather conditions can have a positive natural effect on reducing the population. Moderator Gordon clarified that an increase in the budget is not allowed. Katie Murphy, Mountfort Road, would like to see Memorial Highway sprayed due to its beauty and location and to consider next year. Audrey Farber, 410 Walnut Hill Road, asked for clarification for what could be done to mitigate this problem. Maggie Lancaster, Walnut Hill Road, inquired as if anything has been done about a playground. Chairperson Sites invited her to a future Select Board meeting. Bill Young, Sweetser

Road not in favor of spraying. Town Manager Barnes advised of information on Town and State's websites. Article 14 passed.

Select Board and Budget Committee recommend approval.

ARTICLE 15: To see if the Town will vote to raise and appropriate **\$140,542.00**, and to transfer and appropriate **\$6,109.00** from the Municipal Facilities Reserve, for a total appropriation of **\$146,651.00** for the **Buildings & Grounds Department**. Chairperson Sites moved, seconded by Selectperson Reed. Discussion: None. Article 15 passed.

Select Board and Budget Committee recommend approval.

Article 16: To see if the Town will vote to raise and appropriate \$245,806.00 for **Solid Waste and Recycling**.

Selectperson Reed moved, seconded by Selectperson Hodgetts. Discussion: Kimry Corrette, Gray Road asked for clarification on ecoMaine tonnage and bags. Town Manager Barnes responded. Jason Fetigan, Greeley Road, spoke against increasing the budget for ecoMaine. Rob Woods, ecoMaine Representative clarified that burning our trash creates electric and the amount of waste going to landfill is reduced by 90%. Selectperson Hodgetts asked Mr. Wood to explain the possibility of changes to trash pickup. Vice Chair Moulton asked Mr. Wood if the Town is an owner-member, Mr. Wood confirmed. Article 16 passed.

Select Board and Budget Committee recommend approval.

ARTICLE 17: To see if the Town will vote to raise and appropriate **\$1,024,341.00** for **Fixed Expenses**. Chairperson Sites moved, seconded by Selectperson Reed. Angie Dierks, Summit Terrace, questioned decrease in shared recreation expenses. Andy Walsh, Firefly Lane, explained how Covid affected the use less it was less of an impact. Article 17 passed.

Select Board and Budget Committee recommend approval.

ARTICLE 18: To see if the Town will vote to raise and appropriate **\$197,289.00** for **Capital Improvement Reserves**. Vice Chair Moulton moved, seconded by Chairperson Sites. Discussion: Chris Cabot, Walnut Hill Road, wanted to bring to everyone's attention the future land reserve amount and would like to see future years increased to more than the \$10,000 the Town has been doing. Pamela Ames, Gray Road, requested balance of the Future Land Reserve currently, Chairperson Sites advised \$19,509. Diane Burnell, Split Rock Road, concerned with technology reserve due to the lack of sound in this facility. Article 18 passed.

Select Board and Budget Committee recommend approval.

ARTICLE 19: To see if the Town will vote to accept and apply **\$696,729.00** in **Municipal Revenue Sharing** and **\$1,856,083.00** in **other revenues**, for a total amount in **non-property taxes** of **\$2,552,812.00**, to reduce the total amount authorized to be raised by taxation, and to further 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. Vice Chair Moulton moved, seconded by Selectperson Hodgetts. Discussion: Audrey Lones, Baston Road, asked for meaning of BETE. Town Manager Barnes explained it is for Business Equipment and Tax Exemption based on applications the Assessor receives on qualified business and tax exemptions, the State reimburses the Town on those exemptions. Article 19 passed.

Select Board and Budget Committee recommend approval.

ARTICLE 20: To see if the Town will vote to appropriate and expend up to **\$372,000.00** from the **Coronavirus Local Fiscal Recovery Funds** (aka American Rescue Plan Act or ARPA funds) received by the Town from the

federal government to furnish and install audio and visual equipment in the Wescustogo Hall and to fund the installation of a culvert located on Sweetser Road (a previously approved Capital Improvement Project), which are eligible government services as set forth in the U.S. Department of Treasury's Final Rule and as determined by the Select Board to be in the best interests of the Town. **Selectperson Reed moved, seconded by Chairperson Sites. Discussion: Andy Walsh, Firefly Lane, shared error in Sweetser Road culvert and AV furnishings, the amounts are reversed. Culvert should be \$172,000 with AV furnishings up to \$200. Audrey Lones, Baston Road, what the plans are for using the future funds expected to be received to take advantage of other needs for the Town. Chairperson Sites explained that there are restrictions on these funds, and they plan to take full advantage all available funds. Paul Whitmarsh, Wild Turkey Lane, clarified even though the culvert/av figures were reversed the total amount will not change. Draven Walker, Assistant to the Town Manager, American Rescue Plan, spoke to how the funds will assist the audio/video broadcasting equipment. Article 20 passed.**

ARTICLE 21: [Written ballot required by State statute.] To see if the Town will vote to increase the property tax levy limit (LD1) of **\$1,000,245.00** established for the Town of North Yarmouth by State law if the municipal budget approved under the preceding articles results in a tax commitment that is greater than the property tax levy otherwise allowable. **Selectperson Moulton moved, Selectperson Hodgetts seconded. Discussion: None. 94 Yes 15 No. Article 21 passed.**

Select Board and Budget Committee recommend approval.

ARTICLE 22: To see if the Town will vote to appropriate funds received from the registration of snowmobiles to be allocated to Town established snowmobile club(s) for the purpose of maintaining their snowmobile trails, on the condition that those trails be open to the public for snowmobile purposes at no charge during the snow season. **Selectperson Reed moved, seconded by Selectperson Hodgetts. Discussion: Diane Burnell, Split Rock Road, asked what the change from current policy is. Town Manager Barnes explained the funds are a pass through to the snowmobile clubs which must be voted on annually. Article 22 passed.**

Select Board and Budget Committee recommend approval.

ARTICLE 23:

- 1) To see if the Town will vote to make all taxes assessed for the Town's 2023 fiscal year, July 1, 2022, through June 30, 2023, due in two (2) installments, with the first half (1/2) of the total amount assessed due and payable on **September 15, 2022**, and the second half (1/2) due **March 15, 2023**; and to charge **interest** at the rate of four percent (**4.00%**) per year computed on a daily basis on any portion of the installment due that remains outstanding as of September 16, 2022 and March 16, 2023;
- 2) To see if the Town will vote to authorize the Tax Collector to accept payment of real estate property taxes not yet due or assessed at zero percent (0%) interest pursuant to 36 M.R.S. § 506;
- 3) 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 then, if necessary, from Unassigned Fund Balance; and
- 4) To see if the Town will vote to set the interest rate to be paid by the Town on overpaid and abated taxes at zero percent (0%), pursuant to 36 M.R.S. § 506-A.

Chairperson Sites moved, seconded by Vice Chair Moulton. Discussion: Selectperson Hodgetts asked if seniors would be penalized or liened if payments cannot be made. Town Manager Barnes explained that once the tax rates and dates are set the process cannot be stopped. The Town offers the Senior Property Tax Assistance for eligible residents. Article 23 passed.

Select Board recommends approval.



ARTICLE 24: 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 further authorize the Select Board to expend such sums of money as it deems necessary from these funds for their designated purposes. These expenditures may be reflected outside of the Town's approved budget. **Selectperson Hodgetts moved, Selectperson Reed seconded. Discussion: Kimry Corrette, Gray Road, is against a governing body accepting gifts and suggested wording be changed. Selectperson Reed advised it is for gifts to Town verses a particular person or committee. Jay Fulton, New Gloucester Rd, asked for explanation of process of decision making for gifts or monies are received and disposed. Town Manager Barnes explained that the money is typically goes into a particular account to be spent for those purposes. Chair Sites advised amounts are in the finance policy that can not be exceeded. Vice Chair Moulton promised to follow up. Mandy Ball, Sligo Road, is uncomfortable on process how money is spent. Amy Haile agrees with the moderator's explanation of the gift givers having control on how it will be used. Draven Walker explained his understanding. Selectperson Reed used comparison on Article 3 as an example. Article 24 passed.**

Select Board recommends approval.

ARTICLE 25: To see if the Town will vote to authorize the Select Board, or the Treasurer acting in concurrence with the Select Board, to apply for State, federal (including Community Development Block Grants) and other grants on behalf of the Town for purposes deemed by the Select Board to be in the best interests of the Town; to accept such grants, including, when necessary, the authority to sign contracts and related documents and to accept conditions of approval; to appropriate such grant funds for any purpose for which the Town has appropriated funds in the Town's 2023 fiscal year, July 1, 2022, through June 30, 2023; and to authorize the Select Board to expand up to \$25,000 from Unassigned Fund Balance, if necessary, as matching funds for any grant. These expenditures may be reflected outside of the Town's approved budget. **Chair Sites moved, seconded by Vice Chair Moulton. Discussion: Paul Whitmarsh, Wild Turkey Lane, is concerned with the amount of funds that can be spent without a greater amount of residents in the approval process. Selectperson Reed stated the 5 member panel has to routinely run for election. Selectperson Hodgetts asked for clarification, Town Manager Barnes explained. Article 25 passed.**

Select Board recommends approval.

ARTICLE 26: To see if the Town will vote to authorize the Select Board to authorize any overdrafts that may occur in Town operations during the fiscal year ending June 30, 2022, to be taken from Unassigned Funds Balance. **Selectperson Moulton moved, seconded by Selectperson Reed. Discussion: Andy Walsh, Firefly Lane, concerned there is no limit and would it make sense to put a limit on the amount. Town Manager Barnes stated that is hard to know until the end of the year that there will be overdrafts and gave example of things that cannot be controlled. Judy Potter, Walnut Hill, believes there should be no need for overdrafts when there is a budget. Paul Whitmarsh, Wild Turkey Lane, wants the Town to return to the residents to get approval for things like paving of Mill Road. Lincoln Merrill, North Road, agrees with previous speakers and in favor of bringing expenditures that exceed the approved amounts. Vice Chair Moulton understands the concern. Selectperson Reed suggested a possible limit before a public hearing is called. Chair Sites wanted to hear more resident feedback. Audrey Farber, Walnut Hill Road, spoke in favor of. Anne Graham, Farms Edge Road, feels residents need to have trust in the Select Board and Town Manager to make sound decisions. Holly Day, Hallowell Road, asked to clarify if this for Fiscal Year 2022. Paul Whitmarsh, Wild Turkey Lane, doesn't understand why there is no limit. Lincoln Merrill, North Road, asked for clarification what fiscal year this affects. Town Manager Barnes confirmed it is for Fiscal Year 2022. Article 26 passed.**

Select Board recommends approval.

ARTICLE 27: To see if the Town will vote to authorize the Select Board to dispose of Town-owned personal property with a value of \$25,000 or less, as determined by the Select Board, under such terms and conditions

as it deems advisable, and to further authorize the Select Board to execute all documents necessary for the transfer of such property. **Selectperson Hodgetts moved, seconded by Selectperson Reed. Discussion: None. Thad Day, Hallowell Road thanked the Select Board and Budget Committee for their work. Article 27 passed.**

Select Board recommends approval.

Chairperson Sites moved to adjourn, seconded by Selectperson Reed. Meeting adjourned at approximately 11:50am.

Respectfully,

**Cheryl Goodwin
Recording Secretary**

Given unto our hands this 19th day of April 2022 at North Yarmouth, Maine.

Select Board

Brian Sites, Chairperson

James Moulton, Vice Chairperson

David Reed

Paul Hodgetts

A true copy of the warrant,

Attest: _____, Debbie Allen Grover, Town Clerk

RETURN OF THE WARRANT

North Yarmouth, Maine _____, 2022

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, Blue Seal Farm & Home, North Yarmouth Fire Rescue Station and Toddy Brook Café in said town, being public and conspicuous places in said town, on the ____ day of April 2022, being at least seven (7) days before the meeting.

Clark M. Baston, Resident

