

**Town of North Yarmouth  
Select Board Meeting Agenda  
Tuesday, December 17, 2019 - 7:00 PM  
Town Office Conference Room**

**I. Call to Order**

- Pledge of Allegiance

**II. Minutes of Previous Meeting(s)**

- December 3, 2019

**III. Special Presentations**

- Assessing Report - Renee LaChapelle, Cumberland County Assessing
- Law Enforcement - Capt. Scott Stewart, Cumberland County Sheriff's Dept.

**IV. Public Comment - Non-Agenda Items**

Comments regarding issues, concerns, commendations, or matters of general public information are welcome. Individuals shall have three (3) minutes to speak and be asked to state their name & legal residence. The public is encouraged when commenting or expressing points of view about an individual(s) that they do so in a respectful and constructive manner. Topics relating to personnel or personnel matters cannot be acknowledged.

**V. Management Reports & Communications**

- Select Board Communications
- Town Manager's Report
- Financial Reports: Operating - November; Capital Investments

**VI. Old Business**

- Friends of Wescustogo - Fundraising Review and Ad Hoc Committee Term
- Pine Tree Waste Services/Casella - Solid Waste Disposal Plan Proposal - UPDATE

**VII. New Business**

- Committee Appointments
- Regulations for the Use of Parks & Recreation Area Ordinance - Proposed Amendments
- Consolidated Communications - Lease of Town Property

**VIII. Accounts Payable**

- Review & Approval

**IX. Any Other Business**

**X. Adjournment**

**REMINDERS TO THE ATTENDING PUBLIC:** Please mute all digital devices; Select Board meetings are open to the public, but the public may not speak unless recognized by the Chairperson first.

**Workshops:** The public is welcome to attend workshops and listen to the discussion that takes place. The purpose of holding a workshop is to provide the Select Board with the opportunity to focus on specific town matters to later present at a regular business meeting. Therefore, public participation is limited to only regular business meetings of the Select Board.

December 17, 2019

**Agenda - Section II. Meeting Minutes**

- *Move to approve the minutes for December 3, 2019, as presented. Second, discussion and vote follow.*

**Town of North Yarmouth  
Select Board  
Meeting Minutes of Tuesday, December 3, 2019**

**Call to Order** – Members Present: William Whitten, Stephen Morrison, James Moulton, and Jennifer Speirs. The Town Manager gave notice of her absence. Chairperson Whitten called the meeting to order.

**Public Hearing** – Chairperson Whitten moved to open the Public Hearing on the proposed changes to the Fee Schedule. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.** Chairperson Whitten provided the public with an explanation of the proposed changes to the fee schedule. These changes can be found at the Town Office or northyarmouth.org, the Town website. Darla Hamlin, 63 New Gloucester Road, described her concern to the Board regarding the rate for for-profit rentals at the Wescustogo Hall & North Yarmouth Community Center. Selectperson Morrison moved to close the Public Hearing. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.**

Selectperson Speirs moved to approve the proposed amendments to the town Fee Schedule, as presented, and effective December 3, 2019. Selectperson Moulton seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.**

**Minutes of Previous Meeting(s)** – Selectperson Speirs moved to approve the minutes for November 6, 2019, as presented. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.** Selectperson Speirs moved to approve the minutes for November 19, 2019, as presented. Selectperson Morrison seconded the motion. Discussion: Selectperson Moulton had some questions he wanted to present to the Town Manager when she arrived back from her absence. **Vote: 4 Yes – 0 No.**

**Public Comment - Non-Agenda Items** – None.

**Management Reports & Communications:**

Select Board Communications

- Selectperson Moulton stated his concern with the results from a study that reported North Yarmouth as the third most expensive community to reside in the State of Maine.
- North Yarmouth students involved in school sports (Chairperson Whitten)

Manager's Report – The Town Manager's report can be found on the Town's website, northyarmouth.org, or at the Town Office.

**Old Business** –

Friends of Wescustogo – Darla Hamlin presented to the Board three donors who wish to purchase the naming of three rooms at the Wescustogo Hall and North Yarmouth Community Center. Darla Hamlin informed that the donors would like their last names Anderson, Grover, and Merrill, to replace Meeting Rooms 1, 2, and 3, respectively. The Board initiated in a conversation about the legal requirements needed to approve the three \$25,000 donations presented by Darla Hamlin from the Friends of Wescustogo Committee. The Select Board would like more information provided on the process of naming rights and requested that the Town Manager provide a report for the next meeting before the Board makes any decision on these donations. The Board, in consensus, tabled the item.

Recycling Reform Resolution – Chairperson Whitten moved to endorse the Recycling Reform Resolution, as presented. Selectperson Moulton seconded the motion. Discussion: Chairperson Whitten, Selectperson Speirs, and Selectperson Moulton expressed their issues with passing the cost of product packaging onto the consumer. Selectperson Morrison stated supported signing the resolution. **Vote: 1 Yes (Selectperson Morrison) – 3 No.**

**New Business** – None.

**Accounts Payable** – Selectperson Speirs moved to approve accounts payable warrants 22 and 23 in the amount of \$66,372.21, as presented. Selectperson Morrison seconded the motion. Discussion: Selectperson

Moulton had a few questions that he wanted to ask the Town Manager when she returned. **Vote: 4 Yes – 0 No.**

**Any Other Business** – Darla Hamlin informed the public and the Board of the Santa Helpers campaign. Contact information for Darla Hamlin can be found at the Town Office.

**Adjournment** - Chairperson Whitten moved to adjourn.

Prepared By: Draven Walker  
Executive Assistant/Recording Secretary

Select Board

\_\_\_\_\_  
William Whitten, Chair

\_\_\_\_\_  
Stephen Morrison, Vice Chair

\_\_\_\_\_  
Jim Moulton

\_\_\_\_\_  
Jennifer Speirs

December 17, 2019

**Agenda - Section III. Special Presentations**

- Assessing Report - Renee LaChapelle, Cumberland County Assessing

*Ms. LaChapelle will provide the Board with an update on the progress of the town's assessment process.*

- Law Enforcement - Capt. Scott Stewart, Cumberland County Sheriff's Dept.

Captain Stewart will provide the Board with an overview of law enforcement services with the Cumberland County Sheriff's Department. He will touch base on costs, joint services with another town, and activity experience and coverage relative to North Yarmouth. For reference included herein is a copy of the last proposed service costs obtained in 2016.

**Office of the Sheriff**  
 Cumberland County  
 36 County Way  
 Portland, ME 04102-2755  
 (207) 774-1444



**Kevin Joyce**  
 Sheriff

**Naldo Gagnon**  
 Chief Deputy

Draft 9/26/2015

**Contract Sample 2015 2016**  
**FROM 07/1/15 TO 6/30/16**

**PERSONNEL COSTS:**

	<i>Hourly rate</i>	\$23.10
ONE FULL TIME DEPUTY		\$40,656.00
2016 COLA 2%		\$406.56
<b>TOTAL SALARY</b>		<b>\$41,062.56</b>

**COMPENSATION TIME (@ 1.5)-Back Fill**

# Of Days	12.00	VACATION	\$4,158.00
	10.00	HOLIDAYS	\$3,465.00
	2.00	PERSONAL	\$693.00
	11.00	SICK	\$3,811.50
		<b>TOTAL COMP COSTS</b>	<b>\$12,127.50</b>

**FRINGE BENEFIT COSTS:**

	7.65%	SOCIAL SECURITY	\$4,069.04
	3.38%	WORKERS COMP	\$1,797.82
	8.90%	RETIREMENT	\$3,654.57
<i>Family</i>		HEALTH INSURANCE	\$16,124.24
		<b>TOTAL FRINGE COSTS</b>	<b>\$25,645.67</b>

**OTHER FIXED COSTS**

	3.0%	CONTRACT SUPERVISION	\$1,595.70
\$	500.00	VEHICLE INSURANCE	\$500.00
\$	520.00	PROFESSIONAL LIABILITY FOR DEPUTY	\$520.00
		<b>TOTAL OTHER FIXED COSTS</b>	<b>\$2,615.70</b>

**OPERATIONAL COSTS**

\$	552.00	AIR CARDS FOR COMPUTER- (\$46 per month)	\$552.00
\$	520.00	TIRES FOR VEHICLE (4 Tires)	\$520.00
	-		\$0.00
		MAINTENANCE VEHICLE	\$600.00
		<b>TOTAL OPERATIONAL COSTS:</b>	<b>\$1,672.00</b>

**CAPITAL COSTS**

		NEW VEHICLE	\$36,000.00
		FIT UP NEW VEHICLE	\$25,000.00
		EQUIPMENT -taser cartridges	\$0.00
		<b>TOTAL CAPITAL IMPROVEMENTS:</b>	<b>\$61,000.00</b>

**TOTAL CONTRACT COST FOR THIS PERIOD: \$144,123.43**

**FINANCE OFFICE  
NOTES & CALCULATIONS**

at the 2015 rate of 2%- for 6 months

<b>Family coverage</b>	19055.92
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	\$123,911.54
Difference from last year	\$20,211.89
	26.77%

December 17, 2019

**Agenda - Section V. Management Reports & Communications**

- Select Board Communications
- Town Manager's Report\*
- Financial Reports: Operating - November; Capital Investments\*

\*Reports herein.



The information contained in this report is intended to inform the Select Board, staff, and residents, some of the current activities taking place within the manager's office or the Town in general. All topics are open for discussion.

**New Team Member** - I am pleased to announce that Nick Hutchins of New Gloucester has joined the Public Works Department as our new laborer/mechanic. Nick is a member of NY's Fire Rescue Department and has worked on the town's departmental fleets on an on-call basis for over six years. Nick is also a member of the Gray Fire Rescue Department.

**Community Center** - The Community Center is thriving. Director, Lisa Thompson, has provided me with updates on the requests for use. We are discovering that there are more variables to rentals requests, which have caused us to review our standards for the fee schedule. I believe this is a very normal process that we are experiencing, and we will be providing the Board in January with additional fee schedule amendments.

**Solar Panels** - The solar panels have been installed at the Community Center. Activation is expected in the coming week. I have included with this report a baseline report on electricity for the building as an informational item requested by Selectman Moulton.

**Traffic Calming** - I have scheduled a meeting with the Traffic Calming Team for early January to discuss the feedback from the community forum and to start planning the next steps for the FY21.

**Cumberland County Community Development Program** - Working with Volunteers of America through their representative, Brian Sites, and the towns of Gray and New Gloucester, we have filed for a county grant to engage in VOA's By Your Side program. Brian Sites and Chief Payson will be joining us at a January meeting with a full presentation of this program. I have included with this report a brief outline of the program.

**Lease Affordable Communities** - Included here, you will find an explanation of the USPS poll from its website that was released through WMTW (News 8) online that I shared with the Board in November.

**Meetings** - Actively participated in meetings with representatives from Casella to discuss improvements to garbage pickups and communications with residents and the Economic Development & Sustainability Committee.

**Upcoming Training and Holiday Closings** - Non-emergency offices will be closed on December 17<sup>th</sup> for mandatory CPR & First Aid training in the a.m. hours, and the staff holiday gathering will be in the afternoon (rescheduled from December 3<sup>rd</sup>.) Non-emergency service will also be closing at noon on December 24<sup>th</sup> through December 25<sup>th</sup>.

**Management Time Off** - I will be out of the office the week of December 23<sup>rd</sup>.

Respectfully submitted, and have a joyful holiday season,

*Rosemary*

Rosemary E. Roy, Town Manager



ELECTRICITY COSTS (CMP)

FY2019/2020 ACCOUNT NO.	LOCATION	JULY		AUGUST		SEPTEMBER		OCTOBER		NOVEMBER	
		UNITS	COST	UNITS	COST	UNITS	COST	UNITS	COST	UNITS	COST
3501-0498-802	FIRE STATION	2163	336.38	2583	397.88	2459	379.52	2004	312.13	2102	326.64
3501-0507-990	PWD	1481	235.15	1699	266.96	1852	289.61	1964	306.21	2528	389.73
3501-6178-291	Rt 9 & North Rd	14	17.37	15	17.55	17	17.85	14	17.40	14	17.40
3501-4313-304	Street Lights		224.76		233.29		238.96		257.77		258.40
3501-1848-294	Town Office #1	431	76.41	467	82.48	650	111.25	867	145.35	700	119.10
3501-7054-863	Town Office #2	1948	315.56	2022	326.84	2325	374.46	2061	332.97	2629	422.23
3501-6653-624	Veterans Park	11	16.94	14	17.40	16	17.70	18	18.00	19	18.14
3001-0697-644	WH&CC	3860	620.53	5920	905.11	3920	762.79	4880	804.91	6720	1017.45

December 12,2019

# By Your Side



## Keeping Residents Connected and Safe at Home

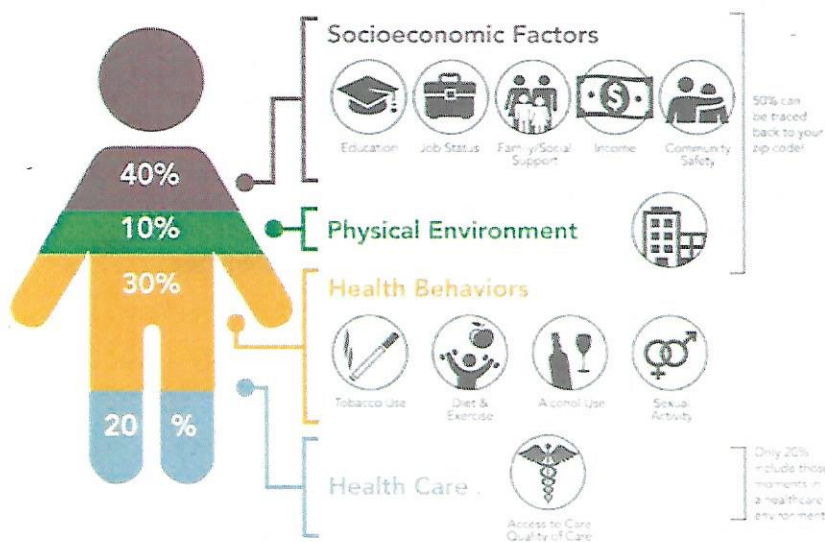
We build lasting relationships with individuals, helping them to identify and access the services they need to remain healthy at home.

### A History of Caring for the Most Vulnerable Among Us

Volunteers of America is a social services agency with 125 years of reaching and uplifting individuals in need, always with a focus of meeting them where they are in life's journey. Volunteers of America Northern New England has worked to develop housing and programming that creates affordable, independent living for seniors; veteran housing and assistance; behavioral health group homes and supportive services; and community-based correctional programs.

Helping individuals navigate social determinants of health is part of everything we do. *By Your Side* is a partnership model that, in conjunction with healthcare organizations, brings our expertise to new communities.

### 80% of Health Determinants Exist Outside the Health Care System



**By Your Side**  
provides support  
where the healthcare  
system does not.



Source: Institute for Social Systems Improvement: Going Beyond, Inc. A Walk, Talking, Complex Problems, October 2014

# United States



# Zip Codes.org

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[ZIP Code Database](#)

[About the Rankings](#)

The Census Bureau has released the latest estimates from the American Community Survey data to estimate the median monthly housing cost. We have crunched the numbers and the rankings are in. See the ZIPs in Maine with the lowest median monthly housing cost below, and the highest median monthly housing cost ZIPs. Only ZIP codes with a low margin of error are included.

The monthly housing costs include the major costs paid by owners (mortgage payments, real estate taxes, insurance, utilities, and condo fees) as well as the major costs for renters (contract rent and utilities). According to the Bureau of Labor Statistics, housing is often the largest expense for households at around 33% - well above transportation (16%), food (13%), and healthcare (8%). Keep in mind that housing might be cheap for a reason: people may be fleeing part of the country creating a large supply with little demand.

The Maine median monthly housing cost from the latest estimates is \$884 and has risen 0.7% from \$878.

This year saw several big changes. 04267 (North Waterford, ME) ranked for the first time, 04227 (East Dixfield, ME) ranked for the first time, 04668 (Princeton, ME) fell from #4 to #6, 04487 (Springfield, ME) fell from #6 to #7, and 04495 (Winn, ME) rose from #9 to #8.

\* The maximum margin of error for ranking is \$500

Data from the U.S. Census Bureau American Community Survey 5-year estimates for 2017.

[https://www.unitedstateszipcodes.org/rankings/zips-in-me/median\\_monthly\\_housing\\_cost/](https://www.unitedstateszipcodes.org/rankings/zips-in-me/median_monthly_housing_cost/)

## Expense Detail Report

30-Nov-19

	FY19 Budget	Debits/Credits	Unexpended Balance	%	Current Budget	Debits	Credits	Unexpended Balance	%
110 - MUN ADMN									
01 - OPERATIONS	335,123.00	129,690.04	205,432.96		392,333.00	161,742.25	80.00	230,670.75	
02 - CONTR/PROF	67,660.00	23,866.50	43,793.50		78,716.00	25,524.67	275.00	53,466.33	
03 - BLDG/GRNDS	63,045.00	21,094.65	41,950.35		61,577.00	24,232.99	3.59	37,347.60	
04 - COMMCOMM	9,950.00	3,412.46	6,537.54		8,500.00	952.14	0.00	7,547.86	
05 - NYMS	21,438.00	7,534.12	13,903.88		0.00	693.59	0.00	-693.59	
	<b>497,216.00</b>	<b>185,597.77</b>	<b>311,618.23</b>	<b>37.33</b>	<b>541,126.00</b>	<b>213,145.64</b>	<b>358.59</b>	<b>328,338.95</b>	<b>39.46</b>
120 - COMM SVCS									
01 - CEO/PLAN	69,219.00	23,684.05	45,534.95		103,698.00	35,861.50	0.00	67,836.50	
02 - ECONOM DEV	69,400.00	4,150.00	65,250.00		58,400.00	20,316.82	0.00	38,083.18	
03 - PKS/REC	8,850.00	1,902.91	6,947.09		11,350.00	1,647.36	0.00	9,702.64	
04 - GENL ASST	7,688.00	144.00	7,544.00		7,688.00	539.00	0.00	7,149.00	
05 - SOC SERVC	3,440.00	3,068.86	371.14		3,440.00	3,070.04	0.00	369.96	
06 - CEMETERIES	5,215.00	75.00	5,140.00		5,765.00	2,847.99	0.00	2,917.01	
07 - LIVING WELL	750.00	0.00	750.00		750.00	906.45	0.00	-156.45	
08 - HIST SOCIE	5,000.00	375.00	4,625.00		1,750.00	0.00	0.00	1,750.00	
	<b>169,562.00</b>	<b>33,399.82</b>	<b>136,162.18</b>	<b>19.70</b>	<b>192,841.00</b>	<b>65,189.16</b>	<b>0.00</b>	<b>127,651.84</b>	<b>33.80</b>
130 - PUBL SAFETY									
01 - FIRE RESCUE	281,827.00	120,535.94	161,291.06		322,308.00	149,300.09	844.99	173,852.90	
02 - CONTR/PROF	99,967.00	14,449.89	85,517.11		109,902.00	36,452.40	0.00	73,449.60	
	<b>381,794.00</b>	<b>134,985.83</b>	<b>246,808.17</b>	<b>35.36</b>	<b>432,210.00</b>	<b>185,752.49</b>	<b>844.99</b>	<b>247,302.50</b>	<b>43.17</b>
140 - PUBLIC WORKS									
01 - OPERATIONS	447,813.00	148,886.94	298,926.06		429,518.00	140,640.69	1,627.28	290,504.59	
	<b>447,813.00</b>	<b>148,886.94</b>	<b>298,926.06</b>	<b>33.25</b>	<b>429,518.00</b>	<b>140,640.69</b>	<b>1,627.28</b>	<b>290,504.59</b>	<b>33.12</b>
150 - SW/RECYCLING									
01 - SOLID WASTE	202,905.00	76,314.45	126,590.55		228,188.00	67,218.11	0.00	160,969.89	
	<b>202,905.00</b>	<b>76,314.45</b>	<b>126,590.55</b>	<b>37.61</b>	<b>228,188.00</b>	<b>67,218.11</b>	<b>0.00</b>	<b>160,969.89</b>	<b>29.46</b>
160 - FIXED EXPENS									
02 - EE BENEFITS	265,654.00	105,897.55	162,549.45		285,900.00	463,525.00	231,762.50	54,137.50	
03 - INSURANCE	39,767.00	21,115.50	18,651.50		323,435.00	97,989.26	0.00	225,445.74	
04 - EDUCATION	7,333,711.00	3,055,712.85	4,277,998.15		41,457.00	25,713.00	0.00	15,744.00	
05 - SHARED SVCS	178,994.00	44,748.00	134,246.00		7,368,665.00	3,070,277.02	0.00	4,298,387.98	
06 - COUNTY TAX	336,663.00	336,663.00	0.00		165,876.00	41,468.92	0.00	124,407.08	
	<b>8,729,389.00</b>	<b>3,598,599.69</b>	<b>5,146,441.55</b>	<b>41.22</b>	<b>362,248.00</b>	<b>362,248.00</b>	<b>0.00</b>	<b>0.00</b>	
					<b>9,131,681.00</b>	<b>4,079,157.38</b>	<b>231,762.50</b>	<b>5,284,286.12</b>	<b>47.21</b>
<b>Final Totals</b>	<b>10,428,679.00</b>	<b>4,177,784.50</b>	<b>6,266,546.74</b>	<b>40.06</b>	<b>10,955,564.00</b>	<b>4,751,103.47</b>	<b>234,593.36</b>	<b>6,439,053.89</b>	<b>45.51</b>

**Revenue Detail Report  
30-Nov-19**

	FY19 Budget	Debits/Credits	%	Current Budget	Debits	Credits	Uncollected Balance	%
<b>100 - REVENUES</b>								
4010 - AGENT FEES	12,300.00	5,064.00	41.17	12,100.00	0.00	6,155.75	5,944.25	50.87
4020 - RESCUE FEES	65,000.00	17,780.06	27.35	60,000.00	0.00	49,398.65	10,601.35	82.33
4030 - APPEALS	50.00	0.00	0.00	50.00	0.00	0.00	50.00	-
4035 - BAD CHECK FEES	0.00	40.00	100.00	0.00	0.00	0.00	0.00	-
4040 - BETE REIMBURSEMENT	0.00	0.00	0.00	1,200.00	0.00	0.00	1,200.00	-
4050 - BOAT EXCISE	8,500.00	1,488.40	17.51	8,500.00	316.60	1,647.10	7,169.50	15.65
4060 - BUILDING PERMITS	41,000.00	20,900.00	50.98	60,000.00	0.00	46,504.01	13,495.99	77.51
4067 - BURN PERMITS - ONLINE	240.00	0.00	0.00	240.00	0.00	0.00	240.00	-
4070 - CASH SHORT/OVER	0.00	6.54	100.00	0.00	30.27	0.00	-30.27	-
4080 - CATV FRANCHISE FEES	29,000.00	18,004.56	62.08	30,800.00	0.00	14,558.55	16,241.45	47.27
4090 - CELL TOWER RENTAL	37,200.00	12,939.61	34.78	39,000.00	0.00	16,911.16	22,088.84	43.36
4110 - CEO MISC. PERMITS	300.00	0.00	0.00	300.00	0.00	0.00	300.00	-
4120 - CEO POWNAL SERVICES	15,000.00	4,900.66	32.67	17,500.00	0.00	0.00	17,500.00	-
4130 - CLERK FEES	755.00	200.00	26.49	755.00	0.00	454.00	301.00	60.13
4140 - CUSTOMER SERVICES FEES	700.00	226.42	32.35	700.00	0.00	149.70	550.30	21.39
4150 - DOG LICENSE FEES / ACO SERVICE	1,650.00	197.00	11.94	1,650.00	0.00	210.00	1,440.00	12.73
4157 - PARK USE PERMIT DOGS	0.00	550.00	100.00	1,200.00	0.00	250.00	950.00	20.83
4160 - ELECTRICAL PERMITS	7,500.00	4,027.43	53.70	10,500.00	40.00	10,644.22	-104.22	100.99
4200 - GENEALOGY SEARCH	250.00	35.00	14.00	150.00	0.00	0.00	150.00	-
4210 - GENERAL ASSISTANCE	2,500.00	0.00	0.00	2,500.00	0.00	0.00	2,500.00	-
4220 - HOMESTEAD EXEMPTION	200,527.00	182,780.00	91.15	200,527.00	0.00	208,503.00	-7,976.00	103.98
4255 - EMA REIMBURSEMENTS	0.00	26,091.79	100.00	0.00	0.00	0.00	0.00	-
4260 - LOCAL ROAD ASSISTANCE PROGRAM	27,000.00	27,232.00	100.86	27,000.00	0.00	27,952.00	-952.00	103.53
4265 - PROPERTY & CASUALTY POOL	2,000.00	2,683.00	134.15	2,500.00	0.00	5,505.00	-3,005.00	220.20
4270 - MSAD ELECTIONS	2,200.00	1,503.38	68.34	1,600.00	0.00	0.00	1,600.00	-
4280 - MISC REVENUES	1,200.00	2,157.43	179.79	1,200.00	5,505.00	5,627.57	1,077.43	10.21
4290 - BMV EXCISE	867,000.00	411,682.56	47.48	965,000.00	18,521.73	427,330.78	556,190.95	42.36
4310 - PEER REVIEW	1,000.00	0.00	0.00	1,000.00	0.00	0.00	1,000.00	-
4320 - PLANNING BOARD	1,200.00	0.00	0.00	1,200.00	0.00	350.00	850.00	29.17
4330 - PLUMBING PERMITS	8,000.00	4,350.00	54.38	8,500.00	327.50	8,310.00	517.50	93.91
4335 - PRIVATE ROAD SIGNS	300.00	0.00	0.00	300.00	0.00	70.32	229.68	23.44
4340 - RENTAL FEES	13,000.00	4,330.00	33.31	25,500.00	0.00	4,775.00	20,725.00	18.73
4350 - REVENUE SHARING	191,575.00	81,403.22	42.49	387,000.00	0.00	121,258.55	265,741.45	31.33
4370 - SITE PLAN REVIEW	1,200.00	300.00	25.00	1,200.00	0.00	275.00	925.00	22.92
4380 - SNOWMOBILE CLUBS STATE REIMBUR	1,200.00	0.00	0.00	1,250.00	0.00	0.00	1,250.00	-
4390 - SOLID WASTE/RECYCLING	140,000.00	57,117.50	40.80	186,300.00	0.00	76,718.50	109,581.50	41.18
4400 - SW HAULER PERMIT	75.00	0.00	0.00	75.00	0.00	0.00	75.00	-
4420 - TAX INTEREST	12,500.00	5,676.81	45.41	15,000.00	7.73	6,101.44	8,906.29	40.62
4430 - TAX PENALTY	3,500.00	732.76	20.94	3,000.00	0.00	1,303.89	1,696.11	43.46
4480 - TREE GROWTH EXEMPTION	3,700.00	2,417.84	65.35	4,000.00	0.00	2,641.04	1,358.96	66.03
4500 - VETERAN'S EXEMPTION	2,950.00	1,340.00	45.42	2,950.00	0.00	1,598.00	1,352.00	54.17
4510 - VITAL RECORDS	3,100.00	1,279.00	41.26	3,100.00	0.00	874.40	2,225.60	28.21
<b>Final Totals</b>	<b>1,705,172.00</b>	<b>899,436.97</b>	<b>52.75</b>	<b>2,085,347.00</b>	<b>24,748.83</b>	<b>1,046,077.63</b>	<b>1,063,957.66</b>	<b>48.97</b>

December 17, 2019

**Agenda - Section VI. Old Business**

- Friends of Wescustogo - Fundraising Review and Ad Hoc Committee Term

Enclosed herein please find the following:

- Town Manager's Memorandum (September 2018) - On fundraising following discussions with bond and legal council.
  - Select Board - Meeting Minutes (September 2018 and February 2019) - Recorded actions on fundraising policy.
  - Charitable Fundraising Policy – Naming Section (February 2019)
  - Charitable Fundraising Addendum – Friends of Wescustogo (February 2019)
- Pine Tree Waste Services/Casella - Solid Waste Disposal Plan Proposal - UPDATE

On December 5<sup>th</sup>, Randy McMullin, a representative of the Maine Department of Environmental Protection, met with staff and a Morgan Blanton of Casella to inspect the reclamation of a section of the Town sandpit as well as the disposal of the peat moss from Casella. Findings are as follows:

- There are no issues with the disposal of the peat moss.
- The Town needs to outline a “gravel pit closure plan” that would address how we wish to close out this section of the gravel pit over the next 2, 5, or 10 years. The plan would include how and with what materials the pit areas would be reclaimed.
- A plan will be needed on how the materials will be mixed or ground with the peat pots into the soil with compost or fertilizer to allow the vegetation to grow. Some lime may be needed to adjust the pH balance of the soil. Casella should be able to assist with this.
- We can no longer maintain a brush pile on the site without periodic composting of the material.
- A basic permit by rule would take care of most of the Town's needs.
- Disaster Debris Management document is included here for review by the Town Manager and Select Board for insight on dealing with any disasters of this kind.
- Mr. McMullin will be advising the Yarmouth Water District of his findings.
- Other resources Chapter 410 which are the Composting Rules:  
<http://www.maine.gov/sos/cec/rules/06/096/096c410.docx>  
<https://www.maine.gov/dep/waste/solidwaste/documents/410pbrcompost.pdf>

Clark and I, as time allows, will begin working on a management plan for the sandpit while working with MDEP and Casella on specific issues of the plan.

Date: August 28, 2018

To: Select Board  
 Fr: Rosemary E. Roy, Town Manager *RR*  
 Cc: Ryan Keith, Owner's Representative

**RE: WESCUSTOGO HALL & NY COMMUNITY CENTER PROJECT - FINANCING**

**Fundraising Revenue** - Entering year two of the project design phase the Wescustogo Building & Design Committee in conjunction with the Select Board agreed that fundraising would be a necessary component to the financing of the facility. An amount of \$250,000 was determined to be the targeted goal by the committee. As final project costs were announced and financial planning began we learned that the bond financing must include secure funding of the project to ensure its completion. Because fundraising is an uncertain funding mechanism it was taken out of the equation presented to the voters on June 12, 2018. However, the intent still remains that funds raised for this project are to be applied to the approved cost of the project. I have discussed this matter with both the Town's bond consultant and legal counsel, and they highly recommend fundraising be applied to specific costs of the project, i.e. fixtures in the lobby, tables, lighting in the hall, etc. In support of this below is warrant Article 3 of the June 12<sup>th</sup> referendum vote:

**ARTICLE 3.** *To see if the Town will authorize the Select Board to appropriate and expend funds from other specific resources such as insurance proceeds, donations, and alike for purposes of assisting in the completion of the Capital Improvement Project known as the Wescustogo Hall & North Yarmouth Community Center.*

**Project Cost** - Rob Barrett and I have discussed the numbers presented to the Select Board back in August and have agreed to the comparisons below which support both the construction contract and the bond referendum are a true statement to the financing of the project.

<b>Wescustogo Hall &amp; North Yarmouth Community Center - Project Costs</b>		
	4/1/2018 Presented/Bond	9/5/2018 Signed Contract
Project Cost	\$ 3,668,375.97	\$ 3,668,375.00 *
Barrett Made Credit	\$ (32,500.00)	\$ (32,500.00)
Subtotal	<b>\$ 3,635,875.97</b>	<b>\$ 3,635,875.00</b>
Remaining Insurance Fund Credit	\$ (430,989.95)	\$ (430,989.95)
Subtotal	<b>\$ 3,204,886.02</b>	<b>\$ 3,204,885.05</b>
7% Additional Contingency (Town)	\$ 225,113.98	\$ -
Bond Amount	<b>\$ 3,430,000.00</b>	

\*Includes BM contingency, subcontractor insurance, overhead & profit.

The question then comes to the foreground that if the project remains inside the contracted price and any unforeseen expenses are eluded, what would happen to any remaining bond proceeds, or should the Select Board reduce the bond amount? Again, through discussions with both the Town's bond consultant and bond counsel the Select Board has the authority to direct the Town Manager to apply any unexpended bond proceeds to first interest and then principal. We also agreed that continuing with the original bond amount is recommended as unforeseen items can arise and again the Town needs to ensure that the project is completed. In addition to this, language in the referendum relating directly to the contracted construction plans it is specifically noted that "...all subject to variances and contingencies that may occur.", which means that the Select Board also has the authority to apply funds to the project to provide additional improvements/needs to the final product.



## WH&CC Charitable Fundraising - Naming

### SELECT BOARD ACTIONS

#### Meeting Minutes of November 7, 2018 (Selectperson Graham – Absent)

Charitable Fundraising Policy: Selectperson Moulton moved to adopt the policy as presented. Selectperson Whitten seconded the motion. Discussion: None. **Vote: 4 Yes – 0 no**

Vice Chairperson Morrison moved to approve the Wescustogo Hall & Community Center fundraising addendum as amended. Guideline #3 is amended to read “during construction all funds raised up to \$250,000 shall go towards the construction costs of the Wescustogo Hall building”. Guideline #4 is amended to read “funds raised over the goal amount or after the completion of the project may go towards additional features upon select board approval” Selectperson Moulton seconded the motion. Discussion: None. **Vote: 4 Yes – 0 no**

#### Meeting Minutes of February 19, 2019

Fundraising Policy: The Select Board received a revised fundraising policy that expanded on naming rights. Naming is considered a Donation with Conditions that must be approved by the public at a town meeting. There is concern over the provision that donations are allowed for 5 years, the fundraising monies have to be used towards construction costs. Monies collected after the project completion date need to be held and used for only future projects at the Wescustogo Hall & Community Center. Donations for naming rights must be received in full prior to the completion of the project.

Selectperson Moulton moved to approve the Charitable Fundraising Policy as amended. Donations for naming rights are to be realized in full prior or before the completion of the project. Selectperson Graham seconded the motion. Discussion: Under individual and family naming, remove the word “prominent.” Selectperson Whitten feels that the Board is making it too difficult for the Friends of Wescustogo to raise money. Chairperson Speirs feels that the fundraising policy as written with the naming rights is an appropriate policy, the long-term donations should be changed to 3 years, and there are no long-term donations allowed for naming rights. **Vote 3 Yes – 2 No (Vice Chair Morrison & Selectperson Whitten)**

Town Manager Roy revised the Friends of Wescustogo charitable fundraising policy addendum. Selectperson Graham moved to approve the Friends of Wescustogo addendum to the Charitable Fundraising Policy as written. Selectperson Moulton seconded the motion. Discussion: None. **Vote 3 Yes – 2 No (Vice Chair Morrison & Selectperson Whitten)**

Selectperson Graham moved to approve the Friends of Wescustogo Charge as written. Selectperson Moulton seconded the motion. Discussion: None. **Vote 3 Yes – 2 No (Vice Chair Morrison & Selectperson Whitten)**

### CHARITABLE FUNDRAISING POLICY – AMENDED FEBRUARY 19, 2019

#### III. NAMING PROVISIONS

##### General:

- A. All naming recognition must be consistent with North Yarmouth’s mission. In this regard, due attention shall be given to both long-term and short-term appropriateness of naming. The Town of North Yarmouth shall not name an outdoor area, interior feature, object or space in a manner that discriminates, slanders or demeans based upon race, religion, sex, age, national origin, color, handicap creed, sexual orientation or socioeconomic

status. Existing and previously named property and spaces will be grandfathered under this policy.

- B. This policy is designed to provide guidance in facilitating the naming process. It is not intended to stifle philanthropic creativity.
- C. Naming recommendations may be presented to the Select Board by a committee or charged representative(s) assigned to the task.

### **Individual/Family Naming:**

- A. An outdoor area, interior feature, object or space may be named for a person or family associated with North Yarmouth who has rendered distinguished service to North Yarmouth or who has made a substantial contribution to society. The above may also be named in recognition of a benefactor whose gift represents a substantial contribution toward total project cost, based on the following criteria:
  - 1. In lieu of naming an area for the benefactor, the donor may propose another person or entity be honored in this manner, subject to approval.
  - 2. The individual has a relationship with North Yarmouth and/or the region, and he or she has/had a positive image and demonstrated integrity reflecting the values of North Yarmouth.
  - 3. In the event of changed circumstances, the Select Board reserves the right, on reasonable grounds, to revise the form of, or withdraw recognition.
  - 4. The guideline for determining a gift amount that represents a substantial contribution to a project shall be established by addendum by committee and or representatives charged with the task with final approval of the Select Board.
  - 5. Donations for naming should be realized in full on or before the completion of the project.
  - 6. Rooms named for an individual or family generally will be termed "**XXX Room.**" If a functional title is selected, the building may be named "**XXX Art Room**" for example. When the proposed naming of a building or feature would not include the benefactor's name (by request of the benefactor), it is recommended that a person or family name be added to the signage, or that the attribution be anonymous.
  - 7. A named interior feature, object or space will not be exhibited on external building walls; the name will be located as close as possible to (and otherwise affiliated with) the funded feature, object or space.
  - 8. The name will remain on the near the outdoor area, interior feature, object or space for the life of the structure. If at some future time the structure is replaced (which may include a major reconstruction that substantially changes the functions / appearance of a building, area or features interior and exterior), the name may or may not be carried on the replacement facility as approved by the Select Board.
    - a. As modifications are made to property over time, situations will occur where it is best to relocate or modify the property. In the event modifications are required or

recommended, the benefactor will be involved in early planning. Proposals to rename facilities or areas or add a second name shall adhere to the criteria outlined above. In addition, these principles shall be followed:

- 1) Any proposal to rename a facility or area or to add a second name in recognition of a gift shall be reviewed by the Select Board. This review shall include any gift documents pertaining to the original gift and related naming, as well as the gift documents pertaining to the subsequent gift proposed.
- 2) When an area or facility named in recognition of a gift or in honor of an individual is developed for another use, the area or facility may be named in recognition of new gifts.
- 3) Appropriate recognition of earlier donors and honorees shall be included in or adjacent to new and renovated facilities, or in redeveloped areas. When a facility or area is proposed for renaming, the Select Board will make all reasonable efforts to inform, in advance, the original donors or honorees and their immediate family members.

### **Corporations or Organizations:**

- A. Corporations or organizations are encouraged to be major benefactors of by recognizing a person or family important to their success. Only in rare situations will an area be named for a corporation or organization whose gift represents a major contribution toward total project cost.
  1. In rare situations will an outdoor area, interior feature, object or space be named for a corporation or organization whose gifts represent a substantial contribution toward the project cost, based upon the criteria outlined in the Individual/Family Naming in Section III of this policy.
  2. The corporation or organization should have a relationship with North Yarmouth and/or the region, a positive image and demonstrated integrity. In the event of changed circumstances, North Yarmouth reserves the right, on reasonable grounds, to revise the form of, or withdraw recognition.

### **Requests:**

- A. A formal memorandum of a request for naming should be submitted to the project representative(s) who shall review the request and present it to the Select Board for review. The memorandum shall include:
  1. The individual donor's name or corporation/corporate foundation and information regarding the gift being recognized.
  2. A brief profile of the donor or corporation, his or her connection to North Yarmouth and an overview of significant past giving.
  3. Any special considerations offered to the donor or corporation, including the structure of the gift.
  4. A description of the recognition, including proposed inscription, mounting and size information, as applicable.

## **Signage Guidelines:**

- A. All interior and exterior recognition signage and lettering may be developed by the committee and or representative(s) charged with the task in consultation with the Town Manager and Select Board. The goal is to design recognition plaques or signage that appropriately adhere to the graphic guidelines of North Yarmouth and are complementary to the existing interior and exterior recognition signage and fit appropriately with design elements of the representative space. Implementation of signage shall not be undertaken until final approval from Select Board.

## **Approval Process:**

- A. No commitment for naming shall be made prior to approval of the proposed name.
- B. Proposals for naming opportunities will follow the approval process described below before publicly discussing recognition of a person, family, corporation or organization and before formally accepting a prospective donor for a naming gift.
- C. Discussions with the individual, corporate, or other organizational donors who seek naming rights must be conducted with the understanding that the Select Board reserves the right on both the minimum amount of a naming gift and the name of the person or organization to be honored by the naming for final approval compliance.
- D. In all bond financed projects bond counsel shall review gifts and naming issues for compliance with municipal bond tax laws prior to submission to the legislative body.
- E. The Select Board shall submit all gifts of condition to the Town's legislative body at a Town Meeting in accordance with Conditional Gifts 30-A M.R.S. § 5654.

## **ADDENDUM ONE (1) - Amended - Charitable Fundraising Policy**

**Committee:** Friends of Wescustogo

**Project:** Wescustogo Hall & North Yarmouth Community Center (WH&CC)

**Date:** February 19, 2019

**Purpose:** The town's Charitable Fundraising Policy shall be used as an overall guideline for the Friends of Wescustogo committee and this addendum provides additional guidance specific to the efforts to raise funds in support of the reconstruction of the Wescustogo Hall and Community Center.

## **Guidelines:**

1. The committee establishes the process by which to obtain the funds and provides the Select Board with the plans.
2. The Friends of Wescustogo (FOW) was established by the Select Board for the purpose of raising \$250,000 towards the construction cost of Wescustogo Hall and Community Center.

3. During construction, all funds raised up to \$250,000 shall go towards the construction costs of the Wescustogo Hall and Community Center building.
4. Funds raised over the goal amount or after the completion of the project may go towards additional features upon Select Board approval.
5. Gifts considered as a Substantial Contribution to a project shall be as follows:
 

▪ Gymnasium	\$ 100,000
▪ Community Room	\$ 75,000
▪ Wescustogo Hall Room #1	\$ 25,000
▪ Wescustogo Hall Room #2	\$ 25,000
▪ Wescustogo Hall Room #3	\$ 25,000
6. Donations will be received and recorded at the Town Office; a separate account will be used for this project.
7. Construction costs will be reviewed and paid on a periodic basis from funds raised at the Town Manager's discretion.
8. Long-term donation commitments for 1-5 years will be set up accordingly for collection.
9. All products offered based on a donation, i.e., "wooden board w/name" shall be filled and prepared for installation.
10. A formal memorandum of a request for naming as described in the Town policy should be submitted to the FOW Chairperson who will present the request to the full committee and the Select Board.
11. Naming recommendations may be presented to the Select Board by the FOW Chairperson.
12. All interior and exterior recognition signage and lettering will be developed by FOW in consultation with the Town Manager and Select Board.



# Planning Ahead for Municipal Disaster Debris Management

## Background

The Maine Department of Environmental Protection (Department) is providing this guidance to help you plan ahead for management of disaster debris. Disaster debris includes vegetative wastes, and limited amounts of demolition debris and MSW resulting from extreme weather events like ice storms, snow storms, or heavy rains. During and after a disaster, there may be the need to quickly remove trash, damaged furnishings, appliances, building debris or woody material from residences, businesses, roadways and open spaces, and temporarily store that debris at a pre-selected site before being able to transfer it to an appropriate disposal facility(ies).

Selecting appropriate site(s) for temporary management of disaster debris and having a plan in place before disaster strikes will help you manage large quantities of debris more safely, more efficiently, and in a more environmentally sound manner. Although you do not need to license temporary disaster debris storage sites, the Department can provide pre-authorization of sites that meet standards to avoid impacts to public health or the environment. This guidance builds on lessons learned from natural disasters we have already experienced in Maine and our region.

## Pre-planning

For your initial site selection process, the Department recommends that you consider areas in your municipality that may be suitable for temporary debris storage, sorting, and processing during or after a disaster when quantities may exceed the capacity of your existing waste management infrastructure. When you have identified one or more possible sites, contact Department staff for feedback and guidance to help you confirm the most appropriate site.

To ensure debris storage sites meet FEMA requirements when Federal funding may be available for disaster expense reimbursement, the Department will provide written pre-authorization for temporary disaster debris management sites for municipalities without requiring a license or fees. Department staff can provide guidance to ensure that you select a site and plan operations so your debris management has minimal adverse impact to the environment or public health.

Please note that the Department's guidance is aimed at reducing health and environmental impacts; because there are many other factors to consider, the Department strongly recommends that you also seek guidance from the Maine Emergency Management Agency (MEMA) and the Federal Emergency Management Agency (FEMA). For instance, they may have specific

requirements on tracking of materials received/managed to provide reimbursement of your expenses. Confirming your debris management plan with state and federal agencies prior to a disaster declaration may increase the likelihood of recovering costs incurred from your debris management operations during a federally declared natural disaster.

### **Siting Considerations**

Concerns and issues to keep in mind when selecting a temporary debris management site include:

- A temporary debris management site is to be used only during an emergency. A formal declaration by the Governor or President is a good indicator of an appropriate event for site use, and the Department may approve use on a case-by-case basis.
- Municipally or publicly-owned properties are preferred, to avoid the need for lease agreements and to minimize the potential for disagreement about property restoration after debris is removed.
- Existing solid waste facilities may be ideal if there is adequate space nearby, since they are already designed to minimize potential problems from waste handling; remember to talk with your DEP project manager.
- Sites should be accessible during extreme weather events. For example, properties accessible only by roads prone to flooding or washout during extreme weather should be avoided, and debris management sites should not be located in flood zones.
- Large (more than one acre in size), open sites with a paved or firm gravel or soil surface are preferable; avoid sites with clay soils that will become a morass with heavy rains.
- Sites should be accessible by heavy truck traffic. To the extent practicable, avoid using sites that would require heavy trucks to travel on evacuation routes during a storm event.
- Avoid sensitive areas such as watershed protection areas, public drinking water supplies, and protected resources such as wetlands, streams, rivers, and ponds, fragile ecosystems, or significant wildlife habitat.
- Consider possible impact from noise, dust, and traffic, and try to avoid densely populated residential areas, schools, and hospitals.

### **Storage and processing considerations**

In addition to site selection, consider methods for sorting, storing, and processing debris, as well as where the sorted or processed wastes will be sent. You may want to roughly designate specific

areas within the site for the various types of waste expected to minimize contamination and improve management of the debris.

In the case of woody vegetation, for example, marketable logs may be taken to sawmills, while branches, brush, and stumps may be ground to produce biomass fuel chips, mulch, or erosion control material. Untreated wood separated from demolition debris may be sent to licensed processing facilities for conversion into wood fuel chips, or, if the site is appropriate, provide for 'on-site' grinding of the clean wood debris. Separated metal and appliances may be taken to metal recycling facilities. In many cases, outlets for disaster debris may be similar to the ones that you use for routine waste management, but since quantities may be large you may want to contact additional facilities to discuss delivery of excess material resulting from disasters. Having contingency agreements in place will make it easier to divert excess material to alternative destinations when the need arises.

### **Benefits of coordination**

Contacting the Department to discuss temporary debris management sites provides the opportunity for the Department to help identify options to 'co-locate' a temporary storage site with another community or state agency. In addition, the Department may share information about authorized sites with other state and federal agencies such as MEMA, MDOT, and FEMA . Providing information regarding the location of temporary debris management sites and your plan for handling waste prior to an emergency can facilitate regional planning in the event of a widespread disaster.

### **Site pre-authorization process**

To begin the process of pre-authorizing a site for managing disaster debris, please contact Materials Management Division staff in your local DEP regional office. You will be asked to provide basic information (using the attached form) as a starting point for discussion of your possible temporary debris management site(s) and debris management plan. Department staff can review this information in advance of a discussion by telephone or email, and may be able to offer initial feedback based on information in our GIS database, files, regulatory standards, and advice offered by other state agencies on best practices. After having this initial discussion, if needed we can schedule a visit to the proposed temporary debris management site to help develop details for a workable disaster debris management plan.



## **Guidelines for Emergency Debris Temporary Management Sites**

The Maine Emergency Management Agency and the Department of Environmental Protection are encouraging municipalities to plan ahead for management of debris that may be generated during a disaster. When feasible, the agencies encourage the selection of temporary sites that meet the following criteria.

### **1. Putrescible waste (MSW, including food wastes, and animal remains)**

- A. A minimum 500 feet to nearest residence (on- or off-site);
- B. Storage in covered leak-proof containers only;
- C. Seven (7) day limit on storage time;
- D. No burial on-site;
- E. High priority for disposal.

### **2. Non putrescible waste**

- A. A minimum 100 feet to nearest on-site residence and minimum 250 to off-site residence;
- B. Storage in containers or on paved surface (asphalt or concrete) is preferred;
- C. 30 day limit on storage time;
- D. On site CDD burial OK if no nuisance and if limited to one acre – for site of generation only, not municipal sites.

### **3. General site and operational design considerations**

- A. At least 250 feet from off-site commercial or public structures, and potable water supply wells.
- B. A minimum 100 feet to water body or wetland.
- C. Not within any V or A zones as shown on a town's Flood Insurance Rate Map (FIRM).
- D. A minimum 100 feet to waste boundary of closed landfill.
- E. Property is relatively level (less than 5% slopes).
- F. Sites with gas, waste, sewage, or electrical or other transmission lines under the site need careful consideration.

- G. Sites bisected by overhead power transmission lines need careful consideration due to large dump body trucks / trailers used to haul debris.
- H. No impacts to cemeteries (public, private, pet), or culturally sensitive areas.
- I. Stormwater run on and run off must be controlled to avoid adverse impacts to water bodies or supplies.
- J. Ability to implement controls as needed for odor and dust
- K. Plan for traffic control of site for safety
- L. No liquids or hazardous materials – consider separate storage at fire department, public works, or some other suitable municipal building.
- M. Grinding/chipping of woody materials is preferred. On site burning of wood only with permission of local Fire Department or Forest Service:
  - 1) 50 foot mineral fire break
  - 2) 100 foot setback from edge of mineral fire break to structures
  - 3) Burn pile size limited to 625 square feet or smaller per local Fire Dept.
  - 4) Continuous supervision until fully extinguished
  - 5) Ash must be removed for proper disposal when finished
- N. Plan for separation of bulky wastes into appropriate areas for off-site deliveries; for example, furniture in one area, appliances in another.

December 17, 2019

**Agenda - Section VII. New Business**

**I. New Business**

▪ Committee Appointments

*Move to appoint Peggy Leonard to the Living Well in North Yarmouth committee with a term to expire June 30, 2020. Second, discussion and vote follow.*

Note: Ms. Leonard has been a member of the Communications Advisory Committee since April 2017 and recently submitted her resignation intending to join LWNY. Her volunteer application is included.

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▪ Regulations for the Use of Parks & Recreation Area Ordinance - Proposed Amendments

*Move to call for a public hearing to be held on January \_\_\_\_, 2020, on the proposed amendments to the Regulations for the Use of Parks & Recreation Area Ordinance. Second, discussion and vote follow.*

Note: Included in the packet, you will find proposed amendments to the ordinance that the Parks & Recreation Committee and I have been working on over the past year. If the Board finds the proposed document in order, I would ask that a public hearing on the matter be scheduled in January.

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▪ Consolidated Communications - Lease of Town Property

*Move to authorize the Town Manager to execute the lease agreement with Consolidated Communications for a term of thirty (30) years. Second, discussion and vote follow.*

*Note: This is a renewal lease for the utility unit located on Route 9 owned by Consolidated Communications that abuts the town green and Fire Rescue Station lots. The town acquired the property with the transfer of the Wescustogo Grange in 1997. The current agreement expires on December 31, 2019. The town attorney prepared the document. Previous revenues received through taxation were in the area of \$500. This lease agreement calls for a \$2000 monthly installment.*



(207)829-3705 telephone  
(207)829- 3743 fax

## TOWN OF NORTH YARMOUTH BOARD & COMMITTEES Volunteer Form

Select the Board(s) or Committee(s) you would like to serve on:

- |   |  |
|---|--|
| <input type="checkbox"/> Budget Committee<br>(Elected position only if vacancy available) | <input type="checkbox"/> Prince Memorial Library                           |
| <input type="checkbox"/> Board of Assessment Review                                       | <input checked="" type="checkbox"/> Advisory Board                         |
| <input type="checkbox"/> Parks & Recreation Committee                                     | <input checked="" type="checkbox"/> Communications Advisory Committee      |
| <input type="checkbox"/> Shellfish Conservation Commission                                | <input type="checkbox"/> Economic Development and Sustainability Committee |
| <input type="checkbox"/> Planning Board   | <input type="checkbox"/> Events Committee                                  |
| <input type="checkbox"/> Zoning Board of Appeals  | <input type="checkbox"/> Flag Committee                                    |
| <input type="checkbox"/> Joint Standing Committee   | <input type="checkbox"/> Comprehensive Plan Committee                      |
| <input type="checkbox"/> Recreation Advisory Board  | <input type="checkbox"/> Wescustogo Hall Building & Design Committee       |

Please provide the following information:

Name: Peggy Leonard

Email: mainepeg1@gmail.com

Mailing Address: 99 TOWN FARM RD, NORTH YARMOUTH

Phone: 207-949-1250

1. Please give a short narrative as to why you would like to be appointed to this Board(s) or Committee(s) you have selected above.

*I have lived in North Yarmouth for 2 years and want to be more involved in my community*

2. Do you have any relevant experience, training or credentials that you would like us to consider?

*I have a 25 year career working in PR, communications & marketing at: FHC, Inc.; University of Maine System, American Cancer Society, and Anthem Blue Cross.*

3. Have you ever served on any boards/ committees before? If so, when and where?

- American Red Cross - Midcoast Maine (current)*
- Orono Land Trust (2005-2014)*
- Downtown Bangor Partnership (2005-2015)*

*Peggy Leonard*  
Volunteer Signature

4.1.2.17  
Date

**TOWN OF NORTH YARMOUTH  
REGULATIONS FOR THE USE OF PARKS AND RECREATION AREAS ORDINANCE**

---

**SECTION 1: TITLE**

1.1 This ordinance shall be known and be cited as the “Regulations for the Use of Parks and Recreation Areas within the Town of North Yarmouth (Town).

**SECTION 2: AUTHORITY**

2.1 This ordinance is adopted pursuant to and consistent with Title 30-A M.R.S.A. ~~§Section~~ 3001: Ordinance Power.

2.2 Town Charter Article IV § 2 d.

d. Parks & Recreation Committee. There shall be a Parks & Recreation Committee consisting of five (5) members appointed by the Select Board to staggered three (3) year terms. The terms of those appointed to the Parks & Recreation Committee shall expire on June 30<sup>th</sup> of their expiration year. The Recreation Committee shall elect from its membership a chair and a secretary at its first regular meeting occurring on or after July 1<sup>st</sup> of each year.

(i) The Parks & Recreation Committee shall advise the town and municipal officers on matters of parks and recreation and supervise any parks and recreation programs by the town.

(ii) The Parks & Recreation Committee shall oversee any town property designated as a parks and recreation area by the Select Board and make recommendations to the Select Board regarding its use.

**SECTION 3: PURPOSE**

3.1 The purpose of this ordinance is to regulate the use of the public parks and recreation areas of the Town so as to preserve these areas for the use of members of the public and to protect these areas from misuse, damage, or destruction.

**SECTION 4: DEFINITIONS**

4.1 Recreation Area: All lands owned by the Town of North Yarmouth which allow public access by deed, ~~conservation~~ easement, other rights, Town Meeting vote, action of the Select Board or common practice.

4.2 Park: A subset of recreation areas; Those recreation areas with Town built infrastructure, outbuildings, etc. and/or established parking lots, existing upon them or associated with them at the time this ordinance is adopted and designated as parks by this ordinance, and those recreation areas subsequently designated as parks by action of the Select Board under Section 11.1.

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- 4.3 Domestic Animal: A domestic animal means any of various non-venomous animals domesticated so as to live and breed in a tame condition. Specific but not limited to dogs, horses, cows, and goats.
- 4.4 User: A User is defined as a resident of North Yarmouth, Business, Organization or Visitor.
- 4.5 Smoking: [Smoking shall include the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar, or other tobacco product, marijuana, electronic nicotine delivery system, vaporizer, or any illegal substance.](#)

**SECTION 5: DESIGNATED AREAS**

- 5.1 **Parks** - For purposes of establishing rules and regulations, the following areas are designated as parks within the Town of North Yarmouth.
  - A. Wescustogo Park - All Town owned acreage where New Gloucester Road intersects with the Royal River;
  - B. Old Town House Park - All Town owned acreage behind the Old Town House on Memorial Highway including the boat launch;
  - C. Baston Park;
  - D. Sharp's Field;
  - E. The Village Green;
  - F. Chandler Brook Preserve;
  - G. Sam Ristich Trail - Portion of Public Work's property bordered by Parsonage Road;
  - H. Former North Yarmouth Memorial School - Those portions of the Sam Ristich Trail that intermix with the property;
  - G. Knight's Pond Preserve - Specifically the North Yarmouth portion [in cooperation with the Joint Standing Committee and the Town of Cumberland](#).
- 5.2 **Recreation Areas** - For purposes of establishing rules and regulations, the following areas are designated as recreation areas within the Town of North Yarmouth at the time of adoption of this ordinance:
  - A. Eleanor Hayes Town Forest: East and West side of Memorial Highway;
  - B. Deer Brook Forest: All ~~Town~~-[Town](#)-owned land adjacent to Wild Turkey Lane.

**SECTION 6: HOURS OF OPERATION**

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- 6.1 All Town Parks shall be open to the public only between ~~the hours of 5:00 A.M.~~dawn and ~~9:00 P.M.~~dusk. No person shall be present in the parks outside of these hours without the permission of the Public Works Director or Town Manager.
- 6.2 Closures: Any park or section of any park may be declared closed to the public by the Public Works Director, the Town Manager or the Select Board for any interval of time, and notice of such will be posted at the entrance of the park.

**SECTION 7: TOWN DEPARTMENT OR TOWN CONTRACTED WORK**

- 7.1 All Town departments or Town contracted work projects that occur in the park and recreation areas are exempt from Sections 6 and 11 of this Ordinance.

**SECTION 8: DOMESTIC ANIMALS IN PARKS**

- 8.1 North Yarmouth Parks are for the enjoyment of North Yarmouth citizens and their guests. It is the goal of NY that citizens can bring domestic animals to our parks for their owners' enjoyment and the animal. Priority shall always be given to citizens, wildlife, and the parks themselves. Citizens should be able to address issues between themselves using the rules, but may refer disputes to the Animal Control Officer or Town Manager.
- 8.2 Commercial businesses, groups, or organized groups (profit or non-profit) must obtain permission from the Town Manager for use. Fee shall apply.
- 8.3 All domestic animals must be under the control of owners, ~~by~~ by leash, harness or immediate voice recall.
- 8.4 Any user must leash and or harness their domestic animal if requested to do so by another user.
- 8.5 All users shall clean up after their domestic animal.
- 8.6 Domestic animals shall not harass wildlife, the user shall leash and or harness their animal if this occurs.
- 8.7 Damage to Parks by domestic animals shall be repaired by user or charged to user by Town.
- 8.8 Domestic animals that pose a risk to citizens, other domestic animals, wildlife, or the park infrastructure can and will be barred from NY parks at the Town Manager's discretion. Progressive restrictions may not be warranted.
- 8.9 Grazing of animals is not allowed unless permission is granted by the Town Manager ~~in conjunction with a weed control program or other conservation effort~~.
- 8.10 Organized town events take precedence over domestic animal use, specifically off leash or harness use.

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- 8.11 Where allowed, hunting will not be curtailed in favor of domestic animal use. State law shall apply to users deliberately impeding a legal hunt.
- 8.12 These rules apply to all users. Citizens and guests of NY may be subject to being barred from the use of NY parks. Citizens may appeal [ordinance enforcement](#) restrictions to the Select Board, through the Town Manager.

**9. PROHIBITED USES**

- 9.1 Littering: No person shall deposit any waste material in a park or recreation area, except in the receptacles so provided. Where receptacles are not provided, all such waste shall be carried away from the park or recreation area by the person or persons generating the waste.
- 9.2 Camping Prohibited: No person or groups of persons shall use any park or recreation area in the Town of North Yarmouth for the purpose of overnight camping or either as a temporary or permanent abode of habitation [without the written approval of the Town Manager](#).

~~**Exception:** After review by the Town Manager and with the written permission of the Town's Code Enforcement Officer, non-profit groups are allowed to use a park or recreation area for overnight camping for a period of time not to exceed five (5) days only if the chosen camping area will not be located in a Resource Protection or Shoreland Zoning District.~~

- 9.3 Alcoholic Beverages: No person shall consume or possess alcoholic beverages in a park or recreation area.
- 9.4 Fires: No person shall build a fire in a park or recreation area, except as authorized by the Fire Rescue Chief and Town Manager as part of a special event.
- 9.5 On-site Sales: No person may offer for sale any food or merchandise within any park property without permission from the Town Manager.
- 9.6 Discharge of Firearms: The discharge of [any](#) firearms for target practice on any park or recreation area is prohibited.

9.7 Smoking: For the good health, quality of life and promotion of healthy activities for residents and visitors of North Yarmouth, as well as the protection of safe recreational areas and the enjoyment of outdoor scenery, no person shall smoke or use any tobacco or marijuana product, including but not limited to cigarettes, cigars, electronic nicotine delivery systems and chewing tobacco, on, in, or within twenty-five (25) feet of town-owned parks and recreational properties.

All tobacco products and electronic nicotine delivery systems listed in this article are prohibited on, in, or within twenty-five (25) feet of town-owned parks and recreational properties 24 hours a day, 365 days per year. Disposal of such tobacco litter is also prohibited.

A notice of prohibition of smoking and vaping shall be clearly posted in key areas in every location where smoking and vaping is prohibited by this article.



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**SECTION 10: HUNTING & TRAPPING**

10.1 At the time of the ordinance adoption, there are existing designations of park and recreation areas that allow or disallow hunting and trapping by deed easement and/or restrictions. These designations will supersede language in this ordinance.

Reference: \_ Old Town House Park Hunting Permission Regulations  
[https://www.northyarmouth.org/sites/northyarmouthme/files/uploads/old\\_town\\_house\\_park\\_hunting\\_permission\\_regulations.pdf](https://www.northyarmouth.org/sites/northyarmouthme/files/uploads/old_town_house_park_hunting_permission_regulations.pdf)

10.2 Should any park, or recreation area have no such designation as referenced in Section 8.1, then the Select Board, following Section 12.1, shall establish for each park and recreation area a hunting and or trapping designation as defined in Section 12.

**SECTION 11: VEHICLE OPERATION**

11.1 State Law Applies – All provisions of state law relating to the operation of motor vehicles shall apply within Town parks.

11.2 Use Areas – No person shall operate any vehicle in a park on any areas except a public way, park road, parking area, and any other areas specifically designated by the Town.

11.3 Night Parking Prohibited – A person shall not leave a vehicle, construction equipment or construction materials standing or parked at night in a park after closing hours, without written permission from the Town Manager. Any vehicle found in a park after closing hours will be removed and stored at the expense of the owner.

11.4 Restricted Vehicles – ~~All~~All-terrain vehicles (ATVs) and motorized dirt bikes are not allowed in any of the park areas.

**SECTION 12: SELECT BOARD PROVISIONS**

12.1 The Select Board upon 1) receiving written recommendations from the Parks & Recreation Committee; 2) posting required notice; 3) completing a public hearing; shall have the authority:

A. To designate “parks” and “recreation areas” as the property is acquired or located within the boundaries of the Town.

B. To modify rules and regulations referenced in Section 6, Section 9, and Section 11.4

C. To establish for each park and recreation area not previously designated by Section 9.1 a hunting and or trapping designation.

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D. To establish procedures for the use and regulation of all park and recreation areas at least once annually.

12.2 When establishing or modifying rules, regulations, designations or procedures, the Select Board shall attempt to accomplish the following purposes:

- A. To assure safe and healthful conditions on all park and recreation areas;
- B. To promote peaceful and considerate public use and enjoyment of the parks and recreation areas;
- C. To minimize any nuisance, disturbance, interference, or safety concerns on adjoining or nearby lands;
- D. To protect or enhance the scenic, recreational and environmental value of the property and to prevent erosion, unreasonable disturbance of natural habitat and wildlife, and to prevent pollution;
- E. To allocate the limited use of time and space fairly and equitably among various persons or groups seeking the use of the parks and recreation areas;
- F. To provide for efficient care and maintenance of all park and recreation areas.

**SECTION 13: DEFINED GATHERINGS OR ACTIVITIES**

13.1 Town Parks shall be available to the public for purposes of defined gatherings or recreational activities for specific date(s). Such requests will require approved permissions from town officials and the Town Manager. Town officials shall mean the Parks & Recreation Committee and the Select Board. Examples of these types of events would be weddings, family reunions, and organized recreation competitions. A fee for these events will apply. Town committee events are exempt from these fees.

**SECTION ~~13~~14: PENALTY**

~~13~~14.1 Any person or persons found in violation of any provision of this ordinance shall be punished by restitution and/or a fine~~penalized~~ ~~punished by a fine per for of not more than One Hundred dollars (\$100) per offense to be recovered on complaint for the use of the Town~~~~each offense to be recovered on the complaint for the use of by the Town. The Town shall seek restitution from any person or persons responsible for damage to Town property in addition to said fine.~~ of not more than One Hundred dollars (\$100) per offense to be recovered on complaint for the use of the Town.

ADOPTED: June 18, 2011

AMENDED: April 8, 2017

AMENDED: TBD

**LEASE AGREEMENT**

WHEREAS, the Town of North Yarmouth, a body corporate and politic and Maine municipal corporation (“Town”), owns certain real estate located in the Town of North Yarmouth, County of Cumberland, State of Maine, as further described herein below and in **Exhibit A**, attached;

WHEREAS, Consolidated Communications Holdings, Inc., a \_\_\_\_\_ (“Consolidated”), by and through its predecessor in interest New England Telephone and Telegraph Company, has an interest in a certain Easement granted by the Town’s predecessor in interest, Wescustogo Grange Hall Association, a non-profit corporation formerly organized under the laws of the State of Maine, as Grantor, to New England Telephone and Telegraph Company, its successors and assigns, as Grantee, said Easement being dated April 13, 1989 and recorded in the Cumberland County Registry of Deeds at Book 9529 Page 132;

WHEREAS, the above-referenced Easement relates to a portion of the Town’s property as further described in **Exhibit B**, which is incorporated herein (the “Premises”);

WHEREAS, the Town and Consolidated wish to convert the rights and obligations of that Easement into a lease agreement and allow the Easement to terminate by its terms on December 31, 2019;

NOW THEREFORE, in consideration of the mutual covenants and obligations herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, this Lease Agreement (“Lease”) is made this \_\_\_ day of \_\_\_\_\_, 2019, by and between the Town and Consolidated, and the parties agree to the following terms and conditions:

1. **PREMISES LEASED.** The Town does hereby lease to Consolidated, and Consolidated does hereby lease from the Town, upon the terms and conditions herein, the Premises.
  
2. **TERM/RENEWAL.** This Lease shall commence upon January 1, 2020, and shall be for an initial term of thirty (30) years unless earlier terminated in accordance with the terms hereof. This Lease shall automatically renew, upon the same terms and conditions stated herein, for successive periods of ten (10) years, in perpetuity, unless and until terminated by either party in accordance with the terms hereof.
  
3. **RENT.** Consolidated shall pay to the Town the sum of **Two Thousand Dollars (\$2,000)** monthly as initial rent hereunder. The amount of rent due hereunder is subject to reasonable annual increases during the term and any period renewal period, in the reasonable discretion of the Town.
  
4. **REAL ESTATE TAXES and UTILITIES.** The Town shall pay when due all real estate taxes, betterments and assessments of every kind and description assessed or levied against the Premises.

5. USE OF PREMISES. The Premises shall be used only for the placement and maintenance of underground electrical and communication cables and related appurtenances including a ten-foot six-inch (10'6") by fifteen foot (15') precast concrete hut, and all purposes incidental or related thereto, including the right to cut/clear brush, trim trees, and grade.

6. MAINTENANCE AND REPAIR. Consolidated shall at all times maintain a closeable gate structure across any driveway by which the Premises may be accessed, in order to prohibit unauthorized vehicular or pedestrian entry onto the Premises. Consolidated shall also reasonably maintain and landscape the Premises in accordance with the Town's reasonable direction, from time to time

At the expiration of the term or earlier termination of this Lease, Consolidated shall surrender the Premises to the Town and shall restore the Premises to the same condition as they were in at the commencement of the Easement, including but not limited to complete removal of the electrical and communication facilities, all appurtenances, and the concrete structure, re-grading of the gravel base and driveway area, and loaming and seeding in order to restore the Premises to a natural condition.

8. INDEMNIFICATION. Consolidated hereby agrees to indemnify and hold the Town harmless from and against any and all claims for injury to persons (including death) or damage to property in or about the Premises, and against any costs or damages (including without limit reasonable attorney's fees and costs) which the Town may incur by reason of the assertion of any such claims and/or relating to Consolidated's breach of this lease and/or the Town's enforcement hereof.

9. DEFAULT. If i) Consolidated shall default in the performance of any of its covenants, agreements or obligations hereunder; ii) this Lease is assigned to any individual or entity other than Consolidated without prior written approval from the the Town; iii) an assignment shall be made by Consolidated for the benefit of creditors; or v) Consolidated's leasehold interest hereunder shall be taken on execution, then in any of such cases the Town may lawfully, immediately and at any time thereafter, and without further notice or demand, and without prejudice to any other remedies, enter into and upon the Premises or any part thereof, or mail a notice of termination to Consolidated, and upon such entry or mailing this Lease shall immediately terminate. In case of such termination, Consolidated shall pay to the Town all damages for breach as are available and permitted under Maine law.

IN WITNESS WHEREOF, the Town and Consolidated have executed this Lease as of the date first above written.

WITNESSETH:

TOWN OF NORTH YARMOUTH

\_\_\_\_\_  
Name:

By: \_\_\_\_\_  
Its:

CONSOLIDATED COMMUNICATIONS  
HOLDINGS, INC

\_\_\_\_\_  
Name:

By: \_\_\_\_\_  
Its:

**Exhibit A**

A portion of the premises described in a deed recorded in the Cumberland County Registry of Deeds at Book 1904, Page 341.

## **Exhibit B**

A forty-five foot by fifty foot (45'x 50') rectangular lot of land located on a portion of the premises described in a deed recorded in the Cumberland County Registry of Deeds at Book 1904, Page 341, said rectangular lot being described as follows:

Beginning at the point of the line dividing land of THE TOWN and that now or formerly of Matthew Sharp and proceeding northwesterly along said property line approximately fifty feet (50') to an iron pin; thence southwesterly approximately forty five feet (45') to an iron pin; thence southwesterly approximately fifty feet (50') to an iron pin at the edge of the Memorial Highway to an iron pipe marking the point of beginning.

December 17, 2019

**Agenda - Section VIII. Accounts Payable**

Item(s):

- *Move to approve accounts payable warrants 24 and 25 in the amount of \$885,387.47 as presented. Second, discussion and vote follow.*

Note: There was a question on a past warrant on a purchase relating to vehicles. This purchase was for a rack for the new PWD fleet vehicle.