

**Town of North Yarmouth
Select Board Meeting Agenda
Tuesday, December 19, 2017
7:00PM - Town Office Meeting Room**

I. Call to Order

II. Minutes of Previous Meeting(s)

- December 5, 2017

III. 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.

IV. Management Reports & Communications

- Town Manager's Report

V. Old Business

- Wescustogo Hall & NY Community Center - Workshop Update
- Marijuana Information Follow Up

VI. New Business

- Fiscal Year 2019 Draft Budget Schedule

VII. Accounts Payable - Review & Approval

- Accounts Payable

VIII. Any Other Business

(Board communications of written, electronic, or verbal information to include but not limited to pending or future agenda meeting topics.)

IX. 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.

**Town of North Yarmouth
Select Board
Meeting Minutes of December 5, 2017**

Call to Order

Members Present: Peter Lacy, Jeanne Chadbourne, Jennifer Speirs & Steven Morrison. Anne Graham was absent with notification. Town Manager Rosemary Roy was also present.

Public Hearing

Vice Chair Chadbourne moved to open the Public Hearing to consider changes to the Tax Lien Property Ordinance. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No.**

There was no public comment on the proposed changes to the Tax Lien Property Ordinance.

Chairperson Lacy moved to come out of Public Hearing. Selectperson Morrison seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No**

Chairperson Lacy moved to put the Tax Lien Property Ordinance as amended on the Annual Town Meeting warrant. Selectperson Speirs seconded the Motion. Discussion: None. **Vote 4 Yes - 0 No**

Minutes of Previous Meeting(s)

Chairperson Lacy moved to approve the Select Board meeting minutes of November 21, 2017. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No.**

Public Comment - Non-Agenda Items

None.

Management Reports & Communications

Town Manager's Report: The Town Manager provided the Board with a verbal summary of her report.

Highlights:

- NYMS will remain open and proposed funding to be through the Contingency Reserve and other resources.
- The Town is entering into a contract with GPCOG to incorporate the new state Shoreland Zoning Ordinance into the town's Land Use Ordinance.
- There has been an inquiry into a new marijuana business to open in town. There was a discussion about the ordinance and the need to have questions answered. The Board asked the manager to contact the town attorney.

Committee Communications

Parks & Recreation Committee: Ken Filliter, Chair. The committee is working on connectivity between parks and open spaces in Town as well as trying to expand the user base and activities offered; some ideas are snowshoe hikes, mountain biking, disc golf, and sledding. New maps have been installed at Chandler Brook, and Sam Ristich and bike racks have been installed around town. Moving forward the committee is working on updating signage at parks and is working on a trail easement at the Old Town House Park. Scott Kerr spoke about plans to thin out and clean up the Town forest and cut in new trails.

Chairperson Lacy moved to authorize the Parks & Recreation committee to go forward with the harvest plan as presented, proceeds to go to Parks and Recreation reserve fund with a portion of the proceeds to be designated for an updated forestry plan. Selectperson Speirs seconded the motion. Discussion: None. **Vote: 4 Yes – 0 No.**

Planning Board: There are 8 reviewed and approved projects in 2017. The Board is expecting a ten-house subdivision to be presented for approval shortly. The contact zoning process has been finalized. The Planning Board is discussing and leaning towards keeping the building cap that is in place in the farm and forest zone. Clark Whittier spoke about marijuana and asked the Select Board for guidance.

Old Business

None.

New Business

Fiscal Year 2016 Foreclosures: The Town Manager is preparing notifications for the FYE 2016 foreclosures, the deadline is January. The Richard Anderson Heirs property was abandoned in 2014, since then the Board has elected to waive foreclosure for fear of contaminated land. Town Manager Roy is recommending that the Board choose to foreclose and try to sell to one of the abutters. Following discussions, the Board felt the property should be waived and that the Town should obtain a statement from DEP on the property.

Selectperson Morrison moved to waive foreclosure on the Richard Anderson Heirs property. Chairperson Lacy seconded the motion. Discussion: None. **Vote: 3 Yes – 0 No – 1 Abstain** (Jeanne Chadbourne)

Accounts Payable – Review & Approval

Chairperson Lacy moved to accept the accounts payable Warrants 20 & 21 in the amount of \$57,666.29. Vice Chairperson Chadbourne seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No**

Other New Business

Selectperson Morrison nominated Jennifer Speirs as Chairperson effective immediately. Vice Chairperson Chadbourne seconded the nomination. Discussion: None. **Vote 3 Yes – 0 No – 1 Abstain** (Peter Lacy).

Adjournment

Chairperson Peter Lacy moved to adjourn.

Ashley P. Roan
Recording Secretary

Select Board

Peter Lacy, Chair

Jeanne Chadbourne, Vice Chair

Anne Graham

Stephen Morrison

Jennifer Speirs

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.

BUDGET GUIDELINES & SCHEDULE - Just a quick note that the schedule (included in the meeting materials) is not yet in stone; any proposed changes should be discussed when reviewed under New Business.

MSAD 51 FINANCIAL MEETING FY19 BUDGET - A tentative meeting has been scheduled for Monday, January 15, 2018, at 8:15 am at the Superintendent's Office for the purposes of hearing from the school's Finance Committee regarding the FY19 Budget. I have also extended this invitation to the Budget Committee. Note: This is a federal holiday.

JAPAN EXCHANGE STUDENTS WELCOME ASSEMBLY - Monday, January 8, 2018, starting at around 1:10 pm in the Greely Middle School gymnasium. I am unable to attend this year; the Select Board is, as always, invited to attend.

NET RESEARCH FOUNDATION / DEBBIE GROVER - Enclosed with this report is a congratulatory letter on Debbie's efforts and successes with the NET Research Foundation that I feel warrants sharing with the Board.

STAFF HOLIDAY GATHERING - Services will be closing on Thursday, December 21st at 4pm for the annual staff holiday get-together.

OTHER - My works continues with several ongoing projects many of which will come to completion during the month of December. I am also taking some time off during the holiday season.

Respectfully,

Rosemary

Rosemary E. Roy, Town Manager



NEUROENDOCRINE TUMOR RESEARCH FOUNDATION

DEDICATED TO CURING NEUROENDOCRINE CANCER

December 7, 2017

Town of North Yarmouth
Attn: Debbie Allen Grover
10 Village Square Road
North Yarmouth ME 04097

*Debbie,
Congratulations
on a successful
event. We appreciate
your support.
Elyse*

Dear Town of North Yarmouth,

Thank you for your generous donation of \$1,680.00 on 11/10/2017 to the Neuroendocrine Tumor Research Foundation (NETRF). It is because of your significant contributions that we are able to continue our important mission to fund research to discover cures and more effective treatments for neuroendocrine cancer.

Since our founding in 2005, we have awarded over \$18 million to leading scientists and physicians at renowned institutions throughout the US and abroad. Their promising research is advancing our understanding of these rare cancers, unlocking their genetic causes, and leading to innovative therapies and treatments.

This year, we are launching an expanded and amplified agenda of research funding; embarking on a number of projects that will test the potential for new treatment strategies for neuroendocrine cancer.

We are seeing the impact of steady and significant investment in research, new findings are occurring with greater frequency and greater impact. As a major contributor to NETRF, you have been a critical part of this progress and your support allows us to continue to boldly accelerate the progress of neuroendocrine cancer research for better diagnosis, treatment, and cures.

On behalf of neuroendocrine cancer patients and their loved ones, thank you again for your commitment to our life-saving mission. We are so grateful for your support.

Sincerely,

Elyse Gellerman, Chief Executive Officer

The Neuroendocrine Tumor Research Foundation is a 501(c)(3) nonprofit organization. Your contribution is tax-deductible to the extent allowed by law. No goods or services were provided in exchange for your generous financial donation.

Date: December 15, 2017

To: Select Board

Fr: Rosemary E. Roy, Town Manager ^{RR}

Cc: **Wescustogo Building & Design Committee**

RE: SELECT BOARD/WESCUSTOGO BUILDING & DESIGN COMMITTEE WORKSHOP

Included with this memo please find the transcript from the workshop held on December 7, 2017, with the Wescustogo Building & Design Committee. The Select Board agreed to confirm these finds at a regular business meeting. Briefly, there were four conclusions:

1. The project will not be phased.
2. A contiguous roofline is the best option for the hall.
3. Occupancy will be 200 people (12/14 mtg. - but could fluctuate depending upon the final design)
4. A tentative deadline of March 15th for completion. (Confirmed - the deadline for referendum language is April 12, 2018.)

The committee held a meeting on December 14th and drawings for a revised building design were produced by the committee. These drawings have been sent to Barrett Made to be professionally sketched into a very basic architectural design format for the committee to review before their next meeting scheduled for December 28th. The Select Board will also receive a digital copy of these sketches.

Discussion Note: Chairwoman Speirs would like to have a discussion with the Board on considering the appointment of one of its members as a 'special project liaison' to the Wescustogo Hall & NY Community Center project.

**Town of North Yarmouth
Joint Workshop
Select Board & Wescustogo Building and Design Committee
Meeting Notes of December 7, 2017**

Members Present:

Select Board: Peter Lacy, Steve Morrison & Jennifer Speirs. WBDC: Brian Sites, Clark Baston, Stephen Barr, Jen Smith, Darla Hamlin, Matt Scott & Kevin Rogers. Town Manager Rosemary Roy and Administrative Assistant Ashley Roan were also present.

Areas of Discussion:

Phased Project - Feasibility & Engineering Considerations: Brian Sites provided the group with an overview of what the project would entail if phased and if completed all as one project.

- Clark Baston was not in favor of a phased project. How would the new structure tie into the existing utilities?
- Darla Hamlin requested cost sheets for both options, feels that the committees should have the costs to inform the public. Thinks that the project being separated will discourage the public from voting in favor of it.
- Town Manager Roy noted that phasing the project will cost more in the long run.
- Chairperson Speirs stated that the public vote would be more supportive of the project if the gym stays as part of the initial project. She believes that if the project becomes phased it will receive a “no” vote in June.
- Town Manager Roy expressed concerns about scheduling and space for scheduled activities. Noted that there could be a separate entrance to the gym during construction so that actives would not be interrupted.
- Selectperson Morrison asked how many “non-gym” rooms are being used at any given time. Town Manager Roy directed him to the floorplan of the existing school and noted which rooms were being used for programs, approx. 80% of the current space is being used.

Contiguous Roofline with Dormer's: Moving to a contiguous roofline will allow for more solar panels to be placed on the roof, ultimately powering Wescustogo Hall as well as other Town facilities. The Select Board and WBDC mutually agreed that this is the best option moving forward.

What is the right size/capacity of the building: The current design is a 300-person occupancy, using the facility as a warming center. There could be savings of approximately \$400,000 when occupancy is dropped from 300 to 200. The Select Board had previously authorized a 250-person occupancy.

Timeframe: Design needs to be finalized by mid-March in order to have the vote on the June ballot. Town Manager Roy will confirm the date in which language needs to be submitted for the ballot.

Timber Frame: Steve Barr & Brian Sites voiced concerns about Barrett Made constructing a timber frame structure. Barrett Made has agreed to work with Charlie Farrell. WBDC needs to request cost workup that shows savings from a timber frame. A final decision needs to be made by the WBDC on framing of the building.

Conclusions:

- The project will not be phased.
- A contiguous roofline is the best option.
- Occupancy will be 200 people.
- To complete this next phase a tentative deadline of March 15th was set.

MEMORANDUM

Date: December 12, 2017

To: Select Board

Fr: Rosemary E. Roy, Town Manager ^{RR}

RE: RETAIL MARIJUANA POLICY

As per our discussion from the Board's meeting of December 5th, I consulted with attorney Phil Saucier (Bernstein Shur) and he forwarded the attached sample policy other communities are using to notify anyone who may attempt to apply for any permit related to retail marijuana establishments or social clubs that the Town will not process any such application until the State licensing process has been established.

The Board can elect to endorse this policy or continue to wait until the laws are finalized. My recommendation as Town Manager is to adopt this policy as it will prevent possible uncertainties for the Code Enforcement Office and alike in permitting these uses until such time the laws are sanctioned.



Town of North Yarmouth

NOTICE REGARDING RETAIL MARIJUANA ESTABLISHMENTS AND RETAIL MARIJUANA SOCIAL CLUBS

On November 8, 2016, a referendum entitled the Marijuana Legalization Act was approved by the voters. This law allows for retail sales of marijuana, retail marijuana cultivation, manufacturing and testing facilities, as well as retail marijuana social clubs.

The new law took effect on January 30, 2017. However, the Legislature has delayed implementation until February 1, 2018. During this time, the State will develop rules for required state licensing for the retail marijuana establishments and social clubs. Until the State establishes regulations for licensing such establishments and no earlier than February 1st, no person can operate a retail marijuana establishment or retail marijuana social club in Maine.

The law gives municipalities the authority to prohibit retail marijuana establishments and/or retail marijuana social clubs and also authorizes municipalities to regulate their location, operation and licensing.

During the time period when the State is establishing licensing regulations, the Town of North Yarmouth will consider whether to regulate or prohibit such establishments and may enact ordinance amendments pertaining to such regulations.

At this time, and until further notice, the Town will not accept any applications for a business license, building permit, certificate of occupancy, site plan review, conditional use, or any other approval for the operation of any facility, building, or property related to the cultivation, manufacturing, testing, sale or consumption of retail marijuana.

Properties that are currently permitted as retail, manufacturing, or similar operations shall not be permitted to operate as a retail marijuana establishment or retail marijuana social club without the necessary licensing and approvals required by the Marijuana Legalization Act and shall only be permitted by the Town in accordance with future land use regulations concerning retail marijuana establishments and retail marijuana social clubs.

Select Board

Jennifer Speirs, Chairperson

Jeanne Chadbourne, Vice Ch.

Anne Graham

Steve Morrison

Peter Lacy



Town of North Yarmouth FY18 Budget Guideline & Schedule

GUIDELINES

- ▶▶ **Zero Based Budgeting:** The budget will be presented using a zero-based budgeting method that is considered to be the best management practice by municipal managers and auditors. Taking into account all anticipated revenues to be received and all disbursements.
- ▶▶ **Expenditures & Revenues:** For this budget review expenditures for the **past three (3) years (2015-2017), the first six (6) months of the current year (2018), and the FY19 budget requests** will be provided in summary format. Each department and or division will be presented separately with justifications for each line item number. Revenues will be presented in a similar format.
- ▶▶ **Financial Elements:** The budget proposal will identify the essential parts of the budget, i.e., Debt Service, CIP Reserves, Investments, etc. Additionally, I will address components such as LD1, Municipal Revenue Sharing, Homestead Exemptions, property valuations, and mil rate projections.
- ▶▶ **Budget Presentation:** The Town Manager will present the proposed budget to the Budget Committee and Select Board on **Wednesday, February 7th at 6:30pm**. Budget packets will be handed out at this presentation.
- ▶▶ **Budget Meetings with the Town Manager:** Budget meeting agendas shall be constructed to discuss specific areas of the budget and will be led by the Town Manager; this will include joint meetings. The manager will also attend, as requested, any or all individual Budget Committee meetings.
- ▶▶ **Preparing for Budget Meetings:** To help the Budget process go smoothly and avoid getting bottlenecked, everyone directly involved in this process is asked to submit questions or requests for additional information to the Town Manager at least, three (3) days in advance of a meeting. In addition, in many instances of reviewing the budget, it will not be necessary to discuss each line item for reasons of level spending and or required need. Department Heads will be available to meet with either the Select Board or Budget Committee during this period. Arrangements for a Department Head to attend a meeting or a site visit must be arranged through the Town Manager. All additional information requested will be shared with the Select Board, Budget Committee, and Department Heads if applicable.

SCHEDULE

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| February 7th
Wednesday | 6:30 pm - 7:30 pm - Budget Presentation
The Town Manager will present the FY19 Budget to the Select Board, Budget Committee, and any other interested parties. Department Heads will also attend this meeting. This time will also be used as an overall review of the process ahead, budget packets will be distributed and a general Q & A period will be offered. |
| February 12th
Monday | 6:00-8:00pm (8:30pm if needed) - Town Manager Budget Meeting w/Select Board. Budget areas that will be reviewed: Revenues, Undesignated Funds, and Capital Reserves which will include planning and expenditures. |



Town of North Yarmouth FY18 Budget Guideline & Schedule

- February 14th** **6:00-8:00pm** (8:30pm if needed) - **Town Manager Budget Meeting w/Select Board.** Departmental Expenditures: Public Work and Public Safety will be reviewed.
Wednesday
- February 19th** **6:00-8:00 pm** (8:30pm if needed) - **Town Manager Budget Meeting w/Select Board.** Departmental Expenditures: Municipal Services, Community Services, Fixed Expenses, and Solid Waste/Recycling will be reviewed. Mil Rate Projections.
Monday
- February 26th** **6:00-8:00 pm** (8:30pm if needed) - **Budget Committee, Select Board, and Town Manager Joint Budget Meeting.** Finalization of the budget, discussions on any variances and a draft review of the warrant.
Monday
- March 20th** **7:00 pm** - Select Board Meeting - **Signing of Warrant**
Tuesday
- April 14th** **9:00 am** - **Annual Town Meeting**
Saturday

- ▶▶ Any additional budget meetings (joint or individual) shall be determined as the process unfolds.
- ▶▶ Budget Committee Meetings TBA.