

**Town of North Yarmouth
Select Board Meeting Agenda
Tuesday, September 4, 2018
7:00PM - Town Office Meeting Room**

I. Call to Order

II. Minutes of Previous Meeting(s)

- August 7, 2018 (revised)
- August 28, 2018 (not yet available)

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 & Community Center Project
 - Post Issuance Compliance (Required by IRS & SEC rules with financial bonding)
- Special Town Meeting - Town Comprehensive Plan/Zoning/Easement

VI. New Business

- Committee Appointments
- Personal Property

VII. Accounts Payable - Review & Approval

Next AP September 18, 2018

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

**Town of North Yarmouth
Select Board
Meeting Minutes of August 7, 2018**

Call to Order

Members Present: Jennifer Speirs, Stephen Morrison, William Whitten & James Moulton. Anne Graham was absent with notification. Town Manager Rosemary Roy was also present.

Minutes of Previous Meeting(s)

Chairperson Speirs moved to table the minutes of June 19, 2018. Vice Chairperson Morrison seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No.**

Selectperson Whitten moved to accept the minutes of July 3, 2018. Vice Chairperson Morrison seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No.**

Selectperson Whitten moved to accept the minutes of July 17, 2018. Chairperson Speirs seconded the motion. Discussion: There is a typo on the vote counts under new business. The Barrett Made contract review section needs to be revised to reflect the new contract brought forth by the town's attorney and correct dates of Select Board discussion. Minutes are to be revised and resubmitted to the board at their next meeting. **Vote: 0 Yes – 4 No.**

Public Comment - Non-Agenda Items

None.

Management Reports & Communications:

Town Manager's Report:

- At the joint meeting held with the YWD on July 26th, the process of firming up the Village Center zoning district for development in conjunction with amending the groundwater protection areas was addressed, another meeting will be held on August 9th.
- A joint meeting of the Select Board, Cumberland Council, School Board Directors, and Administrative staff has been arranged for Monday, October 15th (time and place TBD).
- The Memorial School is no longer occupied. Fire Rescue training will be taking place during the last two weeks of August. Fire Departments from surrounding communities will be taking advantage of this opportunity to train staff.
- The August newsletter will be going out to homes this week.
- The town received a grant for the generator at the Wescustogo Hall and Community Center in the amount of \$20,000 and plans to use it for phase I and re-apply for the same grant next year for phase II.
- Year-end is pretty much complete; auditors are scheduled for mid-September.

Financial Reports: The Select Board received financial reports for FY18, the Town Manager gave a brief overview of the findings.

Department Head Reports: The Select Board received the bi-monthly department head reports.

Old Business

Wescustogo Hall & Community Center Project:

- Town Manager Roy received an updated contract from the town's attorney which she hopes to be the final draft.
- Barrett Made is halfway through the bid process; they will be presenting the results to the Select Board at the next meeting.
- Selectperson Moulton has concerns regarding the subcontractor bids coming in higher than the proposed contract values.
- Code Enforcement Officer Ryan Keith answered questions regarding the asbestos removal quote and process. The asbestos removal will be rolled into the demolition contract.
- The existing building is mostly cleaned out; the town is looking to purchase a tractor-trailer for storage and return the rentals to cut down on cost.
- The Select Board heard a presentation from Code Enforcement Officer Ryan Keith that showed code violations, damage and dangerous components of the existing building.

New Business

MMA Elections: Selectperson Whitten moved to authorize the Town Manager to sign the election form on the Select Boards behalf. Chairperson Speirs seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No.**

Discussion: Additional or Change in August Meeting Schedule: During the process of securing the bond for the WH&CC project, it was brought to the Town Managers attention that not collecting personal property taxes could impact the ability to secure a favorable bond rating. It was proposed that the Select Board met with the town's attorney in an executive session to discuss this issue. The Select Board agreed to push their next meeting back a week to August 28th @ 6pm.

Accounts Payable – Review & Approval

Chairperson Speirs moved to accept the FY18 accounts payable Warrant 58 in the amount of \$32,519.00. Vice Chairperson Morrison seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No.**

Chairperson Speirs moved to accept the FY19 accounts payable Warrants 3 & 4 in the amount of \$194,907.04. Selectperson Whitten seconded the motion. Discussion: None. **Vote: 4 Yes - 0 No.**

Other Business

Selectperson Whitten has volunteered to join GPGOC on their Advocacy Committee.

Vice Chairperson Morrison would like to find out if anything planted around the Memorial School was from a dedication ceremony, class tree, or of any significance that should be relocated.

Vice Chairperson Morrison brought up the idea of having a ceremony to kick off the construction of the WH&CC. The Select Board agrees that a ground-breaking ceremony would be an appropriate event for the beginning of construction.

Selectperson Moulton requested that going forward the meeting minutes are to document consensus decisions by the board. The minutes are also to include if the decision was unanimous, and if not, which members were against.

Adjournment

Chairperson Speirs moved to adjourn.

Ashley P. Roan
Recording Secretary

Select Board

Jennifer Speirs, Chair

Stephen Morrison, Vice Chair

Anne Graham

William Whitten

James Moulton

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.

Boards & Committees Communications: Included with this report, please find a schedule for the ensuing year regarding when the Select Board will take the opportunity to communicate with various town boards and committees at a regular Board meeting. It will begin with your meeting of September 18th.

FY19 Tax Commitment - Taxes were committed on August 31, 2018, with a mil rate of 16.67 per thousand dollars of value which represents a .40¢ increase in the mil rate. \$100,000 of undesignated fund balance was applied as per Town Meeting approval. It was expected that the mil rate would be in the area of \$17.90. However, the Town experienced a rise in valuation growth of \$44,911,100 for a new town value of \$529,666,800. Tax bills should arrive in mailboxes by September 8th.

Senior Tax Program FY19 - 43 applications were received; 39 were approved, and 4 denied because they were over-income. Each applicant will receive a \$1000 credit on their respective tax bill.

Wescustogo Hall & Community Center - Work continues on the financial process for the project, and we are close to completion.

Public Works Department - Clark and I have been meeting and working on several projects affecting the Public Works Department from the sand and salt shed to citizen concerns of roadways. We hope to report to the Board our finding during the course of the next couple of months.

Spectrum/Charter - School Channel - I have been working through the issue of broadcasting the School Board meetings with Spectrum, Jeff Porter (MSAD) and our representative at Sewell company who worked with the Town on the franchise renewal. I am being told that it can't be done however more information has become available, and I hope to have so more progress made on the issue in the week ahead.

Staff BBQ - A BBQ will be held in early October to celebrate the excellent work the staff of North Yarmouth performs on a daily basis!

Respectfully,

Rosemary

Rosemary E. Roy, Town Manager

September 18	October 16	November 20
Events Committee Communications Advisory Friends of Wescustogo	Planning Board EDSC Comprehensive Plan	Planning Board Parks & Recreation LWNY
January 15	February 19	March 19
Events Committee Communications Advisory Friends of Wescustogo	Planning Board EDSC NY School Fund	Parks & Recreation Living Well in NY

Date: August 31, 2018

To: Select Board

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

RE: WESCUSTOGO HALL & COMMUNITY CENTER FINANCING

Included with this memo is a Post Issuance Compliance Policy form for the Boards review and adoption. Per the town's bond counsel the Select Board needs to adopt this policy in order to demonstrate it understands and has procedures to comply with IRS regulations and SEC rules. This is a fairly standard document throughout municipalities. Attorney Mueller notes that the Board will need to adopt the policy prior to the bond closing, but ideally, they will adopt it prior to the posting of the POS (Preliminary Official Statement) so that it can contain a recitation that there is a validly existing policy in place at that time.

TOWN OF NORTH YARMOUTH, MAINE
POST ISSUANCE COMPLIANCE POLICY

The Town of North Yarmouth, Maine (the “Town”) issues tax-exempt bonds from time to time to finance various capital improvements. As an issuer of such tax-exempt bonds, the Town is required by the Internal Revenue Code of 1986, as amended, (the “Code”) and regulations promulgated by the United States Treasury Department to take certain actions subsequent to the issuance of such bonds to ensure the continuing tax-exempt status of the bonds.

The Town recognizes that compliance with applicable provisions of the Code and Treasury Regulations is an on-going process, necessary during the entire term of a bond issue, and is an integral component of the Town’s overall debt-management responsibilities. These requirements apply equally to capital leases. Accordingly, the implementation of these requirements will require on-going monitoring and consultation with Bond Counsel.

Issuance.

The Board of Selectmen, or other body or officials as the town meeting may determine, shall approve the terms and structure of bonds issued by the Town. Such bonds shall be issued in accordance with United States Treasury Department Regulations, the Internal Revenue Code of 1986, as amended, State statutes and the Town’s ordinances. Specific post-issuance compliance procedures are addressed below.

General Procedures.

The following guidelines will be used to monitor compliance with post-issuance requirements:

1. The Town’s Treasurer shall serve as the Compliance Officer and shall be the person primarily responsible for ensuring that the Town successfully carries out its post-issuance responsibilities. The Treasurer shall be assisted by the following persons or entities:

- a. Bond Counsel
- b. Financial Advisor
- c. Paying Agent
- d. Rebate Specialist

The Treasurer shall be responsible for assigning post-issuance responsibilities to other staff, Bond Counsel, the Financial Advisor, the Paying Agent and the Rebate Specialist, and shall utilize such other professional services as are necessary to ensure compliance with all post-issuance requirements.

2. The Treasurer shall verify that the following post-issuance actions have been taken on behalf of the Town with respect to each issue of tax-exempt bonds:

- a. Ensure that a full and complete record for the principal documents of each the issue has been completed by Bond Counsel and the Financial Advisor;

- b. Ensure that the Internal Revenue Service (IRS) forms 8038 are properly filed with the IRS by Bond Counsel within the time limits imposed by Section 149(e) of the Code;
- c. Account for the allocation of the proceeds of the tax-exempt bonds to expenditures as required by the Code;
- d. Coordinate receipt and retention of relevant books and records with respect to the investment and expenditures of the issue proceeds;
- e. Identify proceeds of tax-exempt obligations, in consultation with Bond Counsel and the Financial Advisor, that are yield-restricted and monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the bond yield to which such investments are restricted;
- f. Determine, in consultation with Bond Counsel and the Financial Advisor, whether the Town is subject to the rebate requirements of Section 148(f) of the Code and related Treasury Regulations with respect to each issue of the Town. The Treasurer shall contact a Rebate Specialist, as required, prior to the fifth anniversary of the date of issuance of each issue and each fifth anniversary thereafter until the obligation has matured to arrange for calculation of the rebate requirements, as needed, to be paid by the Town. If any rebate is required to be paid to the IRS, the Town Treasurer will file Form 8038-T, along with the required payment.
- g. Shall monitor the use of all financed facilities in order to determine whether private business uses of financed facilities have exceeded the de minimus limits set forth in Section 141(b) of the Code (generally a value or benefit equal to 10% of issue proceeds) that provide special legal entitlements to non-governmental persons.
- h. With the assistance of professional services as needed, shall ensure that any and all nonqualified bonds are remediated according to the requirements of the Code and relevant regulations.

3. The Treasurer shall collect and retain the following records with respect to each issue of tax-exempt obligations and with respect to the facilities financed with the proceeds of such Obligations:

- a. Audited financial statements of the Town;
- b. Appraisals, surveys, feasibility studies, if any, with respect to the facilities to be financed with issue proceeds;
- c. Trustee or Paying Agent statements;
- d. Records of all investments and the gains (or losses) from such investments;
- e. Expenditures reimbursed with the issue proceeds;
- f. Allocation of issue proceeds to expenditures (including cost of issuance) and the dates and amounts of each expenditure (including requisitions, draw down schedules, invoices, bills and cancelled checks as related to each expenditure);
- g. Construction or renovation contracts for financed facilities or projects;

- h. Maintain an asset list of all tax-exempt financed depreciable property and sales of tax-exempt financed assets;
- i. Arbitrage rebate reports and records of rebate and yield reduction payments, if any;
- j. Orders, Resolutions and other actions, if any, adopted by the Town subsequent to the date of issue of the obligations; and
- k. Relevant correspondence relating to such bonds.

The records collected by the Town shall be stored in any format deemed appropriate by the Treasurer and shall be retained for a period equal to the life of the tax-exempt obligations, including the life of any obligations issued to refund obligations, plus three (3) years.

4. In addition to its post-issuance compliance requirements under the Code and Treasury Regulations, the Town has agreed to provide Continuing Disclosure, such as annual financial information and material event notices when required. The continuing disclosure obligations are governed by the Continuing Disclosure Documents and by the terms of Rule 15c2-12 under the Securities and Exchange Act of 1934, as amended and officially interpreted from time to time.

5. Prior to the change in use, sale, lease, or rent of any bond-financed asset, the Compliance Officer shall be consulted in order to ensure compliance with applicable Code provisions and Treasury Regulations. In the event that an action is found to cause an issue to meet the private business tests or the private loan financing tests, the Compliance Officer and other necessary Town officials, in consultation with Bond Counsel, may undertake the remedial action steps listed in 26 C.F.R. § 1.141-12.

6. In the event of a violation of the applicable rules for tax-exempt bonds, the Compliance Officer, and other necessary Town officials, in consultation with Bond Counsel, may participate in the Tax Exempt Bonds Voluntary Closing Agreement Program in order to conclusively resolve the violation as expeditiously as possible.

Date Adopted: _____

Date: September 1, 2018

To: Select Board
Fr: Rosemary E. Roy, Town Manager ^{RR}
Cc: Comprehensive Planning Committee
Cc: Planning Board

RE: CALL FOR SPECIAL TOWN MEETING

Following a successful meeting held on August 30th, with the Yarmouth Water District, the Comprehensive Plan Committee, members of the Planning Board, the town's planning consultant, and myself it was determined that the following schedule can be met by both town committees and to proceed with this process by asking the Select Board to call for a Special Town Meeting to request of the townspeople to 1) approve the amended Town Comprehensive Plan; 2) approve amendments the town's Land Use Ordinance and Zoning Map.

- Tuesday, September 11th - Formal release of new Town Comprehensive Plan to Select Board, Planning Board, and the public.
- Thursday, October 4th - Public Hearing to be held by the Comprehensive Plan Committee; a 30-day notice is required for the hearing.
- Tuesday, October 9th - Planning Board Public Hearing on Land Use amendments.
- Tuesday, October 16th - Select Board (regular meeting) and signing of the warrant.
- Tuesday, October 30th - Special Town Meeting - 6:30 pm.

If the Board agrees with the scheduling, a motion should be taken to call for a Special Town Meeting to be held noting the date and time. Thank you.

Date: September 4, 2018

To: Select Board

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

RE: Committee Appointments

1. Budget Committee

Jim Knight - Term to 6/30/19

(Former member of the Town Office Renovation Committee)

2. EDSC

Greg Schueman - Term 6/30/21

Volunteer applications included with this memo.



(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
(Elected position only if vacancy available) | <input type="checkbox"/> Prince Memorial Library Advisory Board |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Communications Committee |
| <input type="checkbox"/> Parks & Recreation Committee | <input type="checkbox"/> Economic Development and Sustainability Committee |
| <input type="checkbox"/> Shellfish Conservation Commission | <input type="checkbox"/> Events Committee |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Flag Committee |
| <input type="checkbox"/> Zoning Board | <input type="checkbox"/> Wescustago Hall Committee |
| <input type="checkbox"/> Joint Standing Committee | <input type="checkbox"/> North Yarmouth School Scholarship Fund Committee |
| <input type="checkbox"/> Recreation Advisory Board | <input type="checkbox"/> Wescustago Building & Design Committee |
| <input type="checkbox"/> Town Comprehensive Plan Committee | |
| <input checked="" type="checkbox"/> Town Office Renovation Committee | |

Please provide the following information:

Name: James P. Knight
 Email: J.Knight6164@gmail.com
 Mailing Address: 331 Gray Rd. No. Yarmouth
 Phone: 207-829-6164

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. 31 years in No Yarmouth - worked for P.W. for 17 years

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

See above

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

~~At~~ Town Manager Search Committee

James P. Knight
Volunteer Signature

6/16/16
Date



**TOWN OF NORTH YARMOUTH
BOARD & COMMITTEES
Volunteer Form**

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

- | | |
|---|--|
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Joint Standing Committee |
| <input type="checkbox"/> Budget Committee | <input type="checkbox"/> Living Well in North Yarmouth |
| <input type="checkbox"/> Communications Advisory Committee | <input type="checkbox"/> Parks & Recreation Committee |
| <input checked="" type="checkbox"/> Economic Development and Sustainability Committee | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Events Committee | <input type="checkbox"/> Wescustogo Hall Fundraising Committee |
| <input type="checkbox"/> Flag Committee | <input type="checkbox"/> Zoning Board of Appeals |

Please provide the following information:

Name: Greg Schweman
Email: greg@schweman.com
Mailing Address: 323 W Pownal Rd North Yarmouth, ME 04097
Phone: 207-514-5012

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 am interested in serving to guide the growth of our town to be sustainable & balanced.
2. Do you have any relevant experience, training or credentials that you would like us to consider? MBA Finance, former MTE Tech Board Member, Dealt with long range planning for corporations for 2 decades.
3. Have you ever served on any boards/ committees before? If so, when and where? Not in North Yarmouth, but on Maine Tech. Institute

Gregory Schweman
Volunteer Signature

8, 21, 2018
Date

Please email this form to manager@northyarmouth.org, mail to 10 Village Square Road, North Yarmouth, ME 04097, or drop it off at the Town Office; (207)829-3705

Date: August 30, 2018

To: Select Board
Fr: Rosemary E. Roy, Town Manager ^{RR}
Cc: Robert Konczal, Atlantic Valuation Service

RE: REINSTATMENT OF PERSONAL PROPERTY

The following process to reinstate personal property, should the Select Board take action, will take place beginning mid-October 2019.

- A review of the FY17 existing data for personal property accounts will be conducted.
- A mailing to PP taxpayers and any newly reported accounts will be created.
- The mailing that will include a letter of explanation, a PP declaration form, and information on filing for a BETE (Business Equipment Tax Exemption) or BETR (Business Equipment Tax Reimbursement) programs offered through the state office.
- The taxpayer has sixty (60) days to return the declaration (note: some taxpayers have continued to send in their declarations even with the action taken in FY18).
- A supplement PP tax billing will be created for the fiscal year ending FY19; it will have a separate commitment date from that of the real estate accounts for FY19.
- Tax bills will be generating and mailed in January 2019 (exact date to be determined).