



## Town of North Yarmouth, Maine Special Town Meeting Minutes

To: Clark Baston, a resident in the Town of North Yarmouth, County of Cumberland, and State of Maine.  
MUNICIPAL ELECTION NOTICE

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of North Yarmouth in said County of Cumberland and State of Maine, qualified by law to vote in town affairs, to meet at Wescustogo Hall & North Yarmouth Community Center in said Town on Tuesday, the 8th day of November 2022 A.D., at seven o'clock in the forenoon, then and there to act upon Article 1 and by secret ballot on Articles 2-6 set out below, the polling hours therefor to be from seven o'clock in the forenoon until eight o'clock in the afternoon, said articles being the following:

**ARTICLE 1.** To elect by written ballot a Moderator to preside at said Special Town Meeting and Election.

**Motion by Elizabeth Chandler nominating James Knight as moderator for the day, motion seconded by Stacey Holden. Motion carried.**

**ARTICLE 2.** To vote by secret ballot on the following referendum question:

Shall the Town of North Yarmouth approve the charter amendment reprinted below?

[Note: Proposed deletions are ~~struck through~~; additions are underlined.]

### **Article I. Town Meeting and Elections**

1. **Town Meeting.** Town meetings shall be held as provided below:

- a. The Select Board shall convene an annual Town Meeting ~~on a Saturday in April~~ on or before June 30<sup>th</sup> of each year for the purpose of considering and adopting the budget and such other matters as appear on the meeting's warrant. The annual Town Meeting date shall be established by the Select Board not later than the preceding ~~February 1<sup>st</sup>~~ April 1<sup>st</sup>.

...

### **Article II. Select Board**

...

3. **Chair of Select Board.**

At the first ~~regular~~ meeting of the Select Board on or after July 1<sup>st</sup> of a year, the Select Board shall elect a chair to serve until the following June 30<sup>th</sup>. In the event the chair ceases to serve as a selectperson, resigns as chair, or is otherwise unable to discharge his or her duties prior to the end of such term, the Select Board shall elect a new chair as soon as practicable. By an affirmative vote of not less than four members, the Select Board may vote to remove a chair

prior to the expiration of their term and thereafter by an affirmative vote of no less than three members, elect a replacement.

*[The effective date of this amendment is November 9, 2022.]*

**Yes Votes | 2291, No Votes | 341, Blank Votes | 130**

**ARTICLE 3.** To vote by secret ballot on the following referendum question:

Shall the Town of North Yarmouth approve the charter amendment reprinted below?

[Note: Proposed deletions are ~~struck through~~; additions are underlined.]

**Article I. Town Meeting and Elections**

...

2. **Elections.** An annual municipal election shall be held in June for the purpose of electing town officials and for voting on referendum questions and other secret ballot questions. Except as otherwise provided herein or in state law, the following offices shall be elected by secret ballot at the annual municipal election: Select Board/Board of Overseers & Overseers of the Poor; Yarmouth Water District Trustee; Directors of MSAD #51; Budget Committee; and Cemetery Commission. Other elections shall be held as provided by state law.

...

**Article II. Select Board**

1. **Select Board/Board of Overseers of the Poor.** There shall be a Select Board/Board of Overseers of the Poor consisting of five (5) members elected to staggered three (3) year terms. The terms of those elected to the Select Board shall expire on June 30<sup>th</sup> of their expiration year.

...

**Article V. General Provisions**

...

**3. Transition Provisions.**

...

- b. The prohibition on serving as a Selectperson pursuant to Article II, Section 5(b) shall apply to all ~~selectmen~~ Selectpersons as of the effective date of the charter. Should the prohibition create a conflict for any Selectperson elected prior to the effective date, that Selectperson's seat becomes vacant as of the effective date of the charter unless the Selectperson eliminates the conflict before the effective date.

*[The effective date of this amendment is November 9, 2022.]*

**Yes Votes | 2232, No Votes 370, Blank Votes | 160**

**ARTICLE 4.** To vote by secret ballot on the following referendum question:

Shall the Town of North Yarmouth approve the charter amendment reprinted below?

[Note: Proposed deletions are ~~struck through~~; additions are underlined.]

**Article II. Select Board**

...

2. **Qualifications.** The Select Board shall be registered voters of the town who maintain a permanent, principal residence in the town at all times during their term of office. For purposes of this subsection, "permanent, principal residence" shall mean that place where a person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return, consistent with the factors listed in 21-A M.R.S. § 112(1)(A).

...

4. **Powers and Duties.**

...

- g. The Select Board shall make appointments to boards, commissions and committees from time to time. In the case of elected positions described in Article IV below, the Select Board shall have the authority to appoint members to otherwise elected committee positions in the event of removal, disability, or resignation, and in the event no qualified candidate is elected on a secret ballot. Such appointments shall be for the unexpired term of such position, unless otherwise provided by statute or other law.

...

**Article IV. Elected and Appointed Boards, Commissions, Committees and Officials.**

1. **Elected Boards, Commissions, Committees, and Officials, and Qualifications.** The following positions shall be registered voters of the town who maintain a permanent, principal residence in the town at all times during their term of office and shall be elected by secret ballot. For purposes of this section, "permanent, principal residence" shall have the same meaning as set forth in Article II, Section 2.

...

2. **Appointed Boards, Commissions, Committees and Officials, and Qualifications.** The following boards, commissions, committees and officials shall be appointed by the Select Board, and shall consist of members who are registered voters of the town who maintain a permanent, principal residence in the town at all times during their term of office. For purposes of this section, "permanent, principal residence" shall have the same meaning as set forth in Article II, Section 2.

...

3. **Vacancy, Forfeiture.** The office of a member of any elected or appointed board, commission or committee listed in Article IV, Sections 1 and 2 shall become vacant upon the member's death, resignation, non-acceptance, or removal from office in any

manner designated by law, or by forfeiture if he or she lacks at any time during their term of office any qualification of the office as described by this charter or by law.

*[The effective date of this amendment is November 9, 2022.]*

**Yes Votes | 2275, No Votes | 288, Blank Votes | 199**

**ARTICLE 5.** To vote by secret ballot on the following referendum question:

Shall the Town of North Yarmouth approve the charter amendment reprinted below?

[Note: Proposed deletions are ~~struck through~~; additions are underlined.]

**Article IV. Elected and Appointed Boards, Commissions, Committees, and Officials**

a. Board of Assessment Review. There shall be a Board of Assessment Review consisting of three (3) regular members and two (2) alternate members appointed by the Select Board to staggered three (3) year terms. The terms of those appointed to the Board of Assessment Review shall expire on June 30<sup>th</sup> of the expiration year. The Board of Assessment Review shall elect from their membership a chair and a secretary at its first regular meeting occurring on or after July 1<sup>st</sup> of each year. Other than for purposes of electing the chair and secretary, an alternate may only vote in the absence of a regular member.

...

d. ~~Parks & Recreation~~ Committee. There shall be a ~~Parks & Recreation~~ Committee consisting of ~~seven (7)~~ 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 ~~Parks & 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 the town's 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.

*[The effective date of this amendment is November 9, 2022.]*

**Yes Votes | 2146, No Votes | 398, Blank Votes | 218**

**ARTICLE 6.** To vote by secret ballot on the following referendum question:

Shall an ordinance entitled "2022 Amendments to the Town of North Yarmouth Land Use Ordinance to Modify Space and Dimensional Requirements in the Village Center District" be enacted?

*[A copy of the proposed ordinance amendments is posted together with this warrant and is hereby incorporated into this warrant by reference.]*

**Yes Votes | 1454, No Votes | 908, Blank Votes | 400**

Meeting was adjourned by the Moderator, James Knight at 8:00pm.

Respectfully submitted.

\_\_\_\_\_, November 9, 2022  
Deborah Allen Grover, Town Clerk