

**TOWN OF YARMOUTH
MINUTES OF THE TOWN COUNCIL MEETING**

Meeting: 2-19/20
Date: August 15, 2019
Time: 7:00 PM
Place: American Legion Log Cabin

Roll Call of Members P = Present A = Absent T= Tardy

P Meghan Casey 1 South Street
P April Humphrey, 277 East Main St
P Andrew Kittredge, 84 Rogers Road
P Richard Plourde, 87 Pinewood Road
P Timothy Shannon, 47 West Elm St
P Randall Bates, 30 Tannery Lane
P Robert Waeldner, 141 Oakwood Drive

Prior to the beginning of the meeting Chairman Bates recognized the passing of School Committee member Philip Jones. Councilor Waeldner also had sentiments to share.

1st Order of Business: Roll Call of Members: All Members Present.

2nd Order of Business: To approve the minutes of Meeting 1-19/20 held July 25, 2019. Correction: Kate Stephens is a Tenant Rep. Approved as amended **7-0**.

3rd Order of Business: Public comment period.

- Mary Webber spoke about an off-leash dog park.
 - Included doing a Town-wide survey, 4 possible sites, and
 - People concerned that this not be a back way effort to limit dogs elsewhere
- Charles Calvin spoke about Wharf Road. He received an apology from the offender. Traffic is fast and requests speed bumps.
- Carol Sebasteanski, GM of CTC spoke about the back up alarms and the safety on the wharf being a concern.
- Chief Gallant assured the Police Department was doing what they could on Wharf Road and other areas in town.

Item No. 10: Reports

- Councilor **Humphrey Plourde (correction voted at 9/19/19 meeting)** reported the RESAC committee had a resignation (Lianne Mitchell), possible solar array and 3 phase power cost estimate

Item No. 10A: To schedule a special election to fill vacancy on the Yarmouth School Committee.

Be it ordered that a Special Election to elect a successor to complete an unexpired term on the Yarmouth School Committee shall be held on Tuesday, September 10, 2019 at the Yarmouth Town Hall with polls to be open from 6:00 AM until 8:00 PM, and

Be it Further Ordered that nomination papers shall be available from the office of the Town Clerk beginning at 9:00 AM on Friday, August 16, 2019 to be returned on or before 4:00 PM on Tuesday, August 27, 2019, and

Be it Further Ordered that absentee ballot shall be available beginning at 4:00 PM on Wednesday, August 28, 2019 and must be returned prior to the close of polls on Tuesday, September 10, 2019, and

Be it Further Ordered that a Warrant for said Special Election as presented at this meeting is hereby approved, a copy of which to be attached to the minutes of this meeting.

(7-0)

Item No. 11: Liquor license and Special Amusements permit to Owl and Elm.

Be it ordered that issuance of a full-time malt, spirituous, and vinous, liquor license and a Special Amusements Permit for Owl and Elm is hereby approved.

(7-0)

Item No. 12: Proposed contract zone agreement at 10 Bates Street (Tax Map 44 Lot 108- Ed Libby) amending Chapter 701 of the Yarmouth Town Code.

Be it Ordained by the Yarmouth Town Council in town council assembled that Chapter 701 of the Yarmouth Town Code is hereby amended by approval of a Contract Zone Agreement with Ed Libby regarding Tax Map 44 Lot 108, generally as presented at this meeting, a copy of which to be attached to the minutes of this meeting. And be it ordered that the Town Manager is authorized to execute said final contract document on behalf of the Town upon final approval by the Yarmouth Planning Board of the subdivision application pending or Site Plan Review permit application giving rise to this Contract Zone Agreement proposal. This Amendment and the said Contract Zone Agreement shall become effective upon final approval by the Planning Board of the subject subdivision or site plan application.

(4-3, Shannon, Waeldner, Plourde)

Item No. 13: Authorizing membership in the Greater Portland Transit District and continuation of the BREEZ bus service after December 31, 2019.

Be it Ordered that pursuant to Title 30-A MRSA Chapter 163 the Town of Yarmouth hereby applies for and accepts, upon approval of the Greater Portland Transit District Board of Directors, membership to the Greater Portland Transportation District effective January 1, 2020, and

Be it further ordered that the Town Council shall appoint a representative to the Greater Portland Transit District (aka METRO) Board of Directors for a term of three years on or before January 1, 2020.
(7-0)

Item No. 14: Report from the Recycling Committee on Improvements to the Transfer Station for PAYT.

No action taken

Item No. 15: To endorse the Main Street Master Plan.

Be it Ordered that the Main Street Master Plan as presented at the August 1, 2019 Workshop is hereby endorsed (with the following conditions, exceptions, or understandings, if any): _____

Amendments:

- *To divide the question to vote on the \$49,000 study for underground utility separately **(7-0) will be voted on after the plan itself***
- *That there shall be no raised intersection construction at the Portland Street and Main Street intersection without future explicit Town Council authorization. **(6-1, Waeldner)***
- *To limit travel lanes to 11 ft by resetting curb. **(2-5, Waeldner, Casey, Plourde, Bates, Kittredge) amendment fails***
- *That "bump outs" at crosswalk locations shall extend no more than 6 feet from the curb line. **Amendment withdrawn***
- *To require grass esplanades wherever practical instead of pavers. **(4-3, Waeldner, Plourde, Kittredge)***

Main motion passes as amended 7-0

2nd part of Item #15:

And Be if Further Ordered that a sum of \$49,000 is hereby appropriated from Surplus to commission an engineering concept design and preliminary estimate of probable costs for relocation of all overhead utility lines currently along Main Street from Elm Street to Marina Road underground.

Motion failed 0 – 7

Item No.16: Acceptance of public dedication of roads and infrastructure in the Village Run subdivision.

Be it Ordered that acceptance that Magnolia Street, Chestnut Street, and Dogwood Lane, all public streets dedications as part of the Village Run Subdivision off Sligo Road as described in a draft deed from Sligo Road Associates LLC to the Town of Yarmouth as presented at this meeting, along with all required public improvements, dedications and easements as shown on the Plan of Village Run Subdivision as Amended dated September 15, 2016 and recorded in the Cumberland County Registry of Deeds at Plan Book 216 Page 365-366, is hereby approved.

(7-0)

Item No. 17: Executive Session

Adjourned at 10:20 PM

Respectfully submitted

Nathaniel J. Tupper

Town Manager, Acting Recording Clerk