

North Berwick Board of Selectmen Minutes December 7, 2021

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
December 7, 2021**

Present: Chairman Galemmo, Selectman Hall, Selectman Johnson, Jr., Selectman Cowan, Selectman Johnson, Sr.

Also Present: Dwayne Morin, Mike Barker, Tiffany Roberts and Joe Rafferty, Charles Noble

Chairman Galemmo opened the meeting at 6:30 pm.

1. Pledge of Allegiance

2. Review and Approve Minutes of November 16, 2021

Selectman Johnson, Jr. motioned to approve the minutes of November 16, 2021 as amended. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

3. New Business:

A. State Representatives: Tiffany Roberts & Joe Rafferty

Dwayne said he was contacted by Tiffany Roberts. She had met with the Board last year to talk about the upcoming legislative session. Senator Joe Rafferty was involved in that e-mail so he has come tonight as well. He explained that there are a couple bills that they would be acting on this coming year involving EMS and want their support on.

Representative Roberts stated that bills are just starting to come out. They are just starting to see what they are dealing with. There are a lot of carry-overs and they are dealing with a very limited list. Each legislature have maybe one or two bills. She did look out to see what there was for EMS bills. They are going to be remote a lot. It is going to be a different session. Governor should release Supplemental Budget in January with an emphasis around relief around gas prices, inflation. She doesn't know what they will look like yet.

Senator Rafferty and her are both chairs of different committees. Representative Roberts is a member of IDEA (Innovation, Development, Economic Advancement in Business). Some of the EMS bills will be coming to her committee. Mostly they are dealing with supplemental bills that they carried over.

Senator Rafferty stated that it is a shorter session and there are going to be a lot less bills. He is the Education Committee Chair. He hasn't seen all the bills yet and some have not even been written yet. They start January 5, 2022, which is the opening day. They are going to be in person

that day and then remote through the month of January. Anything that they can bring forward for North Berwick is what they are there for.

Dwayne said there are two issues regarding education that need to be addressed at the state level. When a town or state borrows money, and they put forth a referendum question, by law they must state what the projected interest is and what debt payments are. However, when schools borrow money, they do not have to do that. An example is this past year we had a referendum vote to build new schools in the district. The cost of the schools was \$54 million dollars, but the actual cost was \$71 million due to additional interest and they did not have to disclose that. Schools are exempt from stating their interest on their referendum question. He stated it goes to the point of transparency. Dwayne thinks if the school is going to place a referendum vote to borrow money to the voters that interest should be included within that question. There should be full disclosure of all costs to taxpayers on the ballot.

Dwayne thinks one of the reasons it was like that was that the state used to be a partner whenever schools were built. The state has not put money into building construction for schools for years. The local taxpayers have had to do that. That may be one of the reasons. He doesn't understand why the state and towns have to do that but schools do not. It really goes to transparency so voters are more aware of what is going on. The tax payer should see what is being spent and the school needs to state that and the law should be changed.

The other issue as it relates to education that Dwayne thinks the state should look at that is that currently the school district can only borrow money for a maximum of 20 years. There are two different levels. First is that if it is over 2 million, they can borrow up to 20 years. If it is under 2 million, they have 10 years. As the cost of construction projects continue to grow, Dwayne thinks it should be looked at to allow school districts be allowed to borrow money up to 30 years. It would save the tax payer costs when you look at yearly budget. He thinks the school districts be given the option to borrow for 30 years just like the state and towns have the ability to do would be a wise move. Dwayne is looking at giving us tools to work with and he stated that a 20 year timeframe would lend to a huge yearly payment but stretching out 30 years would take pressure off the budget when looking to build budgets.

Representative Roberts said she would look into it because it has to do with cost savings. Selectman Johnson, Jr. said it would really affect the retirees more than the average working person. She said she would look into state and local chairs to see if they have concept drafts carryovers and see what happens.

Dwayne thinks it would be a benefit to all school districts in the state of Maine to be completely transparent regarding costs requiring interest. Voters should know exactly what they are voting on.

Dwayne stated that the tiny homes bill is a pretty good bill but there is some language that chops the town's knees off. He said he sent his concerns off to state fire marshal who was in agreement with the towns. They asked for a change in the bill. The main thrust of the bill was that it allows for a tiny home to go on a piece of property and allows an owner to put multiple tiny homes on a property under that piece of legislation completely against town zones. Dwayne gave an example

in North Berwick who has seven zones. The farm & forest zone requires you to have four acres. Under the bill, you could now put ten, twenty or even unlimited tiny homes on that lot because the bill chops the town's knees off. What it should be is to allow for tiny homes in zones that allow for regular homes. That was really the thrust of that bill. Dwayne said there is one sentence in that bill that needs to be clarified to fix that.

Dwayne said another bill that is going to have significant consequences is in regards to solar panels. He said that two years ago, the state passed a solar panel law which stated solar panels are exempt from taxation. He said there are now two projects that have been approved and one pending that these projects stretch over 40 acres of land and the town gets zero tax dollars from these projects because originally the law was not supposed to exempt commercial utilities but it happened. It exempted anything under five gigawatt. Dwayne stated that a five gigawatt solar field is approximately 30 to 40 acres and the towns get zero tax dollars.

Selectman Hall is in favor for the average home owner who puts solar panels on their roof. How are we going to come up with a value on a solar panel. Representative Roberts said it means you are not getting back what you are putting in. Dwayne said that CMP is charged along with anyone who has an oil burner that is making electricity. He stated a good example is that there is a \$5 million dollar project and a \$15 million dollar project and North Berwick will generate zero tax dollars on those projects because solar is exempt from tax. Dwayne said the State needs to rethink the tax exemptions on solar panels. Dwayne said he is all for solar and thinks it is a great idea but feels there should be some revenue that is generated by those projects.

Representative Roberts said she would touch base with Senator Mark Lawrence who is chair of Energy, Utilities and Technology.

Selectman Hall stated that as both an educator and a parent, he hears conflicting rumors regarding pre-k for all. He stated that universal pre-k is a good idea but there needs to be funding for infrastructure. Our school district does not have space right now, classroom wise, for pre-k. It is needed and he'd love to see it pass but he hopes that they keep in mind that the towns would need significant help.

Senator Rafferty stated that pre-k is a hot topic and it is always something that is discussed. There are some communities that offer it. He stated that it is a huge financial burden and he thinks there are a lot of different ways to look at it and there needs to be answers.

Mike Barker said there are some issues that are facing EMS nationally and coming down from the state such as increased training, increased protocols, increase things that they want them to be able to do in the field before they even get to the hospital and all that comes unfunded, uneducated and they are not set up from the state to be able to do that. Mike stated that Medicare and MaineCare represent about 70% of the pay mix to EMS agencies across the state. While there was an increase in MaineCare in 2020, the Medicare and MaineCare payments are still well below what it costs to deliver services. For example, say North Berwick has their billing company raise \$200,000.00 a year through billing avenues, that barely makes a dent in order to operate any 911/EMS service anywhere.

Dwayne stated just to give everyone an idea, North Berwick collects \$200,000.00 but it costs \$500,000.00. EMS budget last year was just under \$500,000.00 and they collected \$200,000.00 in insurance reimbursements.

Mike said compounded with that going forward, the State passed a no balance bill law so now they can't even bill for the balance of payments that they do not even get. They basically have to become subscribers to insurance companies and insurance companies are smart and do not want to pay either. No more balance billing is allowed. If someone is transported in the ambulance, they are not always able to know if they are going in-network or out-of-network and that creates problems with insurance companies.

Representative Roberts inquired if the Rescue was getting frozen at all from Anthem at all or getting payments out. Mike stated that the problem is that a lot of people work in Massachusetts and have Anthem Blue Cross of Massachusetts and they weren't bound to that same thing so that has not helped. Mike stated that DHHS is holding off implementing the Medicare add-ons until April of 2022 and the federal government is also in the process of conducting cost assessments but that won't be done until at least the end of 2025 and Mike said we can't wait until the end of 2026 to fix the problem. Another thing that hits North Berwick the most is that the pay in EMS is low.

Mike stated that people are getting burnt out and walking away. The vaccine mandate did not help the situation. They lost six people and not because they did not want to be vaccinated but some worked in New Hampshire and stayed in New Hampshire and picked up more hours. Some of the New Hampshire services pay a little more or the travel was better. Mike said they do not rely on volunteers anymore. Mike's normal schedule for work is a rotating schedule. He works an average of 42 hours a week at his employment and then he works an average of 80 or 96 hours a week on top of that covering calls here in town because they simply do not have people. Mike stated that they desperately need more resources.

They are looking for immediate ways to implement reimbursement for EMS because they can't wait until 2026. He'd rather staff the ambulance with one person to render immediate care but if then another service comes to transport, they are the ones who get the bill for that and they lose out on that. Or if they have a paramedic on and we need those services and we have to call another service and we get to bill but we have to pay that service their intercept fee. So if we are talking about Medicare or MaineCare, the reimbursement rate is about \$70.00 and we have to pay the other service upwards of \$300 to \$350, so we would lose money on that call. Mike stated that they are not in the business to make money but they should at least break even and not losing revenue which happens a lot.

Selectman Cowen asked if we had a paramedic. Mike stated we do but there is no paramedic on 24/7 which they strive to do but there is a limited pool. Pay, incentives and training is a struggle for everyone and he feels these concerns should be listened to. There really has been no relief.

Representative Roberts talked about the reimbursement rates and asked Mike if the HHS Committee would look into that, if that would that make a dent in the problem and Mike stated it would help some.

Selectman Hall stated he heard about increasing the state funding but wonders what are other solutions that they are looking for to help these problems. Mike stated that part of the problem is that the state level provide municipalities with money to support these things such as setting what the basic EMS minimum wage was going to be. Other business can cut costs by simply closing, the Rescue just cannot close.

Selectman Hall inquired about needing a higher funding formula from the state. Mike stated that some of these mandates are putting a lot on the pre-hospital provider to have them ready to be seen in the emergency room so they can either see them for less time in the emergency room and either move them to another wing or another hospital and all of that education and training is not funded. Education reimbursement is big and the State needs to do a better job of attracting new and younger people into the profession as a whole.

Selectman Cowen feels there are a lot of parallels between what they are experiencing and what happens within the educational realm in relation to unfunded mandates. She looks at special education as a prime example of that in terms of fully funding the impact of special education to local communities so she sees a lot of parallels between Mike's field and what has been going on in the educational field for a long time.

Representative Roberts stated she did some pre-emptive research before she came tonight knowing that EMS was going to be brought up and how they were looking for some sort of support on bills and she doesn't know that that is possible in the current bills. She did speak to Representative Michele Meyer of Eliot who is the Chair of HHS and is going to talk to her again about reimbursement rates. Dwayne stated that if MaineCare even just met billing needs, it would free up funds that the town has and help all the way around.

Dwayne said every year they put more property tax into the equation and get less revenue. He needs to see reimbursement rates at a level where they simply cover costs.

Mike stated that it would help if maybe the state could get grant money because of costs and capital expenditures. He gave examples of a new monitor that they have to carry on the ambulance is \$14,000.00 and that is being conservative. A stretcher is \$16,000.00. There is an upcoming change in the federal legislation in how ambulances are built. Right now it costs North Berwick \$27.00 for the piece to latch the stretcher into the back of the ambulance but once those changes go into effect, that will be a \$2,000.00 piece.

Representative Roberts asked Mike to provide her with a copy of the outline of things he is requesting for her to have and he provided her with that.

B. Rescue: Rescue Chief Mike Barker - EMS & Budget

Chief Mike Barker stated that he has tried to get a little creative with the rest of this year to try to see if we can round out the schedule a little bit more with what they are working with and what the demand is. He stated the demand for service in town is not going away, and there are well over 500 calls a calendar year. The overall work force is becoming a challenge and trying to find people to work. The rate of pay could be more enticing for people to come to North Berwick.

They need to figure out what they can do getting into budget season and what that is going to look like. It is going to cost more money and they are not able to raise. That comes down to what level of service and what does the town need. They are able to utilize the fire department for help but they are staff-restrained.

Selectman Johnson, Jr. inquired about billing for non-transport patients as well as motor vehicle accidents and Mike stated that they cannot bill for assessments. They can try to recoup some monies from insurance companies.

Dwayne asked Mike where he thinks they need to be for pay. Mike stated right now they are paying \$15.45 for a basic paramedic and \$20.45 for a paramedic. To be competitive, Mike said they should be in the \$18.00/\$24.00 per hour range.

Chairman Galemмо inquired how much we would be adding to the budget if the pay was put to that number. Dwayne stated it would be about \$35,000.00 x 2. None of their other costs are going up. He hasn't seen much of a rise in supplies and there may be ways they can save money in other areas as well. Mike stated that they have saved money due to Wentworth-Douglas Hospital in Dover, New Hampshire providing for narcotics. We basically borrow them from the hospital and because the hospital is going to use them before we are, they really just assemble our kits, the expiration is watched closely and as long as they are returned to the hospital in a timely manner when they are going to expire, they are just traded out with a new kit.

Selectman Cowen asked if we could tap into any ARPA funding. Dwayne stated that a premium pay but it is kind of a "one and done" type of thing and it is not going to sustain. It could certainly be looked at to maybe buy some time but he's not sure how much he could get.

Chairman Galemмо stated there is not a lot of choice regarding \$70,000.00 more as far as being able to have someone available when 911 is called.

Selectman Johnson, Sr. inquired if those increases would be a lot more incentives. Mike stated that he has been watching numbers and giving people little incentives and stated that he feels if the pay was higher, people would more likely commit.

Selectman Cowen inquired as to where we rank as far as area communities regarding pay scale for EMS. Mike used Wells as an example stating that a Wells paramedic that has been there for ten years is making \$26.00 per hour part-time. A Wells EMT basic that has been there for ten years is making \$18.00/\$19.00 and they are starting people out around \$16.50 and \$21.50 and going up from there. North Berwick is on the lower end/middle end being a service where there

is not a lot of others set up like us. Mike stated that Lebanon upped their pay scale to what he is proposing now what the top step would be.

Chairman Galemmo stated when they look at police pay, town office workers or road crew, they targeted to be in the top five towns. He feels that maybe instead of \$18.94, we could go to \$19.25, just to get us up toward the top, even if it can't be done in one year. It seems to have worked well for the police and other positions. Dwayne agreed and stated maybe it could be stretched over time.

Mike stated that if we were at \$24.00 for a paramedic, that we would be a little higher than the middle as far as surrounding areas. And if we were at \$18.00 for a basic EMT, we would be closer to the top. A lot of younger people are striving to become that paramedic but if we are not closer to the top end of the scale at the basic level, we will end up losing those people once they become paramedics. We have room to grow in the paramedic realm and a little less in the advanced EMT realm.

Selectman Cowen stated that she feels we need to be consistent in providing salary incentives to all essential services and she feels the EMT's certainly equally essential in terms of looking what the needs are.

Selectman Hall asked if this has to go through the budget committee. Dwayne responded that it did. Mike stated that this conversation is somewhat preemptive in that they wanted to start early looking ahead in looking at direction as he starts putting together the budget. Dwayne indicated that maybe they could use some of the ARAP to get us through the end of the budget. Mike is going to try and get grants. He was able to receive a grant for the new radios which was a large cost savings.

Chairman Galemmo would support the notion that by the third budget year, they are one of the top five. Selectman Hall concurs.

Dwayne stated that another topic is the ambulance. In the next two years, they are looking to replace an ambulance. In the past, the Rescue has been contributing toward this. The Rescue has done very well with rotating the ambulances to extend the life. Ambulance #1 is currently at Chandler's getting some work done because it had steering issues and a couple other things. It has 120,000 miles on it. Ambulance #2 really did not get run all summer but can run more in the winter due to the 4-wheel drive. However, Mike stated that the new ambulance will not do any good without anyone to work in them.

Dwayne stated that they do have some flexibility. In the past, they've bought an ambulance outright but they could possibly finance one and it would stretch it out to lower impact. Mike believes a new ambulance would roughly cost \$275,000.00. He said there will be money to use which is in reserve with some long-term CD's that are still available. Dwayne said the town is looking at different options to save some money.

Mike stated that the town's people should have a level of service that they deserve. He said they are currently set up well and he will also apply for grants in the future.

Selectman Hall asked about whether ARPA funds could be used for the ambulance. Dwayne said he would have to look into that. Mike said he recently got an e-mail from Congresswomen Pingree relating to COVID relief funds and that the American Rescue Act further provided \$130 billion in funding directly to municipalities for flexible pandemic related issues including supporting EMS. Mike stated that luckily they have not seen a huge uprise here in town so to speak. He said the hospitals are busy and he had a call on Saturday that Biddeford is beyond capacity but only 10% was due to COVID. There are a lot of other things that are compounding it in the medical realm.

4. Public Input

Chuck Noble spoke on the issue of dog feces. He lives on Fox Farm Hill Road and stated a lot of people walk up and down that road. A lot of the walkers have dogs and the majority of the walkers pick up their dog feces. He stated that he has one neighbor who walks her dog and almost every day, the dog drops their feces right in front of his house and she does not pick it up.

He looked into whether the Town has an ordinance on that subject and found that there was none. He stated that the Animal Control does not mention anything about a dog dropping feces and picking it up. He went to surrounding towns to see what their ordinances stated. He said Wells and Sanford both have an ordinance that states the dog feces has to be picked up. The ordinance in North Berwick is very similar to their ordinance but does not have anything about dog feces on public property being picked up. He said as it is written, that the dogs can go anywhere in the town and the dog feces does not have to be picked up. He feels one paragraph should be added to the ordinance requiring people to pick up dog feces.

Selectman Johnson, Sr. stated that if it is not an ordinance now, it should be. Public property should have a requirement that it be picked up. Chuck Noble said the ordinance just needs a revision.

5. New Business:

C. LIQUOR LICENSE: Johnson Seafood and Steak Liquor License Request

Johnson's liquor license is up for renewal.

Selectman Hall motioned to approve the Johnson Seafood and Steak Liquor license request. Selectman Cowen seconded the motion. VOTE: 5-0

D. POLICE: Appointment of a Reserve Officer

Dwayne stated they have been looking for a reserve police officer because we are down a reserve officer. Chief Peasley has proposed Devin Marcella be the new reserve officer. Devin is new to the area. He is a 2020 graduate of Becker College and is currently working security at York

Hospital. The Town sponsored him to get his reserve license and we would like to put him on the force. Devin's goal is full-time police work.

Selectman Cowen motioned to approve the appointment of Reserve Officer Marcella. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

E. ABATEMENTS

Dwayne stated that there was a split that was missed when we did our commitment this past year. A property was taken from one lot and put on another. An abatement would be in order for Robert Desrochers, Account #366 in the amount of \$89.30. That will be to remove the split property from his current property.

Selectman Hall motioned to accept the abatement for Account #366 in the amount of \$89.30 for Robert Desrochers. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Dwayne stated that since that lot is now a buildable lot, a supplemental is in order for Bonnie and Scott Emmons in the amount of \$880.72

Selectman Hall motioned to accept the Supplemental #3 in the amount of \$880.72 for Bonnie and Scott T. Emmons. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

6. UNFINISHED BUSINESS:

A. COVID-19: ARPA Funding

Dwayne said he would look at the ARPA money for Rescue and see what they can do with that. At least for a year they may be able to offset those costs. Selectman Hall inquired about whether they could use some of that money for our town employees. Dwayne said he is still working on that. He will look to see that in the case of Rescue, which would fall under the \$78,000.00 threshold, he just needs to see how that will work. Gap funding is something he is looking into.

B. LWCF: Grant Funding of Bauneg Beg Hill Project

Dwayne said they did submit their intent. The process is that they apply to the State, the State accepts us, then it goes to the federal government who needs to accept it and Dwayne said he is still waiting to see what they need to provide in order to facilitate that.

C. FY23 BUDGET: Continued Budget Discussions

Dwayne said we've hit the perfect storm relating to budgets. For example, our mowing contract expires December 31. For the last twelve years, the town has negotiated with Gilpatrick who has zero increase every year but this year, he cannot do that due to increased costs.

Next week the Chief of Police is going to be in. Two years ago we were looking at an additional police officer and the Chief received a \$125,000.00 grant to get us a new police officer. He will be in to talk about an additional police officer.

The school has asked us to give them numbers for SRO officers and Dwayne has done that.

All budgets this year will likely have an increase this year and we will see what we can do to mitigate costs.

Dwayne said he found out the price for a new firetruck is over \$600,000.00. The company that they are dealing with has two demos and if we can commit to buy one by June, it is significantly less. He is just waiting for numbers.

Reminders: Next Board of Selectmen's Meeting – December 21, 2021 – 6:30 pm

7. OTHER BUSINESS:

Chairman Galemme mentioned the complaint of a noise coming from Hussey Seating. He says apparently they got a new metal stamper and it was thumping. Dwayne said the noise ordinance requires that it would have to exceed a certain number of decibels for a complaint to be filed and usually thumping does not exceed the decibels. The problem is that it is causing issues at evening time and Hussey does not operate a second shift right now. Dwayne needs to have Matt get a hold of Hussey and find out what is going on. Dwayne purposely went in the early morning and sat on Portland Street and could not hear anything. The complainant only noticed it at evening time.

Selectman Cowen is curious about what is under the large tent on the corner of Route 4 and Route 9. The Code Enforcement Officer is looking into what is under the tent and why is the fencing gone.

Dwayne said he would draft a change to the Animal Control Ordinance with the language similar to Sanford or Wells for the Board to consider and submit it for the next meeting.

8. Review and Approve Warrants and Correspondence:

Warrant:	November 30, 2021	- \$ 21,417.03
Warrant:	December 7, 2021	- \$ 83,847.94

Selectman Hall motioned to approve the Warrant of November 30, 2021 for the amount of \$21,417.03 and the Warrant of December 7, 2021 for the amount of \$83,847.94. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

9. Adjournment:

Selectman Cowen motioned to adjourn the meeting at 8:48 pm. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

Respectively Submitted,
Jennifer Berard, Stenographer

Original to Town Clerk

Chairman: Charles Galemmo

Selectman: Jonathan Hall

Selectman: Michael Johnson, Jr.

Selectman: Wendy Cowan

Selectman: Michael Johnson, Sr.