

North Berwick Board of Selectmen Minutes January 20, 2015

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
JANUARY 20, 2015**

Present: Selectman Galemmo, Selectman Folsom, Selectman Drew, Selectman Cowan

Absent: Chairman Danforth

Also Present: Dwayne Morin, John Scott Perry, Jamie Fegan, Michael Johnson, Jr. Michael Johnson, Claudy Boy, Kerry Briggs

Vice Chairman Galemmo will be the acting Chairman for tonight. He called the meeting to order at 6:34 pm.

- 1. Pledge of Allegiance**
- 2. Public Hearing – 6:35 PM – Cemetery Bylaws**

Vice Chairman Galemmo stated that the first item on the Agenda was a Public Hearing for the Cemetery Bylaws. He read the Public Hearing notice into the minutes as follows:

Public Hearing

Town of North Berwick, Maine
Cemetery Bylaws and Regulations

The Town of North Berwick Board of Selectmen and Cemetery Trustees will be holding a Public Hearing on Tuesday, January 20, 2015 and Tuesday, February 3, 2015 at 6:35 p.m. in North Berwick Municipal Building Room 212 for a hearing to amend the Bylaws and Regulations of the North Berwick Public Cemeteries Association. This Public Hearing is being held pursuant to Section 19 of the Bylaws and Regulations of the North Berwick Public Cemeteries Association.

The proposed amendment is as follows:

Add to Section 13 – Trees, shrubs and Monumental Work

Lots located in the Upper Urn Garden will consist of 5 foot x 4 foot plot that will accommodate up to 4 cremation urns. Each plot is allowed one monument and each monument will stand as a slanted 2'6" x 10" marker. Foundations for the monuments shall be 4 feet deep as required in this section and be flush at the ground level. The monuments will be located back to back on the central foundation. Each plot is allowed up to four flush grave monuments.

The Public is invited to attend this Public Hearing.

Dwayne Morin stated that this Public Hearing was the first of two. Under our Cemetery Bylaws and Regulations, it is required to have two Public Hearings before approving any changes to them. He stated that the Trustees are looking to create an upper urn garden. Dwayne showed everyone on the projector where the proposed upper urn garden is proposed to be located. It is an approximately a 12' x 160' section located in the upper right hand corner of the cemetery. The idea is to create more opportunity for cremation urns within the cemetery because the wall itself where cremation urns are currently stored is running out of space. He stated that they only have about 3-6 more spaces available. Dwayne stated that the proposed location is also an area that is considered unusable for the burial of remains because of the width. He stated that the vaults are more than 12 feet wide so it limits the amount of remains that could be buried in that section. By creating the Urn Garden, it will allow for about 320 cremation urns to be buried in that location.

Michael Johnson, Jr. stated that the whole cemetery is laid out in 15' x 15' increments for 5 grave lots and this was before vaults were required in 1911. With the vaults now being required and the vaults being 8 feet long, you cannot put 2 end to end in a 15' section. So now the lots have been changed to 12' x 20' to allow 5 graves. There is a 12 foot section down the middle that cannot be used for this so if we divide it up into smaller sections, it could accommodate a lot more people and make a little more money for the cemetery. They are trying to go with the current trends and make the best use of the space available.

Vice Chairman Galemme opened the meeting for public input at 6:39 pm.

Kerry Briggs asked how big the plots would be. Dwayne stated that they would be 5' x 4'. Mr. Briggs asked if you had to have a vault for the urn. Michael Johnson, Jr. stated that they did not. He stated that the cemetery requires that there be 4 feet of cement under each piece of masonry such as the monument or headstone. He stated that there would be a 2 foot strip down the middle for the whole length of it. This would be pre-sold with the lot. Then there is a 4' wide by 5' long section in front of that where we can put 4 urns and you would be allowed to have a flush marker as well.

Selectman Drew asked Mr. Johnson if there was still a possibility to add anything to the right of the existing wall and make another set of walls in the other direction. He stated that the walls look so good. He stated that that whole bank was not being utilized. Mr. Johnson stated that adding another wall is a much more expensive venture. They can do this other section for a third

of the price of a new wall. Dwayne stated that the existing wall had cost about \$70,000 to build and you can't charge that much to make back what you spent in making it. Selectman Drew asked what the costs of the crematorium sites are. Mr. Johnson stated that the current price is \$550 for a North Berwick resident and \$750 for a non-resident. Selectman Drew asked if it was the same for a grave site. Mr. Johnson stated that the cost for the grave sites are \$700 for a resident and \$900 for a non-resident. Dwayne stated that it would not be very cost effective to build a wall when they have the opportunity to add spaces where it is available.

Selectman Cowan asked how many acres there were at the cemetery. There are about 6 acres that are developed and about 18 acres that are still undeveloped. Dwayne stated that they probably have about another 6 to 10 years of burial space available in the current developed space. He stated that the next plan is a 3 phase project. He stated that each phase is a 100 year phase. The next phase would create 1,250 graves plus a columbarium site for more cremated remains. Michael Johnson, Sr. stated that they looked at putting up a free standing columbarium. He stated for a 40 niche columbarium, it would cost about \$18,000.

Vice Chairman Galemmo closed the meeting for public input at 6:43 pm.

3. Public Hearing – 6:35 PM – Liquor License for Johnson's Seafood and Steak

Vice Chairman Galemmo went on to the next Public Hearing for a Liquor License for Johnson's Seafood and Steak. He read the Public Hearing notice into the minutes as follows:

Legal Advertisement

Town of North Berwick Public Hearing

Liquor License for Johnson's Seafood and Steak Restaurant

6:35 p.m.

January 20, 2015

The North Berwick Board of Selectmen, pursuant to Section 653 Title 28A, M.R.S.A., will hold a Public Hearing on Tuesday, January 20, 2015 at 6:35 p.m. at the Town of North Berwick Municipal Building Room 212 for the purposes of issuing a liquor license to Johnson's Seafood and Steak Restaurant under sections 654 and 1051, Title 28A M.R.S.A.

All persons who are interested are encouraged to attend.

Dwayne stated they had already done this a few months ago. The reason that they are doing it again is because the current owners of Johnson's Seafood and Steak Restaurant, FenWest Corporation is selling their restaurant to John Perry and Jamie Fegan, who currently work for FenWest. They are looking to close at the end of this month or beginning of next month so they in order for them to continue to sell liquor, a license would need to be in place during that sale because licenses are not transferrable.

Vice Chairman Galemmo opened the meeting for public input at 6:44 pm.

There was no public input. Vice Chairman Galemmo closed the meeting for public input at 6:44 pm.

Selectman Folsom motioned to approve the liquor license for Johnson's Seafood and Steak Restaurant. Selectman Cowan seconded the motion. VOTE: 4-0

4. Review and Approve Minutes of January 6, 2015

Selectman Cowan motioned to approve the minutes for January 6, 2015 as written. Selectman Folsom seconded the motion. VOTE: 3-0 Abstain: 1

7. New Business:

A. Kerry Briggs: Discussion Regarding Tax Acquired Property

Kerry Briggs stepped forward to discuss this matter. He stated that in 1999 with another Board, he went through a tax acquiring process to acquire some land on Bauneg Beg Road from Doug Evans. He stated that in 1999, the Board entered into agreement to acquire 9 acres of land from Mr. Evans. He stated that he had approached Mr. Evans about buying additional land years before. During the transaction with the Town, there was a sliver of land that was carved out that was set aside in both the Purchase and Sales Agreement that was done with Mr. Evans. It was ultimately recorded in the deed that was done with the Town. Dwayne showed the Board on the projector the area that they were discussing. Mr. Briggs stated that the Town owns Lot 4-7 and they own Lot 4-4. The lot that they are discussing is Lot 4-9. Mr. Briggs stated that they were hoping to acquire this piece of land from Mr. Evans. He said that they had reached out to Mr. Evans, who had moved out west, to try and purchase the land from him. They made a few offers but have never heard back from him. He then assumed that the property had gone to the Town. He stated that he was looking at the tax map a little while back and noticed that this piece of land was still showing up. He spoke to the Town Assessor and was told that their records actually show that the land was assigned to the Briggs but when he spoke to Dwayne he found out that this wasn't the case. In 2006 or 2007 a lien was placed on the property because the taxes were never paid off. Dwayne stated that the Town foreclosed on the property in 2009. He stated that at the time when they foreclosed on it, the Board of Selectmen took no action on the foreclosure. Whenever the Town forecloses on a piece of property, there are three actions that they can take. They can either keep it, get rid of it or take no action.

Dwayne stated that if you read the agreement that the Town had with Mr. Evans, the Briggs were supposed to obtain that piece of property. He stated that originally they were not sure what they were going to use the land for. They thought about putting a tower on it, but eventually just let Great Works Land Trust to utilize it as open space. He states that there is no question that the land was supposed to be obtained by the Briggs. Selectman Cowan asked why that parcel had been separated out. Dwayne explained to the Board how they came about acquiring this property. Originally, Mr. Evans owned all of the land in that general area, but he never paid the taxes on a part of the land, so the Town took it. Mr. Evans came back before the Board and stated that he would like to redeem that property, but the Board said that they were not interested

in redeeming it. The Board wanted to have the third hill so they agreed to redeem this property back to him if he gave them the third hill. The Town wanted to have some access to the third hill so they created a right of way along Mr. Briggs' property. At that time, the Briggs had mentioned that they wanted to have some buffer zone so Mr. Evans agreed that he would sell that property to the Briggs but he never did. Dwayne stated that because it was created lot, they had to start taxing it. Mr. Evans never paid the taxes so the Town foreclosed on it.

Dwayne stated that it is a tax acquired piece of property and the Board of Selectmen have not made any determination as to what to do with it. Mr. Briggs is asking to purchase the property. Dwayne state that we have a Tax Acquired Property Ordinance which states that anything that is tax acquired, the Board has to make a decision as to whether to keep it or get rid of it. He stated that doing nothing just prolongs that decision making process. He stated that if the Board decides to keep it than nothing is done. If they decide that they want to get rid of it, than they need to allow Mr. Evans a 30 day redemption period. He said that they would need to figure out what all of the back taxes are from then to now along with all the fees and interest that he would be able to redeem the property at if he wanted to do this. Dwayne stated that the likelihood is that he would not redeem the property. Than the Board would be able to sell it and under the Ordinance they need to have a bid process. However, because this property is non-conforming and does not meet any standards we cannot sell it to just anyone. We can only sell it to an abutter. There are only three abutters and they are Mr. Briggs, the Town of North Berwick and Great Works Regional Land Trust. The Board would have to determine a value and offer it up for sale to one of these and he does not believe that the Great Works Regional Land Trust would be interested.

Selectman Folsom motioned to sell the property. Selectman Drew seconded the motion. VOTE: 4-0

5. Public Input

Dwayne stated that a couple of weeks ago, he received a call from Mr. Hazen Currier. Mr. Currier and his wife live on High Street. Mr Currier was quite upset that the evening before some fireworks were set off at around 8:30 in the evening. Dwayne stated that fireworks are allowed to go off until 10 pm or until midnight on Holidays as long as they have a permit. Dwayne stated that Mr. Currier had called the police department. They investigated and found that the people setting off the fireworks had a permit. Dwayne stated that he was quite upset because he suffers from PTSD and he said that the fireworks actually set him off. Dwayne stated that the person setting off the fireworks were well within their rights within our Ordinance. Dwayne stated that Mr. Currier would like to have the Board amend the Fireworks Ordinance to require either a stricter curfew or that everybody that gets a permit notifies all of their neighbors that they will be setting off fireworks. Dwayne told Mr. Currier that he would bring it before the Board for discussion. He stated that when they did establish the Fireworks Ordinance, there was a lot of concern over limiting the amount of fireworks within our community. They did not want any regulations whatsoever. The Ordinance they created was mostly about the basics, such as curfews and he does not think that much consideration was made for people with PTSD. He stated that most people do not let off fireworks in the winter time, so that is why Mr. Currier was concerned. Mr. Currier wondered if they could change the Ordinance so that in the winter time,

people would have to do the fireworks in the daytime. Dwayne stated that this kind of negates the purpose of fireworks. Selectman Folsom stated that they should wait until Chairman Danforth is present so he can have some input on the situation.

Vice Chairman Galemme asked how close the house that was setting off the fireworks was to the Currier's home. Dwayne stated that it was quite a ways away but it echoes. Selectman Cowan asked what the Noise Ordinance was for this. Dwayne stated that fireworks are exempt from the Noise Ordinance because they have their own Ordinance. Dwayne stated when fireworks are set off, they can be heard for many miles. He stated that he understands Mr. Currier's concern because he was very shaken up. Dwayne stated that the question is how far of a circle do you need to notify to set off fireworks because it could be a mile away. Selectman Cowan agreed with Selectman Folsom and said that they should table the discussion for when Chairman Danforth is present.

6. Unfinished Business:

C. Conservation Agricultural Commission: Discuss Criteria for Selecting Board

Dwayne stated that at the last meeting, the Board had suggested that all of the applicant's be invited to attend the next Board meeting to meet with the Board. Dwayne drafted a letter to go to each of the applicant's inviting them to attend. He read the letter into the minutes:

The Board of Selectmen has received your application to be a member of the newly created Conservation/Agricultural Commission. Thank you for your interest and desire to volunteer on this important commission. At this time, the Board has received more applications for membership than we have positions available. The Board would like to invite you to the February 3, 2015 Board of Selectmen's meeting for an interview for Board membership.

The meeting begins at 6:30 pm in Room 212 of the Municipal Building. If you are unable to attend, please contact Dwayne Morin, Town Manager at 676-3112 x 4. It is the Board of Selectmen's goal to seat the first commission by the end of February/beginning of March.

Once again, thank you for your interest and desire to serve on this commission and the Board of Selectmen look forward to meeting and discussing your membership application.

Dwayne stated that he would send the letters out tomorrow.

Dwayne said that Selectman Cowan had wanted this to be on the Agenda so they could discuss the criteria that the Board will be looking at for membership. Selectman Cowan stated that she thought that if they talked amongst themselves about what they are looking for. She stated that it is a Commission that created a lot of interest and some controversy so she feels that it would be good if they were on the same page. Dwayne stated that he had a conversation with a citizen in town today and there is so much misinformation that is out in the streets. He said that he has been told that the Town is not allowing horses to be in farm and forest anymore or that they can't have any chickens. He said that somebody actually came into his office and said that he was told that he would have to get rid of his horses. Dwayne told him that this was not the case. He

stated that there is a lot of discussion and misinformation out there. Selectman Cowan stated that they need to make sure the people they pick are open-minded and have the best interests of the Town at heart. Dwayne stated that the Board had previously mentioned about having a well-rounded committee but that will be very difficult. The people that were interested and those that have applied have a vested interest. Their interest is in that realm of Conservation and Agriculture and not necessarily in other realms. He stated that this is where the Board comes in because everything that the commission does has to come before them for approval. Selectman Cowan stated that she understands that these people will have a vested interest but she wants to make sure that they will operate in an open and fair manner. They should not be spreading information that is not correct. Vice Chairman Galemmo stated that they have a charter and they will need to follow it. Dwayne stated that most of the applicants have never been involved in any town committees at all.

Selectman Folsom asked if they would need to interview each one individually. Vice Chairman Galemmo stated that they should interview each one and then take a vote. Dwayne suggested that they do not seat the committee at this next meeting. He suggests that they think about the choices and vote at the following meeting and seat the committee. Dwayne also stated that they cannot go into Executive Session to interview them because they are not personnel. They are volunteers so it has to be held in a public forum. Vice Chairman Galemmo asked if they could have a ballot with the names and each Selectmen can vote. The ballots could then be made public. He also stated that if there was a tie for the last position than they could take a regular vote on it. Dwayne stated that this could be done. The Board decided to interview the candidates at the February 3rd meeting and vote by ballot at the February 17th meeting.

D. Canoe Launch: Letter from Brezaks

At the last meeting, the Board asked Pam Brezak to bring a letter in signed by both her and her husband, Carl Brezak that would state exactly what their wishes were in regards to adding a fence. Dwayne stated that Mr. Brezak brought the letter in and he had a discussion with him. Mr. Brezak did state that he and his wife do not necessarily agree. Mr. Brezak has stated that since the fence was removed, he has enjoyed seeing the rabbits on his property. He stated that the one thing that he doesn't like is being able to view the parking lot. He knows that when the trees start growing again he will probably not be able to see it then. Dwayne stated that he did take one exception to their note. He stated that in their letter, there are a couple of sentences that read, "We realize things change, but never thought we would be looking at a parking lot out our back window. In hind sight, it would have been nice to have seen the plan before hand." Dwayne stated that they actually published the plan in the Eye of North Berwick and sent it to every person in town. They had then altered the plan after that and Mr. Brezak did see the updated one because he was in Dwayne's office on the day that Dwayne presented the new plan to the Selectmen. Mr. Brezak was also there every day that the workers were down there.

Dwayne stated that he had a suggestion for the Board to consider. He said that where the parking lot is in relationship to their building and if the stockade fence was 50 feet longer, you wouldn't see the parking lot. Dwayne said that he priced out what it would cost if our guys would do the work. They went to Lowe's and priced out the fencing of six 8 foot sections. If they just add 56 feet to the current stockade fence it would cost about \$600 to \$800 to do that.

He stated that they could also ask them for a cost match or shared cost. He stated that for the remaining of the property, they could just add Private Property signs to their trees. They could also put up 4x4 posts every 10 to 20 feet, drill a hole through it and do like a nautical theme and run a rope from the stockade fence and looping it through each pole to separate the two properties. Vice Chairman Galemmo stated that he did think it was a good idea to have the Town's property delineated from the other property. He thinks that the rope idea is also fine. Selectman Cowan stated that she would like some assurance that we will not be revisiting this issue again. She thinks that they should have it in writing. Vice Chairman Galemmo asked the Board if they wanted them to do a cost share and the Board stated that they should. Vice Chairman Galemmo stated that once the actual total price is figured out, they should draft an agreement stating what the cost share would be and have the Brezaks sign off on it.

Selectman Cowan motioned to have an agreement drawn up for Carl and Pam Brezak to sign off on that states that they would be responsible for 50% of the materials cost for putting up some fencing. Selectman Drew seconded the motion. VOTE: 3-1

E. Zoning Changes: Review Zoning Changes from Planning Board

Dwayne stated that when the Selectmen had met with the Planning Board there were a few zoning changes that were proposed. The Planning Board has agreed to accept the proposed zoning changes that both they and the Selectmen had discussed and approved. The first proposed change is in regards to the stabilized construction entrance and can be found on pages 58 and 59 with a diagram of what it should look like on page 60. The next change is for definitions for illuminated signs. It will classify what an externally illuminated sign is and an internally illuminated sign is and to specifically specify what an LED and neon sign is considered to be. The other change was regarding the granite curbing. Granite curbing needs to be used if extends into the public way and is maintained by the Town but they are allowed to use monolithic or slip-form concrete within the private development. Bituminous curbing and pre-cast concrete curbing shall be prohibited.

Dwayne stated that there is a possibility for one more zoning change. He states that we currently have an auto repair business operating in the Residential District but it is not allowed there. He stated that they do have an enforcement action in place. Dwayne stated that they like to provide options to people during an enforcement action. He said that they told Danny Wick that he can propose a zoning ordinance that would allow for an auto repair business to be allowed in the Residential District. Dwayne said that Mr. Wick is planning on being present at this week's Planning Board meeting to request this change. Selectman Cowan asked if they had any kind of contingencies as to what the property should look like. Dwayne stated that Larry Huntley will be presenting it as a Conditional Use so there could be some requirements that the Planning Board could put into place. Selectman Folsom asked how come Larry Wick was able to obtain a permit to do the work at his house. Dwayne stated that they had a stack of affidavits signed by people that have lived in this town their entire life. They swore that the garage was there prior to the Zoning Ordinance being established. Selectman Cowan asked how come the abutters were not notified. Dwayne stated that it was because of the affidavits and almost all of the abutters signed one. Dwayne stated that the building had been built in 1910. Dwayne said that when Danny applied, he also provided a stack of affidavits, but his house was just built in 1986 so it can't be

grandfathered because it was built after the Ordinance was in place. When Larry Wick was issued the permit, he was told that he couldn't have any junk cars out to clutter the property. He knows that if he does, his permit could be taken away.

Dwayne stated that Dan Wick does have another option for the time being. He can possibly use the garage on Brewer Road. The Code Enforcement Officer just sent Merritt and Sandra Wick a letter stating the grandfathered status on this garage is only good for one year. This garage was where they stored parts so it was part of their business. After they stopped their automobile repair business in November, their one year clock started. If they don't use it again, they lose the option to use it again as a business. Dwayne stated that Sandra Wick told Danny today to go clean out the garage and start using it for his business. Danny has agreed, as of today, that he will cease and desist on his Diamond Hill property until such time that either the zoning ordinance is changed or he decides to not do business there at all. He is going to open up something in that garage because they don't want to lose the grandfathered status.

Reminders: Next Board of Selectmen's Meeting – Feb. 3, 2015 – 6:30 pm Municipal Building

7. New Business:

C. Town Report: Cover and Dedication

Dwayne stated that every year they need to approve a cover and a dedication for the Annual Report. He stated that they usually try and put something that has happened but there really wasn't anything significant this year. He is recommending that they put the Town seal on it. He went back to see how long it has been since they used the seal on the cover and it has been over 20 years and we have never had a colored one. The Board agreed with the choice of the seal for the cover.

Dwayne stated that they have used Lincoln Press for the printing of the Town Report for as long as he can remember. He went to them to get a price for this year and they told him that they were going to hold the price from last year. The cost is \$4,400.

Selectman Drew motioned that they award the printing of the Annual Report to Lincoln Press for the amount of \$4,400. Selectman Cowan seconded the motion. VOTE: 4-0

Dwayne stated that they used to charge for every time they wanted to put a picture in the report, but because of digital printing now there is no additional cost. He thinks he will add more pictures to the Town Report. He would like to take a picture of the Selectmen at the next meeting to include in the Report.

Dwayne stated that at the last meeting the Auditor was here and he talked about Fund balance. He mentioned that they had about \$340,000 to transfer to Capital but this was incorrect statement. We do have an impact fee total within that \$340,000. The total to transfer to Capital is actually \$194,269.53.

B. Budget FY16: Governor's Proposed Budget and Effect on Town

Dwayne went over the impact of the Governor's proposed budget on North Berwick. He stated that there are three important parts that we need to be concerned with. The biggest thing is Revenue Sharing. This year it is \$147,000. The Governor is proposing to keep that the same for the next year. However, in years subsequent to that, it would be a tax rate impact of about \$.24 or about 4% of the Town budget.

One of the bigger impacts to the Town is actually the change from BETR to BETE. Currently we collect full tax on \$22 million on equipment with BETR and the companies are going to get the reimbursement from the state. The State has said that starting next year, they are going to take 25% of that number and start switching it to BETE. With BETE, we only get 60% of the taxes. This would be another \$.23 impact on our tax rate.

Dwayne stated that one of the changes that could be an immediate change is the Homestead change. The Governor wants to do away with Homestead Exemptions and give them only to people over 65. He would double the exemption to people over 65. He stated that this will be a logistical nightmare for the town. In the applications, people did not have to give their age when they applied. We would have to go out and do all new applications. This would be a problem because this has to be in place by April 1st of every year. He stated that they currently have about 1,050 people that get the Homestead Exemption in town. In 2010, there were 432 people who were over 65 and owned houses in town. If all of them got the exemption, it would be a dramatic reduction in terms of who would qualify for it. He stated that anyone under 65 would automatically see an increase of \$124.50 in taxes. He stated that when you look at the average when all of the figures are taken into consideration, it would be an average of \$236 increase in taxes. More importantly though is what our loss of revenue would be. He stated that in this current year, there would be none because the affects don't go into place until next year. Starting next year, it would be \$175,000. In FY18 it would be a loss of \$203,000. In FY19 it would be \$231,000 and in FY20 it would be \$260,000. So for five years, it is almost a million dollar loss. Dwayne just wanted to give them an idea of what they may have to look forward to. Dwayne stated that the Governor will start allowing the towns to start taxing tax exempt properties. He stated that we don't have too many tax exempt properties in town.

6. Unfinished Business:

B. Budget FY16: Continuing Discussions on Budget – Review Recommendations

Dwayne told the Selectman that the other packet that they had is a copy of the budget that he is planning on presenting to the Budget Committee. He said that the first part is the draft Warrant. He has kept the same format that they had in the past. Then he shows the budget comparisons that show the actual budgets from FY2010 to FY2015, the requests for FY2016 and what is being proposed for FY2016. Dwayne started reviewing the budget items. Under Town Office, the requests were about 2.34% increase but he has brought down to about a 1.93% increase. The savings really come in forms of heating oil and gas. He stated that they locked in at an electric rate that was a little high because they thought the rates were going to be high. However, the electricity rates dropped so he is trying to get out of the contract they signed. He doesn't know if

they will be able to or not but he figures it is worth a try. He stated that our oil and gas savings pretty much make up for the electricity cost increases. He said that it is about a \$35,000 increase in electricity costs and about a \$25,000 savings in fuel and heating oil.

Selectmen has not changed. Code Enforcement has increase of 1.90% which is all salary. Town Manager increase of 3.29% which is salary, health insurance and retirement. He stated that retirement took a big hit this year because we lost our IUUAL so we don't have that cushion any more. Everything goes to full value plus they increased Maine State Retirement so those numbers are up about 35%. Tax Assessment is up 5.02%. He stated that it seems like a lot. He stated that we share the costs with South Berwick and their retirement, salary and health insurance costs went up so it is relayed back to us. It is actually only a \$1,300 increase. Planning Board and ZBA are at 0%. Insurances is an increase of .97%. He stated that our insurance numbers are actually down but our FICA numbers are up because of the 2% increase that he incorporated into this budget. HRA Fund states flat at \$29,250.00. He stated that most of this they are bringing forward and they will only have about \$10,000 of new money. General Assistance is staying flat at \$10,000. He stated that the Governor's General Assistance proposal will not really affect us too much because we don't spend a lot on this. He stated that as of today, we have spent less than \$2,000 in General Assistance. Conservation Commission is new and he added \$500 so they could have some money for whatever they are going to need it for.

Dwayne stated that they have already discussed the CIP at other meetings and he has kept it exactly the same. We are looking at a police cruiser which will probably be an SUV. Fire equipment consists of several things such as the SCBA, payment on our pumper and another payment into the tanker escrow account. Roads stay the same at \$405,000 which is a combination of \$5,000 for sidewalks, \$120,000 for our bond payment and the rest goes into the roads. The roads that they are looking at doing are Dyer Street, Lower Main, Pleasant Street, Hammond Road and Gould's Bridge Road. The \$19,000 in Public Works Equipment consists of painting the one ton, fixing our sidewalk plow, buying a brush chipper and replacing the tires on the loader. Transfer Station building is to fix the drainage and the sewer line. Total CIP is up 1.63%.

For Public Works Winter, he put in \$115,000. He stated that he may be able to scale it back some more but he is hesitant to do that right now. He stated that the scale back was mostly due to the reduced fuel costs. Dwayne stated that the rest of Public Works is up .49%. Transfer Station is up 2.06%. He stated that all of the operation costs are flat and the increase is due to health insurance, retirement costs and payroll costs. Health Officer stays the same. Social Service Agencies is down 1.42%. He is flat funding all of them. He stated that he received 3 new requests and he is going to recommend that we don't fund them. The new ones are MPBN, Life Flight and the last one is the Free Clinic in Biddeford. Overall Health and Social Services is up about 1.74%.

Dwayne stated that the Protection section is the big increase. Police is up 3.95%. Dwayne stated that all of those costs are payroll, health and Maine State Retirement. He stated that Operations is almost dead flat. Fire is about a 1.46% which is about a \$2,000 increase. The main reason for this increase is for the Officer's stipends that went up 2% and some equipment costs. With Rescue, they have decided that they are going to do their plan in a 2 year step. It includes a

slight increase in hours, additional costs in training and salary and benefit cost increases. Street Lights is up 24.32% which is due to our electricity cost increases. Hydrants stay the same at \$120,900. Dispatch is an increase of 3.61% which is our standard increase with Sanford plus the absorption of the two towns that left them. Animal Control is staying at \$20,000. He stated that he will be funding almost all of Animal Control by what they have sitting in the account. They currently have \$36,000 sitting in the account.

Parks and Rec is up 2.81%. This was all due to salary, health and retirement increases. Community Center is up 3.12% and it is mostly due to electricity costs.

The library had requested a part time person and he has had many conversation with them about this. Dwayne is recommending that they don't fund this. He stated that if you take that out of their budget it brings it down to \$219,250.00. They would like to add a per diem person at a cost of \$1,250. Their concern is that there are some days where there is only 2 people in the library because of vacations, sickness or professional development. Our librarian is now on the State Library Board so she has to be away more. He states that they have 3 people that have been volunteering to cover these shifts but they would like to give them a little stipend. Dwayne stated that he would like it to still come out of there \$219,250 that they have budgeted. They could reduce their book budget from \$22,000 to \$21,000 and their miscellaneous budget from \$750 to \$500. This would bring their budget down to \$218,000 so that would bring the increase down to 4%.

Historical Society is up 3.45% which is only \$300. Outside Agencies are up 1.07% and this is because SRMPC increased their dues by 3%. Cemetery is increased because we basically under budgeted last year. We budgeted \$13,200. They asked for \$20,200. Dwayne stated that since we have solidified the mowing contracts he is recommending \$15,800. He stated that they do not have to budget for Hillside because there is enough money in Hillside. He stated that they did under budget on the private cemeteries. They were contracted to mow these just once a month but there were people complaining about them not being mowed and not looking good. They are proposing under this budget that they mow the 6 large cemeteries twice a month and all of the little ones once a month. Mill Field Festival is up \$500 because we are not bringing forward a big balance from last year. Dwayne is not recommending that they fund the Eastern Trail.

Dwayne started that there are no changes in the TIF's. There is no change in Debt.

Dwayne went back to discuss another item under Rescue. He stated that they have the Length of Service Program which was a retirement program that they offered to volunteers. If they volunteered for 20 years, they would get a stipend when they turned 65. We have been offering it to the Fire Department for years and they started offering it to Rescue about 20 years ago. The Chief and the Deputy Chief are recommending that they don't continue that program because we pay our people now. The Trustees are the ones that are not sure if they want to get rid of the program. The Chief and Deputy Chief are saying not to fund it and to use the \$16,000 for something else. They state that there is nobody that they have added to this program but yet the costs continue to go up. Vice Chairman Galemme asked where the money goes. Dwayne stated that it goes to an insurance company and they handle it. Dwayne stated that he has removed the

\$16,000 from the budget. He stated that the Chief and Deputy Chief are the ones that will be attending the Budget Committee meetings and they will say that it shouldn't be funded.

Dwayne stated that the total budget is up 4.6%. He said for the Board to look at the last page in this packet. He stated that the Target lines are basically last year's numbers. The taxation number is last year's number at \$2.2 million. The excise tax would be the new excise tax which is up from last year by about \$25,000. Designated Surplus is those things that are being brought forward such as cemetery funds, HRA funds and dog fees that we didn't spend. The Undesignated Surplus is what he is reducing and what he is going to use for taxation and most of that is from capital. He is estimating that the Miscellaneous Fees will be about \$280,000. He stated the Revenue Sharing is targeted at \$147,000 but he is funding \$121,000. He is doing this with the idea of starting to wean us off. He stated that the Equipment Fund is at \$53,200 which is for the police cruiser and the stuff for the Highway Department. State Aid is purely roads. It is \$68,000 and it needs to be used on roads. He said that the number they want to look at is under Taxation. There is a target of \$2,291,000. Our LD#1 number is \$2,774,310 so we are still \$400,000 under our LD#1 number so our taxation number goes up \$80,000. He stated that last year, we had a buffer of \$70,000. When we set our overlay, we set it for \$70,000 higher in anticipation of potential increases. Dwayne stated that this budget as presented to the Board has a zero impact on taxpayers. He stated that they will have about a \$15 million increase in valuation which is about \$230,000 in actual money. He applies 50% toward schools. That leaves us with about \$120,000 which would cover us for next year. Vice Chairman Galemme stated that this would mean that they would not have to raise the mil rate and Dwayne stated that this was correct. Vice Chairman Galemme stated that he would rather keep the tax rate the same this year instead of decreasing it and then having to increase by more next year. It would be better to keep it the same so if they have to raise it next year, it will not be as high of an amount.

Dwayne stated that another issue that will be with the Board of Corrections. He stated that 7 years ago, the State created the Board of Corrections and they took over every jail in the State of Maine. They told all of the Counties that they are limiting what your tax is. They said that whatever they paid seven years ago is all that they would need to pay toward the operation of the jail. They took all of the revenue away from the counties. The State has been taking all of the revenue and unfortunately, they have not been putting any money back into them. At the same time, the seven member panel of the Board of Corrections have started to leave because they can't get the Governor to put money back into the jail. As they have left the Board, the Governor refuses to replace them. There are currently only 2 members left and they can't meet because they need at least 3 people for a quorum. No new money is being put into the jails but the jails keep on breaking down. He said that next year, our jails are facing a million dollar shortfall. If the State does not pick up that cost or allow the jails to start collecting that revenue, this cost will have to be shared by the towns in the county. Vice Chairman Galemme stated that they should just shut down the jails if the State doesn't want to pay but Dwayne said that they couldn't do that. He stated that what they are doing is putting people back out in the streets. Selectman Cowan asked if he had spoken with Mark Eves about this. He stated that he is meeting with Mark tomorrow and he knows that Mark is aware of the situation.

A. Budget FY16: Board Decision on Wage Increase for FY16

Dwayne stated that he incorporated a 2% increase in wages into the budget. He stated that CIP had come in at 1.5%. The Police contract was for a floor of 2% with a ceiling of 2.5%. He needs for the Board to either approve this or change it to a different amount.

Selectman Folsom motioned to approve the 2% wage increase in the budget. Selectman Drew seconded the motion. VOTE: 4-0

Dwayne asked the Board to look at Page W-7 and stated that there is a lot of writing on Article 11. He stated that they are buying a tanker this coming year and they know the cost will be about \$300,000. He stated that even though they have money in escrow the Town needs to allow us to spend that money to buy it. He said that there are two things that they can do. They can either buy it through a lease purchase agreement or they can bond it. He stated that whenever you go to bond, you will spend \$5,000 in bond counsel fees. He has checked on prices for a lease purchase and right now the best price that he has gotten so far is 3.29% rate for 10 years. He stated that it would probably be 3-4% for a bond but you also have to pay the \$5,000 fee. He is leaning more towards the lease purchase agreement because it seems to be the best option. He thinks that they will only have to borrow \$240,000 because they have \$60,000 in the bank. The only additional fee would be for the attorney to review which would probably be a couple hundred dollars.

8. Other Business:

Dwayne stated that the State released their highway plan and they are not doing anything in North Berwick.

Selectman Drew asked the Selectmen if they would allow him to tap the Maple trees on Canal Street and at the Canoe Launch. The Board agreed.

9. Review and Approve Warrants and Correspondence

Warrant:	January 13, 2015	- \$ 16,940.95
Warrant:	January 20, 2015	- \$ 591,429.96

Selectman Cowan motioned to approve the Warrant of January 13, 2015 for the amount of \$16,940.95 and the Warrant of January 20, 2015 for the amount of \$591,429.96. Selectman Folsom seconded the motion. VOTE: 4-0

10. Adjournment:

Selectman Drew motioned to adjourn the meeting at 9:40 pm. Selectman Cowan seconded the motion. VOTE: 4-0

Respectively submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Paul Danforth

Selectman: Charles Galemmo

Selectman: Elaine Folsom

Selectman: Gregg Drew

Selectman: Wendy Cowan