

North Berwick Board of Selectmen Minutes February 3, 2015

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
FEBRUARY 3, 2015**

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

Also Present: Dwayne Morin, Lynn Manley, Sharon Braly, Richard Braly, Sofie Larsen, Amelia Small, Qiana Qualls, John Archambault, William Houston, Peter Kellman, Rebekah Yonan

Chairman Danforth opened the meeting at 6:37 pm.

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

Chairman Danforth opened the Public Hearing at 6:38 pm. He read the notice into the minutes:

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.

There were no comments from the public.

Selectman Drew motioned that they close the Public Hearing 6:41 pm. Selectman Folsom seconded the motion. VOTE: 5-0

Selectman Drew motioned to accept the new bylaws and regulations as read into the minutes earlier. Selectman Folsom seconded the motion. VOTE: 5-0

3. Review and Approve Minutes of January 20, 2015

Selectman Cowan stated that on Page 4 in the second paragraph the first sentence currently reads, "Selectman Cowan asked how many acres there was at the cemetery." but it should read, "Selectman Cowan asked how many acres there were at the cemetery." Also the next sentence reads, "There is about 6..." but it should read, "There are about 6...". Also in the last paragraph on this page, the last sentence reads, "They are looking to close at the end of this month or beginning of next month so they in order...". It should read "They are looking to close at the end of this month or beginning of next month so in order...". Also on Page 6 under Public Input, the seventh sentence currently reads, "Dwayne stated that he was quite upset..." but it should read, "Dwayne stated that Mr. Currier was quite upset...". Also in the next sentence, change person to persons. On Page 8, in the first paragraph the sentence reads, "They should be spreading information that is not correct.". It should read, "They should not be spreading information that is not correct.". Also on page 8 under Canoe Launch, the sentence that reads, "He has enjoyed seeing the rabbits on his property.". It should read, "Since the fence has been removed, he has enjoyed seeing the rabbits on his property.". Also in the same paragraph, the sentence that reads, "He stated that in their letter, there is a couple..." should read, "He stated that in their letter, there are a couple...".

Selectman Folsom motioned to accept the minutes of January 20, 2015 as amended. Selectman Galemme seconded the motion. VOTE: 4-0 Abstain: 1

4. Public Input

Dwayne stated that on Page 17 was a letter from Hazen Currier. It was brought up at the previous meeting, but the Board had decided to discuss it further until Chairman Danforth was present. Chairman Danforth stated that he did read about it in the minutes from the last meeting. He stated that he is very sympathetic about what Mr. Currier went through. However, it is hard to change an ordinance for just one individual. He doesn't feel that there is anything particularly unreasonable about our Ordinance. He stated that it would be different if it happened every day but he doesn't see anything that warrants them taking any action. It would be very hard to give everyone notice when they are going to set them off. They can sometimes be heard from quite a distance. It would probably be okay to change the curfew in the winter time but it would be harder to do so in the summer. Selectman Drew stated that since the permits are obtained by the fire department, could they have a list of people that should be notified whenever somebody requests a permit. Dwayne stated that he would check with the Fire Chief to see if that is something that they could do. Dwayne asked the Board how they would like to handle contacting Mr. Currier about this. Chairman Danforth asked Dwayne to draft a letter from the Board that would state that they are very sympathetic but it would be hard to change the Ordinance for just one person.

Dwayne told the Board that on Pages 18, 19 and 20 of their packet, there was a letter to Alewife Associates of Maine, Inc. and to Doug Evans regarding the redemption of the property that was discussed at the last meeting. Dwayne stated that he sent it to them.

There was no other public input.

6. New Business:

A. Conservation/Agricultural Committee: Interview of Applicants

Chairman Danforth called up the first applicant, John Archambault to be interviewed. Mr. Archambault stated that he has lived in North Berwick for about 5 years. He stated that he has been in agriculture basically all of his life. He grew up on a dairy farm in Vermont. He went to college for Business and Engineering and has been doing that full time but has maintained his interest in agriculture. He lived in Newmarket, NH for 25 years and had a small Christmas tree farm. They were hoping to expand so that is what brought them to North Berwick. He feels that with this background in agriculture, he can bring a lot to the Board, especially with things like the layout of land, wetlands and different trees. He is a licensed pesticide applicator so he knows about the good and bad of them. He stated that as an engineer, he has done a lot of research and projects that required him to work in a team atmosphere. He stated that he is at a point in his life where he would like to become more involved in the community. Chairman Danforth asked him what kind of engineer he was and Mr. Archambault said he was a mechanical engineer. He said that he works for Medtronic in Portsmouth. Selectman Cowan asked Mr. Archambault what he feels the goal of this Committee is and what he would like to accomplish. He said that he knows they are looking to categorize and figure out what the resources are in Town. He is also interested in the conservation. He feels that there is a lot of opportunity out there to make the land that is out there more available to all. He said that some people may have land that they

may be interested in doing something with but are unsure of how to go about it. Selectman Cowan asked him if he had particular uses in mind. He stated that he was thinking along the lines of walking or biking trails or things like that. Selectman Cowan asked him how he felt about the need for businesses to come into town versus conserving land in the town. Mr. Archambault stated that he is not political and he is not coming onto this committee with an agenda. He stated that there can be a balance and nothing stays the same. Mr. Archambault was wondering about how much time would be required. He stated that he is planning on retiring in another year so he would not have a lot of time at first. Dwayne stated that it would probably be monthly meetings.

Chairman Danforth asked Courtney Beamis to step forward. Sharon Braly stated that she was not here. She said that she believes there was some confusion because it seems that some of the letters went to the wrong people. She said she spoke with Courtney's father and he said that she was interested in being on the committee but thinks that there was some confusion because she received somebody else's letter. The Board stated that they could try contacting her and have her come in at the next meeting.

Next up is William Houston. He said that his family moved to North Berwick when he was five. He moved away for a few years but moved back in 2000 to raise his family here. He stated that he decided to become a farrier back in 1996 and has been self-employed since then. He has also done some general contracting and building and has dealt with zoning ordinances. He stated that with having his own business, he has to deal with the public in a positive way or else he wouldn't be successful. He has had to deal with people's issues and grievances and has worked on trying to find a solution. He said that he has also served on the Board at his church in Sanford. He is a father of five. He feels that this committee will be asked to look at the future of the town and form a plan of what we want to have and in what direction to take it as far as with agriculture and business. He would like for his children to possibly settle in this town too. Selectman Cowan asked him what he would like to see this committee achieve. He would like to help people that have roosters that are bothering neighbors and to know what is expected and what should be occurring in Farm and Forest or Residential zones. He feels that there should be better clarification. Selectman Folsom asked him if he had had a chance to go through the Zoning Ordinance and review each of the Districts and what is and isn't allowed in each of them. Mr. Houston stated that when he first built his house, he did review it. Selectman Cowan asked Mr. Houston where he saw the balance between those who want to maintain more agriculture in this town versus more business and where he feels this committee fits in. Mr. Houston stated that he feels that they can encourage business and balance the rights of the people. He feels that when a business comes in, they should be expected to work with the town and not be forcing the town to try and meet their agenda.

Peter Kellman stepped forward as the next applicant. Mr. Kellman stated that he has lived in town since 1977. He did serve on the Planning Board for a while so he is familiar with the how the Ordinances work. He stated that he also recently reviewed the Comprehensive Plan and noticed that there are quite a few jobs that the Conservation and Agriculture Committee need to work on. He stated that he has had gardens most of his life. Since retiring, he has taken on the project of trying to grow most of their food without going off the land. This year is also his first year as a member of MOFGA. They have a mentor program. He is mentoring a farmer from

Falmouth. He also worked with his wife for the first five years of the North Berwick Farmers Market. He stated that they met a lot of other farmers and for the past 3 years, they have all gotten together for a pot luck dinner. He stated that he worked for Joe Putnam for a couple of years back in the 1970's so he knows a little bit about forestry. There is a history of farming in our town. He said that the really old Town Reports used to say how many cows, chickens, pigs, etc. were in town. There used to be an infrastructure that supported farming. A lot of the dairy farms and apple orchards that were around when he was growing up are now out of business. He stated that a lot of jobs now are automated so there is less work, but agriculture is a business that is very labor intense. It has been very hard to be competitive and compete with big farms out west. He said that over the last few years there are a lot more people trying to make a living with farming. He stated that one of the biggest issues that people who want to farm have is land. Unless somebody has inherited lots of land from family, the cost of land is too expensive and it makes it hard to get the land needed. Mr. Kellman also stated that the town land really needs to be looked at to see what kind of uses it can be used for. He stated that even the land out in front of this building could be used. They could plant fruit or nut trees. He stated that it could set a good example. He also feels that schools need to be involved.

Mr. Kellman stated he did review the charge and bylaws for the committee and he feels that there is no way that the committee can do everything that it is charged with. He said that one of the challenges of the committee will be agreeing on where it wants to focus. There is definitely a need for a discussion on the Zoning Ordinances and to look at the lands that are available. He thinks that part of their work should be looking at economic development. Selectman Cowan asked how he sees balancing business development with agriculture. Mr. Kellman stated that he feels that agriculture is a business development. He stated that the conflict that he sees is where we have people that have moved here because they want to get away from something and have a particular vision of what living in the country is. He thinks that there is a tremendous amount of education that will need to happen so people can be compatible with certain types of work and he feels that the committee could play a part in that. He stated that they need to review the Ordinances and Comprehensive Plan from the perspective of what it would need to look like if we want to attract agriculture to the community.

Chairman Danforth asked Mr. Kellman what he used to do for work. Mr. Kellman stated that he has mainly been a labor activist. His last position was with the AFLCIU where he worked with people that had been laid off and explaining to them what their resources were to help them find work. He is also a published writer.

Dwayne Morin stated that Mr. Kellman had mentioned using agriculture as an economic engine. Dwayne asked if the town was going to pursue large agriculture as a means of an economic engine, how he would balance something like this. Mr. Kellman stated that he does not feel they are talking about large agriculture because there is no way that we are going to compete with the mid-west. He stated that there are a lot of places that we can compete. He said that right now, you can make a living in Maine growing vegetables for high end restaurants. He said that a large part of this country is in trouble because of a lack of water, which right now we do not have a problem with. He feels that the future is in mostly small scale agriculture, but that also needs an infrastructure.

The next applicant is Sofie Larsen. She stated that her grandfather in Denmark had a farm and now her father has it. They grow different types of grain. She said the traditional way of farming there is you call out the plow guy and he comes. A little while later you call out the seeder guy and he comes out. You then call out the pesticide guy, then the straw fortifier guy, and then the harvest guy comes to harvest it. They then sell it to the crop cooperative which pretty much serves all of Denmark so there is no question about the price. She stated that they have more than ten times the amount of land that she has and she is more profitable than they are. They get subsidies from the European unions which is how they supplement their income. She stated that in looking at that model, she thinks there must be a smarter and better way. She went to college and majored in art and when she got out she decided that she wanted to try farming. She started by getting involved with the Seacoast Growers Association. They run farmer's markets in Portsmouth, Dover and a couple of other locations. She said that when you come into the program, an older farmer takes you under their wing and mentors you. She was leading toward organic farming and luckily her mentor is certified organic. She has seen farmers through this program make good money. She stated that the restaurants in Portsmouth are driven by the small local farmers. She has served on the Board of the Seacoast Growers Association and now manages the local Farmers Market. She stated that they track what the SNAP customers spend at the Farmers Market and they get about \$7,000 from them. She stated that they have a lot of vendors that are from out of town but that is only because we do not have a lot of vegetable growers in our town. She said that she feels inspired when she looks at Harwick, Vermont. They turned agriculture into the main driving force of their town. They are now home of a seed company. She also said that in Unity, Maine, there is a whole lot of agricultural research going on. She also thinks about the amount of business going on in Portsmouth where chefs are buying vegetables from farmers. The chefs have a meeting with the farmers and say what kind of vegetable they would like to have and farmers sign up to grow it for them.

The next applicant is Lynn Manley. She stated that she is not a farmer but is very interested in agriculture. She grew up along the shores of Lake Ontario in upstate New York. She said that there is a huge orchard belt in that area. When she went to college, she majored in Food Science and Nutrition at the College of Home Economics. She got her Master's in Education at Cornell University's College of Agriculture and Life Sciences. She has been getting Alumni publications from both the College of Home Economics and the College of Agriculture and Life Sciences and she finds the Agriculture and Life Sciences much more interesting. She stated that they do amazing things with small farmers in New York as well as in other places. She stated that there are all kind of businesses that relate to agriculture. She has also always had a strong interest in conservation. She used to go to the Adirondacks with her parents and she also felt that the forest was something that you respect. She feels that they do need to do something with their forests around here. It looks like nothing has been done with them in a long time. The trees are growing way too close together. They would need to be thinned out so they could grow big and strong. Selectman Cowan asked Ms. Manley what she wanted to see this committee achieve. Ms. Manley stated that she agrees with the other people that there is opportunity for business development. She stated that we live in a beautiful part of the country and state and that we need to preserve it. She stated that she has been here for about 20 years now and would like to become more involved in the community.

The final applicant is Qiana Qualls. She stated that she has lived here now for about 6 ½ years. She grew up in a small town and she still has land there, but she doesn't plan on going back there because she feels that it has been ruined with modern commercial use. She prefers the traditional way of using the land. She feels that this committee needs to be thinking about the future and visualize what we want to accomplish. She feels that it is important to feed ourselves. She stated that with her work as a Master Gardener, she works with Maine Harvest for the Hungry and it is heartbreaking to see these people. She said that she is a CPA, but is inactive at the moment. She also has a Master's in Business Administration. She worked for several years at an accounting firm before she became a stay at home mother. She has worked at Davy Crockett State Park in Tennessee so this covers some conservation experience. Selectman Cowan asked her what she would like to see this committee accomplish. Mrs. Qualls stated that she feels that it is important to educate people about feeding themselves. She feels that it is a concern for most people to not just eat what is in the grocery store, but to eat wisely. People are becoming more aware of the foods that they are eating and that it is not as healthy as it should be. Selectman Cowan asked her about how she felt about business development and the role of this committee. Mrs. Qualls stated that she feels that they can co-exist. She stated that she does have a degree in Business so she is fully aware of what businesses want to do. Selectman Folsom stated that the last time Mrs. Qualls was here, she had talked about establishing some sort of agricultural business. She asked Mrs. Qualls if she could talk a little bit about that. Mrs. Qualls stated that fermenting is coming back so she has been thinking of growing a bunch of cabbages. She stated that her husband is also interested in malting for beer.

The Board will make their decisions at the next meeting.

5. Unfinished Business:

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

Dwayne stated that he had everything figured out but as of this afternoon, it was all going to change. He said that Larry Huntley, the Code Enforcement Officer is retiring as of July. He stated that it is currently at three days a week but it will be very difficult to find somebody for just 3 days a week. Selectman Drew asked if we could share and Dwayne stated that this was something he was going to look into but a lot of towns around us are already sharing. This will bump up the budget. By adding additional salary and benefits, it will bring the budget up to about 5.7%. He stated that he still has the budget established so there will be no tax increase. They will utilize the \$70,000 that they banked last year. He stated that the Code Enforcement Officer has a surplus of money this year so he will utilize that in next year's budget to help with the increase. He said that they have about \$20,000 over and above that they collected. Dwayne stated that this brings the budget back to five years ago. Dwayne stated that he will need to advertise for the position.

B. Zoning Changes: Review Zoning Changes From Planning Board

Dwayne stated that the Planning Board will be holding a Public Hearing for a proposed change to allow auto repair facilities as a Conditional Use Permit which was presented to them by the Wick's. Selectman Drew stated that he wasn't sure how he felt about this. Selectman Drew stated that it is no different than what they are seeing with everything else such as agriculture. Selectman Galemмо stated that he feels that there is a difference between allowing farming in Farm and Forest and allowing a business in a Residential Zone. He said that people that bought a home in the Residential District were not expecting a garage to be opened up next door to them.

C. Town Report: Cover and Dedication

Dwayne stated that he would like to add an In Memoriam for Bill Bourbon in the Town Report. The Board agreed. Selectman Folsom asked who they were now going to get to be moderator at the Town Meeting. Selectman Drew asked Dwayne if they could ask Bill's son, Tony. Dwayne stated that they have asked him and are waiting for him to get back to them. Dwayne said that it may be too soon for Tony. Dwayne said that they could also ask Barry Abbott.

3. Transfer Station: Bulky Waste Contract

Dwayne stated that back in December, they had talked about Bulky Waste and at the time Turnkey gave us a price and we decided to go with them for three years. He got the contract and the terms are not exactly what they told us. It is the same for price but what they wanted to do is if there is a change in law, they wanted a provision that would allow them to increase the price. Dwayne told them that he did not have a problem with that as long as if they decide to increase the cost, we can get out of the contract. They told Dwayne that they would only allow that if the increase is over 5% of the tipping fee. Dwayne said that if that was the case, we were better off just going to Pine Tree because we know what that price is. They have now offered us a one year contract at \$68 per ton. Dwayne stated that if they go with this, they can at least save some money for the course of this year because it is cheaper than the cost at Pine Tree. He stated that even if there was an increase of 5%, it would still be lower than what they would pay at Pine Tree. Selectman Cowan asked what the price would be. Dwayne stated that the 5% increase would bring it to about \$70 and the cost right now at Pine Tree is \$71.50.

Selectman Cowan motioned to accept the Turnkey contract for 1 year. Selectman Galemмо seconded the motion. VOTE: 5-0

E. Canoe Launch: Brezak Proposal

Dwayne stated that he drafted a letter for the Board to consider to send to the Brezak's. The Board had talked about doing a rope fence but after talking to some of the staff, it was brought up that rope burns and the concern for vandalism in the isolated area. He went ahead and priced a stockade fence for the first 56 feet and then split rail for the rest of the way. The total came out to be about \$850 of which we would be asking for half of it from the Brezak's so our cost would be \$425.

Selectman Drew motioned to accept the letter and agreement to Carl and Pam Brezak regarding the addition of the fence. Selectman Cowan seconded the motion. VOTE: 5-0

Reminders: Next Board of Selectmen's Meeting – Feb. 17, 2015 – 6:30 pm Municipal Building

Budget Committee – February 9, 2015 – 6:30 pm Municipal Building

Budget Committee – February 18, 2015 – 6:30 pm Municipal Building

6. New Business:

C. Hussey Meeting: Date for Hussey Meeting

Dwayne stated the Hussey Meeting is scheduled for Thursday, February 24th at 1:00 pm.

8. Review and Approve Warrants and Correspondence

Warrant: January 27, 2015 - \$ 8,244.27

Warrant: February 3, 2015 - \$ 48,255.08

Selectman Galemme motioned to accept the Warrant of January 27, 2015 for the amount of \$8,244.27 and the Warrant of February 3, 2015 for the amount of \$48,255.08. Selectman Folsom seconded the motion. VOTE: 5-0

7. Other Business – Executive Session – Poverty Abatement

Selectman Galemme motioned to go into Executive Session at 8:55 pm. Selectman Cowan seconded the motion. VOTE: 5-0

9. Adjournment:

Selectman Galemmo motioned to adjourn the meeting at 9:15 pm. Selectman Cowan seconded the motion. VOTE: 5-0

Respectively submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Paul Danforth

Selectman: Charles Galemmo

Selectman: Elaine Folsom

Selectman: Gregg Drew

Selectman: Wendy Cowan