

**North Berwick Board of Selectmen Minutes June 16, 2015**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES JUNE 16, 2015**

**Present:** Chairman Galemmo, Selectman Cowan, Selectman Folsom, Selectman Hall, Selectman Johnson, Jr.

**Also Present:** Dwayne Morin, Brian Gosselin, Keith Fletcher from Great Works Regional Land Trust, Larry Straffin

Chairman Galemmo called the meeting to order at 6:30 pm.

- 1. Pledge of Allegiance**
- 2. Public Hearing – 6:35 PM – General Assistance Ordinance**

Chairman Galemmo read the notice for the Public Hearing into the minutes. It reads as follows:

Notice of Public Hearing  
General Assistance Ordinance and Appendices  
Tuesday, June 16, 2015 6:35 P.M.

The North Berwick Board of Selectmen will be holding a Public Hearing on Tuesday, June 16, 2015 at 6:35 p.m. in the Municipal Building Room 212. The purpose of the Public Hearing is to seek input on the revised General Assistance ordinance and Appendices proposed to replace the existing Ordinance and Appendices. The proposed Ordinance and Appendices were prepared pursuant to the Maine General Assistance Law (22MRSA § 4305(4)).

The North Berwick Board of Selectmen encourages all interested residents to attend this Public Hearing.

Dwayne stated that this was a change to update our Ordinance from the 1990 version to the 2013 version. He stated that there was basically 7 changes to the Ordinance. One of the changes, which we have already done is to establish the maximum level of assistance. The one regarding the reimbursement to tribes will not apply to us. One of the other changes to that fugitives from justice ineligible. Another one eliminates eligibility for those that are ineligible for unemployment due to fraud. The next one allows Circuit-breaker & Tax Fairness Credit to be counted as income for eligibility. Another one is the pro-rata share of household calculations of benefits. This means that if somebody is found to be ineligible within the family, their portion can be pulled out so the rest of the family can still be qualified at a reduced value. The next change is restricting the use of lump sum payments for eligibility which disregards the lump sum which is used on anything that is spent on basic needs.

Chairman Galemмо asked if there was any public comment. There was none.

Chairman Galemмо closed the Public Hearing at 6:34 pm.

Selectman Cowan motioned to accept the 2013 version of the General Assistance Ordinance. Selectman Folsom seconded the motion. VOTE: 5-0

### **3. Review and Approve Minutes of June 2, 2015**

Dwayne stated that on Page 8, the 9<sup>th</sup> sentence under Section F. Hannaford, he added the word “problems” to the end of the sentence. Also on Page 9, in the second paragraph, he changed the “he” to “they”.

Selectman Folsom motioned to accept the minutes of June 2, 2015 as amended. Selectman Cowan seconded the motion. VOTE: 5-0

### **4. Public Input**

There was no public comment at this time.

### **6. New Business:**

#### **A. GWRLT: Update of Parker and Hilton Purchases**

Keith Fletcher from the GWRLT stepped forward to speak. Mr. Fletcher stated that they have been working hard on the Parker purchase for over a year now. They have had a lot of ups and downs with the project including health issues on Charles Parker’s part. They are hoping to close on July 7<sup>th</sup> but the Federal Government still has a lot of work to do before than so it may be pushed back. They have a survey of the property, a final version of the easement and the title work is good. They have done several appraisals for various funders. They did delay the project to get some funding from the Land for Maine’s Future Program, but those funds are now being held up for political reasons. They had to hustle to try and find some money to replace those funds. They did raise an additional \$40,000 to close that gap and they now have all the money

they need to close. They received a good bargain sale from the Parker's at \$67,000, donated time from GWRLT, \$136,000 from the Federal Government, \$15,000 from the Town of North Berwick, 1772 Foundation gave \$5,000, private donation of \$500, Davis Foundation gave \$5,000, another private donor gave \$40,000, Tom's of Maine gave \$10,000 and Sewall Foundation gave \$20,000.

Dwayne showed the Selectmen the parcel of land they are discussing on a map that he projected on the screen. Mr. Fletcher stated that it is a total of 110 acres that will be protected by the easements. He stated that the Parker's are very happy to be doing this because they want it to be maintained as a farm or as some kind of agricultural business. They do not want a subdivision to be built there. Dwayne stated that they have also obtained the right for a trail on part of the property.

Mr. Fletcher stated that there is an issue that came up in the title work for the Hilton property. He stated that this will take some time to resolve.

Dwayne stated that the Town meeting vote was for \$20,000 to go to GWRLT. It was for \$15,000 to go to the Parker property and \$5,000 to the Hilton property. He is asking the Board of Selectmen to allow him to release \$15,000 to GWRLT for the purchase of the Parker property.

Selectman Folsom motioned to release \$15,000 to GWRLT for the purchase of the Parker easement. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Dwayne told Mr. Fletcher that he will need an invoice for the \$15,000 from them and he will get a check over to the attorney to hold until the close.

#### **B. Fire Department: Purchase of New Tanker**

Dwayne stated that, for the past three years, they have been working on adding a Water Master Pumper/Tanker to the Fire Department fleet. He pulled up a picture on the computer to show the Selectmen. The tanker would be located at the substation. The primary focus for the Tanker is to provide water in the Farm and Forest area and the areas that are not hydranted. He stated that about one half of our community does not have access to hydrant water. This will allow a 3,000 gallon tanker to provide immediate water on site. Dwayne stated that two years ago, we put about \$30,000 away and this year we put another \$30,000 away for the purchase. We bid out the tanker back in March and have received two bids back. The lowest one is from Greenwood Emergency Vehicles at a price of \$287,972.00. The other bid was for \$299,300.00. Greenwood also said that if we pay within 21 days of the order, they will also give us an additional \$5,000 discount.

Dwayne stated that there was a few things that the Board needed to consider at this time. First they will need to approve one of the bids. Dwayne said that he is recommending that they give it to Greenwood Emergency Vehicles. Dwayne stated that they are our local sales representative for an E-One Water Tanker. He said that the estimated build time is about 110 days from when we sign the contract so the delivery time will be around February.

The other thing that the Board needs to consider tonight is how we are going to finance the Tanker. We have \$60,000 that is available as of July 1, 2015. He stated that at Town Meeting, we got two approvals. One was for a lease purchase and the other was to do a bonding. He has been looking at a lot of options to see where we can get the best deal. He contacted Kennebunk Savings Bank and they would offer 3.5% interest rate over 10 years. He also checked with a leasing company called Tax Exempt Leasing Corp. out of Illinois. They offered us 3.24% over 9 years. He also checked with the Federal Rural Development who helped us fund the Town Office building to see what they would offer. They also offered a 3.5% interest rate.

Dwayne then checked with the Maine Bonding Bank to see what their Spring issue was for their bonds. He stated that they do two issuances a year. One in the Spring and one in the Fall. He said that they don't know what they are going to offer in the Fall yet, but he looked at what has historically happened with the bonding rates. In the Spring issue, it came in at a 2.63% for a 10 year. He said that the last Fall rate came in at about the same at 2.57% rate. He thinks that the rate will probably increase a little but it depends on a few things. It will depend on how the economy is doing and on how our State is doing. He said that if the State budget is passed than that should help with the Bond rating.

Dwayne said that looking at everything, he feels that bonding the Tanker would be our best bet. He provided a few examples to show what our payment would be in different financing options. On Page 45, it shows what it would be using the 2015 Spring Issue interest rate. He said that they would need to borrow \$225,000. Over a 10 year period, our total payment would come up to be about \$241,000. Over a 9 year period, it would be about \$23,600 and it would be about \$236,800 over an 8 year period. He figured it out for the 3 years, because our budget structure is based on \$30,000 per year. On a 10 year bond cycle, our annual payment would be about \$24,000. On the 9 year cycle, it would be about \$26,000. On the 8 year cycle, it would start off at \$30,200 but then drops off to \$28,125. Dwayne stated that based on the leasing numbers for a 9 year lease, we would pay about \$263,000 and about \$267,700 for a 10 year lease. He said that it is about a \$40,000 difference. He thinks that bonding is probably our best way to go.

Selectman Johnson, Jr. asked if there was any disadvantage to bonding over regular financing. Dwayne stated that bonding is actually better financing. He stated that bonding is a lot more work for him because of the amount of paper work that needs to be completed. He also stated that they cannot borrow more than 5% of our State valuation. We are not even at .2% of our valuation. Selectman Cowan asked what the deadlines were for applying for bonding financing. Dwayne stated that on Page 44 of their packet was the Fall Bond Issue Schedule. He would need to get the application in by August 4<sup>th</sup>. Their Board would meet on August 26<sup>th</sup> for approvals. Dwayne did state that bonding does cost us about \$5,000 and leasing would cost nothing for applying. Chairman Galemme asked if Dwayne wanted to do the 8 years. Dwayne said that they would put in for 10 years but before we sign, we could lower it to 8 years.

Dwayne said that he would need a motion to approve the purchase of the Tanker from Greenwood Emergency Vehicles. If they approve this, than they would also need to adopt a resolution from the Board that will allow for us to prepay for the equipment with the intent that we will reimburse ourselves once the Bond payment is received.

Selectman Cowan made the following motion:

I move that the Proposal of Greenwood Emergency Vehicles, Inc. (“Greenwood”) for the Town of North Berwick to purchase a master water tanker and accessories (the “Equipment”) for a price, less applicable \$5,000 discount, of \$282,972 (the “Proposal”) be accepted and approved in form presented to this meeting; that the Contract providing for the acquisition of that Equipment from Greenwood be approved in form presented to this meeting; and that the Town Manager be authorized to execute and deliver the Proposal and the Contract and to execute and deliver such other documents and take such other actions as may be necessary in the judgment of the Town Manager to provide for the purchase of the Equipment, including making any advance payment for the Equipment as may qualify the Town for the applicable discount, and including applying to the Maine Municipal Bond Bank for approval to borrow up to \$225,000 to reimburse a portion of the purchase price of the Equipment.

Selectman Folsom seconded the motion. VOTE: 5-0

Selectman Folsom made the following motion:

Reimbursement Resolution Vote to be Adopted by Town of North Berwick Board of Selectmen

That the Board of Selectmen on behalf of the Town of North Berwick ( the “Town”) hereby declares its official intent pursuant to Section 1.150-2 (e) of the Treasury Regulations that the Town reasonably expects to use the proceeds of a tax exempt lease purchase or general obligation bond financing to reimburse certain original expenditures to be paid from the Town’s general fund, or paid within 60 days prior to adoption of this vote, which original expenditures will be or have been incurred in connection with the purchase of a water master tanker and accessories for the Fire Department (the “Equipment”); that the Town reasonably expects that the maximum principal amount incurred by the Town to finance the Equipment will not exceed \$300,000; and that the Town Clerk is directed to file an attested copy of this declaration of official intent in the permanent records of the Town, which shall be reasonably available for public inspection.

Dwayne stated that in the original motion, the amount is \$225,000 and this motion has the amount of \$300,000. This is because our Town Meeting vote actually says \$300,000. With this motion, you are only authorizing me to borrow \$225,000 out of that \$300,000. The intent has to match up with what the Town voted on in the Warrant Article.

Selectman Cowan seconded the motion. VOTE: 5-0

Dwayne stated that they will be retiring one of their pieces of equipment. The E-4 which is a Forestry/Troop Transport unit. He stated that they will look to sell it when they get the new tanker. He did say that the used equipment does not typically sell well. Selectman Cowan asked how we advertise when we sell equipment like this. There is a used Fire equipment magazine that they can put it in to advertise.

## **5. Unfinished Business:**

### **A. Canoe Launch:** Update

Dwayne stated that on Thursday, they will be installing the dock and the gangway. The equipment is currently in Portland and the company will put it together for us as one single unit so it will be ready to install. They will try to put the picnic benches out there on Thursday or sometime next week. Selectman Johnson, Jr. asked how long the dock was and Dwayne said that it was 8 x 15 and weighs about 250 pounds. The gangway is 24 feet long by 3 feet wide and weighs about 400 pounds. Dwayne said that he spoke with the Brezak's today about the fence and he said they are happy with it.

### **B. Roads:** Update of Spring Road Projects, Railroad Crossings and Hannaford

Dwayne stated that Fox Farm Hill Road and Linscott have all been prepped and Hartford Lane should have been finished prepping today. The pavers said they might be here as early as this Friday to start paving depending on the weather. We hope to be done these by the end of June.

Our next road projects are Lower Main Street and Dyer Street. Dyer Street will be the first one and we will do the sidewalks and replacement of the drains. He has spoken with Hussey Seating to let them know that they need to have an alternate route while Dyer Street is being worked on. They are all set with this. Dwayne stated that the road striping will probably start the first week of July.

The railroad crossing on Route 4 is closed today and should be done by 8 am tomorrow morning. The crossing on Main Street will be closed on Thursday and people in that area have been notified that the detours will be the roads in South Berwick. Hannaford is scheduled for Monday evening to install the water line hookup.

### **C. Mill Field:** Bench Plaques

The bench plaques have been ordered and should be in on 6/18.

### **D. Personnel Policy:** Proposed Changes for FY16

Dwayne stated that he sent all of the Personnel Policy changes to the employees. They should have received them with last week's paycheck. He has received some comments back and they have all been positive. He will have it on the Selectmen's Agenda the first week of July to approve and adopt the policies.

### **E. Hannaford:** Request for Community Project Funding

Dwayne sent off the requests for community projects for Hannaford to review for funding approval. The requests included a cross band repeater for the Fire Department, fireworks for the Mill Field Festival and additional flags for the Town. The manager from Hannaford said that he will submit them for approval.

**F. Code Enforcement Officer: Contract Signing**

Patti McKenna's background check came back all set so we are all set to sign the contract. Dwayne stated that she was planning on being at the meeting tonight but she still had some unfinished legal business to take care of at her previous job. Dwayne said that they have amended the contract a little bit. Under 4.a, it originally stated that her salary was going to be \$49,000 for the first 6 months and then increasing to \$50,000. We have added that she will receive an extra \$500 stipend for being the Health Officer. He stated that the new Health Officer rules require that they need to be certified, which means they need to go to school to get certified. Dr. Hintermeister, who has been our Health Officer, says that he doesn't have the time to go get trained and go through the certification process so he would like to step down from the position. Dwayne thinks that they should send him a letter of thanks from the Board for all his help over the past 10 years. Dwayne said that it makes sense to incorporate the Health Officer with the Code Enforcement Officer. Those two positions work primarily with the same things when it comes down to health issues. Chairman Galembo asked how it worked if there was a disease outbreak. Dwayne stated that if there was a disease outbreak, they would call the CDC. He stated that the Health Officer will be called in for cases such as unkempt houses. Chairman Galembo asked if they do health inspections. Dwayne stated that the State does health inspections. Some municipalities do their own health inspections but our town does not. Dwayne stated that Patti McKenna is already certified.

**Reminders: Next Board of Selectmen's Meeting – July 7, 2015 – 6:30 pm Municipal Building**

**6. New Business:**

**C. Vacation: Requests to Carry Vacation Forward**

Dwayne stated that every year they have some employees that request to bring some vacation over. He said that under our Personnel Policy, as Town Manager, he is allowed to have employees carry over up to 40 hours into the next year. Anything above that up to 80 hours, the Board has to approve. This year they have three employees that are requesting to carry over some vacation time. Richard Anderson from the Transfer Station is requesting to carry over 50 hours. Dwayne said that he has already approved the 40 hours so the additional 10 hours needs to be approved by the Board. One of the reasons that he didn't use his vacation is because when Gerry left, he needed to work. Dwayne said that Mr. Anderson is planning on taking the 10 hours in the first two weeks of July. Ernie Rose is requesting 20 hours to be carried over in addition to the 40 hours that Dwayne has already granted him. Mike Dunn is requesting an additional 40 hours above the 40 hours that Dwayne already granted. Dwayne said that, with the highway workers, they restrict when they can take vacation. Usually he allows them to start taking vacation by April, but he didn't do it this year because of the winter we had. Dwayne is recommending that the Board approve these additional hours.

Selectman Cowan motioned to approve for Richard Anderson to carry over 10 hours, Ernie Rose to carry over 20 hours and Mike Dunn to carry over 40 hours into the 2015-2016 fiscal year. Selectman Folsom seconded the motion. VOTE: 5-0

**D. Appointments:** Appointment of Town Officials for Ensuing Year

Dwayne stated that he is presenting the appointments for the people that are not elected for the Board to approve. Dwayne read in the list of appointments as listed on Pages 55- 57 in the packet.

Selectman Folsom motioned to approve the appointments for 2016. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

**7. Other Business:**

Dwayne stated that he had included a copy of the latest County Budget. There will be a Public Hearing on Wednesday, June 17 at 6:30 pm at the York County Courthouse. It is an increase of 2.17%, however, our portion of the York County Budget did not increase. Our tax decrease from 2.00% in FY15 to 1.68% in FY16. Dwayne said that this is because our State valuation dropped.

Chairman Galemмо asked Dwayne where he thought we were going to end up in terms of a tax increase. Dwayne stated that with the school budget it was an increase of \$.35. He stated that Pratt & Whitney's valuation is up from what he had estimated. His projection was that we would take in \$3 million of new real estate value and \$12 million of new personal property value. However, it looks like it will be \$17 million instead of \$12 million. With that all said and done, the increase will probably actually be around \$.15. Chairman Galemмо stated that with the State Budget passing, they are putting more money to education so would that mean more money going to the schools. Dwayne said that he did not know that yet. He said that it was his understanding that if they received any additional money, they would use it to install a camera system in the buses. He stated that they should have all of the numbers by the end of July and the goal is to set commitment in August.

**8. Review and Approve Warrants and Correspondence:**

Warrant:	June 9, 2015	- \$ 18,566.61
Warrant:	June 16, 2015	- \$ 546,046.05

Selectman Folsom motioned to accept the Warrant for June 9, 2015 for the amount of \$18,566.61 and the Warrant for June 16, 2015 for the amount of \$546,046.05. Selectman Cowan seconded the motion. VOTE: 5-0

**9. Adjournment:**

Selectman Folsom motioned to adjourn the meeting at 7:43 pm. Selectman Cowan seconded the motion. VOTE: 5-0



Respectively submitted,  
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Charles Glemmo

Selectman: Wendy Cowan

Selectman: Elaine Folsom

Selectman: Michael Johnson, Jr.

Selectman: Jonathan Hall