

North Berwick Board of Selectmen's Minutes: June 17, 2014

NORTH BERWICK BOARD OF SELECTMEN MINUTES JUNE 17, 2014

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

Absent: Selectman Galemmo

Also Present: Dwayne Morin, Jim Shortill

Chairman Danforth opened the meeting at 6:32 pm.

1. Pledge of Allegiance

2. Review and Approve Minutes of May 20, 2014 and June 3, 2014

Dwayne stated that they could not approve the June 3rd minutes because they do not have a quorum. They can however, sign the minutes from the May 20th meeting that they were not able to do at the previous meeting. Selectman Cowan stated that on Page 3 of the June 3rd minutes, under the Roads section in the 3rd paragraph the 3rd sentence reads, "He still getting...". It should read "He is still getting...". Also under the Personnel Policy section, the first sentence reads "Dwayne stated that he had included in the personnel policy was included in their packets and it starts on Page 12." It should read, "Dwayne stated that he had included the personnel policy in their packets and it starts on Page 12.". Dwayne stated they could not approve the June 3rd minutes because Selectman Galemmo was not here and Chairman Danforth and Selectman Cowan were not at that meeting so they cannot vote on them.

Selectman Folsom motioned to approve the May 20, 2014 minutes as amended. Selectman Cowan seconded the motion. VOTE: 3-0 Abstain: 1

3. Public Input

There is no public comment at this time.

Chairman Danforth stated that they would go on to New Business.

5. New Business:

C. Traffic Ordinance: Request from Wilbur Chase Resident to Limit Truck Traffic on Road and Police Request for Parking Ticket Fee Increase

Dwayne Morin introduced Jim Shortill who is a resident and lives on Wilmer Chase Road. Mr. Shortill stated that Wilmer Chase is on the outskirts of North Berwick and is accessible from Route 9. It is half in North Berwick and half in Wells. He states that he has lived there about 10

years and there has been a significant amount of growth in that area. The speed limit is 50 mph for the majority of Rte. 9. He has two major concerns at this time. He would like to have the speed limit reduced. He knows that the Town does not have final approval of this because Rte. 9 is a State road, however, the Town should make the request. He is here to ask the Selectmen to make the appropriate request to Maine DOT, the State Police Chief and also the local Police Chief. He would like to see the speed limit reduced all the way down to the stop sign at the intersection of Rte. 4 and 9. He would like to see it at 30 mph all the way up to the train bridge right after the Town Qwik Stop. He stated that it is 30 mph on each of the other legs and this one is 35 mph. He would like it to be no more than 40 mph. He stated that walking on this road is very dangerous. Mr. Shortill stated that it is basically a straight shot onto Wilmer Chase Road and Rte. 9 actually bends. He stated that if somebody is going 50 mph down Rte. 9 and they turn onto Wilmer Chase Road, they are not actually slowing down first. The speed limit on Wilmer Chase is 25 mph. Mr. Shortill showed the Board on a map where the speed limit signs were on the road. He also described several occasions within the past couple of weeks where there has been some reckless driving and close calls for accidents.

Selectman Folsom asked Mr. Shortill if he had spoken with Chief Peasley about these issues. He stated he had not. He had just come to Dwayne about 5 days ago and he knows that it is not the Town's call. Mr. Shortill stated that he called Maine DOT and did some research on the internet to see what could be done. He said that he was told that the Town cannot change it but they do have to make the request for any change. He also stated that sidewalks may help with some of this as well. There are also a lot of passing zones so these could be reduced to help out. He stated that reducing the speed limit would also reduce the noise.

Chairman Danforth asked about the other concern that Mr. Shortill had. Mr. Shortill stated that they have been having a lot of heavy traffic on Wilmer Chase Road lately. He stated that this road was just redone recently. He stated that there has been a lot of commercial traffic and he knows that part of this is due to the work going on there. People do not want to sit there and wait so they are cutting through Wilmer Chase Road. He said that, for the past 10 years that he has lived there, it was very rare that he would see trucks on the road. He stated that they have seen a huge increase lately. The Board asked how they would get the road to be posted and Dwayne stated that the Board decides this. Dwayne also stated that if they decide to go ahead with this, than they should coordinate with Wells. If it is not changed on that end of the road, than it is a waste of time because the cars coming from Wells will not follow through. Dwayne also stated that the heavy trucks that are being seen now are because of the construction being done on Rte. 9. Once this is done, the traffic should cut back. Mr. Shortill did speak with somebody at Pike Industries about the situation. He was told that they do tell the truck drivers not to go down that road but it is hard to stop them. Selectman Cowan did state that she did not know why large trucks should have access to this side road when they have Rte. 9 right there. She said she would not have any issue with speaking with Wells about it.

Mr. Shortill stated that he was speaking with some of the residents and they were wondering if there was some way to change the entrance so it would not be a straight shot in to the neighborhood. Selectman Drew told Dwayne that it is supposed to be 90 degrees from that road and Dwayne stated that it was. It is just a flared out intersection. Dwayne also stated that there is no money in the budget to do anything about it at this time.

Selectman Drew stated that the main issue is the speed limit on Rte. 9. Dwayne stated that the way it works is that the Board would either agree or disagree with the request. It would then be sent off to the police department for them to take a look at. If they agree with it than they send it back to the Board with a recommendation. If the Board agrees than they would pen a letter to the Commissioner of the DOT and the Chief of the State Police. It then typically takes about 18-24 months to go through. The State Chief will not look at it until engineering looks at it. If engineering says no, than it is usually dead.

Selectman Cowan made a motion to not allow trucks to use Wilmer Chase Road as a throughway. Chairman Danforth stated that they should pen a letter to the Wells Board of Selectman asking them to consider posting the road on their end as well. Selectman Drew seconded the motion. VOTE: 4-0

Chairman Danforth requested for Dwayne to speak to Chief Peasley to make his recommendations regarding the speed limit change.

Mr. Shortill stated that he would continue to collect names for his petition. Dwayne stated that he would let him know when he would be on the Agenda again.

4. Unfinished Business:

A. Canoe Launch: Update on Progress

Dwayne stated that Pratt had finally received corporate approval and he has the land swap agreement for the Board to sign.

Selectman Drew motioned to approve the signing of the Land Swap Agreements and subsequent agreements. Selectman Cowan seconded the motion. VOTE: 4-0

B. Roads: Update on Road Projects

Dwayne stated that they are almost done with the tree cutting and they started stumping today. It should be completed by the end of the week. He stated that the reclaim date has been pushed back to June 30th.

Dwayne stated that they will probably work on the canoe launch property after they are done with Beech Ridge Rd. Selectman Drew asked the Board if they would mind if he went over there and took the fence out. The Board had no issues with this.

C. Goals: Begin Discussion on Goals for Ensuing Year

Dwayne stated that in looking at the CIP plan in reference to the roads, he said that he is looking into alternatives to save some money and extend the life of the roads. He met with a company this week regarding chip seal and Sami seal over existing pavement. He stated that it is not the old chip seal which was put on gravel. The new way is to spray the road with a rubberized latex

and then add stone to it. It adds a wearing surface and extends the life of the road from 5 to 9 years. He stated that it is an asphalt product. Selectman Cowan asked if there were any environmental concerns and Dwayne stated that there were none. He stated that a lot of towns are looking at adding this because it will save money in the long run. He stated that there are currently four towns in Maine that are doing it. They have also been using it in New Hampshire and Massachusetts. He stated that with the Sami 2, they put it down before they put a wearing surface. Another thing that they do is a full depth emulsification. They grind the road and emulsify the grindings as they move and this creates a new asphalt. Selectman Cowan asked if they used recycled material and Dwayne stated that they used old grinded rubber tires. Chairman Danforth stated that it would be a good idea to speak with some of the towns that have already used it and get their feedback.

Selectman Cowan stated that it is a good idea to look into alternative ways to help out in the future. Dwayne stated that he is looking into another method that Lebanon has starting using. He said that they are regrinding the pavement and turning it back into pavement and relaying it down. He stated that it is basically a paving plant on wheels. He stated that his concern with this is that if it is brittle pavement, it will still be brittle pavement after it is heated. Chairman Danforth stated that by adding the additional emulsification, this may help with that problem.

D. Personnel Policy: Proposed Updates and Amendments

Dwayne stated that at the last meeting, the Board had approved three amendments to the Personnel Policy. Since that meeting, he found another change that should have been included. He added it and is now asking them to approve it retroactively. There was an issue with the Family Medical Leave policy. He stated that the State of Maine had made changes and our policy was no longer in conjunction with the State. Instead of listing out the policy in detail, he has just added that the Town of North Berwick Family Medical Leave follows the State of Maine policy. This way if there are any changes made to the State policy in the future, we will be covered.

E. Foreclosed Properties: Approve Revised Deed for Nationstar Mortgage #2333

Dwayne stated that the Board had signed the deeds to the foreclosed properties and when they were sent up to Alfred, they noticed that there was a typographical error. Also, the State never used to require the Town to put in Transfer Tax Declaration Forms. As of May, the Town now has to do so, which doubles the cost to \$26. A new deed needs to be signed due to the typographical error.

Reminders: Next Board of Selectmen's Meeting – July 8, 2014 – 6:30 pm Municipal Building

5. New Business:

A. Appointments FY15: Review and Approve Appointments for FY15

Dwayne stated that anybody that is not elected in the Town election needs to be appointed by the Board.

Selectman Cowan motioned to approve the Appointment List for 2015. Selectman Folsom seconded the motion. VOTE: 4-0

B. Vacation: Request from Employees to Carry Vacation Into FY15

Dwayne stated that under the Personnel Policy, he is authorized to allow employees to carry over 40 hours from the previous year. If they would like, they can request an additional 40 hours from the Board of Selectmen to approve. There are three employees that are making a request to carry over extra hours. Mike Dunn would like to carry over an additional 39.50 hours. Gerald Schulmaier wants to bring over a total of 50 hours. His work week is 25 hours so he is asking for an additional 25 hours to be carried over. Richard Anderson would like to bring over an extra 22 hours.

Selectman Drew motioned to accept the additional carry overs for Mike Dunn, 39.50 hours, Gerald Schulmaier for 25 hours and Richard Anderson for 22 hours. Selectman Folsom seconded the motion. VOTE: 4-0

D. Road: Private Road Name Request – Wicks Orchard Lane

Dwayne stated that private road names need to be approved by the Board. Merritt and Sandra Wick are building off of Buffum Road and they had to build a private road in order to obtain frontage. They are requesting the name be Wick's Orchard Lane.

Selectman Cowan motioned to accept the private road name to Wick's Orchard Lane. Selectman Folsom seconded the motion. VOTE: 4-0

E. General Assistance

Dwayne stated that the Governor has handed down a ruling that when somebody comes to get general assistance from a town, if they are an illegal alien, then they cannot get assistance. Dwayne stated that when the federal government passed the policy for general assistance, they left it up to the State to decide if they would provide assistance to illegal aliens or not. Our State never made a choice. The Governor's office told the Towns that if they decide to give assistance to illegal aliens, then it will be on the Town's dime. The State will not participate in those costs. The Attorney General for the State of Maine issued another ruling that states that this is not what the law states and it is unconstitutional. If the applicant qualifies, then the Town needs to pay them with the help. Dwayne does not see this as an issue here in North Berwick but it will be an issue for other towns. Dwayne stated that in order for the State to tell the Towns to not do it, it is actually the Attorney General who would need to prosecute, but the Attorney General is telling them they are wrong.

F. Municipal Building: Air Conditioning Unit.

Dwayne stated that the compressor in the air conditioning unit that provides the air on the third floor is going. He stated that whenever it gets above 80 degrees, as soon as the compressor shuts off, it whines. It is heard throughout the whole building. He states that it goes back to the company that previously did our maintenance. They did things that reduced the life but unfortunately, we cannot do anything about it. He stated that there vibratory things on the

bottom of the compressor and they never loosened them so the compressor has been absorbing everything. Also a few years ago, someone from their company came over to check on it and he overfilled it with refrigerant. Also when they put the pipes together upstairs, there is a double joint where the site glass is and it leaked without anyone knowing about it. In the course of the winter, we lost all the refrigerant. When it started in the spring, no one knew that there was no refrigerant in it. If it stays under 85 degrees outside, it works fine. The total cost is \$5500. Selectman Drew asked if SAD 60 would be sharing the cost and Dwayne stated that they would. Dwayne stated that they can find the unit online at a lower cost and the company we now deal with is looking into it. They are concerned that it would not be the right one so they would like to buy it so they can make sure it is the right one. He stated that if we buy it online, the company will install it but they will not warranty it. He stated that it would be a 2 day project.

Chairman Danforth asked where the money would be taken from and Dwayne stated that they should use the Emergency Fund. Selectman Cowan asked how much was in the Emergency Fund at this point and Dwayne stated that there is about \$35,000.

Selectman Folsom motioned to approve \$5500 to be used for the purchase of a compressor from Specialty Services, Inc. Wendy seconded the motion. VOTE: 4-0

6. Other Business:

Dwayne stated that there is a Public Hearing on June 25, 2014 for the proposed County budget. Dwayne stated that our share has increased by about \$1500.

Dwayne also wanted to let them know that Waterboro will be joining Alfred by leaving Sanford Dispatch and going to Biddeford. He doesn't see a major increase for us at this point.

7. Review and Approve Warrants and Correspondence:

Warrant:	June 10, 2014	- \$ 11,801.56
Warrant:	June 17, 2014	- \$ 499,907.05

Selectman Drew motioned to approve the Warrant for June 10, 2014 for the amount of \$11,801.56 and the Warrant for June 17, 2014 for the amount of \$499,907.05. Selectman Folsom seconded the motion. VOTE: 4-0

8. Adjournment:

Selectman Drew motioned to adjourn the meeting at 8:30 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