

**North Berwick Board of Selectmen's Minutes: August 19, 2014**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES AUGUST 19,  
2014**

**Present:** Selectman Galemmo, Selectman Drew, Selectman Folsom

**Absent:** Chairman Danforth, Selectman Cowan

**Also Present:** Dwayne Morin

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

**1. Pledge of Allegiance**

**2. Review and Approve Minutes of August 5, 2014**

Dwayne stated that under Section D Tax Rate, there were some numbers that had dollar signs but it should have been a percent sign.

Selectman Drew motioned to accept the minutes of August 5, 2014 as amended. Selectman Folsom seconded the motion. VOTE: 3-0

**3. Public Input**

There is no public input at this time.

**4. Unfinished Business:**

**A. Canoe Launch:** Update on Progress

Dwayne Morin stated that he had no new updates to report. He hopes that they will be able to go work on the parking lot and trail within the next couple of weeks.

**B. Roads:** Update on Road Projects

Dwayne stated that, as of today, the road is graveled and there is about a couple hundred feet of ditching left. He stated that Mike said they hope to be done by Thursday and then they will just need to have it paved. They are waiting to hear back from F.R. Carroll to see when they can come and do the paving.

**Reminders: Next Board of Selectmen's Meeting** – September 9, 2014 – 6:30 pm Municipal Building

**5. New Business:**

**A. Tax Rate:** Review Draft Tax Rates for FY15

Dwayne stated that the Board needs to establish the tax rate for the year. He has included the final numbers in the packets. With the \$12.45 tax rate, it would give us about \$199,000 overlay. He stated that it would actually be about \$195,000 because of the reduction in the Homestead Exemption. He stated that some of the neighboring towns have not been able to keep a flat tax rate. They have all gone up.

Selectman Drew motioned to approve leaving the tax rate at \$12.45 for the FY15 tax year. Selectman Folsom seconded the motion. VOTE: 3-0

**B. GWRLT:** Parker Farm LFMF Approval

Dwayne stated that the State of Maine Land for Maine's Future Program has accepted the proposal for the Parker Farm land. He stated that the way they work is that they review all the applications and select finalists that could be approved for funding. He stated that typically, if you are accepted as a finalist, you get the funding. It is very rare that a finalist would not get approved. He stated that they will have a Public Hearing in the fall and then they will approve the funding. He stated that GWRLT has already received the federal funding and our funding so they were just waiting for this State funding.

**C. Mill Field:** Gazebo

Dwayne stated that they finished working on the gazebo. Since then, the kids have gravitated back to the gazebo with their blades, boards and bikes. Selectman Folsom asked if they had scratched it and he stated that they had not done so yet, but they would eventually if boards bikes and blades continue to be used on the gazebo. Dwayne said that he has been trying to think of what they could do for security there. He stated that he has looked at putting in a webcam and shining it on the gazebo. He said that this could serve a couple of purposes. It would allow people to look at our downtown online and give us security for that area. The problem is that there is no place that they could put it to shoot where there would be internet access.

Another thing that he thought of is to buy a simple home security system. They could stick up two cameras. He stated that they had a power jack installed in the ceiling of the gazebo where no one can see it. He said that they could do one of two things. They could do a wired system where they would keep a DVR up in the ceiling. He stated that the electricity would keep it warm so they would not need to heat it. They would just let it run. You can get DVR's that will run four years' worth of data on that hard drive. He said that if anything would happen, they could just pull it down and review it.

He said that he is also looking at doing a wireless system. You would shoot the wireless camera to a building, which for us would need to be the fire station. He stated that the problem with wireless is that most of these systems only guarantee it to work for 150 feet. It is 225 feet from the fire station to the gazebo. You can buy extenders to boost the power but you have to have a clear line of sight. Unfortunately, there are some maple trees that stop the line of sight.

Dwayne stated that he also thought about putting fake cameras up and make people think that they are being taped. The only thing with this scenario is that if something does happen, people will know that they are fake when nothing gets done.

Dwayne stated that one of the systems that he was looking at is about \$500-\$600. They could put the two cameras and the DVR up in the ceiling and just let it record. Selectman Drew asked how often they would need to check it. Dwayne stated that they would only need to check it if something happened.

Dwayne stated that he also had signs which say that no blades, boards or bikes are allowed. He has been trying to figure out the best way and place to mount the signs. He said that he will probably put one on the electrical panel but still needs to figure out where to put the other one so it will not be in the way if somebody wants to take pictures.

Dwayne stated that he is looking at something inexpensive like from Wal-Mart. Selectman Drew asked if there would be some sort of cage around the cameras so someone could not go up and break the cameras. Dwayne stated that there are two different kinds. There are the ones that are just the cameras and there are some that are in a bulb. You put the cameras up in it and shine it down and they are not as obtrusive. Selectman Drew asked if they would operate with a motion sensor, but Dwayne stated that it would run all the time and record. Selectman Drew asked about how much these systems run. Dwayne said that a 2 camera system and DVR runs about \$599.00.

Dwayne stated that the Mill Field Festival was this past weekend and he said that he has heard mostly good reviews. They had one of the biggest turnouts that they have had in a while. Also, in looking at the receipts, it is the most money they have made in five years. He said that the fireworks were a big hit. He stated that they only had one complaint from one of the vendors and it was taken care of.

**D. Animal Control Ordinance: Discussion on Proposed Change**

Dwayne stated that at the next Selectmen's meeting, there will be a family present to discuss changing our Animal Control Ordinance. He stated that there is a family that has some roosters that have been crowing a lot and their neighbors have been complaining because they feel that they are a nuisance. This has been going on for about a year. Dwayne read Section 1.1 of the Animal Control Ordinance: "Animals creating a nuisance by noise: Anyone owning, possessing or harboring any animal which barks, howls or makes other sounds common to its species, continuously for 20 minutes or intermittently for one hour or more shall be deemed to constitute a nuisance."

Dwayne stated that they sent a police officer out to monitor it. He said that the rooster crowed about 15 times in an hour. This would meet the criteria for a nuisance. Selectman Drew asked if this was in town or in the country and Dwayne stated that it was in the Farm and Forest Zone. Dwayne stated that this family has a homestead and they live off the land. He said that they have done some things to try to appease the neighbors. They have slaughtered some of the roosters and only have one rooster left. They are using the rooster to fertilize the eggs. They have put the rooster in at nighttime and take it out in the morning.

Dwayne stated that one of the things that the family will bring up is that Maine has a Right to Farm Law. The Right to Farm Law states that a commercial farm will not be constituted a nuisance for noise. However this is for a commercial farm and this family have just a homestead farm. Dwayne spoke to the Town attorney and he said that in order to be a commercial farm you need to show that you actually make money. You need to make a minimum of \$2,000.00 per year and show that you are actually selling the items. This family are just farming for themselves.

The neighbor that is complaining is just tired of the constant crowing. Unfortunately, he has a daughter that has a condition that requires her to sleep a few hours during the day, but the crowing keeps her up. Selectman Drew asked how many acres the family had and Dwayne stated that they had 20 acres. He stated that it is 1,000 feet from one house to the other but they live in a valley and it echoes all the way up the hill. Vice Chairman Galemme stated that they could clip the vocal cords but Dwayne stated that they will not do that. Dwayne told them that until the Ordinance is changed, he has to enforce it.

Dwayne told the Board that probably the best way to handle this is for the family to go by way of petition because no matter what the Board does, they will be choosing a side. He told the family that they could go before the Board and see if they would approve or they could petition the Board. They would need 120 signatures.

Dwayne stated that one of their options would be to become a commercial farm, but he doesn't know if they would want to go that route. Vice Chairman Galemme stated that even though it would mean some paperwork, it might be worth it for them to set up at the Farmer's Market and sell eggs and whatever else they grow.

Dwayne stated that the family has taken steps to try and remedy the situation so there has been no legal action done at this time. Dwayne did tell the neighbors that are complaining that most of the time, the neighbors work these things out

Dwayne stated that the Town Attorney recommends that they go the petition route.

**6. Other Business:**

No other business at this time.

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

Warrant:	August 12, 2014	- \$ 12,699.06
Warrant:	August 19, 2014	- \$ 547,222.72

Selectman Drew motioned to accept the Warrant from August 12, 2014 for the amount of \$12,699.06 and the Warrant from August 19, 2014 for the amount of \$547,222.72. Selectman Folsom seconded the motion. VOTE: 3-0

**8. Adjournment:**

Selectman Folsom motioned that the Board go into Executive Session at 7:26 pm. Selectman Drew seconded the motion. VOTE: 3-0

Selectman Folsom motioned to adjourn the meeting at 7:45 pm. Selectman Drew seconded the motion. VOTE: 3-0

Respectively submitted,  
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Paul Danforth

Selectman: Charles Galemmo

Selectman: Elaine Folsom

Selectman: Gregg Drew

Selectman:

Wendy Cowan