

**North Berwick Board of Selectmen's Minutes: January 22, 2013**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES JANUARY 22, 2013**

**Present:** Chairman Hart, Selectman Galemmo, Selectman Danforth, Selectman Folsom and Selectman Drew.

**Also Present:** William Hall, Matthew Pmoerleau, Brent Tweed, Lynn Manley, Julie Fernee, Chris Rosen, Robert Pease, Anne Whitten, Susan Hall, Brian Gosselin, Larry Straffin, Thomas Shufelt, David Bentley, Kerry Briggs, Joshua Gosselin, Stephen Dumont, C.R. Stambaugh, Lorinda Hilton, Dale Hilton , Charles Barto, Shirley Barto, and Dwayne Morin.

Chairman Hart opened the Board of Selectmen's Meeting at 6:30 p.m.

**1. Pledge of Allegiance**

**2. Review and Approve Minutes of January 8, 2013**

Selectman Galemmo moved to approve the minutes of January 8, 2013, Selectman Folsom seconded a motion. Vote, 5-0 in Favor.

**3. Public Input:**

Robert Pease expressed his concern for the new Commercial Zoning being proposed by the Planning Board.

Mr. Barto asked if the Community Center would be large enough for the Public Hearing scheduled on the Commercial Zone proposal and what will happen if it is not. Dwayne Morin stated that this is the largest venue that the Town has and it will seat about 100-150 people. Mr. Barto stated that

the school will seat more. Chairman Hart stated that the Town would see what the turnout is and make a decision at that time.

#### **4. Unfinished Business:**

##### **A. FY14: Budget Discussions**

Dwayne presented the Board with the FY2014 Budget for their review. Dwayne made the changes suggested by the Board at the last meeting to the budget. Dwayne and the Board review each budget submitted and completed the Board of Selectmen/Town Manager Recommendations to be submitted to the Budget Committee for their deliberations.

Dwayne did ask the Board to act on the request from NBAA. NBAA submitted their budget request on January 15, 2013 and the budget submission deadline was December 31, 2012. Dwayne also stated that they submitted a \$6,600.00 request and last year the Town asked NBAA to move towards a user fee system for the league as the Town has done with it's sports programs. Chairman Hart stated that we have deadlines for a reason and the budget should not be accepted. The Board recommends that NBAA increase the user fee for the program. Vote 5-0 in favor.

The overall budget include the recommendation include of 0% salary increase for all non-union employees except Police as negotiations with the Police union have not been completed. Change in health insurance for all non-union employees from POS-C to PPO 500. Transfer the last two remaining payments for the Wheeler from Undesignated Fund Balance to the Equipment Fund to shed the yearly payment. The separation if the Impact Fee budget from the overall Town Budget as these funds are dedicated funds to be used only for Recreation and Open Space.

After all reviews, the BOS/TM Recommendations for next year's budget is a budget of \$3,765,095.00 which represents a 3.80% decrease from the current budget. This recommendation could change based on the negotiations with the Police Union and other factors that may happen as the budget committee begins their deliberations.

The following is a breakdown of the BOS/TM Recommendations:

Dwayne presented the board with a draft warrant for the Board to approve for use by the Budget Committee in their deliberations.

It was moved by Selectman Danforth and seconded by Selectman Galemme to approve the Board of Selectmen/Town Manager Recommended and send it to the Budget Committee for their review. Vote 5-0 in favor.

It was moved by Selectman Drew and seconded by Selectman Galemme to approve the Draft Warrant to be utilized in the Budget Committee deliberations. Vote 5-0 in favor.

#### **B. Annual Report: Dedication**

It was moved by Selectman Folsom to dedicate the Town Report to Dorothy Linscott. Selectman Drew seconded the motion. Vote- 5-0 in Favor.

#### **C. Planning Board: Commercial Zone Change**

Dwayne informed the Board that he had the opportunity to present the suggested changes that the Board and he discussed at their last meeting to the Planning Board. The Planning board was receptive to some of the changes the were suggested and the Board asked Dwayne to present these suggestions at the Public Hearing schedule on Thursday January 24, 2013.

**Reminders: Next Board of Selectmen's Meeting** – February 5, 2013 - 6:30 p.m. Municipal Building  
Budget Committee – Monday February 4, 2013 – 6:30 pm Municipal Building

### **7. New Business:**

#### **A. Audit FY12**

Auditor Bill Hall presented the FY12 fiscal year Audit to the Board of Selectmen. Mr. Hall went through the 57 page document with the Board pointing out the highlights of the Audit. All in all this is a very good audit with no problems to report. The firm was able to complete the onsite audit within 3 days. The Town continues to be in good financial health with an undesignated fund balance of \$2.68 million. All the other funds of the town are also in good financial health. The auditors did recommend the passage of three important financial policies: Undesignated Fund Balance Policy, Investment Policy and Credit Card Usage Policy, all of which the Board of Selectmen has adopted in the current fiscal year.

### **B. Fire Department:** Presentation By Fire Chief on E4 and F1

The Fire Chief would like the Board of Selectmen to consider the possibility of keeping Engine 4 and disposing of F1. The town is currently in the process of purchasing a replacement engine and the plan was to sell Engine 4 when the replacement engine was received. F1, which is a 1969 truck, has had many mechanical problems and when the chief reviewed the use of F1 he has concluded that it may be better for the town to sell F1 instead of repairing the apparatus. The chief proposes changing the classification of E4 into F1 and personnel carrier instead of a front run engine. E4 carries 1000 gallons of water and has the additional crew cab for personnel transport. When reviewing the needs of the substation, the ability to have more water at the scene and to transport firemen is more beneficial than the current forestry unit which can only carry 2 people and has a water capacity of 500 gallons. E4 could still be used for forestry purposes and we still have the new F2 which can be utilized. At this Time the Chief feels that there is not a need for two forestry units in the Fire Department and that the ability to have more water on scene for the outlying areas of town would prove beneficial.

Selectman Danforth asked what the additional cost to the Town would be to keep E4 and get rid of F1. Chief Gosselin stated that we would need to purchase three lengths of hose at a cost of \$525.00 a roll or \$1,575.00 and we would need to locate one air pack as E4 currently does not have an air pack for the driver position. All the hose on E4 is scheduled to go onto the new engine once it is received and we have purchased new air packs for the new engine. Dwayne stated that we have already built the hose cost into next year's budget.

It was moved by Selectman Folsom and seconded by Selectman Galemme to keep Engine 4 and reclassify to a forestry/personnel transport apparatus and sell F1. Vote 5-0 in favor.

### **C. Planning Board:** Anne Whitten Application

Anne Whitten has completed an application to become a Planning Board member. There is currently one position to be filled on the Planning Board. Anne has been a Planning board member from 1997 – 2000 and a Selectman from 2000 – 2009. It was moved by Selectman Drew and Seconded by Selectman Folsom to appoint Anne Whitten as an alternate member of the Planning Board with the term expiring on December 31, 2017. Vote 5-0 in favor.

### **D. 2nd Amendment Ordinance:** Presentation by Chris Rosen

Chris Rosen explained to the Board that he would like the Board to consider placing on the Town Meeting referendum the 2<sup>nd</sup> Amendment Preservation Ordinance that is in the Selectmen's packet. Chris feels that the Town should support the second amendment rights by voting on this ordinance. There are those in government that are using many of the recent tragedies to promote their own goals of taking all guns out of law abiding US citizens and that must stop. This is a grass roots effort to protect the second amendment rights.

It was moved by Selectman Drew to place the ordinance on the Town Meeting referendum.

Selectman Galemmo vehemently disagreed with placing this proposed ordinance before the voters for any action. Selectman Danforth asked if this has been reviewed by the Town Attorney. Dwayne stated that it had not been reviewed. Selectman Drew amendment his motion to include that the ordinance should be placed up for vote pending the Attorney review. Selectman Danforth asked Selectman Drew if he would withdraw his motion and table any action on the Ordinance until after the Town Attorney has reviewed the proposed ordinance. Selectman Drew withdrew his motion.

It was moved by Selectman Drew to table the proposed ordinance until the Town Attorney has had an opportunity to review the proposal. Selectman Danforth seconded the motion. Vote 5-0 in favor.

#### **E. County Tax – Discuss payment options for 6 mos. transitional Budget**

Dwayne presented the Board with the letter from the County Commissioner requesting the town to notify the County of their choice of payment plan by February 15, 2013. Dwayne stated that if the County continues to propose changing their fiscal year that the Town should take the 5 year option to negate the impact on the tax rate for the coming years. This estimated cost to the Town for the six month transitional budget is \$158,000.00 and that impact on the tax rate would be approximately \$0.25 on the mill rate. Dwayne stated that there has been a push to request that the County Commissioner delay the implementation of the fiscal year change for one year due in part to the governor's proposed state budget and potential impact on the municipal budgets in York County. The governor's potential budget impact to the town couple with a county tax increase would cause the tax rates in York county towns to increase. The 11 Town group has sent a letter to the Commissioners requesting the delay as well as some other communities on York County. The delay would also allow the Towns and County to work together on legislation that would allow twice a year tax billing at the County level and to try and mitigate the impact of the fiscal year change on the communities.

Selectman Drew asked if Dwayne has spoken to our County Commissioner regarding this and Dwayne stated he has not. Selectmen Drew recommended sending a letter to our County Commissioner requesting a delay in the fiscal year change.

It was moved by Selectman Galemmo and seconded by Selectman Drew to send a letter to our County Commissioner requesting a delay in the fiscal year change for one year, however, if the County Commissioners continue with the fiscal year change this year the Town of North Berwick would select the 5 year payment option on the transitional budget. Vote 5-0 in favor.

#### **F. State of Maine Budget – Impact of Governor's proposed State Budget**

Dwayne explained that Governor LePage has presented a budget to the Maine Legislature that has a tremendous effect on Towns and Cities across the State of Maine. In particular, Governor LePage has proposed:

Eliminating the State Revenue Sharing Program;

Keeping State K-12 educational spending flat but making changes to the EPS model that reduces the minimum school subsidy calculation for low receiving school systems (no effect on SAD 60), reduces the obligation for every school system to be provided at least 100% of special education costs to 25%, reduces the economically disadvantaged student ratio by applying a 98% factor in year one and 95% factor in year 2 and requiring the districts to pay 50% of the “normal cost” for teacher’s retirement premiums;

Changes to the General Assistance program

Eliminating the Homestead Exemption for anyone under 65 years of age and increasing those over 65 to a \$20,000.00 exemption;

Elimination of the Circuit Breaker program;

Capturing the tractor trailer excise tax collected by Municipalities;

And Converting the BETR program to the BETE program.

The effect on the Town of North Berwick will be related to the State Revenue Sharing elimination, the elimination of the Homestead exemption, the excise tax capture of the tractor trailer revenue and the conversion of the BETR to the BETE program.

The State has already raided the State Revenue Sharing program. The Town should be receiving approximately \$330,000 in revenue sharing and we are currently receiving \$225,000. This proposal would eliminate the \$225,000.00 revenue sharing.

The overall effect on the town of North Berwick Municipal Budget are as follows:

<b><u>Impact of Governor's Proposed FY14 Budget to North Berwick</u></b>			
Current Mil Rate		\$	12.45
Town Valuation		\$	591,765,260.00
Town Budget		\$	3,913,868.00
Avg. Home Valuation		\$	250,000.00
	Dollar Impact	Tax Rate Impact	% of Town Budget
<b><u>Revenue Sharing Cut</u></b>	\$ 225,000.00	\$ 0.38	5.75%
<b><u>Commercial Excise Shift</u></b>	\$ 10,296.23	\$ 0.02	0.26%
<b><u>Change from BETR to BETE</u></b>			
lose \$23,898,600 in tax value	\$ 119,015.03	\$ 0.20	3.04%
	\$ 354,311.26	\$ 0.60	9.05%
<b><u>Homestead Change</u></b>			
Current Homesteads - 1060			
Homesteaders under 65 would see a tax increase of \$124.50.			
Average Homeowner in North Berwick will see an increase of \$150.00, if they have a Homestead exemption it would be \$274.50 a year just for Municipal Budget.			

Dwayne has asked the Superintendent to determine the effect of the Governor’s proposal on the District and the individual towns and has yet to receive that information.

**6. Other Business:**

Gregg stated that at the last meeting he suggested that he would like the Board to consider sending an amendment to the Town Meeting regarding the usage of the Bruce Abbot Park in the winter months. Currently the approved use of the park as determined by the Town Meeting was that the park would be closed from the end of October until April. In the past the Grange had plowed their parking lot and ice fisherman could park at the Grange and then walk onto the lake to fish. The Grange has decided not to plow its parking lot any longer and that limits the ability for ice fisherman to gain access to the lake. Gregg would propose that the town plow the Bruce Abbott Park in the winter to allow for ice fisherman access.

It was moved by Selectman Drew to send to the voters an amendment the Bruce Abbott Park Rules to allow wintertime access from January 1 until March 15. The motion was seconded by Selectman Galemmo. Vote 5-0 in favor

**Executive Session: 1 MRSA 405(6)(E)**

Selectman Galemmo moved to go into Executive Session at 9:28 p.m., Selectman Danforth seconded a motion. Vote, 5-0 in favor.

Selectman Galemmo moved to exit into Executive Session at 10:14 p.m., Selectman Danforth seconded a motion. Vote, 5-0 in favor.

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

Warrant: January 15, 2013 - \$576,525.32

Selectman Galemmo moved to accept the Warrant of January 15, 2013 for \$576,525.32. Selectman Danforth seconded the motion. Vote, 5-0 in favor.

**8. Adjournment:**

Selectman Galemmo moved to adjourn at 10:15 p.m., Selectman Danforth seconded the motion. Vote, 5-0 in favor.

Respectively Submitted:  
Dwayne Morin, Town Manager

Original to Town Clerk

Chairman: Larry Hart

Selectman: Charles Galemmo

Selectman: Paul Danforth

Selectman: Elaine Folsom

Selectman: Gregg Drew