

**North Berwick Board of Selectmen's Minutes: June 16, 2009**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES JUNE 16, 2009**

**Present:** Chairman Folsom, Selectman Danforth, Selectman Bourbon, Selectman MacDougall and Selectman Drew.

**Also Present:** Jason Clough, Sandra Clough, Robin White, Larry Lahoux, Jack R. Murray, Phil Thain and Dwayne Morin.

Selectman Danforth arrived at 7:00 p.m.

Chairman Folsom opened the Board of Selectmen's Meeting at 6:35 p.m.

**1. Pledge of Allegiance**

**2. Review and Approve Minutes of May June 2, 2009**

Selectman Drew moved to accept the Minutes of June 2, 2009 as presented, Selectman Bourbon seconded a motion. Vote, 4-0

**3. Public Input:** No Public Input

**4. Unfinished Business:**

**A. Dispatch:** Discussion on Dispatch Services

Dwayne updated the Board of Selectmen on Dispatch Services.

The Repeater will be installed on July 18, 2009 for the Police Frequency.

**B. Ice Storm:** Tree Debris Clean Up

Dwayne discussed with the Board of Selectmen that the town is making progress approximately 60% of the debris clean has been completed.

**C. Farmer's Market:** North Berwick Farmer's Market

Dwayne informed the Board of Selectmen that the opening of the Farmer's Market went very well.

**D. Roads:** Update

Dwayne updated the Board of Selectmen on road projects.

Dwayne provided the Board with a financial spreadsheet on road projects to date.  
Canal Street project has become a much bigger project than expected.

Linscott Road project cost is more than what was anticipated.

Nowell Street is ready to be paved.

The Community Center Road will be completed the week of June 20<sup>th</sup>.

**E. Abandoned Roads:** Continued Discussion Regarding Blocked Public Easement

Dwayne discussed with the Board of Selectmen a letter received from the Town Attorney on the results of the court case regarding public easement in the abandoned road.

The factual determination made by Justice Fritzche "trumps" any action the Board of Selectmen may have had in 1997.

**Reminders:** Next Board of Selectmen's Meeting – June 16, 2009-6:30 p.m. Municipal Building  
Tri Berwick – June 24, 2009 – 6:00 p.m. Berwick Town Hall  
Public Hearing for Special Town Meeting – June 30, 2009 – 6:35 p.m. Comm. Center

## 5. New Business:

### A. Special Town Meeting: Review Warrant for Special Town Meeting

Dwayne explained that the Town Attorney would like to ask the Board of Selectmen that when the Town voted to sell a 1.9 acre of parcel of land off Staples Drive that all proceeds of the sale utilize toward capital improvement at Hillside Cemetery be added to the warrant at Town Meeting.

The Board of Selectmen spoke unanimously to add Warrant Article 3 as advised by Town Attorney.

Public Hearing  
Tuesday, June 30, 2009  
6:35 p.m.  
North Berwick Community Center

The Board of Selectmen will hold a Public Hearing on June 30, 2009 at 6:35 p.m. in the North Berwick Community Center pursuant to 30-A MRSA 4352 (9) on the proposed Zoning Ordinance Amendment warrant article and the proposed Ground Lease Agreement between the Town of North Berwick and Great Works Crematory for the development of a Crematory at Hillside Cemetery.

Warrants for Special Town Meeting  
North Berwick, Maine  
July 14, 2009  
6:30 p.m.  
North Berwick Community Center

In the name of the State of Maine you are hereby required to notify the inhabitants of the Town of North Berwick, qualified by law to vote in town affairs at the North Berwick Community Center in said Town of North Berwick on Tuesday July 14, 2009 at 6:00 p.m. to vote on the following articles:

**Article 1:** To elect a moderator to preside at said meeting.

**Article 2:** Shall an ordinance entitled “An Ordinance Repealing Section 4.3 f of the Zoning Ordinance and making conforming changes to Table 4.3” be enacted?

Budget Committee Recommends:

**Article 3:** To see if the Town will vote to authorize the Selectmen, on behalf of the Town, to enter into a ground lease of Town owned property at the Hillside Cemetery with Great Works Crematory for the purpose of developing and operating a crematory, the terms of which ground lease include an initial lease term of 12 years with optional annual renewals in the tenant and annual rent of \$6,000 for the initial term and \$1,000 per renewal year, together with other terms as are contained in the document entitled “Ground Lease Agreement for Development of a Crematory at Hillside Cemetery,” and to make such minor modifications and amendments to said document as the Selectmen find to be in the best interests of the Town.

Budget Committee Recommends: .

Dwayne will send a letter to the Hillside Cemetery Abutters on the development and operation of the Great Works Crematory LLC. and to inform them of a Public Hearing on the proposed vote so that they are aware of the proposal. The Public Hearing will be held on June 30, 2009 at the North Berwick Community Center at 6:35 p.m. The Special Town Meeting is scheduled for July 14, 2009 at 6:30 p.m. at the North Berwick Community Center.

## **6. Other Business:**

Dwayne discussed with the Board regarding the crosswalk from Pratt & Whitney will not take place due to that State requiring a connection to a sidewalk on Portland Street

Selectman Bourbon suggested Pratt & Whitney walkers walk approximately 20 feet to Pratt & Whitney's other parking lot and place a cross walk connecting with the sidewalk across from Route 9.

The State will let Dwayne know what is required for the cross walk on Route 9..

## **7. Executive Session – 1 MRSA 405(6)(A) Personnel**

Selectman Danforth moved to go into Executive Session - 1 MRSA 405(6)(A) Personnel at 7:35 p.m., Selectman Bourbon seconded a motion. Vote, 5-0

Selectman MacDougall moved to come out of Executive Session - 1 MRSA 405(6)(A) Personnel at 8:24 p.m., Selectman Danforth seconded a motion. Vote, 5-0

Selectman Drew moved to address personnel matters on June 23, 2009 at 7:00 p.m., Selectman Danforth seconded a motion. Vote, 5-0

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

Warrant: June 9, 2009 - \$13,958.13

Warrant: June 16, 2009 - \$436,550.15

Selectman Drew moved to accept the Warrants of June 9, 2009 for \$13,958.13 and June 16, 2009 for \$436,550.15, Selectman Danforth seconded a motion. Vote, 5-0

**9. Adjournment:**

Selectman Bourbon moved to adjourn at 8:25 p.m., Selectman Danforth seconded a motion.  
Vote, 5-0

Respectively Submitted:  
Anita Lambert, Stenographer

Original to Town Clerk

Chairman: Elaine Folsom

Selectman: Paul Danforth

Selectman: Anthony Bourbon

Selectman: Gregg Drew

Selectman: Jay MacDougall