

## **North Berwick Board of Selectmen's Minutes: July 29, 2008**

### **NORTH BERWICK BOARD OF SELECTMEN MINUTES JULY 29, 2008**

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

**Also Present:** Linda Pedersen, Roxine Myshrall, Robert Myshrall, Aoife Houlihan, and Jason Claffey.

Chairman Danforth opened the Board of Selectmen Meeting at 6:35 p.m.

#### **1. Pledge of Allegiance**

#### **2. Review and Approve the Minutes of July 15, 2008**

Selectman Drew moved to accept the minutes of July 15, 2008 as amended, Selectman Bourbon seconded a motion. Vote, 4-0-1

#### **3. Public Input**

The was no public Input

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

##### **A. Roads:** Update on Program

Dwayne explained that Beech Ridge has been reclaimed and should be complete in about a week and a half. The Highway Department has been ditching the road and then we will wait for Pike to pave. At the same time when we pave Beech Ridge we will also pave Valley Road.

With all the rain we have been having, the roads are taking a beating. Fox Farm Hill Road shoulder washed out on the Morrells Mills end and the Highway Department will be repairing that section before it undermines the road.

Tree cutting should be done on Linscott Road a week from Thursday. Dwayne has not received one complaint and that is accredited to Abbott Hill tree cutters.

##### **B Comprehensive Plan:** Review Policies and Implementation Strategies

The Board reviewed the Land Use portion of the comprehensive plan.

The Board will request that the Comprehensive Planning Committee come to the next Selectman's meeting to discuss the changes, thought and ideas the Board has for the plan.

### **C. Madison Street: (MOVED) Traffic Calming Pilot Program**

The Board asked Dwayne to look into installing a Three Way Stop at the intersection of Madison Street, Potters Court and Madison Court. Traffic heading into the Village will be required to stop. Installing a Three Way Stop at the intersection of Madison Street, Woodcock Lane and Partridge Lane. Traffic heading out of the Village will be required to stop. Keep existing Stop Signs on Mill Lane, Partridge Lane and Woodcock Lane. Installing a (seasonal) speed hump on the Route 4 side of the bridge with advance warning markings and signage including a recommended 10 MPH speed sign in an effort to calm traffic and protect the pedestrians along Madison Street and the abutting streets.

Dwayne checked with the DOT engineer in reference to the speed hump. He did not have any problems with the speed hump as long as it was properly signed. They will not lower the speed but the town can put in an advisory, non-regulatory, speed limit. The town needs to strip the speed hump appropriately. Dwayne showed the Board his idea for the striping and the DOT engineer approved his idea.

Dwayne mentioned that the DOT engineer cautioned the Town that, though it is a Town decision, he was not in favor of the Town using Stop Signs in traffic calming measures.

Dwayne told the Board that if we install a speed hump, the Town can install a pave permanent hump, or a rubber temporary hump. They both have pros and cons.

The paved hump would be permanent and would be angled in the same angle as the snow plows. It could still be a problem with clearing ice and water.

The temporary hump can be taken out in the winter for winter plowing. They are labor intensive in the removal and installation and their lifespan is about 10 years. Selectman Drew commented that a few weeks of good weather in the middle of the winter, with the temporary hump, we have defeated the purpose.

Dwayne told the Board that the police use radar on the street for a half hour and found that the highest speed was 35 MPH and the majority of people stayed within the speed limit.

Selectman Folsom asked if we were setting a precedent for placing traffic calming measures for streets like Maple, Portland and Beech Ridge.

Dwayne said there is always that potential for this to happen. Speed humps are allowed on Residential Roads, Non Collector Roads, and those roads must have a maximum speed of 30 MPH.

Chairman Danforth explained that this is a pilot plan (a trial) where the Board will collect random statistical information to help the Board decide if this is working.

Selectman Bourbon stated that Madison is a good road for the pilot program because of its unique qualities such as it is a windy road; the proximity of the homes to the road and it is a thru way for manufacturing dumping.

Dwayne recommended that if the Board does decide to approve this traffic calming measure that the Board call it a Pilot Program which freezes everything for a year so the Board can collect data to see if it has really worked.

Selectman Folsom stated that residents asked her where the money was coming from to pay for this traffic calming measure. Dwayne told her it would be coming out of the road construction fund.

Chairman Danforth read into the record a letter written to the Board from Michael Carpenter and Susan Parshley residents of Madison Street.

Adife Houlihan asked what the DOT objection was. Dwayne explained that under the Manual for Uniform Traffic Control Devices(MUTCD) states very clearly not to use Stop Signs to calm traffic. He further explained that Stop Signs are meant to be used to stop traffic at intersections and if there are Signs peppered all through town for traffic calming measures then drivers tend to ignore them.

Linda Pederson stated that she agrees with the plan and that there are a lot of people walking on Madison Street.

After discussion as to whether to go with the temporary hump or the permanent hump, Selectman Drew made a motion to adopt the pilot program as defined on page 62 of the Selectmen's packet with the exception of removing the word seasonal and replacing it with permanent. Selectman Bourbon seconded the motion. Vote, 5-0

#### **B. Newsletter:** Preview of Summer Newsletter

Dwayne will send out the newsletter to be delivered next weekend. The Board reviewed the newsletter with Dwayne. Dwayne will place the Mill Field Festival Schedule in the newsletter.

Selectman Drew asked if the Oak Woods Church roof removal had been completed. Dwayne replied that yes, it had.

He also asked if the Cemetery Trustees have found a new trustee. Dwayne answered that they had a name and will come to the Board with the new applicant.

**Reminders:** Next Board of Selectmen's Meeting-August 19, 2008 - 6:30 pm Municipal Building  
 Mill Field Festival – August 15-17, 2008  
 Area Selectmen's Meeting – September 11, 2008 – 6:00 pm South Berwick

#### **5. New Business:**

**A. Fee schedule:** Review Policy and Implementation Strategies

Dwayne gave the Board the new fee schedule with a few changes for approval. The Voter Registration List cost is not controlled by the state with the new laws went into effect.

The staff change is map and lot listing. The new cost for printed map and lot listing is \$45.00

The cost for printing the Towns ordinances has gone up to reflect the printing cost from \$13.00 and \$16.00 to \$16.00 and \$18.00

Dwayne informed that the Towns voter list is no longer kept locally but are now kept on the States system.

Selectman Folsom made a motion to accept the towns' fee schedule, Selectman Whitten seconded a motion. Vote, 5-0

**B. Right to Know:** Right to Know Law Training Requirement for Elected Officials

Beginning July 1, 2008 elected local officials must complete training on the requirements of Maine's freedom of Access laws relating to public records and proceedings. North Berwick elected officials have until November 1, 2008 to complete the training since they were elected prior to July 1, 2008.

To assist the municipalities in York County, the York County Commissioners are offering a free training course to be taught by Attorney and Maine Representative Bonnie Gould.

The State also offers an on line course for elected officials.

Dwayne also stated that the law is silent a penalty if elected officials do not take the course. He also sent a letter to each town elected official and will call non-town elected officials.

**C. Commitment FY09:** Preview of Tax Rate and Commitment

The Board reviewed the tax rate and commitment schedule. The estimated rise in the tax rate was between seventy-five cents and one dollar. Dwayne feels the tax rate will be around fifty cents.

Dwayne explained that the Board could set its tax rate at \$10.75, adding zero to the overlay and as high as \$11.25. Dwayne's recommendation to the Board is somewhere in the middle, a 2 ½ percent increase.

The Board will act on the commitment at the next meeting.

**D. Public Works:** Replacement of Diesel Tank

The diesel tanks at the public works department are not up to code and the fuel company will not fill the tanks until they are fixed or replaced.

Dwayne has been working on having the tanks repaired and has found that the cost to repair the tanks is close to the cost to buy new tanks. The options are to purchase a confinement tank that needs to have cement-holding pads, or a double walled tank. The tanks are now in cement confinement, only now we cannot purchase tanks that fit those confinements.

We do not need to have DEP permits because we are not enlarging the tanks. Because we may have to move the tanks we need a fire marshal's permit. Unfortunately the fire marshal is on the fair circuit right now. Dwayne has not received any return calls from the fire marshal.

Dwayne cannot give the Board a cost at this meeting, but knows the public works needs a 1000-gallon tank and time is an issue, as we will need to receive diesel fuel.

Selectman Whitten made a motion to allow Dwayne to buy the 1000-gallon double walled tank for the diesel fuel. He has given us an estimate of \$5000.00 to \$7500.00. If the cost goes over this amount Dwayne should do an email poll. The funds will come out of the emergency fund. Selectman Folsom seconded a motion. Vote, 5-0

#### **E. Police Department:** Appointment of Reserve Officer Koelker

Chief Peasley recommended Jonathan Koelker to be hired as a police officer, full time reserve, with the North Berwick Police Department.

Dwayne recommendation to the Board, that the Board approve the appointment of Jonathan Koelker, as a full time officer for the Town of North Berwick.

Selectman Whitten moved to accept Dwayne appointment of Jonathan Koelker, as a full time reserve officer for the Town of North Berwick, Selectman Folsom seconded the motion. Vote, 5-0

#### **F. General Assistance:** Creation of a Heating Oil Assistance Program

The Community Church Service at the Mill Field Festival will be taking an offering at the church service to help raise money to help with the cost of heating for the residents of North Berwick. The church would like to give the money to the town to be of assistance to the general assistance services.

Other towns have been taking about this and Kittery has been doing a program for 3 years. They run it through the town's general assistance program with the only guideline being that it is for people between the general assistance limit and 15% above the limit.

A few years ago about \$250.00 was given to the town from a lady who raised money to help with heating cost. This donation will be the seed money for this cause.

**6. Other Business:**

Selectman Drew, Selectman Folsom and Nancy Moulton had a Volunteer Appreciation Dinner Committee Meeting to discuss plans and to organize the event. The committee will meet again on August 19 in the Selectmen's Meeting Room at 5:30 p.m...

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

Warrant: July 22, 2008 - \$33,620.11(6148.93+27471.18)

Selectman Whitten moved to accept the Warrants of July 22, 2008 for \$33620.11(61,620.11 + 27471.18, Selectman Drew seconded a motion. Vote, 5-0

**8. Adjournment:**

Selectman Drew moved to adjourn at 10.02 p.m., Selectman Whitten seconded a motion. Vote, 5-0

Respectively Submitted:  
Anita Lambert, Stenographer

Original to Town Clerk

Chairman: Paul Danforth

Selectman: Anne Whitten

Selectman: Anthony Bourbon

Selectman: Elaine Folsom

Selectman: Gregg Drew

