

**North Berwick Board of Selectmen's Minutes: April 24, 2007**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES APRIL 24, 2007**

**Present:** Chairman Moulton, Selectman Whitten, Selectman Danforth, Selectman Bourbon and Selectman Folsom

**Also Present:** Taryn Eldridge, Ernie Houle, Barry Chase, Michael Carpenter, Aoife Houlihan, Susan Parshley, Tracey Pike, Mark Cahoon, Pauline Shaw, Walter Shaw, Brian Shaw, Francis Hall, Ron Sargent, Mallory Schafer, Richard Reynolds, Jennifer Mason, Michael Dunn, Peggy Curtis, Kristie Michaud, Jeff Mason, Barry Chase, Gregg Chicoine, John Carr and Dwayne Morin.

Chairman Moulton opened the Board of Selectmen Meeting at 6:32 p.m.

**1. Review and Approve Minutes of April 3, 2007**

Selectman Folsom moved to accept the Minutes of April 3 2007, Selectman Whitten seconded the motion. Vote, 5-0

**2. Public Input:**

A resident addressed the Board commenting that they had been flooded from the recent storm and asked if anything was being done at the Transfer Station for residents to curb the cost of removal of debris.

Chairman Moulton asked what happens when people bring brush to the Transfer Station what happens to it in terms of how we handle it. Dwayne commented that the Town usually does brush week in May and he would like to move that week up quicker and extend it because of the storm.

The Transfer Station is funded on what comes in to the Transfer Station; we do not raise any money for disposal fees. Unfortunately FEMA does not reimburse Towns for disposal fees. The issue of how the cost of disposing household articles ruined by the flood waters is something the Town would have to take up.

Selectman Folsom was asked by a resident if we, as a Town, were going around the Town to pick up brush from the storm. Dwayne answered that if the Board wishes for the Town to pick up the brush it should be done Town wide and the residents would bring the brush out to the road.

Selectman Whitten commented that the Board should think about this issue and discuss it later this evening.

Chairman Moulton discussed that if FEMA declared York County as a disaster that would enable the individual homeowners to submit the costs and possibly be reimbursed.

Dwayne answered he doesn't know if they will get 100% reimbursed. FEMA has two programs: the grant program and a loan program. FEMA decides those terms.

Ernie Houle addressed the Board stating that he is a resident of North Berwick and owns a contracting and excavating business. Mr. Houle would like to be considered when the Town needs to have work done.

Chairman Moulton answered that this concern was brought up at Town Meeting. The Board has just begun to have discussions on this issue.

### **3. Unfinished Business:**

#### **A. Municipal Building:** Update on Project

Dwayne provided the Board with a draft of the Pro Control Service to review. This service would monitor the heat and air- conditioning for the Municipal Building.

#### **B. Planning Board: (moved)** Application for Membership

The Board of Selectmen asked for the applicants, Barry Chase and Mark Cahoon, to come to this meeting to meet with the Board. The Board asked each applicant questions pertinent to the application.

Selectman Danforth moved to appoint Barry Chase and Mark Cahoon to fill the alternate's positions on the Planning Board, Selectman Folsom seconded a motion. Vote, 5-0

#### **C. Parks and Rec: (moved)** By-Laws Amendments, Member Application

Dwayne explained that at the last meeting Parks and Recreation had presented new amended By-Laws and Constitution to the Board for review.

Selectman Folsom moved to accept the By-Laws and the Constitution as amended, Selectman Whitten seconded a motion. Vote, 5-0

Ronda Gaudette has completed an Application for Committee Member Alternate on the Parks and Recreation Committee. The Board asked that Ronda Gaudette be invited to the next Board Meeting.

**D. Bureau of Labor: Appeal of Penalties**

Dwayne went to a meeting in Augusta seeking that the Bureau of Labor waive the \$10,500.00 fine in order to use the funds to correct violations the Bureau found last fall. Dwayne gave the Bureau all of the information requested and then some.

The Bureau of Labor waived \$10,500 of fines for the Town of North Berwick

**E. Junkyards: (moved) Triangle Motor Junkyard**

Dwayne discussed with the Board a letter that was written to the Selectmen from the Code Enforcement Officer.

The code enforcement officer visited the site and noted that all tires have been removed and vehicles have been placed away from down hill drainage, as requested by the DEP. He randomly checked a dozen cars and trucks finding no fluids in any of these vehicles.

Selectman Whitten moved to grant the permit to Triangle Motors for the auto mobile junkyard on the Lebanon Road, Selectmen Danforth seconded a motion. Vote, 5-0

**F. Referendum Petition: Sanitary District Petition**

Dwayne discussed with the Board that a petition had been sent to the Town with less then the needed 160 signatures. The petition has no merit.

The Sanitary District will be moving ahead on the project.

**G. Budget Committee: Appointment of Budget Committee Member**

Selectman Folsom nominated Jay MacDougall to serve on the Budget Committee, Selectmen Danforth seconded a motion. Vote, 5-0

**Reminders:** Next Board of Selectman's Meeting-May 1, 2007-6:30 p.m. Municipal Building

**4. New Business:**

**A. April Storm: Review and Discuss Damage from April 16, 2007 Storm**

Dwayne discussed with the Board the road damage from the April 16, 2007 storm. The major road damage in North Berwick was Little River Road and Dillingham Road, both are still closed. The hill on Fox Farm Hill was lost. The section around the culvert on Ford Quint Road, sections on Turkey Street, the intersection of Oakwoods and Valley Road, the intersection of Governor Goodwin and Maple Street all received damage. Dyer Street catch basins could not hold the water.

Chairman Moulton suggested that in the Town's next Newsletter that it be written: When you have a storm like this and the road is underwater even though there is tar visible it does not mean the road is safe.

The Board of Selectmen would like to give Great Thanks to the Town's Departments for working and doing a great job on the April 16<sup>th</sup>, 2007 storm.

The cost for patching the roads for the April 16<sup>th</sup>, 2007 storm was \$55,000.00. An estimated cost of \$300,000.00 to patch the rest of the damage to the roads: not including Little River Road and Dillingham Road.

### **B. Mowing Bids: (moved) Discuss Three Year Mowing Option**

Mr. Gilpatrick has made an offer to hold his price and sign a contract with the Town for the next three years. Mr. Gilpatrick has mowed lawns and taken care of Veterans Cemeteries in Town for the past five years.

Dwayne provided the Board with revisions to review on the Proposed Amendments to the Mowing Contract from one year to three years.

Discussions on the Mowing Contract were raised by the Board.

Selectman Bourbon asked that Dwayne speak with Mr. Gilpatrick requesting that the contract be looked at each year and not to bind the Town to a three year contract. Dwayne will speak with Mr. Gilpatrick.

The Board tabled the discussion and will be discuss this issue at a later time.

### **C. Madison Street: (moved) Residents Concern Regarding Street Improvement**

Dwayne discussed with the Board that he had the residents come in and discuss some concerns they have with the Town concerning improvements that will be made on Madison Street. The Town has plans to repave Madison Street this summer and fix the defects in the road. The residents have some concerns regarding speed as it relates to the road.

Mr. Carpenter discussed with the Board that residents on Madison Street are looking for the cheapest but the most effective solution for our street. There are a lot of children on Madison Street and if the road is improved it will attract a lot more traffic with most likely faster speeds.

The Board and the residents suggested:

- One way Street with a side walk
- Speed Humps
- Police Enforcements
- Set Timer at lights to last longer before going on to Madison Street
- Look into borrowing traffic speed sign
- Place better signage: children playing, sign to slow down, sign for curve

Dwayne discussed his concern; if we are looking at Madison Street we should be looking at the entire Town. Dwayne has consulted with our Legal Counsel, MMA Legal, as well as with the Town's Insurance Company, to find out about liability if we were to install Traffic Calming measures such as speed humps or speed table. If you use humps or tables under the State of Maine Law, our lawyer and MMA Legal, both say we will need to change the Town's Ordinance to allow them because they are considered an obstacle under State of Maine Law. And unless we change our Ordinance to say they are allowed obstacle it is a liability to the Town.

Chairman Moulton addresses the residents on Madison Street that their concerns about traffic speed will be addressed by the Board of Selectmen.

Chairman Moulton also asked that the Town look into borrowing a speed sign to reduce the traffic speed on Madison Street.

Dwayne will look into other town's Traffic Policies.

**D. Goals:** Discuss Goals for FY2008

Goals for FY2008 are tabled this evening.

**E. Public Transportation:** Request from Citizen

Dwayne had received a letter from Jo Whittemore. She would like to see more public transportation for the senior residents of North Berwick.  
Dwayne will talk to surrounding area Town's about public transportation.

**F. Tri-Berwick Meeting:** Establish a Tri-Berwick Meeting on May 30, 2007

Dwayne suggested that the Tri-Berwick Meeting will be held on May 30, 2007 at 6:00 p.m.

**5. Other Business:**

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

Warrant: April 10, 2007 - \$12,875.05

Warrant: April 17, 2007 - \$ 404,621.04

Warrant: April 24, 2007 - \$ 29,970.33

Selectman Folsom moved to accept the Warrants for: April 10, 2007, April 17, 2007 and April 24, 2007, Selectman Danforth seconded a motion. Vote, 5-0

**7. Adjournment:**

Selectman Whitten moved to adjourn at 10:00 p.m., Selectman Folsom seconded a motion.  
Vote, 5-0

Respectively Submitted:  
Anita Lambert, Stenographer

Original to Town Clerk

Chairman: Nancy Moulton

Vice-Chairman: Paul Danforth

Selectman: Anne Whitten

Selectman: Anthony Bourbon

Selectman: Elaine Folsom