

North Berwick Board of Selectmen's Minutes: June 26, 2007

NORTH BERWICK BOARD OF SELECTMEN MINUTES JUNE 26, 2007

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

Also Present: Kristie L. Michaud, Lawrence Huntley CEO, Keith Kimball, Lincoln Harrison, John Philbrick, Richard Reynolds, Peggy Curtis, Scott Strynar and Dwayne Morin.

Chairman Moulton opened the Board of Selectmen Meeting at 6:31 p.m.

1. Review and Approve Minutes of June 5, 2007, June, 6, 2007 and June 8, 2007

Selectman Bourbon moved to accept the Minutes of June 5, 2007, Selectman Folsom seconded the motion. Vote, 4-0

Selectman Folsom moved to accept the Minutes of June 6, 2007, Selectman Bourbon seconded the motion. Vote, 3-0-1

Selectman Bourbon moved to accept the Minutes of June 8, 2007, Selectman Folsom seconded the motion. Vote, 3-0-1

2. Public Hearing: Chapter 91 – Dangerous Building Lower Main Street

Chairman Moulton opened the Public Hearing at 6:35 p.m.

Chairman Moulton read into the record:

Public Hearing - Town of North Berwick, Maine

Dangerous Building, Located at 57 Lower Main Street

The Town of North Berwick Board of Selectmen will be holding a Public hearing on Tuesday, June 26, 2007 at 6:35 p.m. in the Municipal Office Conference Room for a hearing on the determination of whether the building owned by Glennis Iverson and located at 57 Lower Main Street is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or in otherwise dangerous to life or property.

This Public Hearing is being held pursuant to Title 17 M.R.S.A. § 2851.

Dwayne informed the Board that he sent out notifications to four individuals and handed one out personally: Glennis Iverson, David Vaughn and Lisa Tilley (DDHS), Keith Kimball, and Lawrence Huntley CEO.

Dwayne stated that the Public Hearing tonight is to determine and to seek input from citizens to determine whether the Board is going to determine the building unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or in otherwise dangerous to life or property.

The focus of the Hearing is the focus of the building and the condition of the building and whether it constitutes a hazard in our community.

Chairman Moulton asked if there were any comments from the Public.

Keith Kimball commented that he was Glennis Iverson's brother and he would clean up the property to the Town's Standards.

Chairman Moulton discussed her concerns on the magnitude of the property clean up.

Keith Kimball asked if the Town could front him the funds to rent a dumpster so he could begin clean up of the property.

Dwayne tried to contact the Town Attorney in regards to the dumpster but the attorney was out of the office today.

Dwayne informed the Board that the Town Attorney had commented that Keith Kimball should have the opportunity to address the clean up of the property first, before the State or Town intervenes.

Chairman Moulton closed the Public Hearing at 7:03 p.m.

Selectman Whitten moved to accept the Order of the Municipal Officers of the Town of North Berwick, Maine;

Whereas the building located at 57 Lower Main Street and owned by Glennis Iverson was inspected by the Health Officer who in turn wrote a letter on April 30, 2007 in which he determined the dwelling unfit for human occupation due to the unsanitary conditions; and Whereas notification of a Public Hearing on the determination of whether the building located at 57 Lower Main Street is structurally unsafe; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property was made on June 7, 2007 to Glennis Iverson; Keith Kimball, brother of the owner and next of kin; David Vaughn and Lisa Tilley of the Maine DHHS/Office of Elder Services, appointed temporary public guardian and conservator of Glennis Iverson; and Whereas the Board of Selectmen for the Town of North Berwick held a public hearing pursuant to Title 17 MRSA 2851 to determine whether the building owned by Glennis Iverson is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, or obsolescence or abandonment; or is otherwise dangerous to life or property.

Now Therefore in accordance with Title 17 MRSA 2851, the Town of North Berwick Board of Selectmen determine that the building located at 57 Lower Main Street is unsanitary, unsuitable for the use of human occupancy and that it constitutes a hazard to health and safety because of inadequate maintenance, Selectman Danforth seconded a motion. Vote, 5-0

Selectman Bourbon moved to allow Mr. Kimball the opportunity to clean up the dwelling until the next Board of Selectman's Meeting on July 17, 2007. The building must be brought to proper sanitary condition as determined by the Town's Health Officer and Code Enforcement Officer within 21 days of this order. That the disposal of the materials from the dwelling be disposed of according to all applicable rules and regulations of the Town of North Berwick and the State of Maine. Failure to bring the building into a sanitary condition with stated timeframe will result in the Town of North Berwick having the property cleaned and the property attached for the cost of the cleaning, Selectman Danforth seconded a motion. Vote, 5-0

Selectman Whitten stated that she sympathized with Keith and his loss. Selectman Whitten moved that the Board not loan the money, that isn't the Board of Selectmen's to loan, to Mr. Kimball for the purpose of a dumpster. Selectman Danforth seconded a motion. Vote, 5-0

3. Public Input:

Dwayne informed the Board that the Historical Society would like to put lighting at the Oakwoods Meeting House; there are no lights outside for evening events.

Lincoln Harrison suggested placing lights in two trees to illuminate both sides of the building and in front of the building for parking and moving around. Mr. Harrison decided the placing the lights in the trees was probably not the best idea, but rather under the eaves of the building.

John Philbrick commented that the Town had given the Historical Society \$400.00 but the funds will expire at the end of this month. (the end of the fiscal year) We would need to have the Board

of Selectmen give us permission to utilize the funds sometime in July to complete the project and submit to the cost to Dwayne.

Lincoln Harrison explained to the Board that a licensed electrician would be placing the lights at Oakwoods Meeting House in accordance with current electrical code.

Selectman Whitten moved to allow the Historical Society to utilize the funds to place lights on the building of the Oakwoods Meeting House, Selectman Folsom seconded a motion.

Vote, 5-0

4. Unfinished Business:

A. April Storm: Update on Damage from April 16, 2007 Storm

FEMA has approved and will fund the roadside brush clean up.

Abbott Hill Tree Service has done one section of Town and is moving forward on the other sections of the Town.

B. Road Work: Summer Schedule and Discuss Policy of Bidding of Road Work

Dwayne gave to the Board an outline Project Summary for FY08:

Dwayne would like to see Pike Industries start paving roads in July and August.

Madison Street will be started in the fall.

On Linscott Road the engineers will need to start the layout of the road.

The Town will put out the tree cutting bids in the fall.

A 100-foot section of culvert needs to be replaced on Chadbourne Lane, the road will be fixed and then it will be paved.

The surface on Boyle Road, Oakwoods Road, Bauneg Beg Road and Valley Road will be done this summer.

The Town has started Fox Farm Hill Road.

The Town has ordered the culverts for Dillingham Road. The Town will start prepping Dillingham Road before the new pipe arrives.

Governor Goodwin Bridge is in the process of being engineered.

The Town will be doing brush cutting on roads.

Chairman Moulton asked if the Town could place a Stop Sign Ahead on Sand Pond Road.

Selectman Danforth commented that the Stop Sign on Beech Ridge Road couldn't be seen.

Chairman Moulton asked that a Stop Sign Ahead be place on that road. Selectman Whitten commented that the Stop Sign at the end of Valley Road should also have a Stop Sign Ahead.

The Card Mill Bridge has no weight limit but there is a width limit of 12 ½ feet wide.

Dwayne put together a Pre-Qualification of Contractors to work for the Town and asked Selectman Danforth and Selectman Folsom if they would look it over to see if there was anything else they would want to add to the document in developing a policy.

C. Cemetery Trustees: Janet Hooke Resignation as Trustee

Dwayne informed the Board that Janet Hooke resigned from the Cemetery Trustees.

Selectman Bourbon moved to accept Janet Hooke letter of resignation with regret and Thank You for her Services, Selectman Danforth seconded a motion. Vote, 5-0

D. Traffic Calming: Review Traffic Calming Measures

Dwayne informed the Board that the Radar Monitor is up and running and there has been positive feed back from the citizen's of North Berwick.

The Police Department is working on a plan for the Radar Monitor.

E. Regional Efficiency Grant: Discuss North Berwick's Role

Dwayne asked the Board how much work they want him to place on the Regional Efficiency Grant.

Selectman Danforth and Chairman Moulton suggested Dwayne monitor the Regional Efficiency Grant Committee.

Reminders: Next Board of Selectmen's Meeting-July 17, 2007-6:30 p.m. Municipal Building

5. New Business:

A. Planning Board: (moved) Scott Strynar membership to Board

Dwayne discussed that at the last Board of Selectman's Meeting he brought forward the application of Scott Strynar to be a member of the Planning Board. Scott Strynar is here this evening to talk with the Board of Selectmen to discuss his Planning Board membership. Scott Strynar is a registered Landscape Architect who would like to be a Planning Board member.

Chairman Moulton asked Scott Strynar how he would handle times when he may disagree with a certain ordinance that you don't agree with?

Scott Strynar replied that what ever comes before the Planning Board he would be on the Board to enforce the North Berwick's Town Ordinance. If there is something that he has seen in other parts of the State and could be applied here that has been written in other ordinances in other parts of the State he would bring it to the Board to maybe modify to read differently so that there are no loop holes in North Berwick's Ordinance.

Selectman Folsom moved to have Scott Strynar placed as an alternate member on the Planning Board, Selectman Bourbon seconded a motion. Vote, 4-0-1

B. Parks and Recreation: (moved) Capital Improvement for 2007

Dwayne explained to the Board the Parks and Recreation term for Richard Reynolds and Peggy Curtis have ended. Richard Reynolds and Peggy Curtis have come before the Selectman to apply for the 2-year term, pursuant to the new Bylaws that were just adopted by the Board of Selectman.

Selectman Folsom moved to appoint Richard Reynolds and Peggy Curtis to the Parks and Recreation Committee, Selectman Danforth seconded a motion. Vote, 5-0

Chairman Moulton suggested placing an ad for applicants to serve on the Parks and Recreation Board on the Town's website, channel 3 and the Sentential News.

The Parks and Recreation Commission and the Board of Selectmen discussed and concluded that the Capital Improvement for 2007:

1. Multipurpose Field
2. Basket Ball Court
3. Paving Parking Lot

Dwayne will contact Pike Industries for a price to pave the basketball court and the parking lot at the Community Center and will inform Board members of the cost.

C. Impact Fees: Discussion on Impact Fee Expenditures

Dwayne explained to the Board the Impact Fee Reconciliation. The Impact Fee reconciliation depicted the impact fees received by the Town for both Recreation and Open Space. The Reconciliation also depicted the expenditures made out of the impact Fee fund on a yearly basis. The Recreation Impact Fees can only be utilized for those recreational items in which the Town is not deemed deficient. The only Open Space funds expended were for the parcel of land on the Great Works River and Route 4.

D. Appointments: Position Appointment and Capital Improvements for 2007

I, Dwayne Morin, in my capacity of Town Manager pursuant to MRSA Titled 30-A § 2636 (5 & 6), present the following list of persons for appointments for the Town of North Berwick, Maine for Fiscal Year 2008 to the North Berwick Board of Selectmen for confirmation.

Presented to the Board of Selectmen the 26th day of June 2007.

Selectman Whitten moved to accept appointments for 2008 by Dwayne Morin, Selectman Folsom seconded a motion. Vote, 5-0

E. Fee Schedule: Approve Updated Fee Schedule for ensuing Year

Dwayne discussed with the Board the Town of North Berwick, Maine- Fee Schedule

Selectman Whitten moved to accept the Town of North Berwick's Fee Schedule effective July 1, 2007, Selectman Danforth seconded a motion. Vote, 5-0

F. Surplus Equipment: Review Bids on Equipment

The Town of North Berwick sent out Bids for Surplus Equipment and received one Bid back.

The 1987 GMC Sierra 3500 Crewcab: The Minimum Bid Price was \$2,500.00. The Bid price the Town received was for \$2,700.00 from Oakwoods Lumber.

There were no Bids for the 1973 Ford L800 Plow Truck.

Selectman Danforth moved to accept the Bid from Oakwoods Lumber for the one Ton at \$2,700.00, Selectman Bourbon seconded a motion. Vote, 5-0

G. Evaluation Form: Town Manager Evaluation Form Review

Chairman Moulton asked if the Board had any concerns about the evaluation form. Chairman Moulton asked Selectman Whitten to widen the lines on the evaluation form.

Selectman Bourbon has recently been appointed as a Board of Selectmen Member and at this time he would like to abstain from the Town Manager's Evaluation. Selectman Folsom expressed the same concerns, and will also abstain from the evaluation.

The Board of Selectmen will review the Town Manager's Evaluation. The Board will then consolidate their reviews into one for Dwayne's Personnel File.

6. Other Business:

Dwayne informed the Board that he had receive a letter from Eastern Trail.

Selectman Whitten inquired if there is to be landscaping done in the front of the Municipal Building.

Dwayne replied there is landscaping to be done but the Nursery is unable to locate the Irish Shamrock trees the Town had asked for.

Selectman Bourbon inquired about the dead trees in the Mill Field. Dwayne will contact Dave Parker about the trees in the Mill Field.

Selectman Whitten updated the Board on the progress of the Mill Field Festival.

Dwayne informed the Board that the Town has signed a contract with ASCAP. The Town is now certified member of ASCAP and can play public music.

This year the Parks and Recreations Summer Camp for children have 97 enrolments, the largest in 10 years. North Berwick has the largest Summer Camp in Southern Maine.

Great thanks to Kristie Michaud for all her efforts in making the North Berwick's Parks and Recreation a great success.

Dwayne read to the board a letter from Lieutenant Peasley regarding and expression of gratitude for the work that Wendi Daudelin did this year for the DARE program.

7. Review and Approve Warrants and Correspondence:

Warrant: June 12, 2007- \$9,173.05

Warrant: June 19, 2007- \$410,246.26

Warrant: June 26, 2007- \$28,814.43

Selectman Whitten moved to accept the Warrants for: June 12, 2007, June 19, 2007 and June 26, 2007, Selectman Folsom seconded a motion. Vote, 5-0

7. Adjournment:

Selectman Folsom moved to adjourn at 9:45 p.m., Selectman Danforth 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