

North Berwick Board of Selectmen Minutes October 6, 2020

**NORTH BERWICK BOARD OF SELECTMEN MINUTES OCTOBER 6,
2020**

Present: Chairman Cowan, Selectman Galemmo, Selectman Johnson, Sr.,
Selectman Hall, Selectman Johnson, Jr.

Also Present: Dwayne Morin, Paul Kennedy, Stephen Peasley, Josh Delay, Peter Cook,
John Dibenedetto, Greg Ahlquist

Chairman Cowan opened the meeting at 6:30 pm.

1. Pledge of Allegiance

4. Review and Approve Minutes of September 15, 2020

Dwayne Morin stated that on page 4 under Dangerous Building section, when referring to Mr. Hanchett's attorney it was listed as "he" but it should be "she". Chairman Cowan stated that on page 2, under the Public Input section, the 6th sentence in the 1st paragraph currently reads, "He has a good sense of the landscape...". It should read, "He stated that he has a good sense of the landscape...". Selectman Hall stated that on page 3 under the Covid-19 section, the 1st sentence in the 2nd paragraph currently reads, "Selectman Galemmo motioned to that the Guptill Field...". It should read, "Selectman Galemmo motioned that the Guptill Field...". Also, the last sentence in the last paragraph on page 3, it currently reads, "She thinks we should just limit to the students in our school district.". It should read, "She thinks we should just limit it to the students in our school district.". He also stated that on page 4 under the section called Linscott Road Intersection the 3rd sentence currently reads, "...already installed and they just to bring it to the foundation.". It should read, "...already installed and they will just bring it to the foundation.". Chairman Cowan stated that on page 6 under the section Other Business, the 1st sentence currently reads, "Dwayne stated that, on page 44 of their packet, he has given...". It should read, "Dwayne stated that, on page 44 of the Board's packet, he has given...". Selectman Hall stated that on page 4 under the section Dangerous Building, the 5th sentence currently reads, "...that we asked for which including the removal...". It should read, "...that we asked for which includes the removal...".

Selectman Galemmo motioned to approve the minutes of September 15, 2020 as amended. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

5. Public Input

There was no public input at this time.

2. Public Hearing – 6:35 pm – Junkyards – Kyle Chandler and Paul Kennedy

Chairman Cowan opened the Public Hearing and read the Legal Ad into the minutes:

Public Hearing
Town of North Berwick, Maine
Automobile Junkyard Permits

The Town of North Berwick Board of Selectmen will be holding a Public Hearing on Tuesday, October 6, 2020 at 6:35 p.m. in North Berwick Municipal Building Room 212 for a hearing on the applications of Kyle Chandler and Paul Kennedy for an Automobile Junkyard Permit. This Public Hearing is being held pursuant to Title 30-A M.R.S.A. § 3754.

The Public is invited to attend this Public Hearing.

Dwayne stated that Paul Kennedy was here to represent the junkyard. He stated that this junkyard is the old Wick junkyard which was owned by Larry Wick. Mr. Kennedy and Mr. Chandler purchased the junkyard from the Wick's and they would like to continue to utilize it as a junkyard.

Chairman Cowan opened the Hearing up for the public to comment. Greg Ahlquist asked if there was any sort of dumping of oil or other fluids that would go into the ground when disposing of vehicles. Dwayne stated that all of the vehicles need to be drained of oil if they are going to be stored for a long period of time. He stated that if they are stored for just a short period of time such as a vehicle that is damaged or has been repossessed and has a sticker and plate on it then it is okay. Once they are determined to be a junk car, they get drained of all fluids.

Peter Cook stated that he has property on Governor Goodwin Road. He said that he was delighted to see in the abutter letter that he received that the new owners were friends with the Wick family. He stated that his family goes way back with the Wick's family in terms of automotive repair, haying, plowing, etc. He always enjoyed and cherished the friendship with them. He hopes that the new owners have the same sensitivity. Mr. Cook stated that the application used the word "salvage yard", however the word "junkyard" has been used a number of times. He said that the sensitivity that Larry always displayed was that there was no signage on the road indicating that there was a junkyard in the area. He thinks that it not only protects that property in terms of security, but it also impacts the value of homes nearby. He would like there to be no signage added. It is his understanding that this is going to be a storage area and not just an open junkyard. Mr. Kennedy stated that they shouldn't see any difference at all. They have not even taken down the sign that they have up. They want to keep it just as it is now. When you go by, you don't know it is there. They are not planning on doing any expansion. Mr. Kennedy stated that he is more than happy to talk to anyone who might have concerns or questions.

Chairman Cowan closed the Public Hearing at 6:40 pm.

Selectman Galemмо motioned to approve the Junkyard Permit for Kyle Chandler and Paul Kennedy. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

3. Public Hearing – 6:35 pm General Assistance Appendices

Chairman Cowan opened the Public Hearing and read the Legal Ad into the minutes:

Notice of Public Hearing
General Assistance Ordinance and Appendices
October 6, 2020 6:35 P.M.

The North Berwick Board of Selectmen will be holding a Public Hearing on Tuesday, October 6, 2020 at 6:35 p.m. in the Municipal Building Room 212. The purpose of the Public Hearing is to seek input on the revised General Assistance Ordinance and Appendices proposed to replace the existing Ordinance and Appendices. The proposed Ordinance and Appendices were prepared pursuant to the Maine General Assistance Law (22 MRSA § 4305(4)).

The North Berwick Board of Selectmen encourages all interested residents to attend this Public Hearing.

Dwayne stated that the yearly Public Hearing is held to approve the changes to the General Assistance Ordinance and Appendices. He stated that they typically just review Appendices, but they did a complete rewrite of the Ordinance. He said that the Ordinance hasn't changed very much other than some verbiage changes. The changes are in the Appendices in the overall level of maximum acceptance that the town can give. He said that assistance has gone up a little bit but not a great deal. For one person, it went up about \$21.00. There was a slight increase in food costs and electricity and heating fuel did not change at all. The costs for apartments did change somewhat. For example, studio apartments went from \$748.00 to \$765.00, one bedrooms are at \$785.00 and two bedrooms are at \$966.00. Dwayne stated that they have not had many people requesting General Assistance over the past few years. Last year, they only paid out about \$600.00.

Chairman Cowan closed the Public Hearing at 6:45 pm.

Selectman Johnson, Jr. motioned to approve the new General Assistance Appendices. Selectman Galemмо seconded the motion. VOTE: 5-0

7. New Business:

A. Police: Appointment of New Officer – Ashley Sargent

Chief Stephen Peasley stated that they have been working on filling this position for several months now. He was very pleased because they had some really good applicants, and most were Academy certified applicants. He said that other departments are having a hard time getting qualified people and have had openings for a long time. He ended up interviewing 3 people, did background checks and decided on one particular candidate. It was a difficult choice. He ended up picking Ashley Sargent. She is a full-time officer in Kennebunkport right now and has been there for 7 years. She is an Academy graduate and was assigned as one of their SRO's at Kennebunkport. She is certified as an advanced School Resource Officer. In her interview, she stressed that she is very much into community type policing. She understands that it is important that they connect with the community and she does do this in her current position. He spoke with her Chief and some of the other officers that she currently works with and they all had good things to say about her. Chief Peasley stated that she did have a tragedy in her life, and she feels that moving on to another department will help her get through it. He believes that she is anxious to get out of the school and looking forward to work nights and on the road. She does do this in the summertime in Kennebunkport and enjoys it. Chief Peasley feels confident in recommending her for the position. Chairman Cowan is pleased about having a female officer on the force again. She also likes the experience that she has.

Selectman Galemмо motioned to approve the appointment of Ashley Sargent as the new full-time officer. Selectman Hall seconded the motion. VOTE: 5-0

Selectman Hall had a few questions for Chief Peasley regarding other issues. He asked who or what agency do they use when they need to utilize Social Services. Chief Peasley stated that it depends on the call. They work with the Department of Health and Human Services a lot when they have abuse referrals. When they do interviews, they do it up at the Alfred Court House. They have professionals there that assist with the interviews and are trained to talk to young people. Selectman Hall asked if they had a certain agency that they use if our officers need some kind of counseling or help. Chief Peasley stated that there is a support group that is primarily for first responders. He stated that he hasn't had to use it but that would be the place that he would start. The support group sends him weekly emails about available services that are available. Selectman Hall asked if there was a York County office for the DHHS that they use when they need them. Chief Peasley stated that someone from DHHS will usually come to them and then the officers might go out to a house with them where the help is needed. Dwayne stated that most DHHS representatives are not in an office and work out of their home.

Chairman Cowan asked if they use Crisis Response. Chief Peasley stated that they have not used them lately, but he has used them in the past. Chairman Cowan asked if they had any situations where somebody was in crisis and they would benefit from the assistance such as counseling or psychological help. Chief Peasley stated that when they get called to a situation with somebody in crisis, their protocol is to bring them to a local hospital to meet with counselors there. He stated that their role was basically to get them there safely. They do this at least a few times a month. Chairman Cowan asked if they tend to see the same individuals over and over. Chief

Peasley stated that they do sometimes see the same person. He said that this year has been more with different people. Some of them are violent or want to do harm to themselves. About a month or so ago, they had a standoff on Market Street where the person was barricaded in a home with a rifle inside. They ended up talking him out of there after about 3 hours and brought him to York Hospital to get some help.

Selectman Hall stated that, in the climate that the country is now in, he asked if our officers had expressed any concerns or had any negative feelings about the way they are being treated. Chief Peasley stated that nobody had expressed any personal experiences to him. Selectman Hall asked that, since so many people are stuck home, has there been an increase in domestic violence cases and abuse. Chief Peasley stated that it started out that way, but it hasn't been as bad as he thought it would be. Dwayne stated that during the summer, people were able to be outside more, but they may see an increase during the winter months when everyone is stuck inside. Chief Peasley stated that they had a discussion today about kids being home more now because of remote learning. He said that they do property checks all the time to check on homes when people are out of town. Because parents have to go to work and kids have to be home, they have come up with a program for them. If the parents let them know that the kids will be home alone and fill out a form and give them information such as what kind of cars should be in the yard, an officer can check these specific houses while they are on patrol. Occasionally the officer can stop, knock on the door, introduce themselves and let the kids know that they can contact them if they need anything. Selectman Hall asked if they had received a lot of responses yet. Chief Peasley stated that they just put in on their Facebook page today and they have received some positive feedback. Chairman Cowan stated that she would like to have Dwayne add it to the newsletter if he could. Dwayne stated that he didn't have much room. Selectman Hall stated that it would be great public relation to show what our Police Department is doing for our community. Dwayne stated that he will try to find a little area. The Board asked the Chief to relay their appreciation to the officers for their work.

6. Unfinished Business:

A. COVID-19: P&R Programming, Run Club, Halloween Event, Tree Lighting

Dwayne stated that there are 2 proposals from the Parks & Rec for the Board to review. One of them is to re-initiate the North Berwick Run Club. It has been very successful over the past couple of years. Some people have expressed a desire to do this again. Aimee Jordan has presented a proposal to have a limited Run Club of a maximum of 25 people. Dwayne stated that it is something where they can keep their social distancing and use masks. There will be 3 adults that will be with them at all times. Chairman Cowan stated that Aimee will be offering it to the past participants and will not be advertising it. If they don't get enough from that, would they then open it up to others. Dwayne said that if they do not get the 25, they would open it up to get more participants.

Selectman Hall motioned to approve to North Berwick Run Club for a maximum of 25 runners. Selectman Galemme seconded the motion. VOTE: 5-0

Dwayne said that the 2nd thing that Kristie is proposing is for something to do for Halloween. She is recommending conducting a Drive Thru trick or treat event. People would sign up and it would have to be limited. They looked at doing 3 times for people to pre-sign up for. We would allow 25 cars for each session and there would be 6 stations for the kids to go through. We would provide all of the items that would be given out. Dwayne said that he was contacted by Pratt and they would like to be a part of it by either manning or sponsoring one of the booths. He said that they were originally going to leave it open ended, but their concern was that there would be a lot of people that would show up and they would far exceed our capacities. They started with 3 sessions but if they have a huge response then maybe they would expand to a couple more sessions. They would like to offer something to the kids. Chairman Cowan asked if they would be able to allow the kids to do a parade in their costumes as long as they socially distanced. Dwayne said that they talked about it, but the problem is the expanse of the area and being overrun by the area.

Selectman Galemmo to approve the Halloween Drive Thru Event. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Dwayne stated that they are looking at what they can do for the tree lighting event. One of the things that they are thinking about is to put Santa and Mrs. Claus in a firetruck and driving them around town. They are going to have the Santa letter box here so the kids can drive by and put their letters in. He hopes to have something for the Board to review at the next meeting.

B. Linscott Road Intersection: Discussion on Progress

Dwayne stated that the Weaver house is supposed to arrive on 10/15/20. The foundation is in and they are all ready. Pratt has given us permission to store the house on their property until we can put it on the foundation. The company will be here on the 14th to start to work on the walls that the house will sit on and they would like to set the house on it on the 16th. After that is done, the plumbers and electricians will come in and the town will come back in to seed the lawn. The goal is to have them moved in by Thanksgiving. He said that we are currently still on budget, but it is quite tight right now. He stated that all the pricing is about 30% higher than it was when we received the pricing last year. The original price on the foundation was \$12,000 and we are now well over \$13,000 for it. Once we get them moved in, we will tear the house down and maybe do some tree cutting this year. Depending on when the snow starts for us, we would like to start to do some of the preliminary work so in the springtime we can just finish it up.

C. Website: Discuss on Progress

Dwayne said that we are currently at a standstill. We are in the queue for the next phase. There are 6 phases and we have done 2 phases. The next phase is the most extensive phase, and we are in the queue right now.

D. Public Works: Update on Construction Projects

Dwayne said that they are pretty much done on all of their projects. The only thing left to do is the guardrail on Dennett Road. They just got the pricing on that today and we are just waiting on a date for them to come do it. He said that we did pretty well on the budget. We went overbudget on Dennett Road by \$20,000 but we were under budget by about \$10,000 on Dillingham and about \$20,000 on Beech Ridge Road. This is primarily because we had included tree cutting costs for Beech Ridge Road, but we did it all ourselves and didn't have to hire anybody. It looks like we will have some money left over to carry over into the spring. This will depend on the Linscott Road project.

E. Dangerous Building: Update on Dangerous Building Process

Dwayne stated that the building was completely down and there were still about 3-4 loads to haul out. By the end of tomorrow, they should have everything cleared out. He stated that they hauled out about 10 containers today. There is still about a quarter of the building left to haul away. He thought the cost was going to be about \$40,000 and it was only in the \$20,000 to \$25,000 range. He said that the total cost of the project will probably cost about \$40,000. It will depend on the next couple of days. He has \$5,000 in contingency but if we don't have to spend that, that would be great. Our legal bills will be in the \$7,500 range and we have some administration costs to add in as well.

Reminders: Next Board of Selectmen's Meeting – October 20, 2020 – 6:30 pm

7. New Business:

B. Impact Fees: Establish an Open Space and Recreation Fee for Subdivisions Payment in Lieu of Providing Land

Dwayne stated that we have had a number of subdivisions coming into the town and one of the things that we have neglected doing is establishing impact fee. We have an impact fee for per bedroom but have never had a per lot impact fee. When someone comes before the town with a subdivision with more than 15 lots or is larger than 35 acres, our Ordinance requires them to do 1 of 2 things. They need to set aside some open space and recreational land as part of their subdivision or they need to make a payment in lieu of that. With some subdivisions it doesn't make a lot of sense for them to set aside a little plot of land that will do absolutely no good for anybody. Instead they can give us money that we can put into our open space and recreational fund where we use it for the greater purpose of the community. We have never done this. Selectman Hall asked if this would be an annual fee or a one-time fee. Dwayne stated that it would be a one-time fee. He said that it is just like the bedroom fee. When you get our building permit, you pay the bedroom fee and you have satisfied what is in the Ordinance. With a subdivision, there is an impact on the subdivision and the idea is to allow the town to obtain some open space or recreation area. If it is not possible within that subdivision, they can contribute to our fund to help our community as a whole.

Selectman Hall asked what he was looking for as far as size wise for being an impact fee versus open space. Dwayne stated that the Ordinance states it is a per lot fee. The Board would establish a per lot fee for open space and a per lot fee for recreation. It makes no difference what the size of the subdivision is. It is a per lot charge. If we set the fee at \$1,000 and there are 18 lots, we would get \$18,000. Chairman Cowan asked if they typically charge \$500 in other places. Dwayne said that they currently charge \$500 per bedroom so the idea would be to try and keep it within the same vein. You don't want to do anything to sway certain contractors, but you also want to have the funds to be able to do things in our community. Dwayne stated that he spoke with the Code Enforcement Officer and the Planning Board Chairman about it. They all figured that charging \$500 per would give them \$1000 per lot. It is something that is reasonable. Chairman Cowan asked what the typical fees were in surrounding towns. Dwayne stated that most towns don't have these fees.

Selectman Hall asked when they require open land space. Dwayne said that it if it is more than 35 acres or more than 15 lots. Selectman Johnson, Sr. asked if the open land space just sits there and does nothing. Dwayne said that in year's past, open space was looked at just being automatic. What happened is people would come in with a subdivision and they would give us all the wetland as the open space. Our Ordinance now says that you can't do that anymore. It has to be good land. Dwayne said that we also don't want all these little pockets of open space that do absolutely nothing. You have a subdivision in one area with 3 acres and another one somewhere else with more acres but there is no connectivity to them. It doesn't help anybody including the people that live in the subdivision. It is better if they just pay the money instead and help out the town because when the town gets open space, we connect with other open space areas.

Dwayne stated that we have the Ordinance set up to either put aside land or pay the fees. However, we never set up any fees. Chairman Cowan asked how many applications for subdivisions of this size do we currently have. Dwayne said that we currently have 3 subdivisions and 2 of them are more than 35 acres.

Selectman Galemme motioned to set the impact fee at \$500 for open space and \$500 for recreation per lot on subdivisions that meet the requirement of the Ordinance. Selectman Hall seconded the motion.

Selectman Johnson, Sr. asked if the impact fees can only be used for recreation or can they be used to help out things like school, fire department or anything else. Dwayne stated that impact fees are only for recreational use. Selectman Hall said that if the developers decide to do a park, does the town have to maintain it. Dwayne said that it would be set up provisions for their association to take care of. Selectman Hall stated that he would like to have it be for 10 lots or more instead of 15 lots. He stated that when you have 10 houses together in a cul-de-sac, that would be a pretty good size community. Selectman Galemme stated that if they are going to put in a road it will use up a lot of land. He said that this is something that they really want to purge. We want to stop lining the roads because it takes up all the frontage. If someone is going to do a subdivision, it would be better to put a road in and build off of that road.

Selectman Hall asked the other Selectmen if they would be opposed to recommending to the Planning Board to bring it down to 10 lots instead of 15. The Selectmen agreed.

VOTE: 5-0

Selectman Hall motioned to bring the number for the impact fees to start from 15 lots to 10 lots and remove the 35 acres as a recommendation to the Planning Board to consider. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

C. Election: Discuss Closing of Town Hall for Election Day

Dwayne stated that he would like to close the Town Hall on Election Day because we will need all hands on deck for the election.

Selectman Galemme motioned to have the Town Hall closed on Election Day. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

8. Other Business:

Dwayne stated that they received the valuation back from the State. Last year, we had increased our value by 10% and we were at 93% at the time. After the 10% increase, we are currently at 91%. Dwayne stated that we are tracking to grow in about the 7% to 10% range. He said that he has seen numbers for homes that are being sold in our community and the prices are quite high. You cannot find anything in our community for under \$250,000. Houses that were selling for \$200,000 last year are going for about \$325,000 this year. We will be doing mini bumps for the foreseeable future.

Dwayne stated that Craig is retiring so we will have to find another assessor. He will need to talk to South Berwick to see if they still want to share an assessor. Otherwise, we will have to hire a full time one and that will be costly.

Chairman Cowan asked Dwayne if they had contacted the Pinnacle nursing home about their interior lit sign. Dwayne said that they spoke with them and showed them the copy of the permit that states that it was not going to be interior lit. They have shut it off. Chairman Cowan stated that Kennebunk Savings Bank has a new sign, and it is an interior lit sign. She asked if the previous one was lit. Dwayne said that they had an interior lit, put in an exterior lit one and now they have gone back to interior lit. They are allowed to do that because they are grandfathered in and they switched them within a year.

Selectman Hall asked Dwayne if he receives an update from the Governor regarding laws, Executive Orders and those types of things. Dwayne said that whenever there is a change, he gets one. Selectman Hall had a question on the one that came out today. It was about a mask mandate now. He thought that we were already under a mask mandate. Dwayne stated that she strengthened it. There are some penalties, and it is extended to some outdoor areas now. Selectman Hall asked if the staff in the office have to wear a mask while working now that the mandate is more stringent. Dwayne said that they did not. If they are dealing with a customer

and are behind Plexiglas, they don't have to wear a mask. The ladies still do but they don't when they are at their desk. Nobody is allowed in without a mask. If they don't have one, we offer them one.

Chairman Cowan asked about the award that we had received. Dwayne said that we came in third for the Excellence Award in the 2020 Maine Municipal Association Municipal Report Competition. This award is for our Town Report.

9. Review and Approve Warrants and Correspondence:

Warrant: September 22, 2020	- \$ 23,288.70
Warrant: September 29, 2020	- \$ 0.00
Warrant: October 6, 2020	- \$ 199,940.01

Selectman Hall motioned to approve the Warrant of September 22, 2020 for the amount of \$23,288.70 and the Warrant of October 6, 2020 for the amount of \$199,940.01. Selectman Galemme seconded the motion. VOTE: 5-0

Dwayne stated that they will need to go into Executive Session for a short time.

10. Adjournment:

Selectman Glemmo motioned to go into Executive Session at 8:20 pm, come back out of Executive Session at 8:30 pm and adjourn the meeting at 8:30 pm. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Respectively Submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Wendy Cowan

Selectman: Jonathan Hall

Selectman: Michael Johnson, Jr.

Selectman: Charles Glemmo

Selectman: Michael Johnson, Sr.

