

**North Berwick Board of Selectmen Minutes November 17, 2020**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES  
NOVEMBER 17, 2020**

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

**Also Present:** Dwayne Morin, Tom Gilmore, Josh Delay, Tin Smith

Chairman Cowan opened the meeting at 6:30 pm.

**1. Pledge of Allegiance**

**2. Review and Approve Minutes of October 20, 2020**

Selectman Galemmo motioned to approve the minutes of October 20, 2020. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

**3. Public Input**

There was no public input at this time.

**5. New Business:**

**A. Great Works Regional Land Trust: Bauneg Bet Hill**

Dwayne Morin stated that Tom Gilmore and Tin Smith were here from the Great Works Regional Land Trust. They would like to speak with the Board about the potential of obtaining the 1<sup>st</sup> hill on Bauneg Beg. Dwayne showed the Board on the computer where the land that they are reviewing was located. The property is currently owned by Glenn Thompson.

Tom Gilmore stated that they started talking to Glenn Thompson several years ago. It has progressed to walking the boundaries and talking a little bit more definitively about obtaining the property for conservation purposes. Over the last 6 months, they have come to an agreement on the boundaries and on the price. Right now, the agreement is for 43 back acres and the 2 building lots that are labeled A and B on the site plan. They have a draft Purchase and Sales Agreement that is currently being reviewed by their counsel. The 43 acres of back acreage covers the entire South summit or peak. It has views that extends out to the ocean and the mountains in New Hampshire. He stated that there are also some beautiful rocky ledges on the way up to the summit. Chairman Cowan asked if they were eventually proposing to have trails in this area. Mr. Gilmore stated that they were. Selectman Galemmo asked if this was going to be an easement or an outright purchase. Mr. Gilmore stated that it was a purchase.

Tin Smith stated that they are seeking funding from the Land and Water Conservation Fund. It is a program that the State has passed, and they will be distributing money next year. They feel that this project would be a good fit for this Fund. The Fund is for conservation, public access and recreation uses. The one caveat that they require is that the municipality has to own the property. Mr. Smith stated that they are here to ask for 2 things. The first one is to ask for a contribution to the acquisition of the property and the other thing is to consider being the owner of the property. He stated that if they are successful in obtaining money from the Fund then the town would have to be the owner for the project to go forward. If the Fund doesn't work out, then the town could decide to not be the owner if they wanted to.

Mr. Smith stated that they divided the project into 2 parts. One of them is the 43 acres and then the other one is the other 2 lots. If they use the Land and Water Conservation Fund, they have to do an appraisal and the landowner has to accept that appraisal. This can be challenging in these times of rising property prices. Mr. Smith stated that appraisals go backwards in time to assess the value of the property today. This is why they divided it up. They are hoping to at least get the summit acres on top.

Mr. Smith stated that they are asking the town to contribute \$90,000 to the project. This includes \$40,000 for the top of the summit and \$25,000 for each of the 2 lots. The 2 additional lots will provide access and more land. Mr. Smith said that they are doing it this way so that if the town votes for the \$90,000 and they only got the top of the summit they would only ask for the \$40,000. He also stated that it is big news with the Land and Water Conservation Fund when a municipality contributes money to one of these projects. They fully recognize how difficult the money is to get the tax dollars and to spend it. Mr. Smith stated that someone from the Conservation Fund will be coming to do a site visit sometime this month. He said that the GWRLT need to put in an application before the end of the year to the town for consideration. They are hoping to close on the 43-acre parcel next year and hopefully do the other 2 parcels the following year. He stated that they will be asking for \$325,000 from the Land and Conservation Fund. They are estimating the total cost of the project to be \$482,000 which includes the land cost and money to put in infrastructure for public access.

Selectman Galemme asked Dwayne if they had the money in the account. Dwayne stated that, on page 24 of their packet, it shows the balance as of 12/19/20. In the Open Space Impact Fee account, there is \$114,000 and the Recreation Fund has \$124,000. He stated that he was thinking of using some of the money from the Recreation Fund for the trail development. Part of the process will be Science trails, interpretative materials, and parking for the stewardship of the property. They are estimating this to cost about \$35,000 and we could use some of the Recreation fund towards that.

Chairman Cowan asked if the town would be responsible for maintenance of the property or would we be doing it jointly with the Land Trust. Tin Smith stated that with the town being the owner, they would decide that. He stated that they would be willing to do maintenance. He said that it is what they do with these kinds of stewardships and they would consider entering into an agreement with the town. Dwayne believes that it would be in the town's best interest to do what they have done with all of the other properties. They have entered into an MOU with the Land Trust and let them manage the stewardship of the property.

Selectman Galemmo motioned to pursue the Bauneg Beg Hill project with the Great Works Regional Land Trust. Selectman Johnson, Sr. seconded the motion.

Dwayne asked the Board if they wanted to look at numbers now or wait until they go through the Budget process. He stated that they do have enough funds to meet the request from the Land Trust for the \$90,000. Dwayne was thinking that instead of doing \$90,000 from Open Space, they could bring it down to \$80,000 from Open Space and use \$20,000 from Recreation fund to bring the total up to \$100,000. This would offset both of the accounts instead of just one. Dwayne had mentioned to Tom that our funds are the last funds to be used in the project.

Selectman Galemmo amended his motion to send a proposal for \$100,000 (\$80,000 from Open Space Fund and \$20,000 from Recreation Fund) to the Budget Committee. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

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

##### **A. COVID-19: Police MOU with York County Towns, Christmas Parade**

Dwayne stated that the first part to discuss is regarding the Christmas Parade. On page 9 of their packet, is a letter from Kristie Michaud that she put on the Facebook yesterday. They are going to do a quick parade of Santa and Mrs. Claus on Saturday, November 28 at 1:00. They will basically follow the parade route that they utilize for the Mill Field Festival. They will be following the safety protocols. It will allow the kids to get their letters to Santa out so they can get them responded. Selectman Johnson, Sr. asked if they were going to do the tree lighting. Dwayne said that they are not doing a tree lighting ceremony, but the lights will be lit for the holidays on the tree.

Dwayne stated that they also needed to discuss a Police MOU. The Police Chiefs and the York County Managers that have Police Departments within their town, along with the York County Sheriffs have been talking about what would happen if a Police Department gets an incident of COVID-19. It could basically shut Police Departments down depending on how many people get exposed. If an abutting neighbor loses their Police patrol, that will affect us. He stated that criminals do not use town boundaries as their hunting grounds. This has been discussed for a couple of months. He stated that most of the departments have MOU's with our surrounding towns. We have one with Sanford, Berwick, South Berwick, and Wells. Around our borders, we are able to utilize them and they can utilize us.

Dwayne said that one thing they have never had is an all-inclusive thing where it talks about York County. This MOU would put all Police Departments in York County together in one MOU. He stated that, right now, if one of our Police Officers goes into another town, they do not have the same privileges. Even though they are a Police Officer, they do not have the right to arrest or utilize some of their police powers. By having this MOU, it sheds the legal liability so if we are called in by another town, then our Police Officer can provide the same services that he does in our town. Dwayne stated that it is not mandatory that we would automatically cover

when we are called, but this MOU gives us the ability to do it and it allows us to have more options for coverage if we need the help.

Dwayne stated that all of the Police Chiefs and Town Managers are on board with the idea. Now all of the Towns are bringing it to their Town Counsels and Selectmen to see if they have any questions or concerns. Chairman Cowan stated that she likes the document that was created because it is very comprehensive. She believes that it makes sense to have a unilateral agreement so there are no gray areas or room for interpretation. She stated that it is pretty clear. Dwayne stated that there was some discussion about reimbursing the towns back and forth, but they removed that part because some towns were not in favor of that. Some of the towns were concerned about their overtime budget being affected if they send over some coverage. Dwayne stated that if it was going to cost them overtime, then that would be a decision that the town would have to make before sending an officer over to help. Dwayne stated that they would just typically expand the patrol boundaries. If Berwick needed the assistance, we would expand into Berwick and maybe South Berwick would expand into Berwick as well. This way they could share the responsibility. Dwayne stated that the only department that is not a part of this agreement is the State Police.

Dwayne said that in order for us to assist in another town, that town has to invite us in. We cannot just go into another town and do what we want. When we assist another town, we work under that town's jurisdiction. Our Chief is not calling the shots. It would be the Chief for whatever town we are assisting in that would be in charge. They want to make sure that if something happens, they want to make sure that all of the towns are protected liability wise. Selectman Hall asked if this was a temporary document. Dwayne stated it is set up to be more of a permanent thing like what we currently have with just the few towns now.

Selectman Galemme motioned to authorize Dwayne Morin to sign the MOU on behalf of the Town. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

#### **B. Linscott Road Intersection:** Discussion on Progress

Dwayne stated that they are still moving ahead on the Weaver house. Things have slowed down a bit because of the lack of electricity on the property. He said that we have been given November 25<sup>th</sup> as the day for the meter to be set and have power within 2 to 3 weeks after that. Dwayne stated that another issue is the lack of building supplies. He stated that the window that was ordered for the back of the house on September 2<sup>nd</sup> is supposed to be in next week. Once the power is in, the furnace will be put in. Almost all of the plumbing is done. They can't do any of the finishing work inside the house without any heat right now. Dwayne said that we will need to put some oil in the tank so they can have heat to finish the house. He stated that we will probably not be able to seed the lawn until Spring. We will transfer the property with the agreement that we will come back in the Spring to do that. It looks like we will be moving them in sometime in January.

**C. Website: Discuss on Progress**

Dwayne said that they are still moving forward on our website. They are still doing the data migrating. Some of the data has been transferred so we can look at some things. Selectman Hall said that somebody contacted him regarding the Food Pantry. He was wondering if information such as their hours could be added to the new website. Dwayne stated that they have a section called Outside Links for resources that are not government related so people can link to that organization's website to get information. The Food Pantry is one of these organizations as well as things like the Historical Society. Dwayne stated that it is very user friendly.

**D. Elections: Hazard Pay for Workers**

Dwayne stated that, before the elections, we were able to obtain a \$5,000 grant to help with the cost of the elections. They bought a lot of COVID-19 items such as masks, gloves, face shields and other things. They also paid the ballot clerks some hazard pay. Instead of the minimum wage that we typically pay, we paid them \$20 per hour. He stated that there were a few people that were missed in this which were our town staff who work for us full time. Chris Dudley would like to give them some hazard pay. She would like to give Lisa, Rebecca, and Danielle \$300 apiece. Dwayne would also like to give a stipend to some people that helped to move and set up the polls. He would like to give a \$40 stipend to Bob Pease, Clark McDermitt, Matt Brown, and Sue Linscott. He stated that the money would all come out of grant funds and not from taxation. Dwayne stated that all of the workers did a fantastic job and Chris did an excellent job with the whole process. Selectman Hall asked if Chris was requesting anything for herself and Dwayne said that she had not. He recommended that they also give Chris \$300 for hazard pay.

Selectman Galemme motioned to give a \$40 stipend to Bob Pease, Clark McDermitt, Matt Brown, and Sue Linscott and give \$300 for hazard pay to Chris, Lisa, Rebecca, and Danielle. Selectman Hall seconded the motion. VOTE: 5-0

**Reminders: Next Board of Selectmen's Meeting – December 1, 2020 – 6:30 pm**

Dwayne stated that Tiffany Roberts who is our representative in the House, would like to meet with the Selectmen. She will be coming in at the 12/15 meeting. She would just like to reach out and see if there is anything that the Board would like her to consider and to put the names to the faces.

**5. New Business:**

**B. Police Department:** New Reserve Officer – Jeremy Baron

Dwayne stated that the Police Chief has a new Reserve Officer that he would like the Board to approve. The applicant is Jeremy Baron. He lives in town and used to be a Police Officer in Wells. He left to run a landscaping business and ran the Nature's Acres feed store until last year. Dwayne stated that it is a great thing because he is a blue pin which means that there are no minimum hours that he can work. He does need to go to school for a week to get his certification.

Selectman Galemme motioned to approve Jeremy Baron's appointment as a Reserve Officer. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

**C. Special Tax:** Establish Tax on Hanchett Property for Dangerous Building Removal

Dwayne stated that they have sent David Hanchett and Courtney Zych the bill for a total of \$35,359.18. Mr. Hanchett has already paid \$20,000 so the balance owed is now \$15,359.18 which now turns into a Special Tax. Dwayne said that he was going to have the Board vote on it this evening, but we can't do it yet. Mr. Hanchett has 30 days, and those 30 days are not up yet. We will be able to vote on this after November 26<sup>th</sup>. Dwayne stated that, at the next meeting, the Board will sign a Supplemental Tax Certificate which will establish the \$15,359.18 as the Special Tax assessment to start the clock moving. It is an 18 month clock. Mr. Hanchett did tell Dwayne that he is planning on paying the town \$1,000 per month until it is paid off. He is also planning on pulling a building permit in the Spring.

**D. Audit:** Update on Audit

Dwayne stated that they did do the audit and, because of COVID they did a hybrid audit. The auditors were here 1 day, and they have been offsite the rest of the time. He said that we will have a pretty clean audit. He stated that the auditors gave us 4 pages with 180 documents that we had to give them. Dwayne said that the audit will probably not be done until February.

**E. FY22 Budget:** Review Draft Timeline for Budget Preparation

Dwayne said that at this point in time, he usually presents the Board with a timeline for the Budget process. He did create one, but he doesn't believe that they can vote on it right now. He doesn't believe that they will be able to accomplish the things that need to be done in the time frame needed before Town Meeting. He said he doesn't know how to move forward with the Budget Committee. There are 12 members on the Committee plus all of the staff from the various departments that come to those meetings. Some of the Budget Committee members don't have the ability to do ZOOM meetings. He was thinking that they can probably do it at the Community Center because he can get about 25 people in there based on the social distance guidelines. They would have people come in and then leave once their presentation was complete. However, he thinks that it will be unlikely that they will hold a Town Meeting in April.

Selectman Galemmo asked if they could do it all as Ballot questions. Dwayne said that they could do that, or they could hold off and try to go through the Budget process. We could then play it by ear as we go into the new year and see where we are vaccine wise and COVID wise. Dwayne stated that they don't have to have the Town Meeting until June. We could hold a late Town Meeting if we are allowed to have an open Town Meeting. Dwayne stated that the current guidelines, we can have 100 people at an outside venue so we could do an outside meeting in June. The guidelines limit it to 50 people indoors. Unfortunately, we never know how many people will show up for a Town Meeting so we would have to make sure we cover all possibilities. Selectman Galemmo said that if we delay it until June then we can also delay the Budget process a little longer. Dwayne stated that he will have the Department heads start putting together budgets and shoot for December to put together the budgets. We can push the review off until the new year.

Selectman Galemmo motioned to assume a Town Meeting or Ballot in June 2021. Selectman Hall seconded the motion. VOTE: 5-0

## **6. Other Business:**

Dwayne stated that we are still seeking a Public Works Department employee. They have had 11 applications so far and only 3 had a CDL license. He stated that we are going to be down a driver when the snow starts. We will still plow our street, but it may take a little longer. Dwayne stated that everyone is having a hard time finding drivers with a CDL license. Selectman Galemmo asked how long it takes to get a CDL license. Dwayne said it takes a couple of months. Selectman Galemmo asked if the town would pay for someone to take the class. Dwayne said the problem is that they need someone to drive now. Chairman Cowan asked how we were advertising for the position. Dwayne said they have posted it on Facebook, and he will put an add in Foster's. He stated that sites like Indeed will pick it up when it is listed on Facebook as well.

Selectman Galemmo stated that he knows some people have called because they were upset about the crosswalk by the Elementary School. He asked if we were doing anything about it. Dwayne stated that they are putting police up there in the morning. Selectman Galemmo asked if it would be worth looking into getting a crosswalk light. Dwayne said that it was not up to us. It is a not our road so the State would have to decide on that. Dwayne said that they have had police presence at the crosswalk by Varney. He said that there were 2 incidents that happened there, and they were very serious ones. A lady was crossing, a car stopped, and another car slammed into the back of that car and almost drove the car into the kids. In the other incident, a car stopped, another car went on the double yellow lines and zipped by the car that stopped. Luckily, the lady that was crossing hadn't got to the end of the stopped car before the other car went by her.

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

Warrant:	October 27, 2020	- \$	0.00
Warrant:	November 3, 2020	- \$	105,252.53
Warrant:	November 10, 2020	- \$	0.00

Warrant: November 17, 2020 - \$ 610,224.19

Selectman Galemmo motioned to approve the Warrant of November 3, 2020 for the amount of \$105,252.53 and the Warrant of November 17, 2020 for the amount of \$610,224.19. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

**8. Adjournment:**

Selectman Galemmo motioned to adjourn the meeting at 7:56 pm. Selectman Johnson, Jr. 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 Galemmo

Selectman: Michael Johnson, Sr.