

North Berwick Board of Selectmen Minutes December 1, 2020

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
DECEMBER 1, 2020**

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

Also Present: Dwayne Morin

Chairman Cowan opened the meeting at 6:30 pm.

1. Pledge of Allegiance

2. Review and Approve Minutes of November 17, 2020

Selectman Galemmo motioned to approve the minutes of November 17, 2020 as written. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

3. Public Input

There was no public input at this time.

4. Unfinished Business:

A. COVID-19: Christmas Parade and Other Updates

Dwayne stated that there was a letter from the Chief of Police in their packet. It is to thank the officers who took part in the Halloween at Home event. Dwayne said that it was a great event and a lot of people enjoyed it.

Dwayne said that the other thing that was done on Saturday was a Christmas Parade. He said that, from reading the Facebook comments, it was well received. However, there was a complaint filed against the Town of North Berwick with the Governor's office. They said that we violated pandemic protocol. There was one issue where a person received two \$150.00 tickets because they jumped in front of a police cruiser. He ran right through the parade and bolted in front of a police cruiser. The Chief of Police pulled him over. Chief Peasley told Dwayne that almost everybody was wearing a mask and were social distancing. There was no congregating together. Selectman Galemmo asked what the Governor's office was going to do regarding the complaint. Dwayne said they were not going to do anything. They just wanted to make us aware that a complaint was made.

Chairman Cowan stated that she wanted to extend her thanks to the Police Department, Fire Department, and everyone else involved in these 2 events.

B. Linscott Road Intersection: Discussion on Progress

Dwayne stated that they now have power. It came in a week earlier than what they expected. They showed up one day and had it installed in 45 minutes. He stated that the biggest issue right now is waiting on supplies. They ran out of siding, so they are waiting for more. The heating contractor will be coming in and finalizing the heat. The furnace is sitting in the basement, so they just have to put everything together. He said that they still have quite a bit of finishing to do inside the building. Dwayne said that the company had a COVID scare so they were only sending 1 person at a time to each of their projects. He believes that they will be moving in at the first of the year. They are just waiting for the plumbing and heating to be done and then they can work on the drywall and everything else that needs to be done.

C. Website: Discuss on Progress

Dwayne stated that they are almost all done with moving all of the information over. They are performing training next Monday to teach the staff how to update it and keep it moving. They are still on track to have it online on 12/18/20.

Reminders: Next Board of Selectmen's Meeting – December 15, 2020 – 6:30 pm

5. New Business:

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

Dwayne stated that we spent a little over \$35,000.00 to clean up Mr. Hanchett's property and we sent him a bill back in October. Mr. Hanchett has come in and paid \$20,000.00 of it. A Special Tax is required to be put on his property for the remaining balance of \$15,359.18. The Supplemental Tax Certificate will allow us to put the \$15,359.18 charge against his account.

Selectman Galemme motioned to charge to Acct. #1143 for David Hanchett the amount of \$15,359.18. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

B. MDOT: Speed Request on Route 9 Decision

Dwayne stated that, about 2 years ago, Linda Dutch had come before the Board to ask them to support her initiative to have the speed limit changed from Hannaford to the Berwick town line to 35 mph. We submitted a letter to the DOT, and they did a study. The DOT has denied the request and will not change the speed limit. Selectman Johnson, Sr. asked if Ms. Dutch had received a copy of the decision. Dwayne said that he didn't know but he could send her a copy of the letter we received.

C. Tax Acquired Property: Request from Estate of Caroline St. Hilaire to Redeem, Sign Fallo Release Deed

Dwayne stated that they have a request from the Estate of Carolyn St. Hilaire to allow the Estate to purchase back the property that we took for taxes this past year. Dwayne said that he spoke to their lawyer, Brian Barrington from the Coolidge Law Firm. Mr. Barrington said that when the Town took her property from her, she was dying, was on her death bed and the town callously and carelessly took her property. Chairman Cowan said that she read Mr. Barrington's letter and took exception to what he said in it.

Dwayne said that he has provided the Board with all of the notifications that we had sent her. He said that we sent a notification back in January and she passed away in June of this year. The notifications go back to July 27, 2018. We sent her 4 additional notifications and she personally signed each and every one of them. Selectman Galemme asked how much money was owed. Dwayne said that it is not about money, but it is about the top of Bauneg Beg Mountain. It is the piece that abuts the property that we are looking to purchase. It is the downhill slope of Bauneg Beg Mountain. Dwayne said that most of it is not buildable and it has access to Hartford Lane, but the road is not improved at all. Selectman Johnson, Sr. asked if the road was passable. Dwayne said that it is to a certain point, but the rest is like a little horse path. Dwayne stated that she does have 2 other properties in town, and she did pay the taxes on those.

Dwayne stated that the Board has already voted to retain the property which he told Mr. Barrington. Mr. Barrington thought that they were going to sell it, but he told him that they are retaining it to keep it for conservation purposes. The Board made this decision in March of this past year. Dwayne told Mr. Barrington that he understood that Ms. St. Hilaire was ill and not in good health this past January and February, but she personally signed for the notification in January. He said we had actually sent her 2 notifications because we had made a mistake on the first one. She signed for both of them, so she was well enough to get her mail. Chairman Cowan stated that she also paid for her other properties so she is not sure why this one would not have been paid as well.

Chairman Cowan stated that her concern is that the property remains in conservation. She knows that as long as the Town owns it, that will be the case. She is not assured that it will be that way if we allow them to buy it back. Dwayne stated that he had personal conversations in the past, and Ms. St. Hilaire was not a fan of the Town of North Berwick.

Dwayne stated that the Board needed to decide if they want to entertain the request from the Estate attorney or do they want to do nothing and retain the property. Dwayne stated that the Board has already made the decision to retain the property. The Selectmen all decided not to act on the request and retain the property. Dwayne said that he will notify the attorney and let them know the Board's decision.

Dwayne stated that, in March, Susan Fallo had come before the Board. We had taken her property but allowed her to redeem her property. Dwayne said that she has paid all of her property taxes including the current amount, so the Board needs to sign a deed to assign the property back to her.

Selectman Galemmo motioned to sign the Municipal Quit Claim Deed back to Susan Fallo. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

D. Personnel Policy: Approve Proposed Updates to Policy

Dwayne stated that, starting on page 38 of their packet, is the memo sent to employees regarding a change in Personnel Policy. The Board had discussed it at a previous meeting this past summer. The State of Maine passed a new rule as it relates to earned time. Our Personnel Policy would be in conflict with the new State Law, so he is proposing an amendment. This will allow employees who worked for 120 days to have 1 hour for every 40 hours worked up to a maximum of 40 hours. After 1 year, they get 10 days which exceeds the State's policy. He said that for part time employees, they would earn 1 hour for every 40 hours as long as they work for the town for 120 days. Dwayne stated that he sent it out to the employees. He had a few ask him why it was being changed but there were no objections to the change in the policy.

Selectman Galemmo motioned to approve the change in the Personnel Policy effective January 1, 2021. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

6. Other Business:

There was no other business at this time.

7. Review and Approve Warrants and Correspondence

Warrant:	November 24, 2020	- \$ 0.00
Warrant:	December 1, 2020	- \$ 82,443.97

Selectman Galemmo motioned to approve the Warrant of December 1, 2020 for the amount of \$82,443.97. Selectman Hall seconded the motion. VOTE: 5-0

8. Adjournment:

Selectman Galemmo motioned to adjourn the meeting at 7:02 pm. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Respectively Submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Wendy P. Cowan

Selectman: Jonathan Hall

Selectman: Michael Johnson, Jr.

Selectman: Charles Galemmo

Selectman: Michael Johnson, Sr.

