

North Berwick Board of Selectmen Minutes August 3, 2021

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
AUGUST 3, 2021**

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

Also Present: Dwayne Morin, Daniel Pelkey, Stephen Peasley

Chairman Galemmo called the meeting to order at 6:30 pm.

1. Pledge of Allegiance

2. Review and Approve Minutes of July 20, 2021

Dwayne stated that he changed the word “Accessor” and “Accessing” to “Assessor” and “Assessing” within the minutes.

Selectman Cowan motioned to approve the minutes of July 20, 2021 as amended. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

3. Public Input

There was no public input at this time.

5. New Business:

A. Police: Crossing Guard, Questions for Chief

Dwayne stated that, last year, they did not fill one of the Crossing Guard positions. One of the reasons was that they had a hard time finding somebody. However, the main reason is that the school changed how they were operating. Chief Stephen Peasley stated that they only had K-3 going to school there and there were only about 4 kids because the majority of the walkers are the older kids. Wendi Daudelin was able to handle it by herself because of the low number of walkers. Chief Peasley stated that the plan is for the kids to be back in school this year so the need for an additional Crossing Guard will be needed.

Chief Peasley stated that they put an ad out on Facebook. Christina Brown applied for the position. She is a local mother who lives on Portland Street. She has been involved in other areas within the town such as the Budget Committee. Chief Peasley is recommending that the Selectmen approve her for the position. Dwayne stated that the only reason that they need to come before the Board is because this person needs to be under our liability insurance, and they are involved with the Police Department. Selectman Hall asked how much we pay a new Crossing Guard. Dwayne said that we pay them \$110.00 per week during school. Selectman

Cowan asked how much time it was daily. Dwayne said that it was about a ½ hour in the morning and about ½ hour in the afternoon.

Selectman Hall motioned to approve Christina Brown as the new Crossing Guard. Selectman Cowan seconded the motion. VOTE: 5-0

Dwayne said that, at the last meeting, the Board had a long conversation about the youth in our downtown area. He met with Chief Peasley and Lieutenant Pelkey a day or two after that meeting to discuss what was going on and what is being done. He also mentioned that there have been a lot of posts on Facebook regarding the kids in the area. Dwayne was expecting to have a number of people show up to the meeting tonight because some people said they were going to attend. For this reason, Dwayne asked the Chief to be here in case people showed up and had questions and comments for him. Dwayne also felt it would be a good idea for the Chief to be here so that he can discuss the issue with the Board.

Dwayne stated that they have increased the patrol in the downtown area and the Officers are applying the rules more rigidly. They are discussing bicycle safety with them and making sure that they are wearing helmets. Selectman Hall asked if there was a law about wearing helmets for skateboarders. Dwayne said that there was no law for that. Chief Peasley stated that they need them for rollerblading, roller skating, biking and just about everything else except for skateboarding.

Dwayne stated that there are a significant number of kids that are in the downtown area and are not from North Berwick. Most seem to be from the Berwick area. Selectman Cowan asked if the number of kids from outside of North Berwick was higher than the number of kids from town. Chief Peasley said that there are probably not more but there are quite a few from out of town. He said there are even some from New Hampshire. Selectman Johnson, Sr. asked if there was anything that the Police can do at this point. Chief Peasley said that, as far as them hanging out, they are not breaking any laws. He said that the majority of them are respectful and pretty decent kids but when they get into bigger groups, it sometimes becomes an issue. He said that they do get loud. He has had complaints that they swear a lot. He said that he received a call from a lady stating that there were 12 of them at the Canal Street playground that were loitering. The Chief told her that it is a public playground, and he can't throw them out of there. He did however go over and talk to the kids. He explained to them that there are a lot of houses close by and that they need to watch their language and keep it down a little bit. He said that they were all very respectful. He said that there are some of them that the Police have had some issues with but the majority of them are good kids.

Chief Peasley said that they can do some things. If they are under 16 and are not wearing a bicycle helmet, the Police can warn them and/or take their bikes away from them. If they are on the gazebo with a skateboard, they warn them all, sometimes more than once and they can also take their skateboards away from them. Lieutenant Pelkey stated that something else that needs to be pointed out is that we see Facebook get hundreds of comments. Yesterday they ran the numbers from January 1 to current in reference to disturbance, graffiti, harassment, and juvenile offences. They went through 80 pages worth of calls and there were only 13 calls received that were associated with the Mill Field area. He said that 4 of them came within the past 2 days.

That is just 9 calls in 9 months. He said that people can say they are upset about it but if they don't tell the Police, it is hard for the Police to do something about it. Lieutenant Pelkey said that it is very easy for people to post things. There was a post about a bicycle being destroyed. The Officers did go down to investigate and it turns out that the bike was destroyed by the kid's older brother, so it is a family issue. However, there is no correction or explanation added to the Facebook page, so people don't think that anything is being done.

Selectman Cowan asked if there was any restriction on the number of kids that can gather in any one area. Chief Peasley said there wasn't unless they are getting rowdy. If there are more than 5 of them and they are getting rowdy, then the Officers can tell them to disburse. Selectman Hall said that he is glad to hear that the kids are being respectful because that is not what the Board was hearing. Chief Peasley stated that most of them are but there are a few that are not. There was one incident where the Officer went up to one of the kids and asked him his name. The response from the 13-14 year old was, "I don't have to tell you a ___ thing.". He ended up not telling the Officer his name and just walked away. There was really nothing that the Officer could do because he had not broken the law. Chief Peasley said that there are a few ring leaders but again, the majority of them are pretty decent and respectful.

Lieutenant Pelkey stated that they have also had situations arise where an assault complaint comes in. They are told who the kid is and when they go speak to the kid, the parents refuse to allow it. Selectman Cowan stated that if a child has been assaulted and the parents refuse to allow them to speak to their child, there should be some recourse in the law for this. Lieutenant Pelkey stated that the only caveat they have is when it is Domestic Violence in terms of arresting someone without a victim. If there is no victim, then they can't do anything. Dwayne clarified that the Lieutenant was talking about the kid that was assaulted is the one whose parents did not want the Police talking to him. It was not the one that actually did the assault.

Selectman Hall asked if some of the ones that are considered the ring leaders are from town. Chief Peasley stated that some of them were. Selectman Cowan asked if the ones from town were from the downtown area. Chief Peasley said that most of them were from areas like Lower Main Street and Madison Street. He stated that a lot of the kids get dropped off in the area and come from the outskirts of town. Chairman Galemme asked if the Chief thought that if we had some kind of activity for the kids, did he think that they would congregate there. Chief Peasley stated that they probably would do so initially but if nobody is supervising, he doesn't think it would work.

Selectman Hall asked if there was any evidence of the kids doing any vaping, THC, or other things like this in the park. Chief Peasley said that he has not seen anyone doing this. Lieutenant Pelkey said that they have not had complaints from anyone regarding those issues. Chief Peasley stated that they do leave a fair amount of trash in the Mill Field. Selectman Cowan stated that since there has been more of a presence and the Officers have been patrolling more, she is hoping that it will quiet things a little bit. Chief Peasley said that it has helped. He stated that Officer Roy spent a lot of time last week walking around and talking to them. Chief Peasley believes that he made some good headway with them. Selectman Cowan asked if they were here every day. Dwayne said that there were only about 6 or 7 here today. Chief Peasley stated that they usually start coming in around 10:00 am and they usually leave around dinner

time. They stay at the Mill Field for a while, go up to the Elementary School, go to the Canal Street Playground and then back to the gazebo.

Selectman Cowan stated that she is concerned about them hanging out at the playground area. The town put a fair amount of time and money into it, and it has done well for quite some time. When you have older kids hanging out there, it intimidates the younger kids and maybe even some of the parents. She stated that it wasn't really designed for their age level. Dwayne stated that it actually is designed for their age level. There is a playscape for the little kids, but half of the park is actually designed for up to 16-year-old kids. There are skateboard ramps and basketball courts there. Selectman Cowan said that they should probably consider relocating those components. Dwayne said the issue would be about where they could locate it. There is no other location that could support those items. Selectman Cowan asked if they could use some portion of the Mill Field. Dwayne said that they would need pavement in order to do the skateboard area. Dwayne stated that he has talked to the skateboarders and asked them how they like the ramps and stuff that is located at the park. They all say it is okay and ask if we could get more things. Dwayne said that they would like to have a skateboard park but that is too expensive to buy, maintain and supervise. Dwayne said that they used to have a portable skateboard park that they used to set up. The biggest reason it didn't work out is because the kids didn't want to wear helmets which was required for liability purposes. Selectman Cowan said that she just wishes that there was some alternative where they didn't have to have those age groups in an area where there are also really young kids. She thinks it may keep some of the younger kids out of that area. Chairman Galemme stated that if they had a big room where they had WIFI, an X-box, a big screen TV and a couple of vending machines where they could hang out. Once they start coming there, we could also find out what else they would like

Selectman Hall stated that they could put up a sign that said that the playscape was for a certain age and younger. They could also have another sign for the skateboard area and basketball court stating that that area was for a certain age and older. He said that it would at least give us a way that would keep them away from the younger kids. Dwayne said that it is only separated by about a 2-foot area of grass. Chairman Galemme stated that his concern is if they try to pipe down too much on them, the ring leaders could try and cause more trouble. It would be nice to try and find a way to try and deflect the blow by funneling them into somewhere that they may want to go. Lieutenant Pelkey stated that, as a father of a 17-year-old girl, all they want to do is exist. They just want to go with their friends and sit somewhere. He said that you can create any activity that we want but it is not necessarily what they will want to do.

Selectman Cowan said that it is unfortunate that this is a 3 town School District and there really isn't anything to do unless you are in some kind of designated sport or activity. Dwayne said that this is in the process. House of Hope in Berwick is building a place in the old Catholic Church specifically for this purpose. They have raised about \$800,000. A bunch of volunteers bought the property, rehabbed it into a soup kitchen and food pantry. They will be adding an indoor basketball court and indoor soccer court. It will be a place for them to just hang out.

Chief Peasley stated that they have put a notice on the Facebook page that there will be a meeting next Tuesday night at the Fire Station. They invited everybody that have been posting complaints to come down and discuss the issue. Chief Peasley said that some of the comments

being posted were getting pretty bad. People were blaming parents and badmouthing the Police and making threats. Selectman Hall said that the part that concerns him is the adults that are threatening the kids. Lieutenant Pelkey said that they held a meeting a couple months ago because people were complaining about speeding and erratic driving. He said that about 10 people showed up, but it was a very productive meeting, and they got some things accomplished. Selectman Hall said that he plans on attending the meeting so he can hear what some of the issues and solutions could be. He said that if the town is willing to spend money to maintain the space and have someone to oversee it, then that is something that the Board can work on and possibly bring something forward for the town to vote on.

Chief Peasley congratulated Lieutenant Pelkey on being his 1-year anniversary as the Lieutenant.

4. Unfinished Business:

A. COVID-19: Recovery Funding

Dwayne stated that there was no new information. He said that there are some concerns about what will go on with the new variant and masking requirements. Right now, Maine is not really affected. The only county that is in the red right now is Waldo County.

B. Linscott Road Intersection: Discussion on Progress

Dwayne said that they still have 2 more things to complete. All of the deed transfers are done. We are just waiting for a sign bracket and the guard rail.

Dwayne said that they will be paving Valley Road and Ford Quint Road this week or next week. Selectman Cowan asked if there was going to be extra funds available. Dwayne said that, in looking at the estimates and what the pavers have given him, it does look like we will have a significant amount of money left. He said that they will be reimbursed for half of the costs on the Linscott Road project by the State and it will go back into the road fund. This amount will be about \$125,000 from the State. It also looks like there will be about \$46,000 from the budget that we will not be spending. Selectman Cowan stated that they really need to do Clark Road because it is in bad shape. Dwayne said that this is one of the roads that they are looking at. There is a lot of tree cutting that needs to be done on it so they may be able to go ahead and do that this year.

C. Commitment: Review Draft Commitment and Value Increases

Dwayne stated that there are some new draft numbers in the Selectmen's packet. The School will be sending back \$1,250,080.00 back to the 3 towns. Because of this we may be able to set the tax rate at \$10.90. This will bring the average tax increase to about \$30.00 which will bring everybody back to where they were last year. He said that on page 14 of their packet, he has broken it down for them. He said that if State Revenue Funding comes in higher, he thinks that they could go to \$10.85. He said that 10% of the properties go down, and 21% are an increase up to \$25.00, 63% are at the \$25.00 to \$100.00 but there are not many between \$35.00 to \$100.00. In the \$100.00 and up increase, there are only about 7%. These are all people that have

had work done to their homes this year. Dwayne said that he is leaning more toward the \$10.90 rate because he doesn't think that he will have all the numbers from the State yet and he would rather not take a chance. They need to set the commitment at the next meeting.

Selectman Hall asked how much the extra money from the School was allowing them to drop the rate. Dwayne said that it was about a \$.50 decrease. Selectman Hall thinks that it would be a good idea for the Board of Selectmen to write a letter to the Superintendent and School Board to thank them for giving the money back to the town. He said that it can state how much it is saving the town in taxes. Dwayne will put together a letter for the Board to sign at the next meeting.

Dwayne stated that the School Board has set some Public Hearings for their building projects. The overview will be on the 8/19, Lebanon Elementary School will be on 9/8, North Berwick Elementary School will be on 9/9 and Hussey School will be on 9/13. They will do the overview on all the projects, and it will be held at the High School. All the other Hearings will be held at the individual schools to discuss what needs to be done at those individual schools. Selectman Hall said that these hearings would be a great place to discuss focusing on the Lebanon School first.

ZBA: Update on Administrative Appeal

Dwayne said that the Administrative Appeal was held last Monday night. The ZBA has not officially voted on yet, but they have unofficially stated that they will uphold the Planning Board's decision. He said that the applicant said very little. It was their contractor that spoke exclusively and argued with everyone. Tim Kezar told him that his job was to review the Ordinance and there are 7 criteria that they need to meet. He asked the contractor if they met all 7 of the criteria and the contractor said they did not. Mr. Kezar then told him that the decision is made. The contractor kept using the term house over and over again instead of apartment. Several ZBA members stated that all they have heard throughout the whole presentation is that they are building a house and a house is not allowed.

The contractor kept bringing up the attorney's letter and saying that they were not going to listen to her advice. Dwayne said that the attorney's letter was an answer to the Planning Board's questions. The attorney will never say "Yes" or "No". They will indicate what questions the Board will need to ask. She never says how to answer them. She does this to spur discussion with the Planning Board and the applicant.

Dwayne stated that the next meeting is this Thursday night. They are just going to go over the Findings of Fact and vote on it.

Reminders: Next Board of Selectmen's Meeting – August 17, 2021 – 6:30 pm

5. New Business:

B. MSAD 60: State Subsidy Increase – Building Projects

This subject was already discussed under Section C under Unfinished Business.

C. Town Signs: Discussion on Replacing Entrance Signs

Dwayne stated that they had some discussion about town signs at the last meeting and he asked them to think about what they would like the new signs to look like. Selectman Cowan did send him a number of photos from other towns so they could take a look at them. Dwayne said that they do have some money in the Parks and Recreation Department budget that they could use to pay for this.

Dwayne said that they Selectmen had mentioned that they want the sign to look clean with not a lot of stuff on it. It should have Welcome to North Berwick, what our establishment date was and maybe have our settlement date on it. They discussed the type of posts to use. It was mentioned to use either vinyl or granite. Most of the Selectmen like the idea of the granite posts. Dwayne said that it would be more costly. He said that they could use white vinyl as an alternative to granite which would last a long time and still looks good. Selectman Cowan said that she would also like to see some kind of ball or decoration on the top of the posts. Chairman Galemme said that another advantage to the granite is that they will last forever. Dwayne stated that they could also use recycled posts and get any color that they want.

Selectman Hall asked what the cost for the sign would be. Dwayne said that there are a number of things that they can do. He said that the best sign that is basically maintenance free would be an aluminum sign with vinyl lettering. He said that this would be the least expensive one. They could also do a carved sign which is made of a structure foam that they sandblast and then paint. Over time, they would have to repaint it.

Dwayne showed some pictures of different posts and what they cost at a couple of businesses. They also looked at some of the sign costs. Dwayne will get some estimates for the posts and have Billy do a mockup of a sign for them to review.

6. Other Business:

Chairman Galemmo had a question about our Rescue Department. When they take someone to the hospital, he knows that they bill the insurance, but he wondered if they balance billed to the patient that they transported. Dwayne said that they did but he believes that about 70% of the people do not pay and they end up writing it off. He said that the law has changed as to the order that an insurance will pay claims. Ambulances used to be the first ones in line so if a patient has a high deductible and high coinsurance, they would pay the ambulance bill first leaving the patient to pay the higher amount. They have changed that now so that the doctors and the hospitals are now first, and the ambulance is last. Now when someone with the high deductible and high coinsurance is transported, the insurance will pay the others first so by the time they pay the ambulance charge, their deductible may have been met so the Rescue will get paid. The other problem though is that the insurance will sometimes pay the patient directly instead of the Rescue.

7. Review and Approve Warrants and Correspondence:

Warrant:	July 27, 2021	- \$ 7,998.18
Warrant:	August 3, 2021	- \$ 98,793.98

Selectman Hall motioned to approve the Warrant of July 27, 2021 for the amount of \$7,998.18 and the Warrant of August 3, 2021 for the amount of \$98,793.98. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

8. Adjournment:

Selectman Hall motioned to adjourn the meeting at 8:16 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.