

North Berwick Board of Selectmen Minutes March 1, 2022

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
March 1, 2022**

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

Also Present: Dwayne Morin

Chairman Galemmo opened the meeting at 6:30 pm.

1. PLEDGE OF ALLEGIANCE

2. REVIEW AND APPROVE MINUTES OF FEBRUARY 15, 2022

Selectman Cowan motioned to approve the minutes of February 15, 2022 as amended. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0-1

3. PUBLIC INPUT

N/A

4. UNFINISHED BUSINESS:

A. COVID-19: ARPA Funding Review

Dwayne presented the Board with a letter from the County of York dated February 18, 2022 releasing how they are going to be spending their \$40 million dollars. He stated that at one point, Selectman Hall had inquired about this. He stated that a lot of that money is going to programs such as at the County Jail and some improvements to the buildings. One of the projects is a sewer project that is about \$9 million dollars. Dwayne discussed how Sanford Sewer Department may be instrumental in this project. John inquired about the drug treatment recovery center and how it reads that about \$5 million was going to be used for a center. Dwayne then stated that there is one project referenced in their letter that benefits the Town directly and that is the \$1.4 million that is being used for Communications Tower Improvement. Dwayne explained that they will be taking down Blueberry Hill Tower and putting up a new tower and that will take away a lot of the dead spots.

B. FY23 BUDGET: Budget Committee Review Update

Dwayne stated that the Budget Committee is moving right along and if everything goes well, they should be done tomorrow. There was one error on the Code Enforcement Officer's salary where Dwayne said he forgot there is one more bump before the COLA comes in. That was

negotiated when they hired him. There was a six-month bump, a one-year bump and then the COLA bump. Dwayne forgot to include that in the salary line previously. There was \$78,000.00 but it should read \$80,080.00. Dwayne stated that was going back before the Budget Committee tomorrow as a revision.

Selectman Hall inquired our electrical contract and Dwayne stated that our electrical contract goes through April of 2023 which is the tail end of our budget cycle.

Dwayne also stated that when he was going over the new fire truck, he had previously discussed that the Town had only raised two \$40,000.00 appropriations but there is actually three now. So, there is \$120,000.00 available plus the extra \$200,000.00 so there will be \$320,000.00 to apply towards the purchase of the new fire truck which will reduce our borrowing amount.

C. FIRE DEPARTMENT: Cascade System Update

Dwayne wanted to make the Board aware that the Town was successful in obtaining the cascade system from the Mutual Aid system. We should take possession of the actual system in the coming month.

Reminders: Next Board of Selectmen's Meeting – March 15, 2022 – 6:30 pm
Budget Committee – March 2, 2022 – Community Center – 6:30 pm
Budget Committee – March 9, 2022 – Community Center – 6:30 pm

5. NEW BUSINESS:

A. TOWN MEETING: Establish Final Warrant for Town Meeting

Dwayne gave the Board all of the Budget Committee recommendations and discussed establishing the warrants. There are a few articles left to go over at tomorrow's meeting but it is almost complete. Dwayne's goal is that the Town Report will go to the printer this coming Thursday.

Selectman Johnson, Sr. inquired about the mowing contract and Dwayne indicated again how the increase is about \$25,000.00 and stated how they had a lot of discussion about this previously and how their mowing contractor has held their price for the past twelve years. Over the course of about fifteen years, it would work out to be a 1½% increase which we cannot really complain about.

Selectman Hall motioned to approve the Draft Warrant for Town Meeting for the April 9, 2022 Town Meeting. Selectman Cowan seconded the motion. VOTE: 5-0

B. ENERGY: Discuss Extending Long Term Electrical Contract

Dwayne indicated that the Town's current electrical contract expires at the end of April's meter readings in 2023. He stated that they can renew the contract within one year of the contract

expiration. He stated he has been contacted by FairPoint Energy to do that which he believes is now called People's Energy. They are offering a rate of 8.99 cents a KW as compared to our current contract of 7.5 cents and the standard offer currently being offered by CMP of 12 cents. Our current rate is good until April of 2023. They did state that if we signed a four-year contract with them now, if energy prices change in April of 2023, we could get out of our contract and do a different contract. He stated how we would have ten days to get out it. The rate has been changing daily. This does not include our street lights because they do not become due until November of 2024.

Dwayne then mentioned the possibility of exploring solar credits at some point. He referenced the two solar farms in our Town, one being constructed and one that is pulling their permit this week. He stated he does not see anything in the contract that does not allow them to purchase solar credits outside of that. That is something that needs to be explored further. Selectman Cowan stated that it behooves any town to be looking into solar.

Selectman Cowan inquired about how FairPoint currently compares. Dwayne stated they are 9.89 cents and everyone else, he believes, is at 12 cents. FairPoint is favorable anyway. Dwayne said that is because they signed a four-year contract and they do decrease the rate every year that we sign up with them. Dwayne would like to make sure that if we do purchase solar credits that it does not jeopardize our contract in any way.

Selectman Hall motioned that Dwayne enter into a four-year contract at no more than 10 cents per KW. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

C. FY20 FORECLOSURES: Review List of Foreclosed Properties for FY20

Dwayne stated that yesterday was the Town's foreclosure date on Tax Year 2020. Dwayne stated there were originally nineteen properties being foreclosed and the result is two properties that they have had to foreclose on. One is a house that is being occupied. He stated that they tried very hard to make contact with the owners. He stated the one of the reasons they were able to clear up most of them was because they were able to find contact telephone numbers for people and call them to remind them about payment to avoid foreclosure. As of 4:00 p.m. yesterday afternoon, the Town of North Berwick owned the two foreclosed properties.

Dwayne stated that regarding the Davis property at Map 002 Lot 043, Mr. Davis is deceased and it is a land-locked piece of property. Dwayne provided the Board with a copy of the map. He explained how Davis Way was originally owned by Mr. Everett Davis, who subdivided a number of lots and kept a small piece of property being 002-043. This property is off of Route 9 heading towards Wells. This triangle piece of property is unbuildable with no road frontage whatsoever and is a land-locked piece of land.

Dwayne stated that after speaking with the Town's attorney, the Town has three years to make a decision. There are three options with the first being deciding if the Town wants to keep the property. The second option is to allow the prior owner to redeem the property and that can be done through a contract allowing them to pay the taxes in full. The third option would be to sell

the property. That would still give the prior owner to redeem it within sixty days by paying all of the property taxes in full.

Dwayne explained if the Town sold the property, the first step would be a redemption. Once the redemption date comes, the Board would set a price. A price cannot be set until after the redemption date goes by. What Dwayne would have to do is put together all of the redemption paperwork and send that off. Once the sale price is set, which is at least what the Town is owed, and then typically send a letter to the abutters to notify them that the property is available if interested. Then an ad would be put to the public.

Regarding the Davis property, he believes all of the paperwork will just come back to him because everything they have previously mailed has come back undelivered.

Selectman Hall motioned to allow the Town to start the redemption process on Lot 002-043 with the intent that the Town will be selling the property. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Dwayne stated that the other property that the Town foreclosed on yesterday is on Fox Farm Hill Road. It is Peter Quint's house. It is Map 008-059 at 209 Fox Farm Hill Road. It is a red house on 5.2 acres. Dwayne explained with when COVID started, the post office has not made people sign for registered mail but instead put the mail in the mail box and the postal carrier then signs for it. A notice was sent to Mr. Quint and they know it was placed in their mailbox because the postal carrier signed for it. The Town has sent several notices to him and the last notice which was sent last week included a hand-written note. Dwayne stated that they searched the internet looking to find telephone numbers for Peter Quint. They found five numbers and called all five numbers found but all five numbers were either no longer in service or disconnected. The Town has been able to make any contact whatsoever.

The process under our ordinance is now they have to pay everything outstanding up to date and the total bill owed as of today is \$4,983.00. Dwayne said that we could now have a police officer go to the home and make contact and perhaps deliver a letter. Selectman Cowan asked if anyone knew this person and Dwayne indicated he did not. It is believed he may work at Hussey Seating.

Dwayne stated that the Town has never taken anyone's house away and has always tried to work with people in that regard. Now, because it has been foreclosed, they are in the situation that they need to pay everything up to date and sign a contract if they want to continue to live there and redeem their property. The Town typically tries to set up a contract with payments made, if necessary, in a one- or two-year timeframe.

Dwayne stated that the last payment made on their taxes was April 27, 2020. Selectman Hall indicated that maybe a police officer could do a wellness check and also deliver a letter to them at the same time.

Dwayne indicated that the Town could allow the owner to sell the property and pay the Town off first, since the Town now has a lien on the property. Chairman Galemme indicated that maybe setting up a payment plan with the owner would be fine, and indicated that the Board certainly

does not want to kick anyone out on the street. Chairman Hall would be interested in somehow making contact with the owner. Chairman Cowan wants to make sure the owner is aware of their options to redeem the property.

The Board would like Dwayne to draft a letter and get that to the owner and make contact somehow, a payment plan could be set up and they could redeem the property if they want. Dwayne said he will do whatever he can to make contact and get this resolved.

6. OTHER BUSINESS:

Dwayne stated that unbeknownst to many towns, the state legislature decided that any request for public documents under an FOIA (Freedom of Information Act) can only charge 10 cents per copy. Currently, the Town's copy rate is 50 cents. Dwayne contacted our attorney and she indicated that we cannot charge anyone more than ten cents per copy. He indicated that does not even cover our costs but because the legislature made it a law, it cannot be changed. This went into effect the first of this year. Chairman Cowan asked if we in fact got a lot of requests for copies and Dwayne indicated that we did. We can now only charge ten cents for any 8 ½ x 11 copy and anything larger than that, it can be a reasonable and customary charge. The state has mandated this.

Selectman Cowan motioned that we adhere to the emergency proclamation that our copy rate is now ten cents for FOIA requests. Selectman Johnson, Sr. seconded the motion.

VOTE: 5-0

Dwayne stated that the other thing they are working on is we are going to need to update our transfer station bulky waste fees. Hopefully that will be ready for the next meeting. The main reason is because of some up charges. It looks like, even with their demo costs and transfer station costs going up, they will be able to hold the price of 10 cents per pound. What we will not be able to do is tires. Right now, we are charging \$2.00 per tire. The Town is now going to be charged \$3.00 for a regular tire and \$5.00 for a truck tire. Dwayne stated he did a survey and found that most towns right now are charging \$4.00 per tire and \$6.00 per tire for truck tires. Garages were also contacted and found to be charging \$5.00 flat for all tires. Dwayne stated that they need to be able to at least cover our costs and our contract right now is working on a \$3.00/\$5.00 charge. Dwayne stated that a public hearing will have to be held and he will start the process for that.

One other topic Dwayne wanted to discuss is the railroad. He stated that there were quite a few citizens who were inquiring about what is going on with the railroad. Dwayne actually contacted the railroad and asked what exactly is happening. He stated that he knew they were going to replace the crossing on Route 4 in the Spring but there seems to be more going on. Dwayne got ahold of PanAm and found that Amtrak received a grant from the federal government to put in a secondary rail through North Berwick. There will be two rails now. Dwayne inquired as to why the Town was not notified beforehand and they indicated they do not do that. The new rail will go eight miles from the Wells terminal. Dwayne stated they do not need approvals from the Town because the railroad has their own laws they adhere to. Dwayne asked them for a copy of their plan so he could have it for reference in the future and to show it to concerned citizens if

they request it, but they stated they did not know if they could do that but would get in touch with Amtrak to see if that is possible. Dwayne was told that the new line would be going on the Hussey side of the tracks. Dwayne indicated that he did a calculation and believes it will end at Route 4. He also believes this line is being set up so the freight train can be moved over so Amtrak can get by them.

7. REVIEW AND APPROVE WARRANTS AND CORRESPONDENCE:

Warrant:	February 22, 2022	- \$ 14,692.81
Warrant:	March 1, 2022	- \$ 82,442.09

Selectman Hall motioned to approve the Warrant of February 22, 2022 in the amount of \$14,692.81 and the Warrant of March 1, 2022 in the amount of \$82,442.09. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

8. Adjournment:

Selectman Johnson, Sr. motioned to adjourn the meeting at 7:39 p.m. Selectman Cowan seconded the motion. VOTE: 5-0

Respectively Submitted,
Jennifer Berard, Stenographer

Original to Town Clerk

Chairman: Charles Galemmo

Selectman: Jonathan Hall

Selectman: Michael Johnson, Jr.

Selectman: Wendy Cowan

Selectman: Michael Johnson, Sr.