

North Berwick Board of Selectmen Minutes March 3, 2020

NORTH BERWICK BOARD OF SELECTMEN MINUTES MARCH 3, 2020

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

Also Present: Dwayne Morin, Danielle Miniutti, Kelsey Bilodeau, Heidi M. Chandler, William Chandler, Susan Fallo, Paul Healey, Mary Healey, Arthur Kelly, Doug Henning, Joshua Delay, Patricia Atherton, Oscar Houle

Chairman Cowan opened the meeting at 6:30 pm.

1. Pledge of Allegiance

2. Review and Approve Minutes of February 18, 2020

Dwayne stated that he under Section C Municipal Building, he changed the words "Free stat" to "Freeze stat". Chairman Cowan stated that on the Page 3, the 3rd sentence of the 1st paragraph, currently reads, "Unfortunately by giving them 1,500 sf...". It should read, "Unfortunately by giving them 11,500 sf...".

Selectman Galemmo motioned to approve the minutes of February 18, 2020 as amended. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

3. Public Input

There was no public input at this time.

5. New Business:

B. Farmer's Market: Discuss Farmers Market Request to Use Mill Field for 2020

Dwayne introduced Arthur Kelly, who is the Manager of the Farmers Market and said that he would like to talk to the Board about potential changes for the upcoming year. Mr. Kelly stepped forward and stated that the Market has been in a slight decline for the last few years. Fridays have not been working very well. There are vendors that do other markets on Saturdays. If they have to do a Friday afternoon market, it makes it hard for them to do their harvest and get things ready for the larger markets that are usually on Saturday. They have not been able to retain vendors very well. If they don't have a higher number of vendors, the customers tend to dwindle down as well.

Mr. Kelly stated that they would like to move it to Thursdays. He stated that there are no competing markets on Thursdays. He thinks that a lot of potential customers head out of town on Fridays. They would like to change to Thursdays but he said that they would also have to move to a different location because the Town Hall is open all day on Thursday. They would

like to get permission to use the Mill Field. They would mostly use the sidewalk by Kennebunk Savings Bank. They wouldn't be able to move any vehicles in there which means they would have to wheel their products to the tents. Mr. Kelly stated that there are benches behind the fence behind Kennebunk Savings Bank but it looks like there would be enough room to put up canopies on both sides of the walkway.

Selectman Hall asked if they would keep the same hours of 3:00-6:00. Mr. Kelly said that they are not looking to change the hours. Chairman Cowan stated that they had spoken a few years ago about keeping the Farmers Market on a paved surface because this is what the vendors preferred. She asked Mr. Kelly if he had had any discussions with the vendors to see if the change would be an issue for them because they would have to walk down the path to set up. They would no longer be able to drive cars to where they set up. Mr. Kelly stated that the feedback from most of the vendors so far is that they would rather be able to change the day and are willing to use a dolly or something to move their products. He said that the reason they wanted the pavement was because they could park there with their vehicles and work out of the back of their trucks. Mr. Kelly stated that there are some Farmers Markets that operate on grass instead of pavement.

Selectman Galemme asked Dwayne if there were any issues with them using the Mill Field. Dwayne said that the only concern is that no vehicles are allowed on the field. He said that the field has 18 inches of loam and has 2 feet of clay underneath that. This was done purposely to keep the grass wet and green all summer long. If you put a car on that, even in the driest of seasons, the car will just sink into the grass. As long as they understand that cars are prohibited on the field, which also includes the sidewalk. It wasn't constructed for vehicles. Dwayne stated that the other issue is that there will be some conflicting dates that they will not be able to use the field. There was going to be 3 events that were going to be held but he believes he can rearrange 2 of them. The only one that they can't change is for the Mill Field Festival. They always use Thursday and Friday to set up for the Saturday event. The area where they plan on having the market is where the bounce houses and kids activities are all set up. Chairman Cowan thinks that it would be a good move. She feels that there would be better visibility in that area. Selectman Johnson, Sr. asked if they needed power and Dwayne said that they do not supply them power.

Mr. Kelly stated that they have music during the market so they were wondering if they could use the gazebo for the music location. Dwayne stated that the only issue is that they have a construction project that is being done on the gazebo this spring. He is not sure when it will be completed. They are redoing some of the rails and posts. Chairman Cowan asked when the market started. Mr. Kelly said that they typically start late May or early June but they haven't finalized the date yet. Chairman Cowan asked Dwayne when the work on the gazebo was going to be done. Dwayne said that it is currently slated to be done in June and it will take a couple of weeks. They can use the gazebo any time after that for the music.

Selectman Galemme motioned to approve the Farmers Market moving to the Mill Field. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Dwayne stated that he will put together the lease agreement for next meeting for the Selectmen to sign.

4. Unfinished Business:

A. Linscott Road: Intersection Realignment Update

Dwayne stated that he received comments back from MDOT and he believes that we have satisfied their concerns. Their concern was that if we put a guardrail across the existing entrance, it would block site distance. Dwayne believes there was some misunderstanding on that issue. He stated that we were not going to extend their guardrail. He would never add a town structure to a State structure because of liability issues. He had told them that we would put the barrier inside. Sebago Technics came up with a better idea. We are just going to put in a sidewalk and build a curb. He stated that it is actually cheaper to build a curb and add the 50 foot section of sidewalk then it is to install a guardrail or barrier.

Dwayne said that the other concern that they had was regarding drainage. They were more concerned about the drainage of our new road going into the State road. He doesn't know why this was an issue because if you look at the engineer's drawings, you can see that the new Linscott Road is actually pitched back so the water will drain off into the grassy areas. Nothing will go into the State road. In fact, we are actually fixing the State's drainage because they have basins that are not tied together so we are going to put in a pipe and tie them together. Our whole road was designed so that drainage will not impact the State.

Dwayne stated that they have sent all of this info back to them and everything seems to be okay now. We are now just waiting for them to finish everything regarding the property. Dwayne said that they told him that everything should be ready to go by July. He will ask them to confirm this in writing prior to Town Meeting. They also want us to send them some draft deeds. Dwayne has asked them to let him know what they want in terms of language within those deeds. Dwayne said that there is no sense in having our attorney draft all of it only for DOT to come back wanting some changes to be done.

B. Streetlight Project: Update

Dwayne stated that they finished the first part of the project. We had one streetlight that was out on Morrells Mills Road and they fixed it. They installed the Oak Woods Road light and they repositioned the light at the Public Works Department so it is not shining on Lebanon Road any more. He stated that they are still working on the new streetlights that we want to install. He said that Affinity has found a vendor for mast arms out of South Carolina. They will be putting together a package for Affinity and it looks like we will be able to get the mast arms for about \$110.00. The big unknown right now is CMP. We have sent them all of the pole numbers and locations. CMP can't seem to find some of the poles. Dwayne said that, of the 22 poles that we sent them, about 12 of them are ready to go. They do not need any design. There is a bunch that do need to be designed. Dwayne asked CMP what they meant by needing to be designed. CMP said that they send somebody out and actually design the hookup. Dwayne asked how much this would cost and they were not sure. Dwayne asked them to find out and let us know.

D. Deerfield Estates: Request by Developer or Town to Accept Road

Dwayne stated that the Board had voted to put the request for the road to become a Town road added to the Warrant provided that they met certain standards that are required in our Ordinance. They have met all but one of the standards, primarily because of CMP. The other issue is regarding the bonding. The bond that they sent to us stated that they had a 30 day cancellation notice. We require a 150 day cancellation notice. If the applicant cancels the bond within the 150 day timeframe we can draw money down due to lack of payment. They are working with a bond company to get this done but they have not been able to secure that yet. Their attorney has informed Dwayne that they will have it secured by March 20th. The attorney said that, if they are not able to do that, then they will put the money in escrow. Selectman Hall asked Dwayne if this arrangement would meet the requirements that we had put forth. Dwayne said that it would.

Dwayne said that the Budget Committee did meet and discussed this request. Per Dwayne's recommendation, they have agreed to accept the road as of July, 1, 2020. This will get us through the snowplow season. This will allow us to gear up for next year to include this section for plowing. All of the engineers have signed off and we have the Mylar copies of the plans.

C. Budget FY21: Discuss Budget for FY21

Dwayne stated that he has included in the Selectmen's packet, a listing of what the Budget Committee has worked on so far. They have one more meeting tomorrow and they should be done with the budget. It looks like we are on track to where we started with an increase of about 5%. Dwayne stated that they will be going over the budgets for the Library, Parks and Recreation, Social Service Agencies and Outside Agencies.

Reminders: Next Board of Selectmen's Meeting – March 17, 2020 – 6:30 pm Municipal Building

Budget Committee – March 4, 2020 – 6:30 pm Municipal Building

Budget Committee – March 11, 2020 – 6:30 pm Municipal Building (If necessary)

5. New Business:

A. Town Meeting: Review and Approve Final Warrant, Newsletter, Town Report

Dwayne started that the Board needs to finalize the Warrant so we can go to print. The Town Report will be going to print on Thursday morning. The draft Warrant is in the Selectmen's packet and shows all of the Budget Committee's recommendations so far.

Selectman Galemme motioned to approve the formant for the Warrant Articles. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Dwayne stated that the copy of the Newsletter was also in their packet starting on page 29. The first page is just the budget message which is a column that he put together. The next page is all of the elections and the notification of when the Town Reports will be available. The next 2

pages have Question #1 and Question #2 which includes charts so people can see what we are looking to do for the project. Page 33 will have all of the financial information but he can't complete this until the Budget is done. The following page will have the Budget Overview. On page 35, the North Berwick Community Garden wanted to include some information. The next few pages are regarding our Capital Improvements. He did include some graphics of the new Fire Station so people could see it. It also lists all of the equipment that we are looking to purchase. The next few pages are regarding the Road Projects. It is quite lengthy because of the explanation of the Linscott Road project. The next page include information regarding the Parks and Rec activities including the Summer Camp. The following page is information regarding the streetlights. He lists what they did with the first project and what we are planning for the 2nd project. He listed all of the intersections so people could see what we are looking to do. It also has some information regarding the Verizon Town Hall lease. Dwayne said that all of the contracts are signed and they will probably complete the project sometime in October. They are working through all of their State and Federal requirements and then they will apply to the Planning Board within the next 2 months or so. The rest of the pages are regarding the Adopt a Cemetery and Tax Club programs.

C. Eastern Trail: Discussion Regarding PPI Grant for Blazing Trail South

Dwayne stated the goal of the Eastern Trail is to blaze the trail south from Kennebunk through Kittery. They put in a grant at the State's request but the State denied it. Chairman Cowan asked what the reason was for the denial. Dwayne said that it is because of lack of funding due to budget cuts. The State's funding has taken a hit because of the price of construction projects. Their Capital Improvement project came in at \$60 million over budget. Because of this the State has cut back on all of their projects. Eastern Trail would still like to move forward with it and they have talked to Sebago Technics. Sebago Technics has submitted 2 proposals. One is for the Town of Wells and one for the Town of North Berwick to do our sections of the trail. The cost is \$24,000. Dwayne told Carol from Eastern Trail that we did not budget anything for this. She would like us to approach Pratt & Whitney and the Easter Trail Alliance to see if there is any funding available. Carol believes that there is enough funding between those 2 to fund the project. Dwayne told her that he can't sign any contracts unless we were assured that we have the funding in place. He stated that they want us to apply to another grant called a PPI which still has \$100,000 available. They would fund half so we would need to cover \$12,000.

He told Carol that he would ask the Board if they were okay with him reaching out to Pratt to see if they are interested. They have given significant funds over the past 2 years to the project. Carol said that she would reach out to the Easter Trail Alliance to see if they could provide some funding. If that is a possibility then he will complete the PPI grant and send it out.

D. Assessing: Discuss Potential for Online Assessing Records

Dwayne stated that he has had some people make inquiries about valuation reports on the website. He puts all of the valuation reports of all our properties on the website. He said that it takes about a day to put it together and get it on the website. He stated that there are other options that are available to us. Our software vendor has an online reserve where they actually host our information. It does come with a cost. He said they need to decide if the cost is worth

us looking to do this or not. He stated that the Town of South Berwick is currently using it. The initial cost for year 1 would be \$2,750. It would then cost \$1,500 per year after that. Dwayne showed them what the Town of South Berwick's website looked like. It shows sketches, pictures and all information regarding each property. Chairman Cowan stated that she is in favor of this doing this. Dwayne stated that we do not have money in the budget for that this year. He would have to go before the Budget Committee tomorrow night to have it added to this year's budget to accommodate the costs. Dwayne stated that our current site actually has more information than the other one will. Chairman Cowan asked if we would be able to have both of them available. Dwayne said that they can only have one of them up. He said that people could still come in and obtain the information that is on our system now but they would not be able to view it online themselves.

Selectman Hall stated that he would rather spend money to update the Town's website than to spend it on this software package. He said that a lot of people have a hard time accessing our website when they use their phones. Selectman Glemmo stated that it is a very old looking website. Chairman Cowan asked about how much it would cost to update the website. Dwayne said that it would depend what they wanted to do but he thinks that we are looking at spending at least \$10,000. Dwayne stated that even though they redo the website, they would still have to do something for the valuation reports separately. Chairman Cowan would also like to change the name to just Assessor instead of Assessing Agent.

Selectman Glemmo motioned to have Dwayne look into the cost of developing a new website for the town. Selectman Hall seconded the motion. VOTE: 5-0

Selectman Hall asked if they were going to change the how we look up the valuation reports for our town residents or are we doing it for real estate agents to be able to get what they want. Dwayne said that they have had a lot of residents ask to have it updated but it is also for the real estate agents.

Selectman Glemmo motioned to have Dwayne request that the Budget Committee add additional funds to the budget to update our software for easier access to the valuation reports. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

E. Foreclosures FY18: Review List of Foreclosed Properties

Dwayne stated that Monday was the automatic foreclosures for the FY18 year. We had 4 properties show up on the list. Dwayne stated that on page 55 of their packet is our Tax Acquired Property Ordinance. It shows what the Board's requirements are for tax acquired properties. Once we foreclose on a piece of property, the Board needs to make some decisions. The 2 main decisions are whether the town will maintain the property or if they will not retain the property.

Dwayne stated that there were 2 homes that were foreclosed on. One is for Susan Fallo and the other is for Oscar Houle. Both of the individuals are present for the meeting. Ms. Fallo has contacted Dwayne and would like to enter into a payment arrangement with the town. Mr. Houle

has done the same but there is another issue that they need to deal with that they will have a separate discussion about.

Ms. Fallo owes about \$2,700 in total taxes. Dwayne said that all payment plans must bring you up to the current amount owed and not only the ones that you are behind with. The Town now owns the property so they need to pay in full so that the Town can deed the property back to them. Ms. Fallo would like to pay \$150 per week until it is paid off.

Selectman Galemмо motioned to approve the payment plan for Susan Fallo to pay \$150 per week and to enter into a Land Purchase Agreement so once all taxes are paid, we would release all liens and deed the property back to the owner. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Dwayne stated that 2 of the properties are vacant lands. Under the Tax Acquired Property Ordinance, the Board needs to decide whether to keep it or not. He is recommending that the Board send it off to the Conservation Commission and also recommends that we retain them. He pulled the properties up on the computer to show the Board where they were located. The first one is Skytop property. It is in the middle of a bog and is on the Berwick line. There is not much development potential. The access to this property is in Berwick. It is of little value. He believes that the Conservation Commission would be interested because it has some conservation concerns. We also own 2 parcels nearby as well. Chairman Cowan asked what the property was valued at and Dwayne said it was valued at about \$10,000 and is 19 acres in size.

Selectman Galemмо motioned to send the Skytop property to the Conservation Commission to see if it is something they would be interested in keeping. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Dwayne thinks that we should retain the next piece of property. It is part of the top of the mountain. The property is off of Hartford Lane. It is 27 acres. Dwayne said that they should retain it for conservation reasons. He said that they have also talked about putting a tower at the top of the mountain so this would give us a piece of property to do that.

Selectman Galemмо motioned to retain this property. Selectman Hall seconded the motion. VOTE: 5-0

6. Other Business – Executive Session – Poverty Abatement

Selectman Galemмо motioned to go into Executive Session at 8:00 pm. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Selectman Hall motioned to come out of Executive Session at 8:30 pm. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Selectman Galemмо motioned to abate \$6,000 in taxes on Map/Lot 006-051A. Selectman Hall seconded the motion. VOTE: 5-0

Selectman Galemmo motioned to enter into a payment arrangement with Oscar Houle to make a \$1,200 down payment due tomorrow, March 4, 2020 and the balance of \$3,691.26 payable in \$150 installments beginning April 15th. Selectman Johnson, Jr. seconded the motion.

VOTE: 5-0

7. Review and Approve Warrants and Correspondence

Warrant:	February 25, 2020	- \$ 18,298.81
Warrant:	March 3, 2020	- \$ 58,575.60

Selectman Hall motioned to approve the Warrant of February 25, 2020 for the amount of \$18,298.81 and the Warrant of March 3, 2020 for the amount of \$58,575.60. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

8. Adjournment:

Selectman Galemmo motioned to adjourn the meeting at 8:33 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 Galemmo

Selectman: Michael Johnson, Sr.

