

North Berwick Board of Selectmen Minutes April 19, 2022

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
April 19, 2022**

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

Absent: Selectman Cowan

Also Present: Dwayne Morin, Jeri Basko, Adam Sapienza, Kaylyn Bell

Chairman Galemmo opened the meeting at 6:30 pm.

1. PLEDGE OF ALLEGIANCE

2. ELECT CHAIR AND VICE CHAIR FOR THE ENSUING YEAR

The Board decided to table this until the next meeting until all the board members are present.

3. APPOINT COMMITTEE MEMBERSHIP FOR THE ENSUING YEAR

The Board decided to table this until the next meeting until all the board members are present.

4. REVIEW AND APPROVE MINUTES OF APRIL 5, 2022

The Board tabled this until the next meeting until the next meeting.

5. PUBLIC INPUT

Jeri Basko asked to speak to the Board. Dwayne asked her if she was a resident of North Berwick and she stated she was not and that in order for her to talk to the Board, they would have to allow that. Chairman Galemmo asked Ms. Basko what the topic was she wanted to discuss and she stated it was the schools. Dwayne stated she was the one who previously sent a presentation asking to speak regarding a book that the teachers received and that the Board had voted not to have her present. Chairman Galemmo told her that the Board does not set school policy. Ms. Basko stated that the Board writes the checks. Selectman Hall stated they do write the checks but encouraged her if she wanted to speak that she should speak to the school board and she stated she was going to. Chairman Galemmo also agreed that they do write the checks but that they have no choice to write the checks and if they do not write them, then the State confiscates their money and charges the Town interest. He apologized but also encouraged her to speak to the school board.

6. UNFINISHED BUSINESS:

A. COVID-19:

Dwayne stated that when he was reviewing the Premium Pay approved at Town meeting, there are a few employees hired after April 15, 2021 that will not receive any premium pay and he would like to have a discussion on those employees. The previous vote was for active employees that worked between March 2020 and April 2021. There are 3 employees that would not receive remuneration: Matt Leconte, who is the Code Enforcement Officer, Carole Harris, who is the Animal Control Officer and Eric Boucher, Highway. There are funds available due to some employees who worked during this time period that are no longer employed by the town. He stated he is proposing a \$1,000.00 payment to full-time employees and \$500.00 to part-time employees and that will be within the budget. He would like to process the payments to the employees on the last check in April.

Selectman Hall motioned that we accept the proposal for ARPA premium pay for the following employees: Matt LeConte in the amount of \$1,000.00, Carol Harris in the amount of \$500.00 and Eric Boucher in the amount of \$1,000.00 for a total of \$2,500.00. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

B. ROADS: Nowell Street Turn Around

Dwayne stated the woman at the end of Nowell Street is still working on her building plans and once she gets the plans, they will finalize the turnaround design.

C. 130TH LEGISLATURE: Discuss LD 2003 and Potential Effect on Town

Dwayne stated that late Thursday evening, the legislature passed LD 2003, which is the bill that they have been tracking. They actually did not post the amendment until Friday morning on their website. He said it was done very late at night and there are some people who are going to question the legitimacy of it. It was the bill of the Speaker of the House. Dwayne stated that the language is voluminous but they eliminated the loss of growth cap from the legislation so towns are still allowed to have growth caps. In terms of allowing four dwelling units on a lot, that will be only be allowed within designated growth areas which for us, means areas that have sewer and water. The density requirements of the community still have to be met. Subdivision law has to be followed as well. Selectman Johnson, Jr. thought road frontages would be an issue for the Town. Dwayne stated road frontage will not be able to be applied for additional units under this new law. Selectman Hall asked if twelve acres in farm and forest was still required to have four dwellings. Dwayne stated yes it was. Farm and Forest is not impacted by this law because it is not in the Town's designated growth area.

Dwayne stated the other big change was the allowance of an ADU (Accessory Dwelling Unit). That change really is not far off from what our current ordinances say except ours only allows for in-laws and that will not be allowed anymore and an ADU can be any type of ADU. It does put a minimum size of a dwelling unit of 190 square feet which is the State's minimum building size and it does allow towns to have a maximum number. The original language did not have any maximums at all. Dwayne stated that a few things that it takes out of our current

ordinance is that we cannot require more zoning, more parking and we cannot require any set backs that are greater than the current set backs are. For a single-family house, we do not do that anyway. The biggest change is the elimination of the Planning Board review because it is going to be allowed now so the character and quality of construction will not be required to be reviewed.

Dwayne said it is still not a good bill but at least it was tempered and there will need to be some guidance as the language is very voluminous. Most changes do not take effect until July 1, 2023 so they give towns a year to become compliant. The other thing that has happened is that they have created an affordable housing bill but if someone wants to do an affordable housing project and you are either a municipal entity, a non-profit or limited partnership, you can bypass planning board review and go directly to your zoning board of appeals and get permission to do an affordable housing project as long as it meets the criteria of the state.

Selectman Johnson, Jr. believes this will have an impact on the school budget and Dwayne said it will but we will not double. There are still growth caps and not many people take advantage of the affordable housing bill due to restrictions. Selectman Hall asked if this was aimed at the cities and Dwayne stated this is more aimed at rural towns. It is all designated growth areas and watered and sewered areas. 90% of the towns in the State of Maine do not have water or sewer but they have designated growth areas.

Dwayne did this is one of the largest assaults on local home rule ever taken by the State of Maine and two of our reps voted in favor for this and one of our reps voted against it.

D. BAUNEG BEG MOUNTAIN: Update on Bauneg Beg Mountain Project

Dwayne stated that we did finally submit to the Federal Land Parks Bureau and we are now awaiting their reply and we did up the request to the federal government to \$180,000.00. They added the additional five acres so they upped the request and we still have our application before Land for Maine Future. Their hopeful that it will be completed on the federal level by June, however they told us more likely September. Selectman Hall asked if they will need to match any more money and Dwayne said no.

E. TOWN MEETING: Discuss Town Meeting Results from April 9, 2022

Dwayne said that since Town Meeting, he has ordered a police cruiser. They will not be getting a Dodge Durango because Dodge did not sell any Durangos to the State of Maine. We will be getting a Ford Explorer and we may see that by July if everything goes well. We have been given a VIN number which is a good thing but the car has not been built yet. Dwayne said the price went down by \$500.00. Selectman Johnson, Jr. asked what the price difference was between the Durango and the Explorer and Dwayne said they were the exact same price. Dwayne also ordered the plow truck and if everything goes well, they should see that by the end of the year. They do have a build date assigned to them. The plow truck did go up by \$20,000.00 and in order to make budget they have removed a wing plow off the build of the truck and he will take

the wing plow money out of winter highway which we have extra funds to use. Dwayne also said he has ordered the fire truck as well.

Dwayne thought the Town Meeting went well and thought it was overwhelmingly positive. Selectman Johnson, Jr. liked the smaller venue. Dwayne stated they are going back to the High School next year.

F. TOWN OFFICE: Discuss Town Office Hours

Dwayne stated he has published the new town office hours. He stated that Matt LeConte has agreed to work 7:00 – 4:00 every day Monday through Thursday. The Town Office hours will be Mondays and Wednesdays 8:00 – 5:30 and Tuesdays and Thursdays 8:00 – 5:00. This will start May 2, 2022.

G. FIRE PUMPER: Lease Resolution

Dwayne stated that the Board needs to adopt the lease for the fire pumper because he has to get this to them tomorrow as our rate ends tomorrow. Selectman Hall read into the record the following Lease:

BE IT RESOLVED by the Governing Body of Lessee as follows:

- 1. Determination of Need. The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of Schedule No. 01 to the Master Lease Purchase Agreement dated as of April 11, 2022, between Town of North Berwick (Lessee) and Tax-Exempt Leasing Corp. (Lessor).*
- 2. Approval and Authorization. The Governing Body of Lessee has determined that the Agreement and Schedule, substantially in the form presented to this meeting, are in the best interests of the Lessee for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Agreement and Schedule by the Lessee and hereby designates and authorizes the following person(s) to execute and deliver the Agreement and Schedule on Lessee's behalf with such changes thereto as such person(s) deem(s) appropriate, and any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Agreement and Schedule.*

Authorized Individual(s): Dwayne G. Morin, Town Manager
In addition to the Authorized Individual(s) above, the Governing Body of Lessee further authorizes the following individual to sign any Payment Request and Partial Acceptance Certificate form and/or Final Acceptance Certificate:
Authorized Individual(s): Dwayne G. Morin, Town Manager
- 3. Adoption of Resolution. The signatures below from the designated individuals from the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.*

Selectman Hall motioned to allow Dwayne Morin to sign the Lease Resolution for the fire pumper. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

Reminders: Next Board of Selectmen's Meeting – May 3, 2022 – 6:30 pm

7. UNFINISHED BUSINESS:

A. FARMER'S MARKET: Enter into Usage Agreement for 2022 (Postponed from 04/05/22)

Dwayne stated Kelsey Bilodeau called about 15 minutes ago and stated her mom is still in the hospital so she cannot make it tonight and will try to make the next meeting. Dwayne stated that he would be willing to sign the agreement because the Farmer's Market is planning to start in May.

Selectman Hall motioned to allow Dwayne Morin to enter into a lease agreement with the Farmer's Market for 2022. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

B. PARKS AND REC: Committee Membership Applicant Meeting

Dwayne stated that Adam Sapienza completed an application to join the Parks and Recreation Commission and to meet the Board and ask any questions they may have. Adam has attended a Parks and Rec Commission meeting to see if it was something he would be interested in. He and his wife are new residents of Town and live on Turkey Street. Chairman Galemme welcomed him to Town.

Selectman Hall motioned to approve Adam Sapienza as a new member of the Parks and Recreation Commission. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

C. PLANNING BOARD: Committee Membership Application Review

Dwayne said that Scott Carpenter has expressed an interest in being on the Planning Board. He previously lived in Vermont and served on the Planning Board in the Town of Fairfax for two years before moving to North Berwick. He works for FEMA currently and works from home primarily. There is one position open on the Planning Board now with the potential of another one opening up very soon. This will be an alternate term. Dwayne stated he will be in on May 3rd to meet the Board.

D. CEMETARY TRUSTEES: Appointment to fill Jeremiah Johnson Seat

Dwayne stated that one position needs to be filled for the Cemetery Trustees. When the results came in from Town Meeting, two people tied with ten votes a piece. They were Nadine Gookin and Rebecca Reed so we need to appoint one of these two ladies. They both have expressed an interest. Currently Nadine is not on any board within our community and Rebecca is on our budget committee and the ZBA.

Chairman Hall would like to reach out to them and see if they are still interested and thinks both of them would be excellent candidates. Dwayne said he will have Chris reach out to them and provide an update at the May 3rd meeting.

7. OTHER BUSINESS:

Dwayne said there are two open seats for the Budget Committee. Dwayne would like to see if the Board knew anyone and to keep their eyes open.

Dwayne indicated that regarding the school budget, he has now received local distributive calculations from MSAD 60 on the adopted school budget. The proposed budget is about \$1 million more on property taxes. North Berwick's increase is around \$290,000.00 or about a 40-cent increase in the mill rate. The Superintendent will be present on May 17 to discuss the proposed budget. She stated that the budget will be sent to me next week.

Dwayne indicated that the State is planning to pave Route 4 and as part of their paving project, they require us to sign an agreement that we allow the contractor to go over our roads above weight. He does not see it as a big issue because they are going to be paving in the summer time.

Selectman Hall motioned to agree to sign an Agreement with DOT in regards to over limit permit. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

9. REVIEW AND APPROVE WARRANTS AND CORRESPONDENCE:

Warrant:	April 12, 2022	- \$ 275,000.00
Warrant:	April 19, 2022	- \$ 673,843.77

Selectman Hall motioned to approve the Warrant of April 12, 2022 in the amount of \$275,000.00 and the Warrant of April 19, 2022 in the amount of \$673,843.77. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

10. Adjournment:

Selectman Johnson, Sr. motioned to adjourn the meeting at 7:59 p.m. Selectman Hall seconded the motion. VOTE: 4-0

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.