

NORTH BERWICK BOARD OF SELECTMEN MINUTES

JANUARY 10, 2023

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

Also Present: Dwayne Morin

Chairman Galemmo opened the meeting at 6:30 pm.

1. PLEDGE OF ALLEGIANCE

2. REVIEW AND APPROVE MINUTES OF DECEMBER 6, 2022

Selectman Hall motioned to approve the minutes of December 6, 2022, as amended. Selectman Cowan seconded the motion. VOTE: 5-0

3. PUBLIC INPUT N/A

4. UNFINISHED BUSINESS:

A. COMMUNICATION TOWER: Update on Project

Dwayne indicated that the shed is completed. He stated that the shed manufacturer has agreed to hold onto the shed until the spring so that we do not have to store it and until they can deliver it to the actual location. He stated that in April, we will begin the site work and erection of the tower itself and that is when it will be delivered.

B. PHONE SYSTEM: Update on New System

Dwayne stated that the phone system is on track to be installed by the end of January beginning of February. The fiber connections have been installed and the system is being programmed off site with a January 18th date for install of the sip connection server. He stated that hopefully the following week, the installation of the phone system server. Dwayne indicated that there will be some testing and will go live shortly thereafter.

C. CIP: Review Updated CIP Plan for FY24-FY28

Dwayne stated that since the last time we all met, we had some bad news as we were building the CIP. We have been informed that our air packs for the Fire Department are no longer having parts made for them. Dwayne indicated that they are over 25 years old and MSA has moved onto new product lines. He stated that we have been fortunate over the past year that another town changed out their packs and we were able to obtain parts from that town to keep

our air packs in good working condition for the coming year. He stated that that means we will have to purchase all new air packs and we will have to do it at one time as utilizing 2 different models of air packs will be impossible to manage. He indicated that we have received an estimated price of about \$265,000.00 for this project. We are still working on lowering the price (the original estimate was for almost \$450,000.00). Dwayne stated that he will plan on spreading the cost of the purchase over a 5–10-year timeframe as the packs estimated life is over 20 years, with the air bottles life being 15 years. Luckily, we purchased a bunch of air bottles a few years ago and we still have about 30 bottles that will not have to be replaced for another 10 years. The plan is to purchase 30 new air packs and 23 bottles in this budget round. The Fire Department is also submitting a Fire Grant to see if we can get assistance on this project. If the grant is successful, then this will reduce the over cost.

Dwayne also stated that in addition, now that we have firm prices on other CIP projects, he has adjusted the CIP for the next 5 years. One notable change is that he plans to ramp up the road CIP going to \$450,000.00 this year and then \$500,000.00 next budget cycle so to accommodate the air pack purchase. He stated he may also hold off on the last section of the Transfer Station paying for one year to spread out costs more efficiently. He advised that he is working through these issues as he works on the current budget.

D. BERWICK GUN RANGE: DISCUSSION ON LETTER TO BERWICK BOARD OF SELECTMAN

Dwayne stated that we send a letter to the Town of Berwick prior to Christmas. He stated that he received an email response today from the Berwick Town Manager. The Berwick Board of Selectman would entertain a meeting with the North Berwick Board of Selectman to discuss this issue. Dwayne stated that they will discuss a date to meet and since our last meeting, the Police Chief has also reached out to the Game Warden Service and was advised that there is a Game Warden Range Officer that can make suggestions to Gun Ranges relating to safety. Dwayne indicated he is not positive that this has happened yet, but the Range Officer is planning to meet with the Berwick Gun Range at some point. Dwayne stated that we are happy to meet but ultimately, we have zero authority in the Town of Berwick. Selectman Cowan stated that although we do not have authority, it is important to convey that we do have safety concerns for the residents of North Berwick. Dwayne stated this concern has made it to the Senate Majority Leader's office and perhaps there may be a change to state laws allowing towns to have jurisdiction.

E. ZONING CHANGES: REVIEW OF FINAL ZONING CHANGES FOR TOWN MEETING

Dwayne stated that he has worked with the Planning Board on the Zoning Changes discussed at the last Selectmen's meeting. The changes are scheduled for a Public Hearing on February 9, 2023, and are due to the Town Clerk by February 14, 2023. He indicated that he included a copy of the changes for your review.

Reminders: Next Board of Selectman's Meeting – January 24, 2023 - 6:30 P.M.

5. NEW BUSINESS:

A. POLICE ASSOCIATION: REVIEW AND SIGN LABOR AGREEMENT FOR FY24-FY26

Dwayne stated that prior to Christmas, the Labor committee was able to finalize the police contract with the Police Union. He stated that the negotiations went very well, and the Union accepted our counter offer as we had discussed with no changes. Dwayne stated that the goal will be to have the Board approve the contract and sign it at this meeting.

Selectman Cowan motioned that the Police Labor Agreement for FY24-FY26 be signed and approved. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

B. POLICE: APPROVE JARED MALATAK AS A RESERVE OFFICER

Dwayne stated that Chief Peasley interviewed Jared Malatak as a new reserve officer for the North Berwick Police Department. Jared is currently a Reserve Officer for South Berwick Police Department. He is a full-time paramedic but would like to keep his police certification current. Dwayne indicated that it works for North Berwick as we are currently down reserve officers and this appointment will assist the department in filling open shifts.

Selectman Hall motioned to accept Jared Malatak for the position of a North Berwick Police Reserve Officer. Selectman Cowan seconded the motion. VOTE: 5-0

C. FIRE: REVIEW JACOB PHIPPS REQUEST TO OPERATE A RED LIGHT IN HIS VEHICLE

Dwayne stated that Chief Gosselin is recommending that Jacob Phipps be allowed to operate a red light in his personal vehicle for responding to fire emergencies.

Selectman Cowan motioned to grant permission for Jacob Phipps to operate a red light in his personal vehicle. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

D. TRANSFER STATION: EMERGENCY REPAIR OF FORKLIFT

Dwayne stated that in December, our fork lift had a major issue. Although it is a 1986 Hyster, to replace it would cost over \$20,000.00. The estimated repair bill is \$7,750.00 as a new head needed to be installed on the engine and a new LP gas converter to stop the engine overheating issue. Dwayne has already authorized the repair as it is a crucial tool for the Transfer Station. Dwayne indicated that he is requesting the Board authorize the payment of the repair to come from emergency funds as this will completely wipe out our repair budget. He also indicated that it will over expend it by \$6,200.00.

Selectman Cowan motioned to authorize the payment of the forklift repair be taken out of emergency funds. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

E. COMMITMENT FY23: ABATEMENTS ACCT. 1224

Dwayne indicated that when Goldmark, LLC merged with the solar farm, we had to add the solar farms value into our system. They had two pieces of property and now that the solar farm is on both of those properties and were merged, we moved the acreage from one on to the other but forgot to eliminate that account. Therefore an abatement is in order of \$1,401.56.

Selectman Hall motioned that we abate Account #1224 in the amount of \$1,401.56. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

F. CODE ENFORCEMENT: GREEN TRUCK CONSENT AGREEMENT

Dwayne stated that since we discovered that Green Truck had violated their conditional use for their medical marijuana operation on Buffum Road, we started discussions with their attorney regarding a consent agreement. Dwayne stated that the owner has been very forthcoming in working with the Town and has done what was asked of him. They do disagree with the Town's interpretation but in the better interest of not litigating this, they are willing to comply and sign the Consent Agreement.

Selectman Hall motioned to approve the Consent Agreement in substantially the same form as presented regarding Green Truck, LLC. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

G. BUDGET: REVIEW PRELIMINARY BUDGET REQUESTS FOR FY24

Dwayne indicated that the preliminary budgets have been received and in total the requests are approximately 12.25% higher than last year's budget. This reflects a 6.5% COLA increase in wages as we discussed in December. Dwayne summarized the breakdown of each department's budget as follows:

Police – increase of approximately 7%. Primarily due to wage and benefit increases, contractual obligations and an increase in the Canine program. This year, Mavrick will enter retirement and a new canine is being sought by the Chief. We may want to hold off for a year as they search for grant opportunities. Another increase is in the service line item. As our fleet becomes older and parts for vehicles becoming more expensive, we are seeing an increase in service costs.

Protection – Increase in costs for dispatch, as this is the final year of the large increase to the budget to bring North Berwick on par with the other agencies being dispatched by Sanford. Moving forward after this budget cycle, dispatch costs increase only by CPI. We do have one additional dispatch cost that is looming on the horizon and that cost has yet to be determine. Our dispatch and operating software, IMC, is being phased out by the company within the next 3

years. This will result in the majority of Towns in the State (IMC is the most popular program for Police in Maine) needed to move to another vendor and software. Town are working with the State to find a solution, however, we are also working with Sanford to see what the best solution will be moving forward for our area of the State. Dwayne is predicting an increase in our streetlight bill as our energy contract expires in the fall of 2023 and it is unlikely that we will get a 5-cent rate on electricity again. He will begin negotiating that contract in the coming months but think we will probably be in the 10-cent range. Luckily the LED street lights do not use a lot of energy so the increase should be negligible.

Public Works – Dwayne indicated he will step back on increasing the Road CP for the coming year to \$450,000.00 instead of \$500,000.00. Other than that, increase in the budget are due primarily to salary and benefit cost increases. We are also looking to purchase the flail mower for our trackless for road side mowing as our current mowing mechanism became damaged last year and we need to find a suitable replacement to keep the brush and grass mowed on the road sides. We have looked at this option for a couple of years and would like to move forward with this project this year.

Winter Public Works – Dwayne's initial request was for the traditional \$150,000.00, however, due to abnormally warmer winter the last few years and this current winter, he may back that off to \$100,000.00 as there is still a healthy surplus in that account.

Transfer Station – Increase of approximately 6.5% due to salary and benefit costs, increase costs for waste disposal, transportation, recycling costs and bag fees. Most of the increase will be covered by the PAYT program with little impact to the taxpayers. As mentioned earlier, looking at possibly postponing the 3rd part of the paving project for another year. The section planned to be paved this year was completed about 7 years ago and is still in decent shape.

Town Office – Increase of approximately 7.5%. Increases include wage and benefits, along with increases in utility costs, audit (our new contract with RHR Smith goes from \$8900 to 10,000.00 next year), newsletter printing costs, and office supplies. We are also planning to replace our server (\$20,000.00) for the Town office this summer as it has reached its end life. This will have an effect on the computer budget as the new server software by Microsoft does not allow us to host our email server any longer and we have to move to Microsoft 365 which is charged monthly per computer on the network. We also have to capture the increase cost to the backup software that was missed in that year's budget.

Dwayne is also budgeting \$55,000.00 for the completion of the roof on the Town Hall. We continue to lose shingles during storm events, and it is time to replace the last 3 side of the roof. Especially with Verizon finally stating that they will be completing their project, it makes sense to working in unison on the roof as they install their antennas and dog house on the roof.

Code Enforcement – Increase of approximately 7% due primarily to wage and benefit increases and an increase in estimated fuel costs.

Tax Assessment – South Berwick has informed us to anticipate a 6.5% increase in cost to the shared Tax Assessor due primarily to salary and benefit costs.

Town Manager – Increase of 6% due to wage and benefit costs.

General Assistance – Although we are seeing an increase in GA, the State reimbursement rate is at 70% with a bill in this year to go to 90% so he kept our share flat.

Eastern Trail – Dues remain the same at \$3500.00.

Cemeteries – Since we are in the second year of our new mowing contract, costs should remain the same as last year at approximately \$22,600.00.

Fire – Increase in cost of approximately 13.5% if we purchase the new air packs, he discussed earlier over time. Other increases are in the mutual aid system (+ \$500.00), new equipment due to the purchase of additional hose for the new truck and the increase in cost to bunker gear, increase in wages, equipment maintenance and the retirement program for the department.

Rescue – Increase of approximately 6% on the operating budget, however, that should be offset by savings in the health insurance cost estimated to be expended bringing it closer to a decrease of approximately 2%. It is planned to replace the older ambulance in the next budget cycle as the current ambulance is starting to cost us significant funds for repair. He placed \$25,000.00 in the budget for the ambulance reserve account as we plan for that purchase in the future.

Library - Request of an increase of approximately 9.5% due primarily to wage and benefit increases. There are other increases in contracted maintenance and utility costs as well.

Parks and Recreation – Increase of approximately 6.7% due primarily to wage and benefit increases and small increases to event costs.

Community Center – Increase in utility costs. The big CIP for this year will be the installation of heat pumps and repair of the roof on the center. The heat pumps are estimated at \$35,605 and roof repair of \$3500.00. These costs will come from the impact fee fund and will not affect taxes.

Planning Board and ZBA – Remain the same.

Historical Society – a slight increase due to porta toilet cost increase and continued maintenance on the meeting house.

Outside Agencies – a slight decline in requests primarily due to the visiting Nurse service not requesting funds this year as they did not have a loss in North Berwick over the past year.

Conservation Commission – remain the same.

Townwide – We are seeing significant increases in our insurances, primarily due to increase workers compensation costs due to our incident rate. Also an increase in our social security costs due to wage increases and a small increase in the HRA reimbursement account due to usage in the previous year.

Dwayne stated that as he works on the budget, he believes that we can get this down to about a 2.5-3% increase in budget, however, that will result in an increase in taxation of about 25-30 cents on the tax rate. He is getting this by utilizing a significant amount of surplus (\$420,000.00) to keep the rate increase down. Of course, if we see an increase in new property (especially Pratt) this could be tempered further.

H. AUDIT:

Dwayne indicated that we should have the initial audit report by the end of this week. He stated that the regular auditor, Bill, is no longer with the company. Dwayne stated that it will be therefore pushed to the first meeting in February. However, our contract with RHR Smith & Company ends with this audit and is now time for another 3-year contract.

Selectman Cowan motioned that we maintain our contract with RHR Smith & Company. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

I. AN ACT TO AMEND LAWS TO ALLOW SCHOOL ADMINISTRATIVE UNITS TO HAVE UP TO 30 YEARS FOR CAPITAL

Dwayne stated that they have been talking to Representative Roberts about a new piece of legislation that allows school administrative units to have up to 30 years for capital. The bill would extend the allowed term of bonds issued by school administrative districts and regional school units from 25 to 30 years. There will be two sections of the state law which will need to be amended which are 20-A MRSA §1311, sub-§2, ¶C and 20-A MRSA §1490, sub-§2, ¶C. This is being submitted and we are hoping that gets a positive response.

6. OTHER BUSINESS: N/A

7. REVIEW AND APPROVE WARRANTS AND CORRESPONDENCE:

Warrant:	December 13, 2022	- \$ 13,632.32
Warrant:	December 20, 2022	- \$754,080.92
Warrant:	December 27, 2022	- \$ 14,954.12
Warrant:	January 3, 2023	- \$110,690.02
Warrant:	January 10, 2023	- \$ 14,117.37

Selectman Hall motioned to approve the warrant for December 13, 2022 in the amount of \$13,632.32; the warrant for December 20, 2022 in the amount of \$754,080.92; the warrant of December 27, 2022 in the amount of \$14,954.12; the warrant of January 3, 2023 in the amount of \$110,690.02 and the warrant of January 10, 2023 in the amount of \$14,117.37. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

8. ADJOURNMENT:

Selectman Cowan motioned to adjourn the meeting at 8:51 pm. Selectman Johnson, Jr. 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.