

North Berwick Board of Selectmen Minutes June 19, 2018

NORTH BERWICK BOARD OF SELECTMEN MINUTES JUNE 19, 2018

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

Also Present: Dwayne Morin, Jason Smith, Pat Cluff, Betsy Kelly

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

1. Pledge of Allegiance

2. Review and Approve Minutes of June 5, 2018

Selectman Galemmo motioned to approve the minutes of June 5, 2018. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

3. Public Input

There was no public input at this time.

4. Unfinished Business:

D. Conservation/Agricultural Comm: Review Applications for Board Membership

Dwayne Morin stated that Jason Smith and Patricia Cluff were present. They have completed applications to become members of the Conservation and Agricultural Committee. Selectman Cowan asked them if they had attended any of the meetings yet to see what it was like. Jason Smith stated that they had both attended the last meeting.

Chairman Hall asked both Mr. Smith and Ms. Cluff to tell us a little about themselves. Patricia Cluff stated that she lives at 38 Meehan Lane with her husband. They have lived there for about 18 years and love where they are. She is currently active with the Great Works Regional Land Trust. Both she and her husband have been members for over 30 years. She stated that her husband is more active in stewardship which is the team of people that do trail maintenance and actively coordinate it for the numerous trails throughout the communities. She does a lot in auctions and mailings. She likes being a part of a larger cooperative because they can all work together and can bring it back to their own backyard. She has also been working on her own backyard for the last 2 ½ years as a Naturalist. She is cataloging all of the flowers and has reduced the size of the lawn that they have because of water usage and management. This year, she has applied to the National Wildlife Association for their Certificate of Wildlife Habitat. She stated that you have to meet a criteria and category and provide pictures. She stated that their goal was to have a million households across the United States. Right now, there are about 218,000 of them and she just received her Certificate last week. She stated that this is something

that she can share with the Committee. She also has a vast group of people that she calls mentors that have guided her and helped her to see that it is not singular. We all have to share it.

Jason Smith stated that he has lived in North Berwick for many years and graduated from Noble High School in 2001. He just bought a home in town recently. He stated that, with his background, joining this committee is a great way to start getting involved in Town politics. Chairman Hall asked him where he lived in between graduation and now. Mr. Smith said that he lived in New York, Italy and other places around Europe. He has been in Portland for the past 7 or 8 years. He stated that North Berwick is the town that he most affiliates with. His siblings are still in town and his girlfriend's siblings just bought a home on High Street.

Selectman Cowan motioned to approve the applications for Jason Smith and Patricia Cluff to become members of the Conservation and Agricultural Committee. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

4. Unfinished Business:

A. Tax Acquired Property: Gordon Donnell Property and Alton Rollinsford, LLC

Dwayne stated that he had sent out the Legal Notice for the sale of the Donnell property for a minimum bid of \$2,750.00. The bids are due back by July 19, 2018. He will also send it to all of the abutting property owners.

Dwayne stated that, back in March, the Board had taken back property from Alton Rollinsford and signed the deed. There was a typographical error with the name. It is not Rollingsford. It is Rollinsford.

Chairman Hall asked Dwayne if there was any update on the Hilton property. Dwayne said that the goal is to close on July 28, 2018. He has not heard anything different.

B. Public Works: Project Updates

Dwayne stated that the parking lot has been paved and striped. Church Avenue has been based in and they are just waiting on a date from Libby Scott as to when they will do the surface pavement on it. He said that Libby Scott is paving for the State of Maine for the next 30 days, but they are going to try and sneak us in. Even if they can't do it until July, they will still do it for the cost of the original project.

Dwayne stated that the garage is done. There are a few little electrical things that need to be completed. The guys have started to move stuff out of the old building. Once they have emptied it, they will tear it down. Dwayne said that it looks like they will be under budget by about \$1,000.00.

Dwayne said that they will be starting on the Quarry Road project in July. He said that they also still have the parking lots for the Project Canopy project.

C. FY19 Tax Commitment: Preliminary Update on Commitment

Dwayne said that he has looked at a few things to get an idea as to where they will be regarding the tax rate now that the School Budget has passed. He stated that he has still not received the final numbers from the County. They have sent over an estimate and he does not anticipate a significant sway in the numbers. He stated that they did pick up some significant amount of new value. We picked up about \$9.5 million in new real estate value. He originally thought we would pick up about \$4 or \$5 million. The houses currently being built are carrying some large price tags on them. They had also forgot to consider the mobile home park which is \$1 million in value. We are only valuating it at 1/3 of its cost right now because we are considering it only 1/3 done.

Dwayne said that we did lose more in Personal Property valuation. He thought that we would lose about \$2 million but we lost about \$3.5 million. He stated that our BETE went up \$32 million. He thought it was going to be about \$15 million.

Dwayne stated that there will still be a need for a tax increase but not as large of a tax increase as they originally thought. He is going back and forth between a tax rate of \$12.85 and \$12.90 because of the school budget. He said that we have been trying to keep about a 2.5% in overlay over the past few years. His concern is that if we continue to see increases in the School Budget, we may end up playing catch up. He is concerned that we will need to use our overlay for cash flow. The overlay is there so that we don't have to borrow any money if something unexpected comes up. He said that we are not in any danger of running out of money at this time. However, as we pay more to the school, our monthly bills increase. Right now, we average about \$800,000.00 per month in terms of costs.

Selectman Cowan asked what the difference would be to the average taxpayer for each of his proposed tax increases. Dwayne stated that a \$12.85 tax rate would be about a \$70.00 increase to the average taxpayer. The \$12.90 tax rate would be an increase of about \$90.00 per year. He doesn't think we will need to borrow money but he doesn't want to come in later and have to change the rate so we have to have the overlay at 5%. The \$12.85 rate would put us at 2.95% and the \$12.90 would put us at the 3.35%.

Dwayne said that they will need to set the tax rate at the last meeting in August.

E. Code Enforcement: Update on Enforcement Actions

Dwayne stated that they have been in contact with the gentlemen that had a junkyard on his property. He will have the vehicles removed from the property by Wednesday.

Dwayne said that they are still working with the owner of the Bubba Frye's property with the DEP to fix that. It will probably come before the Board at the end of July.

F. SAD 60: June 21, 2018 Meeting of Three Communities

Dwayne stated that the time for the meeting scheduled with the School Board and the Towns of Berwick and Lebanon has been changed. It will now be at 7:00 pm instead of at 6:30 pm. They have an Executive Session at 6:00 pm with a parent.

Dwayne stated that the format for the meeting will be a workshop format so there will be no public input. Selectman Cowan asked Dwayne if he had received an Agenda for the meeting yet. Dwayne said that he did not receive one. Selectman Cowan feels that the meeting needs to be well structured. She is not interested in just going for a chit chat session and banter ideas around without having some specified goals in place. Dwayne stated that he doesn't know if the School Board has specific benchmarks that they are seeking to discuss. He believes that the bantering will lead to some of these benchmarks. Dwayne feels that there are a few points to the meeting. One of them is just getting the towns and School Board together so they are at least having conversations on a regular basis. Steve Connolly would like to discuss how towns can help in terms of Legislative changes. Dwayne stated that the Chairman of the School Board is the person that will be running the meeting. Chairman Hall asked if the State Representatives will be attending the meeting. Dwayne said that they have been invited but he does not know if they are attending.

Reminders: Next Board of Selectmen's Meeting – July 10, 2018 – 6:30 pm Municipal Building

SAD 60 Meeting – June 21, 2018 – 7:00 Noble High School NOTE TIME CHANGE

5. New Business:

A. Smoke/Tobacco Free Resolution: Review Amendments to Resolution

Dwayne stated that, back in 2010, we passed a Tobacco Free Resolution for the Town which established all of our parks to be tobacco free. In addition, we made all of our buildings tobacco free. Because of this, we received signs from the Healthy Maine Coalition. We have been in contact with the Coalition again to see what we should be currently looking at. He said that, in 2010, there was no such thing as vaping and marijuana use was not legal. He is wondering about amending our Tobacco Resolution. He stated that on Page 26 of the packet, he has included a new proposed Resolution. They are proposing to change it from Tobacco Free to Tobacco/Smoke Free and defining what those things are. He did not write the definitions. He stated that they came directly from the Healthy Maine Coalition. He stated that if we update our Resolution, then we are entitled to new signage. It also entitles us to grants for things like our Mill Field Festival. He also changed the verbiage from just parks to all properties.

Dwayne said that he does not want them to act on this tonight. He wanted to bring the subject up and have them read through the Resolution. We will probably act on it sometime in July. Selectman Cowan asked if this is something that we will need to notify residents about. Dwayne said that they did tell people the last time by including an article in the newsletter. He stated that

we can do that again as well as put something on our website. He said that all of our properties are signed as well.

Chairman Hall stated that they don't include juuling in their list. Dwayne asked what it was. Chairman Hall said that it is happening a lot in the schools. He stated that students go in the bathroom and do a large amount of tobacco at once. Betsy Kelly stated that the brand name is Juuling. She stated that it looks like a flash drive and they can heat it up on their computers so it is a huge problem in the high schools. Ms. Kelly stated that Juuling is technically a form of vaping but they can add it to the list.

Selectman Cowan asked Dwayne if he knew of any other towns that had adopted a similar policy. He did not so he asked Betsy Kelly. She said that Berwick, Wells, Biddeford and Hollis have updated their policies. They are working with many other towns to get theirs updated as well.

B. Vacation: Requests to Carry Extra Week of Vacation Pursuant to Personnel Policy

Dwayne stated that, under our Personnel Policy, every employee is able to bring 1 week over without any questions. They can bring up to a 2nd week over with Board approval. There is only 1 request this year and it is from our Road Foreman, Mike Dunn. He would like to bring an additional week forward so he would bring forward 80 hours instead of 40 hours.

Selectman Cowan motioned to approve the request from Mike Dunn to bring forward 1 week of vacation. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

C. Project Canopy: Parking Lot Design

Dwayne stated that he and Mike Dunn went out to see how they were going to do the parking lot. He pulled up the map on the computer to show the Board members. Originally, they were going to build about 130 feet of driveway and put the parking lot tucked in the trees. However, in looking at that, they saw that there would be some significant costs by doing it this way. Instead they are looking at building a smaller area at the beginning of the property. They are having a hard time determining the line so he hired a surveyor to go out and flag the line. It would be similar to the one on Lebanon Road for the Great Works Land Trust parking lot. People would then just walk off the back side to get to the trails. Selectman Cowan stated that it would also be less of an environmental impact. She also said that now people could actually see that there was a parking lot there.

D. Appointments FY19: Review Appointment List for FY19

Dwayne stated that since this was the last meeting for our current fiscal year, the Board needs to vote on people that are appointed in their positions. He has included the list in their packet.

Selectman Galemme motioned to approve the appointments for 2019. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

6. Other Business:

Selectman Galemмо stated that they discussed Deerfield Road and he knows there is not much that they can do about it. He stated that the idea was that when the development was complete, the road would be deeded over to the Town. However, the developer doesn't care and isn't going to go through the expense and time to deed it over so he owns the road. The property owners have to pay their taxes but it doesn't get plowed by us or taken care of in any way because we don't own it. Selectman Galemмо said that there is nothing that we can do to help the property owners in this situation. Their Association will need to bring the developer to court to have it changed. Selectman Galemмо was wondering if we can write in our Ordinance something about if the developer is planning on deeding it over to us, the process will happen during development and become an automatic thing to do. Dwayne stated that the biggest problem with that is time. Most developments would be built out in a timely manner but in this case, this subdivision is now 20 years old. With most developers it would happen automatically. They would go through the process of building out the subdivision and go through the process of presenting it to us for acceptance. Dwayne stated that we have a whole process in place to accept the road. We do not go out and seek to accept the roads. They need to bring it to us. They have to have the engineer certify that they built it properly to spec, have a maintenance bond for a period of 1 year so if anything happens, they will fix the road and then they need to go through the deeding process. Once the Selectmen are satisfied, then it goes to Town meeting and the Town needs to accept to take over the road.

Dwayne stated that the developer of this subdivision had not put a surface on and we had to chase him down to have him do it. He doesn't have to deed the road to us. The landowners expected this to happen so the dues to plow the road would go away when he finished it. They have kicked the developer out of the Association but he still owns the road. Dwayne said that there is also 1 more lot for him to build on. Chairman Hall asked if there is anything that they can do. Dwayne said that they can only encourage the Association to seek legal counsel, he does not have to turn the road over to the Town.

Chairman Hall stated that his wife met a gentleman that he believes is buying the land that Brae Anderson is selling. If they want to build 1 house there, do they have the road frontage to do it? Dwayne said that they could because they have an access way. They will have to create a private road to create road frontage.

7. Review and Approve Warrants and Correspondence:

Warrant:	June 12, 2018	- \$	0.00
Warrant:	June 19, 2018	- \$	658,308.47

Selectman Galemмо motioned to approve the Warrant of June 19, 2018 for the amount of \$658,308.47. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

8. Adjournment:

Selectman Cowan motioned to adjourn the meeting at 7:44 pm. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Respectively Submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Jonathan Hall

Selectman: Wendy Cowan

Selectman: Michael Johnson, Jr.

Selectman: Charles Galemmo

Selectman: Michael Johnson, Sr.