

NORTH BERWICK SELECT BOARD MINUTES

APRIL 2, 2024

Present: Chairperson Galemmo, Selectperson Cowan, Selectperson Hall, Selectperson Johnson, Jr.

Absent: Selectperson Johnson, Sr.

Also Present: Dwayne Morin, Rebecca Reed, Mark Reed, Bret Little

1. PLEDGE OF ALLEGIANCE

2. REVIEW AND APPROVE MINUTES OF MARCH 5 & 19, 2024

Selectperson Cowan motioned to approve the Minutes of March 5 and March 19, 2024 as amended. Selectperson Hall seconded the motion. VOTE: 4-0

3. PUBLIC INPUT

Mark Reed brought up LD2003 and wanted to make sure residents are well informed before the election on April 13th. He was concerned about the consequences for the town should the ordinance changes not pass and was looking to the Board to perhaps have a plan in place and offer the CEO some guidance if that happened. Dwayne stated that in the event the town votes down the ordinance changes, there will be significant talks with legal counsel to posture a plan. Dwayne also stated that the town has a buffer which allows for a secondary referendum vote.

4. UNFINISHED BUSINESS:

A. BUDGET FY25: Continued Discussion on FY25 Budget

Dwayne stated that he has nothing at this time to discuss with the Board regarding budget but had left it open since the town meeting is coming up.

B. RESCUE: Ambulance Contract

Dwayne stated he is still working with Specialty Services to obtain the bonding document for the payment on the cab and chassis. Dwayne stated the bond that was offered cannot be put into place and they are trying to find an alternative. Dwayne indicated that our attorneys would also want to have an amendment to the contract language to reflect the payment of the cab and chassis.

C. TRANSFER STATION: TRANSFER STATION STICKERS

Dwayne indicated that at the last meeting the Board asked for some ideas for those individuals who do not want to display a North Berwick Transfer Station sticker due to safety issues such as domestic violence situations, etc. After much discussion here are some options that we came up with:

- A new sticker that removes North Berwick and the town seal so that it is not evident where the car is from.
- A rearview mirror hanger that can be displayed and removed similar to the temporary handicap placards issued which was suggested by a few residents.
- A stick-on pocket where the sticker can be placed on a piece of plastic and then inserted into the pocket prior to entering the Transfer Station. The pocket would be placed on the lower passenger side of the windshield.

Dwayne indicated that one concern regarding the options: A different sticker or the rearview mirror hanger may “single out” a victim of domestic violence but they did try to make the alternate sticker similar to the current stickers to prevent this. Dwayne stated that Richard’s favorite alternative was a new sticker that removes North Berwick and the town seal, so it is not evident where the car is from.

Selectperson Cowan feels the first option would be best and that there needs to be something affixed to the vehicle and not portable.

Selectperson Hall and Selectperson Cowan stated they feel that residents need to accept the rules the town has put into place or not utilize the transfer station and find an alternate way to dispose of their trash.

Selectperson Cowan motioned to go with the first option to offer an alternative transfer sticker. Selectperson Hall seconded the motion. VOTE: 4-0

Selectperson Cowan wanted the record to reflect that a person who purposely disregards the ordinance or refuses to comply will be referred to the Select Board for further determination.

Reminders: Next Select Board’s Meeting – April 16, 2024, 2024 – 6:30 P.M.-Room 212

5. NEW BUSINESS:

A. TOWN MEETING FY25: Discussion Regarding Town Meeting

Dwayne believes they are ready for the Town Meeting and the Town Reports should be available and delivered by Friday.

B. COMMITMENT FY24: Abatement Request for Stewart and Supplemental for Clock

Dwayne stated there is a supplemental tax bill for Dale Clock, who has voluntarily decided to remove some of his property from the Tree Growth program. The supplemental tax would be \$2,463.35 as determined by Verna.

Selectperson Hall motioned for the supplemental tax for account number 689 in the amount of \$2,464.35. Selectperson Johnson, Jr. seconded the motion. VOTE: 4-0

Dwayne stated that an abatement request for Anne Stewart. Mrs. Stewart asked Verna to review the value of her home located on Bauneg Beg Pond. After a review, Verna has determined that the value of the property is \$20,400.00 less than what was originally assessed. This is within the acceptable range of market value; however, Mrs. Stewart would like to receive this abatement. The total abatement would equal \$219.30 in abated taxes. Mrs. Stewart believes that the new value is still too high, however, Verna is confident that the value is fair and consistent with other values within the community based on sales analysis.

Selectperson Hall motioned to approve the abatement request in the amount of \$219.30 for Anne Stewart. Selectperson Cowan seconded the motion. VOTE: 4-0

C. EASTERN TRIAL: Update on Planning Process

Dwayne indicated that VHB has been hired by Eastern Trial to perform the planning for the section of trail from Pratt and Whitney to the Kittery Border. A Public Hearing to gather information from citizens will be held in Eliot on Tuesday April 30, 2024. VHB has created a story map for review by interested citizens. The website is:

<https://storymaps.arcgis.com/stories/bb7b59e066604c0c84ad814e924e9bdf>

Dwayne stated that a meeting was held with the Sanitary District and most of the concerns mentioned by the Sanitary District are able to be met as the trail is developed. Overall a good meeting. The concerns were as follows:

Security: the possible need for electronic gates for the property at the main entrance and the storage building location. Possible cameras and lights as well. Main gate on Eastern Avenue and how people will access the Trail when these gates are closed (discussed the possibility of a side trail access on one of the wings of the gate with bollards to allow bike and walking access but prevent motorized vehicle access.

Costs: The district would like the cost to the District to be cost neutral and part of the project. (District costs are zero.) This would include costs for the review by their engineers and attorneys for any documents.

Maintenance: Concern regarding year-round maintenance of the Road Surface. Pet waste from Dogs and the requirement of dogs on leashes. Trash waste along the district property. Would like a written agreement with Eastern Trail for the concerns raised and addressed.

Insurance: Eastern Trail insurance policy to protect the District from potential insurance claims.

Other: The district asked for the following: 1) Other similar facilities where trails go by so that they can review what they instituted for safety and maintenance measures and the ability to see if those facilities had any concerns. 2) Estimated number of bikers that would be utilizing the trail. 3) Can this section of trail be limited to sunrise to sunset restrictions. 4) Are Horses allowed on the trail. 5) Will there be a parking lot or trail head nearby.

D. LEGISLATIVE SESSION: Update on Bills of Interest

Dwayne stated that there is one bill recently signed into law that the Board should be aware of. It was LD337 and this bill required municipalities to allow the placement of all manufactured home on any lot that a single-family dwelling can be constructed. The current law allowed municipalities to limit the placement of manufactured housing to under 14 feet to certain zones. This new bill will allow manufactured housing in any zone where single family houses are allowed. The Town can establish designed standards such a pitched, shingled roof, a permanent foundation and exterior siding that is residential in appearance.

E. CEMETERY: Disturbance of Guptill Cemetery Discussion

Dwayne indicated that he received a phone call on Saturday from the Police Chief indicating that a gravesite had just been uncovered by contractors who were digging a foundation on Diamond Hill Road. Dwayne indicated that Craig and Sandra Howe obtained the property from Mrs. Howe's mother. They had applied to remove the existing home and build a new home on the 50-acre lot. The permit will not be issued until this cemetery issue is resolved. Dwayne stated the contractor unearthed a skull and other bones. The Medical Examiners Office was contacted and advised that the police department needed to obtain all remains and secure them. After some research, Dwayne indicated that there was a known marked cemetery there however the contractor indicated there was no headstone there whatsoever. Dwayne stated that aerial

photography indicates that prior to 2008, a cemetery can be somewhat seen at that location and the next aerial photograph taken in 2020 does not show anything. Dwayne indicated that David and Mary Guptill are the ones who were buried there in 1899 and 1906. In talking with the Medical Examiner's Office, this falls upon the town to make a determination as to what the resolution should be and recommended that he contact the University of Maine Anthropology Department. Dwayne stated he has done that, and the resolution being recommended is that the town require the property owner to re-establish that cemetery. Jamie Wren, an Anthropologist from the Department of Anthropology at the University of Maine, will be working on this and his costs will be the property owner's responsibility.

Selectperson Cowan motioned that the property owners re-establish the cemetery of David and Mary Guptill on Diamond Hill Road with fencing and markers and building permits not issued until completed. Selectperson Hall seconded the motion. VOTE: 4-0

F. PAVING

Dwayne indicated that the State has released contracts for light paving, and they will be paving 1.89 miles from Lebanon Road from Route 4 to 5 corners.

G. YCBC

The caucus for York County Budget Committee is going to be held on April 10 and there are two representatives that are needed for our district and have to be elected people.

H. DE-ESCALATION TRAINING

Chairperson Galemmo indicated that the Customer Service De-Escalation Training can be a whole day, or a half day and he feels a half-day would be good. Charlie stated that it can be done at the Community Center or YCCC and half the cost will be covered by a grant. Selectperson Cowan indicated that a nice gesture would be to have lunch brought in by a local establishment.

Selectperson Hall motioned to approve a half-day training in customer service and de-escalation training. Selectperson Cowan seconded the motion. VOTE: 4-0

I. POLITICAL SIGNS

Selectperson Cowan wanted clarification on political signs. Dwayne stated that they are not allowed at the Transfer Station but are allowed across the street. Selectperson Hall asked what the law was on political signs on public rights-of-way. Dwayne stated that they are allowed six weeks prior to the election and need to be removed two weeks after the election. Within the right-of-way, you cannot have more than twenty square feet worth of signs on your property. The rule of thumb regarding placement is twenty-five feet from the center line but it does vary.

6. OTHER BUSINESS - EXECUTIVE SESSION -POVERTY ABATEMENT

Selectperson Cowan motioned to go into Executive Session at 8:03 p.m. Selectperson Johnson, Jr. seconded the motion. VOTE: 4-0

Selectperson Cowan motioned to come out of Executive Session at 8:13. Selectperson Johnson, Jr. seconded the motion. VOTE: 4-0

7. REVIEW AND APPROVE WARRANTS AND CORRESPONDENCE:

Warrant:	March 26, 2024	- \$ 11,501.57
Warrant:	April 2, 2024	- \$ 121,104.04

Selectperson Hall motioned to approve the warrant for March 26, 2024 in the amount of \$11,501.57 and the warrant for April 2, 2024 in the amount of \$121,104.04. Selectperson Cowan seconded the motion. VOTE: 4-0

8. ADJOURNMENT:

Selectperson Cowan motioned to adjourn the meeting at 8:14 p.m. Selectperson Hall seconded the motion. VOTE: 4-0

Respectively Submitted,

Jennifer Berard, Stenographer

Original to Town Clerk

Chairperson: Charles Galemmo

Selectperson: Jonathan Hall

Selectperson: Michael Johnson, Jr.

Selectperson: Wendy Cowan

Selectperson: Michael Johnson, Sr.