

NORTH BERWICK SELECT BOARD MINUTES SEPTEMBER 5, 2023

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

Also Present: Dwayne Morin, Bernie Abbott, Melinda Abbott, Mark Reed, Rebecca Reed

1. PLEDGE OF ALLEGIANCE

2. REVIEW AND APPROVE MINUTES OF AUGUST 15, 2023

Selectperson Hall motioned to approve the Minutes of August 15, 2023, as written.
Selectperson Johnson Sr. seconded the motion. VOTE: 5-0

3. PUBLIC INPUT N/A

4. UNFINISHED BUSINESS:

A. COMMUNICATIONS TOWER: Update on Progress

Dwayne indicated that the majority of the work is completed. The generator is in and hooked up. The Public Works crew still needs to grade the site and clean it up. Southern Maine Communications needs to hang the antennas and move the radios, but we need to wait for our FCC licenses to be approved. The licensing has been submitted and we are just waiting on approvals. He stated the antennas will be up before winter.

B. ROADS: Update on Roads

Dwayne stated that it has been slow moving for our road projects. Dillingham reconstruction section has been completed and we are just waiting on paving. The Water District is hoping to finish Lower Main Street within a week and then that will be ready for paving. The Paving company continues to halt our progress mainly because of the rain and their inability to complete the work on other projects. As of today the new Libby-Scott Paving schedule is as follows:

September 7 - Pave Dillingham

Sept 11-13 - Finish Morrill Mills (the shim was started on August 29, 2023)

Sept 8-12 - Mill Governor Goodwin

Sept 14, 15 & 18 - Pave Governor Goodwin

Dwayne stated that Lower Main Street will be scheduled as soon as Water District is complete with the water main project. They have the main line installed and will begin on the laterals and services next week.

**C. BAUNEG BEG: Update on Closing on Bauneg Beg Property – 9/6/23
@ 3:00 PM**

Dwayne stated that we are all set for the closing on September 6, 2023. He invited all Board members that could attend to attend. The following day, volunteers will be out starting to cut out the trail system. The parking lot will probably be constructed in the Spring. All the information signs and kiosks will be constructed over the winter for a spring installation. There is a fair amount of tree cutting that will occur sometime this fall as well.

D. BONDING: Update on Bonding Process

Dwayne indicated that our Bond Application has been approved by the Maine Bond Bank and the Board will need to sign the loan documents tonight. We have still not heard on the grant that we applied for the SCBA's, and we need to make a decision before the end of September to proceed with the Bond. The Bond cannot be prepaid if we get the grant.

E. FORECLOSED PROPERTY: Update on Abbott Property

Dwayne reminded the Board that the Town took the Abbott property back at the end of February/beginning of March for lack of payment of taxes. The property was vacated two Saturdays ago, and the keys were delivered to Dwayne's office last Tuesday. Dwayne indicated he did visit the property and took some photographs. Dwayne stated that Bernie and Melinda called his office last week and would like to speak to the Board about the property.

Bernie Abbott stated that he and Belinda just learned that the property was handed over to the Town and they had no idea that the taxes were due, and they indicated that if they had known, they would have paid the taxes. Bernie stated he believed that the money from the wood that was cut was supposed to go to the Town to pay the property taxes. Dwayne indicated that Bernie should perhaps speak to his brother about this, and Bernie stated he already did. Bernie stated he believes he should have been notified by the Town because he is an heir. Dwayne stated he should speak to an attorney because that is not the case. Dwayne stated that three years of non-payment of property taxes resulted in the Town taking the property. Dwayne stated he had sent out several notices and did everything 100% legal. Melinda stated since they had just found all of this out a week ago, they would like the opportunity to pay the back taxes and take the property back. Dwayne stated that would be up to the Board to decide. Selectperson Cowan asked what the status of the property is now. Dwayne stated it was foreclosed and the Town currently owns the property. Selectperson Johnson, Jr. asked what the balance of unpaid taxes are, and Dwayne indicated that the balance was well over \$10,000.00 when the property was taken but did not assess taxes this year because the Town took ownership in March. Selectperson Hall indicated he was under the impression that both Bernie and Barry knew about what was

happening to the property. Dwayne stated the conversation were only with Barry. Dwayne stated that Barry is the Executor of his mother's estate and has 100% full authority. Selectperson Johnson Sr. asked if the Board should perhaps talk about this matter in an executive session and Dwayne stated it is a public session and cannot be discussed privately as it is all public information. Dwayne stated that the Town's ordinance reads that if the Town was to release the property back, then they must pay 100% of everything owed on the property including legal fees. Melinda asked if they were to pay the full amount due, how would it be deeded back. Dwayne stated that it would be deeded back to the Estate and then would go back to Barry. Bernie indicated that his mother had a will, and he was named Personal Representative. Selectperson Hall personally would like to talk to both Barry and Bernie if possible. Dwayne indicated Barry left town and is living in Bingham, Maine. Selectperson Cowan stated she feels that the Board is now getting involved in a family dispute and feels they would need legal documentation as to Bernie's status as far as his mother's estate goes. She indicated that until they have more of the facts and documentation, they would elect to not move forward at this time. She felt they would need more time to make any determination. Bernie indicated that his mother's will left half to Barry and Bernie and are co-executors. Bernie indicated he was calling the State of Maine tomorrow to find out what is owed. Selectperson Hall indicated he would like to do what is best for all involved. Selectperson Johnson Sr. stated he would hate to take land from a family who has owned it for such a long time and if it can be redeemed, he would maybe like to see that happen. Chairman Galemme stated that he felt that Barry needs to be notified that there is a request for the property to be redeemed. Selectperson Hall felt that the matter should be tabled until they receive more information. Bernie stated that since the Town owns the land now, is the driveway going to be maintained in the winter and asked about power. Dwayne stated that the power will be shut off and the property will be winterized. Bernie asked if he could have permission to hunt on the property.

Selectperson Hall motioned that the Town allow Bernie Abbott to hunt on the former Abbott property for the winter of 2023/2024. Selectperson Johnson, Sr. seconded the motion.
VOTED: 5-0

Reminders: Next Select Board's Meeting – Sept. 19, 2023– 6:30 P.M. - Room 212

5. NEW BUSINESS:

A. ABATEMENTS AND SUPPLEMENTALS FY24: Review Abatements and Supplementals

Dwayne indicated that Verna has 2 abatements and 2 supplementals to fix an assessing error. This will result in a zero-sum gain. He stated that a property was split, the house was put on the wrong property so both properties need to be abated and both properties need to be reassessed. The property is located on Lower Main Street. The properties are owned by Maniscalco Properties and Autumn Properties.

Selectperson Hall motioned that we abate Account #236 in the amount of \$3,407.75 and that we accept a supplemental tax for Account #246 in the amount of \$932.03. Selectperson Hall also motions that we abate Account #2746 in the amount of \$812.70 and that we accept a supplemental tax for Account #2746 in the amount of \$3,293.80. Selectperson Johnson, Sr. seconded the motions. VOTED: 5-0

B. PARKING ORDINANCE: Consider No Parking Areas Around Bauneg Beg Mountain

Dwayne stated that with the purchase of the top of Bauneg Beg Mountain, one concern has arisen – that being parking on the streets around the parking lot areas, specifically the Fox Farm Hill Road Parking Lot, the soon to be constructed Ford Quint Road Parking lot and the Trail head on Bauneg Beg Hill Road. He stated that there has been talk of having no parking signs placed on these roads as the Town did on the Lebanon Road parking lot area to prevent lines of cars parking along the road while they hike the trails. Chairman Galemme stated that since there are no parking lots right now and there is not currently a problem, the Board should wait to vote on a parking ordinance until a later date.

C. SURPLUS EQUIPMENT: Review Surplus Equipment List

Dwayne indicated that we have taken possession of the new Public Works Truck and Police Cruiser and now have surplus equipment to sell. The Board can discuss potential selling prices for the equipment. Mike would like to utilize the old truck to put the shoulders on the roads we are paving before we get rid of the truck as it is currently set up for this task. Possibly advertising the equipment in October. The 2 pieces of equipment are a 1996 Ford L9000 with about 154K miles and a 2015 Ford Explorer with 144K and of course the old Fire Truck should we wish to readvertise.

Selectperson Hall motioned that the 2015 Ford Explorer with police cruiser package with 143,621 miles on it be sold for a minimum bid price of \$7,500.00 and the green 1996 Ford L900 Plow Truck with a 10' front plow, 10' wing plow and dump body with 153,261 miles on it be sold at Dwayne's discretion for a minimum bid price of \$12,000.00 and after the Chief allows the volunteers take equipment off of the old Fire Truck, the rest be scrapped. Selectperson Cowan seconded the motion. VOTE: 5-0

D. VERIZON

Dwayne indicated that Verizon has started their work in the Town Office Building.

E. LISTENING DEVICE

Dwayne indicated that the listening device is now up and running and can be used. It is also portable if they need to take it to the community center in the future. They did save about \$600 on the price of the equipment.

F. DATE OF TOWN MEETING

Selectperson Hall motioned that the Town Meeting be held on April 13, 2024.
Selectperson Johnson, Sr. seconded the motion. VOTED: 5-0

6. OTHER BUSINESS - EXECUTIVE SESSION – LEGAL MATTER

Selectperson Cowan indicated she had received some feedback on the poles that Consolidated attaches to and was told that when they replace the poles, they do not remove the old poles and are obligated to remove them. She was told there are several old poles taking up space. Dwayne stated they will eventually come around and move the poles but Consolidated hires the work out to a third party but the poles will eventually be removed but may take up to two years.

Selectperson Cowan motioned that the Board go into Executive Session at 8:02 and come out at 8:17 p.m.. Selectperson Johnson, Sr. seconded the motion. VOTED: 5-0

7. REVIEW AND APPROVE WARRANTS AND CORRESPONDENCE:

Warrant:	August 22, 2023	- \$ 0.00
Warrant:	August 29, 2023	- \$ 29,168.83
Warrant:	September 5, 2023	- \$109,768.77

Selectperson Hall motioned to approve the warrant for August 29, 2023 in the amount of \$29,168.83 and the warrant for September 5, 2023, in the amount of \$109,768.77. Selectperson Cowan seconded the motion. VOTE: 5-0

8. ADJOURNMENT:

Selectperson Cowan motioned to adjourn the meeting after the close of the Executive Session at 8:17 pm. Selectperson Johnson, Sr. seconded the motion. VOTE: 5-0

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.