

North Berwick Board of Selectmen's Minutes: November 6, 2012

NORTH BERWICK BOARD OF SELECTMEN MINUTES NOVEMBER 6, 2012

Present: Chairman Hart, Selectman Galemmo, Selectman Danforth, Selectman Folsom and Selectman Drew.

Also Present: Sandra Wick, Merritt Wick, Roger Easley Jr., Robin Lacasse, Gorrdon Donnel, Jane Belisle, Leo Thibodeau, Larry Huntley, CEO, Charles Barto, Shirley Barto, Betty Hall, Francis Hall, Fred Perkins, Sara Perkins and Dwayne Morin.

Chairman Hart opened the Board of Selectmen's Meeting at 6:30 p.m.

1. Pledge of Allegiance

2. Public Hearing: 6:30 p.m. – Junkyards

Chairman Hart opened the Public Hearing on Junkyards at 6:30 p.m.

Dwayne explained that before the Board this evening there are two Junkyards application renewals before the Board: Wick's Car Service located on Governor Goodwin Road and Triangle Antique Cars, LLC. located on Lebanon Road.

The Board of Selectmen needs to hold a Public Hearing every year to act on the Junkyard applications of the two entities that are seeking permits.

There have been no incidences this year that would cause the Board to have any concerns regarding the two junkyards.

Chairman Hart opened the Public Hearing to the public at 6:32 p.m.

There were no comments from the public.

Chairman Hart closed the Public Hearing to the public at 6:33 p.m.

3. Public Hearing: 6:35 p.m. – Dangerous Building

Chairman Hart opened the Public Hearing on Dangerous Building at 6:35 p.m.

Chairman Hart read into the record:

The Board of Selectmen will hold a Public Hearing on November 6, 2012 at 6:35 p.m. in the Municipal Building Conference Room # 212 pursuant to 17 MRSA 2851 regarding the property located at 363 High Street to determine if a building or structure located on the property is structurally unsafe; instable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment; or is otherwise dangerous to life or property.

Dwayne provided the Board with a visual of the property located at 363 High Street.

Larry Huntley CEO explained that the first letter was sent 90 days ago to meet with the owners of the property to get it cleaned up. I was on the property a week after the notice and discussed with the owner and the agreement was that they would clean up the property by September. Before the allotted time was up I then sent another letter. At that time they had taken a couple of trailer loads of steel off the property and requested an additional two weeks. I then sent another letter because they had stopped cleaning up the property and received no response from the owners. Dwayne and I conferred that this issue needed to be brought before the Board of Selectmen to see if we could get the property cleaned up that is why we are here tonight.

Chairman Hart opened the Public Hearing to the public at 6:37 p.m.

Mr. Donnell spoke: that I own the property and we have been making an effort. The man that I hired to haul away the debris has had medical problems. I will be cleaning up the rest myself. I have a question on the school bus I use it for storage, so will that have to go and also the RV, will these need to be removed or can I keep them on the property.

Dwayne replied that I believe that you met with the Code Enforcement Officer had he said that the RV's would have to go because of the condition.

Dwayne asked are they in usable condition?

Mr. Donnell answered that I believe they are.

Larry Huntley CEO spoke: that in one of the photos there is a tarp over one of the RV's , because the roof is leaking.

Mr. Donnell replied that trailer is going, so isn't the brown trailer and the garage will be torn down.

Larry Huntley CEO. asked are you talking about the mobile home because I have never been in it so I don't know if it is habitable or not.

Jane Belisle spoke: that were not habitable, this is some ones property and the financial stress on every one at this time. We can't afford a storage unit and I have items on the bus and where we all have things stored. The bus is in good condition for storage and not for habitation and the RV there is nobody living in it, but it still is a good RV to stay on the property because it is the person's property. I can see where the trailer is in habitable and you would want that removed and the barn it the back which is collapsed that could be a danger.

Roger Easley spoke: that the RV's ran when they were parked there but now the batteries are not working but either one of them could be running if it was a need to do so.

Selectman Danforth asked do you own the property and do you live there?

Roger Easley replied no.

Selectman Danforth replied so nobody lives there.

Mr. Donnell spoke: that I will be working on it myself.

Selectman Danforth asked you want to keep the bus and one of the RV's.

Mr. Donnell replied I will probably get rid of the bus eventually.

Jane Belisle spoke: that right now it is a financial hard ship to come up with the money to get dumpsters to remove everything.

Mr. Donnell commented that if I have to take time off from work I will to take care of this problem.

Chairman Hart closed the Public Hearing to the public at 6:43 p.m.

4. Review and Approve Minutes of October 16, 2012

Selectman Galemmo moved to approve the minutes of October 16, 2012, Selectman Danforth seconded a motion. Vote, 3-0-2

5. Public Input:

Charles Barto discussed with the Board of Selectmen his concern of the train crossing near Buffum Road which is the most dangerous gate crossing. I don't know if the State could cut the grass.

Dwayne will contact the State to see if they can do some maintenance.

6. Unfinished Business:

A. Generator Project: Review Proposals on Generator Project

Dwayne explained to the Board of Selectmen in great length the Generator Project.

Selectman Galemmo moved to award the contract to Gray and Osgood, LLC for the Central Fire Station in the amount of \$7,289.00 and the Fire Sub-Station in the amount of \$3,375.00, Selectman Drew seconded a motion. Vote, 5-0 in favor

B. Audit: Update on Audit of FY12 – New Recommended Policies

Dwayne explained that the auditors recommended that the Town adopt three written policies to stay in compliance with GASB.

1. Undesignated Fund Balance Policy
2. Investment Policy
3. Credit Card Policy

Selectman Galemmo moved to accept the Undesignated Fund Balance Policy, Selectman Drew seconded a motion. Vote, 5-0 in favor

Selectman Galemmo moved to accept the Town Investment Policy, Selectman Folsom seconded a motion. Vote, 5-0 in favor

Selectman Galemmo moved to approve the employee use of Credit Cards, Selectman Folsom seconded a motion. Vote, 5-0 in favor

Reminders: Next Board of Selectmen's Meeting – Nov. 20, 2012 - 6:30 p.m. Municipal Building

7. New Business:

A. Dangerous Building: 363 High Street

Dwayne explained that in the Board's packet there is a draft order for the Board to consider similar to most of the Orders the Board has signed in the past as it relates to property that falls under Title 17 M.R.S.A. § 2851.

Selectman Drew's concern is the time element which started this process since July. I'm concerned that 5 months will go by and the snow will collapse the building and the trailer. I don't see it getting cleaned up in the snow and it won't get cleaned up until next year that is my concern.

Selectman Galemmo asked what is your time line and when do you think you get have this done by.

Mr. Donnell replied that it should be completed in 3 months.

Selectman Drew spoke: that if it is going to take 3 months it will be there in the spring.

Selectman Danforth commented that it depends on what the focus is and you get all the debris out of there in the next 3 weeks and that is one thing and then they will just have to move the bus, RV and which is a lot more durable.

Mr. Donnell replied the debris will be gone this weekend.

Dwayne asked what your plan for the trailer that collapsed is.

Mr. Donnell replied that my uncle will take it down with a back hoe.

Mr. Perkins spoke: that he has been looking for a decent trailer to replace that one and if he does find one and the company will remove the old trailer.

Dwayne replied that the concern is not the plans for a new trailer it is the trailer that is there and it is uninhabitable by all definitions that we have for the Town. It is a hazard and uninhabitable and if someone gets in there that would be very dangerous.

Selectman Galemmo spoke: if we vote to in favor of this. They will have 30 days to do it that is December 6, 2012 and who knows what this winter is going be like in terms of snow and when will we get in there.

Dwayne replied if the order was 30 days, we would have someone lined up on in on the 31st day to go in and clean up the property.

Selectman Drew asked if it is understood that would happen after 30 days. The Town would pay someone to do it and then you would be responsible for the cost.

Mr. Donnell asked that if we could get the trailer down and all the debris picked up before the winter if that would be alright.

Dwayne replied within 30 days.

Mr. Donnell answered yes.

Selectman Drew recommended putting the RV and the bus beside each other some where and you say they are usable to you and park them next to each other and get every thing else out of there, your in.

Selectman Drew moved to amend the order to have it state that the school bus and the RV can stay on the property and the remaining debris to be removed in 30 days, Selectman Danforth seconded a motion. Vote, 5-0 in favor

Dwayne explained that the Board will sign an Order at the end of this evening. That Order gets registered at the Registry of Deeds stating what the Board has done. On the 30 first day, if it isn't done the Town has the right to step in and clean it up and attach the property for all the cost that has occurred.

B. Junkyards: Wick's and Triangle Antique Sales

Dwayne explained that there are two permits one for Wick's Car Service and the other for Triangle Antique Cars LLC.

Selectman Galemmo moved to approve permits for Wick's Car Service Inc. and Triangle Antique Cars LLC. Selectman Drew seconded a motion. Vote, 5-0 in favor

C. Storm: Update on Superstorm Sandy

Dwayne explained that the Town faired very well through the storm. There were two large trees that came down one on Oakwoods Road and one on Turkey Street. There also were trees down on Morrells Mill Road, Boyle Road and Beech Ridge Road that caused power outages.

The Town did sustain damage to the Town entrance sign and to the Transfer Station Recycling Building but can be repaired at a small cost.

D. FY14: Preliminary Budget Discussions

Dwayne explained that he will be sending out a letter to the Department Heads and Agencies and wanted to know if the Board wanted to give them any direction as we head down to next years budget.

The Board of Selectmen agreed that the Town come in at zero percent budget increase.

E. Police: Cruiser Bids, K-9 Update and New Reserve Officer

Selectman Danforth moved to approve the cruiser bid to Quirk Ford for \$21,237.00, Selectman Folsom seconded a motion. Vote, 5-0 in favor

Chief Peasley is pleased to report that on October 31, 2012 our K-9 team, Officer Daniel Pelky and Hoki became fully certified by the Maine Criminal Justice Academy.

Selectman Galemmo moved to approve Scott Theriault as a Reserve Officer upon an acceptable background check, Selectman Danforth seconded a motion. Vote, 5-0 in favor

F. Transfer Station: Sale of Containers to OPRS

Selectman Galemmo moved to approve the sale of the used container in the amount of \$2,500.00 to OPRS, Selectman Folsom seconded a motion. Vote, 5-0 in favor

G. Planning: Proposed Hannaford's Supermarket

Hannaford Supermarkets announced a proposal to build a full-service supermarket in North Berwick.. The proposed supermarket and pharmacy would be located at 33 Somersworth Road, near the intersection of Route 9 and Route 4.

Dwayne inquired whether the Board wished to support the proposal or not. The Board discussed the proposal and potential impacts and merits of the project. The project will need to receive a zoning ordinance change and a Planning Board review prior to approval. The comprehensive plan mentions the need for retail stores and pharmacy in the Town as well as an expanded commercial district.

Selectman Danforth moved that the Board of Selectmen approve the concept of a grocery store and pharmacy, Selectman Folsom seconded as motion. Vote, 4-0-1 in favor

8. Other Business:

Rescue Squad meeting on November 17, 2012 at 8:00 p.m. - Municipal Building

Team meeting on November 14, 2012 at 6:30 p.m. - Community Center

9. Executive Session: Personnel

Selectman Drew moved to go into Executive Session from 8:50 p.m. to 9:50 p.m., Selectman Galemmo seconded a motion. Vote, 5-0

8. Review and Approve Warrants and Correspondence:

Warrant: October 23, 2012 - \$11,046.27

Warrant: October 30, 2012 - \$7,065.08

Warrant: November 6, 2012 - \$71,246.46

Selectman Galemmo moved to accept the Warrants of October 23, 2012 for \$11,046.27, October 30, 2012 for \$7,065.08 and November 6, 2012 for \$71,246.46, Selectman Folsom seconded a motion. Vote, 5-0

10. Adjournment:

Selectman Folsom moved to adjourn at 9:51 p.m., Selectman Danforth seconded a motion.
Vote, 5-0

Respectively Submitted:
Anita Merrow, Stenographer

Original to Town Clerk

Chairman: Larry Hart

Selectman: Charles Galemmo

Selectman: Paul Danforth

Selectman: Elaine Folsom

Selectman: Gregg Drew