

North Berwick Board of Selectmen Minutes January 5, 2016

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
JANUARY 5, 2016**

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

Also Present: Dwayne Morin, Craig Linscott, Tim Kezar, Matthew Qualls

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

1. Pledge of Allegiance

2. Review and Approve Minutes of December 15, 2015

Selectman Cowan said that in the first sentence on Page 6, change “their” to “Planning Board” and change “they” to Planning Board”. Also in the next sentence where it reads, “She feels that they have more...” should be changed to “She feels that the Board of Selectmen have more...”. Dwayne Morin said that on Page 3, in the third sentence that reads, “He stated that when you do a Comprehensive Plan...” should read, “He stated that when you write a Comprehensive Plan...”.

Selectman Folsom motioned to approve the minutes from December 15, 2015 as amended. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

3. Public Input

There is no public input at this time.

4. Unfinished Business:

A. Zoning Board of Appeals: Review Applications from Craig Linscott, Todd Hoffman and Tim Kezar for Membership

Dwayne stated that at the last meeting, they were looking at who is was up for reappointment for the Zoning Board of Appeals and the Planning Board. The Board of Selectmen had asked for the applicants to be present at this meeting. Craig Linscott and Tim Kezar are both present. Dwayne said that Toddy Hoffman had said that he would be here but he must have forgotten or something else came up. Dwayne said that Mr. Hoffman had stated that he wanted to go back on the Zoning Board of Appeals. Selectman Hall introduced himself and stated that he wanted to just meet the members and put a face to the name.

Dwayne stated that Craig Linscott used to run Spence & Matthews Insurance but is now retired. He is also on the Budget Committee. Mr. Linscott said that he had managed the Town’s

insurance for a while. Dwayne said that he was actually the impetus to go with MMA because it was better for the Town.

Dwayne stated that Tim Kezar works in sales for Nestle and is also the pastor for the New Covenant Church on Maple Street. He has lived in North Berwick for all but 5 years of his life. Dwayne stated that he was also our Town Moderator at last year's Town Meeting.

Selectman Folsom motioned to approve Craig Linscott, Todd Hoffman and Tim Kezar for reappointment to the Zoning Board of Appeals. Selectman Johnson, Jr. seconded the motion.

Matthew Qualls asked what the Zoning Board of Appeals does. Dwayne stated that they are a semi-judicial Board. They actually act like a jury. Whenever somebody has a complaint about either the Planning Board or the Code Enforcement Officer, it goes before the ZBA. The ZBA hears that complaint and makes a decision on whether the Planning Board or Code Enforcement Officer acted properly or improperly. They also act on variances. Whenever somebody wants a variance from our Ordinance, the ZBA are the ones that decide on these. Dwayne said that they look for people that have a good sense of what is right and wrong to be on the ZBA. Craig Linscott also stated that they have rules that they need to follow to make a decision.

Selectman Hall asked if Dwayne could tell him a little bit about Todd Hoffman. Dwayne stated that Mr. Hoffman has lived here since probably the mid-80's. He and his wife Cheryl live up on Abbott Road and have a horse farm. He has worked for Christian Science Monitor for a long time as a photographer. He also served on the Planning Board for about 18 years and was the Chairman of the Planning Board for about 15 of those years. Tim Kezar said that he served with him on the Planning Board for about 4 years. Craig Linscott stated that he is very well respected by the rest of the Board.

VOTE: 5-0

B. Planning Board: Review Applications from Geoffrey Aleva and Matthew Qualls for Membership

Dwayne stated that Matthew Qualls was present. He said that he received an email from Geoffrey Aleva stating that he was unable to attend tonight's meeting but he is available for the next Selectmen's meeting on January 19, 2016. Dwayne said that Mr. Aleva was planning on coming tonight but his work needed him for a meeting. He is an engineer so he appears before a lot of Planning Boards.

Dwayne stated that Matthew Qualls was put on the Board just about a year ago to fulfill one of the other terms that was vacated. Matthew and his wife Qiana live on Ford Quint Road. He works for Hussey Seating in their technology division. They moved to North Berwick from Tennessee about 8 years ago. Dwayne feels that Mr. Qualls brings a unique perspective to the Planning Board. He also operates a family farm on his property and they are almost self-sufficient on their own land.

Selectman Cowan asked Mr. Qualls how he was finding his experience with the Planning Board. Mr. Qualls stated that there are several challenges. One is that he is just an alternate and so sometimes he cannot vote on things. He said that this means that he has to persuade a lot of people to his point of view. Selectman Cowan asked if he was finding any like-minded individuals on the Board. He said that sometimes he does and sometimes he doesn't. He stated that one of things that he doesn't have is the experience that some of the other members have. For example, when Dwayne came to the Planning Board's last meeting, he said that so many years ago, the Town had discussed putting fast food restaurants in the area where Hannaford is located. The Town expressed their opinions about that and said that they did not want that. He stated that he doesn't have a good handle on the history of some of the Ordinances. He said that sometimes, if he would have known about something that happened in the past, he may have had a different opinion about it. He said that he would like another appointment on the Board so he could learn more about these things and get more experience.

Selectman Cowan asked Mr. Qualls how his perspective on issues is received by the other members. Mr. Qualls feels that the Planning Board listens well. He doesn't feel that any of the Planning Board members are stuck in their ways. He feels that the whole Board can be convinced one way or the other. He stated that they all want to come together and come as close as they can in agreement on things. He feels that if you can get discussions going, you can convince people to view things differently. He has not seen that any one of them is stubborn. He said that at first he thought that maybe some of his opinions would fall on deaf ears, but he has found that they have all done well with listening to him.

Selectman Cowan asked if he had suggested anything to the Planning Board that they had adopted or supported. Mr. Qualls said that he couldn't think of a specific example off the top of his head. Dwayne Morin stated that there was something that did occur at the last meeting that he had attended. He said that they were discussing the issue with drive-thru restaurants and Mr. Qualls brought a different perspective to share with the Board regarding this issue. Dwayne said that Mr. Qualls presented some research that having fast food restaurants in close proximity to schools encourages obesity in children. This is a very different perspective from what most Planning Board members would consider. Most Planning Board members would just focus on land use and if it is pro-business, a tax base issue, an employment issue or a quality of life issue. Dwayne stated that Mr. Qualls spun it on the quality of life issue by discussing obesity rates and how fast food restaurants are linked to these rates. Dwayne said that the Planning Board reviewed the information that Mr. Qualls had provided them and listened to what he had to say about it. Matthew said that between this information and what Dwayne had mentioned about the fast food restaurant history, it made it easier when they were considering rescinding the previous vote. He said that the vote to rescind the previous vote showed him that they can have their minds changed.

Chairman Galembo asked him if the Planning Board referred to the Comprehensive Plan often. Mr. Qualls said that they really do not refer to it as a whole. He stated that most of the time they are reacting to something that has happened in our community or to something that the CEO or somebody else brings to their attention. He said that they are not really looking at what direction the Town is heading in. He feels that they can improve on this. He said that they have been talking about the possibility of the amusement park coming to Sanford and how this will affect

us. He said that maybe as they look to the future, maybe there will be more conversations on how things can fit into the Comprehensive Plan. Chairman Galemmo feels that the Comprehensive Plan is sort of the blueprint of what the townspeople want for the town and it should be referred to when making any decision. Mr. Qualls said that maybe he can bring it to the Planning Board to have some discussions about how to focus on the Comprehensive Plan more at the regular meetings. Selectman Folsom stated that maybe the Planning Board could have some workshops to review the Comprehensive Plan. Dwayne said that when he was at the last meeting, some of these things were brought to light and the Code Enforcement Officer will be more diligent about it. Dwayne said that they should be looking at the Ordinance and Comprehensive Plan a lot sooner so the Boards can meet and have discussions about it earlier. Selectman Cowan said that it is important that the Board members align what they choose to do with the Comprehensive Plan. She is hoping that it will be an unequivocal area of agreement between the two Boards. She stated that they will obviously have their difference in opinions in terms of specifics but she feels that their commonality and acknowledgement of the Comprehensive Plan should be used as a guide. Dwayne agreed and said that no matter what their personal opinions were, they need to follow what the Comprehensive Plan said. Chairman Galemmo said that he is not necessarily in favor of the drive-thru pharmacies and banks, but he thinks it does fit into the Comprehensive Plan and if it goes to a vote he believes it will pass. Matthew Qualls stated that it is not an issue of them not trying to follow it but rather it is how the Plan is interpreted by the individual. He feels that there are some differences on what some of the things mean and that is why it is good to have the conversations. Dwayne stated that institutional knowledge is also a good thing. He said that some of the Planning Board members are new to the process so the institutional knowledge is not there. He said that the only person on the current Planning Board that was there when they did the Comprehensive Plan is Rick Reynolds. He said that they also have a new CEO who does not have the institutional knowledge either. He said that he will need to be more proactive in these discussions because he does have the institutional knowledge and he can impart that information to them.

Matthew Qualls stated that it might be a good idea to have more meetings together with the Selectmen instead of just the one time per year. Selectman Cowan said that the door is always open. Selectman Hall said that the door is always open for the Selectmen to attend one of the Planning Board meetings as well. Chairman Galemmo said that he is worried that if he attends, the Planning Board might feel like he is just there checking them out so it is a difficult situation. He feels that he should let them do their business. Dwayne said that if the business is discussing Zoning Ordinance than it really should be discussed between the Planning Board and the Board of Selectmen jointly. The Selectmen agreed.

Selectman Folsom motioned to approve Matthew Qualls to be reappointed to the Planning Board. Selectman Cowan seconded the motion. VOTE: 5-0

Chairman Galemmo asked Mr. Qualls how he felt about having 3 year term limits instead of 5 year ones. Mr. Qualls said that it really didn't matter to him. He said that most people resign when they get burnt out. Dwayne said that they are trying to do this so it doesn't get to the point where people do get burnt out. Dwayne said that he did discuss it with the Planning Board at the last meeting and the majority of them were in favor of it.

C. Planning Board: Zoning Changes and Bylaws/Ordinance Change

Dwayne said that at the last meeting the Selectmen asked why the Planning Board had 5 year terms instead of 3 year terms like the other Boards. After a lot of digging, they found out why. The Planning Board was created in 1967. Under the State law that was approved, if a Board was created between 1957 and 1971 they had to have 5 year terms. In 1971, the law changed and it said that they would allow towns to make their own terms. If the towns wanted to change it after 1971, they had to create an Ordinance. We have never done that. He said that he worked with the Town Attorney and looked at what the State had for a model Ordinance and created one to make it fit our circumstances. This can be found on Page 30 and 31 of their packets. It is very simple and has basically four paragraphs. The first paragraph is Establishment that states what the law is that we are establishing it by. The second one is Appointment which states that the Board members will be appointed by the municipal officers and that there are 5 members and 2 associate members. It also states that each term will be for 3 years except for current members. They get to complete their current terms that they have been appointed to. He said that everything else is pretty much the same as what it has been. If there is a permanent vacancy, The Board of Selectmen will appoint a person to fulfill the term. In the current Bylaws, it states that if a member misses four consecutive meetings or fails to attend 75% of the meetings, than that is reason for removal from the Board unless you can say why. It goes on to say how vacancies are filled and that municipal officers cannot be a member or associate member. Selectman Cowan asked how the attendance is monitored. Dwayne said that it is self-monitored and it is incumbent on the Chairman of the Planning Board to monitor that. Dwayne stated that the stenographer also keeps track of it for payroll reasons and it is also stated in the minutes when they do their roll call. Selectman Cowan asked if anybody had ever been removed from the Board due to absences. Dwayne said that there have been times when they have questioned people and they usually resign or start attending again.

The next paragraph is regarding Organization and Rules. This states that the Board will elect a chairperson and vice chairperson. The town hires a stenographer to do the minutes. All terms will be 1 year with eligibility for re-election. It talks about the person's incapacitation or absence, the chairperson will designate an associate member to replace that member and move them up to full voting status. It states that an associate member can participate in all the meetings but can only vote if they have been brought up by the Chairperson. He stated that these are all things that they have currently in place for rules. It talks about who is disqualified from voting and that it is decided by a majority vote of the members. They have to have at least one meeting a month. There needs to be a quorum of 3 members. They can also enact rules for transaction if they want.

The next paragraph is for the Duties and Powers. The Board has the power to perform in the State of Maine and they can obtain goods and services within the limits of their appropriations.

He stated that he has spoken with the Planning Board about this so they are aware. They have not seen this draft of the Ordinance yet because it was not ready for their last meeting.

Selectman Hall motioned to move the Establishment of Planning Board Ordinance forward to be voted on at the Town Meeting. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Dwayne stated that they had a lot of zoning changes this year. He said that one of the ones that they have been discussing a lot is the sign ordinance and how we are going to change it. He had a very long discussion with the Planning Board on how we are going to change the Sign Ordinance. He stated that on Page 32 of the Selectmen's packet is a letter from our attorney. She goes over what the Reed case is all about. On Page 34, she speaks specifically to our Ordinance and the things that we need to do to change it. He brought it to the Planning Board and they are in agreement with it. The one thing that they are in disagreement with is the way the attorney has come up with some language. Primarily, our attorney wanted us to take all temporary signs and compress them into one generic temporary sign. The problem that the Planning Board had was how the attorney wanted to do this. The way the attorney wanted to do it is once the sign is no longer necessary, then the most practical way they had to remove the sign was to have an exhausted time frame to remove the sign such as 30 days. The Planning Board had difficulty with that and they had a really good discussion about it. He stated that in the old Sign Ordinance, political signs need to come down within 5 days per State regulations which is pretty straightforward. However, if a construction sign goes up and needs to be up for the duration of the project which could be months, the set time of 30 days wouldn't work. If somebody is selling their house, they could have a sign up for 2 to 3 years because they can't sell the house. Dwayne stated that there is really nothing wrong with these situations, so for us to come up with a definitive time is difficult. The Planning Board would like a finite time after the event. When a person sells their house, they have 14 days to remove their sign. After a yard sale, they have 14 days to remove their sign. This makes a whole lot more sense than trying to create a time frame for how long the sign can be up. Dwayne said that he brought this to the attorney's attention and she told him that the committee that she is working with on this issue has never thought of it like that. Selectman Johnson, Jr. said that they should also designate a time for when they can put up a sign before an event.

Selectman Hall asked if some of these signs that were on private property would be considered a freedom of speech issue. Dwayne said that they were not and that it falls under temporary signs because we can't classify anymore. Selectman Hall asked if that meant that he couldn't put a sticker on his garage that said something like "work". Dwayne said that if it was going to be a permanent sign, he would need a permit. If it was a temporary sign, than the town can regulate it. Dwayne stated that the problem is that once we regulate temporary signs, it has to be all encompassing. You cannot pick and choose anymore so we cannot tell one person that they can put a sign up on their garage but somebody else can't put up a yard sale sign.

Dwayne stated that on Page 38 of their packet is the language that our attorney recommended that we pass. He stated that they basically took all of our previous requirements and combined it into one section. This is #14 on Page 38. It reads:

A temporary sign, not exceeding _____() square feet in surface area, including the surface area of all informational sides of such sign, is permitted in any zoning district provided such signs are not higher than fifteen (15) feet above ground grade, 8' from travel way or in the case of a road with a sidewalk, 5' behind sidewalk. Temporary signs shall not be placed in a manner as to obstruct clear and free vision nor interfere with pedestrian traffic on sidewalks. Temporary signs shall be removed at the earliest possible time after the end of the event but shall

not be displayed for more than _____ () days in total. Temporary signs shall be excluded from the 60 square feet signage limitation as stated in 5.2.6.b.4. however, the total temporary signage allowed per event shall be limited to 50 square feet including all informational sides.

The part about the duration in the paragraph above is what the Planning Board had an issue with. They came up with another way and Dwayne went back to the attorney and told her that they want it to read:

Temporary signs shall be removed at the earliest possible time at the end of an event and shall be removed no later than 14 days.

Selectman Cowan asked why it was 14 days. Dwayne said that the majority of what we have in our Ordinance is for 14 days. Selectman Cowan asked why it couldn't be 7 days or something less. Dwayne said that the attorney will say that you have to give people a reasonable amount of time and the judge will look at a reasonableness standard and will not find 7 days reasonable. Dwayne stated that 14 days is what they will consider a reasonable amount of time. Selectman Cowan asked if there were any consequences if people did not get their signs down when they should. Dwayne said that there are fines per our Ordinance which are \$500 per day up to \$2500 per day. He said that these fines are set by the Board of Selectmen, however, we cannot collect it until the Judge says that we can. Dwayne explained the process. He stated that once somebody does not comply, the Code Enforcement Officer sends them a letter to let them know they are in violation and that they have 14 days to take the sign down. This means that they have the original 14 days per the Ordinance and then they have another 14 days after receiving the letter. Selectman Cowan asked when the fines would start accruing. Dwayne said that it was at the time of the violation. Dwayne said that normally what they have done is if the person rectifies the issue within a day of the violation, then they are all set. If it goes beyond that day, then they become subject to a fee established by the Board of Selectmen. Selectman Cowan asked if that was all spelled out somewhere. Dwayne said that this was actually a policy established by the Board of Selectmen several years ago.

Chairman Galemmo was questioning about when the signs can go up. He said that if he has a sale on this day, how many days before that day can he put signs up. Dwayne said that they had not discussed that part. Chairman Galemmo said that there needs to be two ways of stating it because if they are talking about a real estate sign, the event will be when it sells. However if a store like Dollar General is having a sale for Valentine's Day can they start putting up signs in December. Dwayne said that what he thinks that they are going to have to follow for that is the political sign requirements. He said that if they do anything other than that, it will cause problems. Chairman Galemmo said that he also knows that political signs are different regarding the public right of way versus private property. Dwayne said that it was not different for when the signs can go up. Chairman Galemmo said he didn't think that was the case. He said that he had signs up on his personal property up long before they were up around town. Dwayne stated that the political signs are going to be the defining time frame for what temporary signs are going to be judged because if that is what the time frames are than we have to allow the same for everybody. Selectman Johnson, Jr. asked if the political sign requirements were a State law or a Federal one. Dwayne said that it was a State law.

Chairman Glemmo asked what the Planning Board was considering for the size of the temporary signs to be. Dwayne stated that they went back and forth a lot but he thinks they are leaning towards 24 square feet. He stated that the Planning Board asked him to get an idea of what some of the typical temporary signs that we have around town. He found that the typical sign using both sides is 16 square feet. Chairman Glemmo asked about how many signs they can have and Dwayne said that they don't have a number. Selectman Cowan asked why there was no restriction and Dwayne said that they wouldn't be able to enforce that. Dwayne said that he has thought back to see if temporary signs have been an issue and they really haven't been so he doesn't think that it will be a problem.

Dwayne stated that they have 8 questions to put forth for the town to vote on. He stated that they have talked quite a bit about all of them already. The first question is regarding amending our Electrical Ordinance. Question #2 is in regard to Explosive Materials. Question #3 is regarding changes in the Shoreland zones to allow the Code Enforcement Officer to streamline things. Question #4 is to allow drive-thru for banks and pharmacies. Question #5 is regarding the Bordering Town Lines which would allow bordering uses to come into our town as a Conditional Use with Standards. Question #6 is about the demolition permit which they discussed at the last meeting. Dwayne stated that the Planning Board actually made some pretty good changes to this one. He stated that they like it but were concerned about the fee that will be charged. Dwayne told them that it was going to be a nominal fee. Question #7 is the Sign Ordinance. He stated that it is a draft right now and that it will change according to what they discussed earlier. Question #8 is regarding the Establishment of Planning Board Ordinance.

D. Con-Ag Commission: Review Suggestions for Town Forest and Food Sovereignty

Dwayne stated that when the Selectmen met with the Con-Ag Commission back in October or November, we talked about two different things that they were looking at. The first item was the Town Forest Property Designation. They have listed a bunch of properties and have come up with what a definition of what a Town Forest would be. This is located on Page 65 of the Selectmen's packet. The definition reads as follows:

Town Forests are designated properties owned and managed by the Town of North Berwick for public benefit. Uses of Town Forest include but are not limited to: Watershed Protection, Wildlife Habitat, Forest Products, Public Recreation, Outdoor Classrooms, and Neighborhood Gathering Places.

They also listed a number of lots to be considered. Dwayne said that he felt that they should remove Map 10 – Lot 4-7 from the list because it has already been designated as Conservation. He doesn't think that they should change the Conservation tag. He emailed Sofie Larsen to let her know and she agreed. Selectman Johnson, Jr. asked if we ever logged that land and Dwayne said that they had not. He said that there is nothing that says that we can't log it but there is not a lot of growth up there. Selectman Johnson, Jr. said that once we designate these lots as Town Forest, we will have to be responsible for maintaining it as forest which means harvesting it. Dwayne said that they will need to create Forest Management Plans for these lots.

Dwayne stated that they will have this as a Warrant Article instead of as a referendum so they will have it as open discussion at Town Meeting. Selectman Folsom stated that people will have no idea where these lots are located. Selectman Johnson, Jr. asked if there was any way to include the addresses for each of the lots but Dwayne said there were no addresses because they are in the middle of the woods. Dwayne stated that when they are at Town Meeting, he will have his computer and he can zoom in on each of the lots for the people to see on the big screen. Selectman Johnson, Jr. said that he is sure that people are going to ask what the cost to maintain these lots will be. Dwayne said that if everything goes right, they should be self-sufficient. He said that the good thing is that Dave Parker is on the Con-Ag Commission and is very knowledgeable about the forest. He is very well respected and does the forest management plans for everyone in town. He will not be able to do ours because he is our Tree Warden but he can have a say about it. Dwayne said that they are putting \$5,500 in the Budget this year to move this project forward to get the Project Canopy Grant.

The next item is regarding a Resolution to Support Food Sovereignty. Dwayne feels that they did a good job. He said that what he likes about it is that it is broad enough as well as specific enough. He said that the Con-Ag Commission gave it to him in a paragraph form and he created the “Whereas” and “Now Therefore”. Chairman Galemme asked if they needed to pass this or if it needed to go to Town Meeting. Dwayne said that it will go on as a Warrant Article to discuss at Town Meeting. He said that it sets our town policy and states that this is what our town legislative body wants and this is how we are going to operate. He said that the Commission took the legal concerns that he had previously and took it right out of the picture.

Selectman Cowan motioned to put the Town Forest Property Designation and the Resolution to Support Food Sovereignty on the Warrant. Selectman Hall seconded the motion. VOTE: 5-0

Reminders: Next Board of Selectmen’s Meeting – January 19, 2016 – 6:30 pm Municipal Building

Dwayne stated that our Auditor will be at this meeting to present our audit to the Board.

5. New Business:

B. Liquor Law: Request to Amend Liquor Laws to Allow for Agency Liquor Store

Dwayne was approached by Hannaford Supermarkets about changing the liquor laws in our town. He said that liquor laws are handled by the town differently. They are incorporated in our Zoning Ordinances but they are also separate laws. He stated that there are 9 questions that the town has to vote on by law. Currently, all but 3 have been approved. The 2 that we haven’t approved are for agency liquor stores. There are actually 2 questions regarding agency liquor stores. One that allows for the sale of liquor all week long excluding Sundays and one that allows for Sunday sales. These are liquor laws that are established by State laws so there is nothing that we can do about it. He stated that in order for the town to vote on these things, a petition needs to be submitted to the Selectmen. The Selectmen cannot initiate it on their own. The petition needs to be in a specific format. It needs to be submitted to our Town Clerk. They have to have at least 334 signatures on it which is 15% of the last gubernatorial election of

registered North Berwick voters. Hannaford will be pursuing this so there will be a petition circulating around town. The Manager of Hannaford told Dwayne that they don't really care if they sell it or not because sometimes it brings more problems than profit. Selectman Cowan asked why they were moving forward with it. Dwayne said that they have had a lot of people come in the store asking why they don't sell liquor. Dwayne said that the last vote that they had on this was back in 1979 and it was actually illegal. He said that there is a portion of the law that states that if you vote on all 9 questions with the intent to dry up your town, you can't do that. That is exactly what happened in 1979.

C. Public Works: Revised Drug and Alcohol Policy

Dwayne stated that we have a drug and alcohol policy for our CDL drivers which can be found on Page 103 of the packet. He said that Page 103 through 111 is our current drug and alcohol policy that we passed in 1996. We had to do this because CDL drive have to be drug tested by Federal law. We hire Maine Motor Transport Association to be our third party administrator of our drug policies. We also hire First Assistance which is our drug tester. When you read through our current drug policy, it actually is not up to date. There are a lot of new drugs that the Federal laws say that you have to test for and the way that you test for them has changed. Alcohol used to be tested with a breathalyzer but now everything is done with a urine sample. We need to revise our policy so that it is up to date. The new policy starts on Page 112 of the packet. He stated that they look very similar to what we had before. The big change is with the substances that they are testing for. We now have to run it for Heroin and Ecstasy along with the previous six that were done on the old policy. The other change is on Page 116 under the Testing Procedures. Our testing procedures now are purely urine samples. Dwayne also stated that Page 117 is a completely new law that refers to what happens if you refuse to test. Selectman Folsom asked if this was only for new employees. Dwayne said that it was for all employees. He said that all employees are in a pool and get tested every quarter. It also refers to what happen to the disciplinary action if they fail the test.

Dwayne said that all of the drivers will have to sign an acknowledgement that they received the new policy.

Selectman Folsom motioned to approve the new Drug and Alcohol Policy for Public Works. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

A. Budget FY17: Review Initial Budget Requests for FY17

Dwayne referred the Selectmen to Page 67 of their packet to review the budget items. He stated that he received all of the budget requests and they are about 10.5% higher than what our current budget is now. The majority of the increase in these requests is due to capital improvement. We knew that this was going to be a capital improvement intensive year. We put money aside to do certain things and this is the year when it comes due. The number that you want to look at is where our Operations numbers are at. He said that the requests for Operations came in at about a 4.4% increase over last year. This is actually manageable. He does not believe that they will have any problem getting it down to 3% which is typically our goal. He said that the departments did not go hog wild in creating their budgets. The first four pages are just a

consolidation of things. He stated that General Government came in at a 3.17% increase. The increase came in for this with the Conservation Commission with an additional \$5,000 from last year. The increases in Code Enforcement, Tax Assessment and the Office are all due to increases in health insurance and retirement. He said that there is also a 2% cost of living increase included in these numbers. He said that this is something that the Selectmen need to discuss and we will do so at the next meeting.

There is a pretty big increase with the CIP budget from \$555,000 to \$813,000. Public Works is only up 2.67%. Health and Social Services is down by almost 1%. Protection is up by 6.37% and the reason is because we are in the second year of moving up to a full time Rescue Squad. Police are up 3.72% and this is mostly due to health insurance and retirement. Fire came in at exactly the same number as last year. Street lights, Hydrants and Animal Control came in at the same number. Dispatch came in at 2.99% increase. Parks and Rec came in pretty dead flat to last year with an increase of just .60%. The Library came in with an increase of 8.07%. The majority of this increase is because they want to add people. We had the discussion with them last year and we had told them "no". Historical Society is down \$500 for a 5.56% decrease. Outside Agencies are up 1.08%. Cemetery is up 21.36% but what they do is put in a number and then he takes a look at everything and figures it out. He said that it will come in dead flat because our cemetery contracts have not changed. He said that they look at all of the expenditures but don't look at the revenue side. He said that Eastern Trail has made another request. The TIF's are at \$0 again. Our Debt is a 0% increase and the Impact Fee Budget is up significantly because of the two projects that we are looking at doing.

Dwayne said that on Pages 72 to 81, it shows a history of the past 10 years for expenditures. On Pages 82 to 91, it shows the detail of all the requests that each department is asking for. Selectman Hall asked if the Selectmen had a say in some of the items that are being requested. Dwayne said that they do and at the next meeting, they will be going line by line to review. He will have the draft Warrant for them to review. Dwayne told Selectman Hall that they will all be receiving a Budget book that will include everything in writing and why they need it.

Dwayne referred the Selectmen to Page 71 in the packet to review the Capital Improvement Plan. He said that we are looking at a one ton for the Public Works Department. We were originally looking at getting a big truck but decided on holding off on that. He said that the one ton that we are replacing was supposed to be replaced 3 years ago but we rehabbed it to get it through to this year. He has \$85,000 listed but our estimates came in at \$83,000 and we will be selling our other one ton so the number will probably come down to the high \$70,000. He thinks that we will realize about \$6,000-\$7,000 for our existing truck. The number for the computers is what we carry every year. He said that the computers don't come out of CIP but he lists them here so he can track them. It actually comes out of our Operations costs. We know what the Road Bond number is. Road Reconstruction, Pavement Maintenance, and Sidewalks all add up to \$405,000. He said that our road projects next year are Randall Road from the curb down. It will be a shim and overlay with some tree cutting and culvert replacement. Another one is Beech Ridge Road from the High School to the Berwick Town Line. There is very limited work to be done other than shim and overlay. The big project is Diamond Hill Road. It is the start of a 3 year intensive project. We will be doing the tree cutting and starting on the gravel base for next year. The second year will be the base pavement and the third year will be the surface pavement. We are

looking at about \$125,000 just in gravel work. The trees will cost about \$30,000 to cut them, stump them and get rid of them. The problem is that the road is actually lower than the rest of the property. We will have to do box cut from Beech Ridge Road to about the Wick's property. We will remove 18 inches of gravel and bring 18 inches of gravel back in. At that point, we will build the road up 18 inches until we get about $\frac{3}{4}$ of the way down the road and then we taper back to Governor Goodwin Road. We are basically building a brand new road.

For the Mill Field Improvements, we were not going to put anything in this year but we are thinking of replacing the fence rails. He said that it is about \$2,000 to do all of the rails. He said that he thinks that he may have enough money in our current budget to do it next spring so this number may disappear. Our lease is done for the Photocopier and he has decided not to replace it so he removed that from the CIP. In regards to the SCBA-Bottles Lease, it was going to be the third year of a three year bottle replacement. The Fire Chief went through our bottles and we don't need to replace any. We have payment #4 on the lease for the fire truck. The new Tanker Escrow starts. We will be taking possession of our new tanker by the end of February. We had built in \$30,000 per year in the budget but it actually came in at \$26,800. The next two items are Impact Fees. One is the Canal Street Playground. The other is the walking trail at the Community Center and all of the improvements that go along with that trail. They estimated it to be around \$35,000. We estimated the Canal Street Playground to cost about \$25,000 but the Parks and Rec Committee added costs. Dwayne said that he does not feel that the added costs are necessary. They want to run electricity and have our own motion light fixture and a camera. He does not feel these things are necessary. He said that they can put a street light instead because he feels that having an intermittent light will be a problem for the neighbors. They also want to put in a camera to deter vandalism. He understands what their concern is. The camera that they are looking at will have zero ability because they are looking at a game camera. If there is any vandalism, it will not help because all you will see is a shadow. To put a camera up there that will actually capture somebody's face, we would need to spend \$5,000 to \$10,000 and he doesn't feel that this is necessary. He said that in the future, if we start having vandalism problems, then we can address it. He said that we really haven't had a lot of vandalism at the other places. Selectman Hall asked what else was going in at the Community Center besides the walking trail. Dwayne said that there will be benches, picnic tables and the rebound wall.

The next item is a Police cruiser. Dwayne stated that five years ago we had looked at the plan to buy 3 police cruisers in a 5 year period. It worked but only because we wrecked two cruisers and we got to replace those cruisers. He stated that with the number of miles that we put on these cruisers, it looks like we will have to go to a new cruiser per year. He said that once a cruiser gets to 120,000 miles, that cruiser is pretty much done. The Chief would like to get another SUV this year. Dwayne said that the difference between the cost of a cruiser and of an SUV is less than a \$1,000. Selectman Cowan asked how many cruisers we currently had. Dwayne said that we had 5 cruisers. The Chief would like to take the old one that we will be replacing this year and use it as a detective car. Dwayne stated that we have a drug problem but the problem is not border specific. Our detective ends up going into a lot of seedy areas and we don't want to bring our police cruisers into those areas. The idea is to have a car that is pretty beat up and stripped down so it just looks like a beat up old car to bring to these areas and it is more beneficial than bringing in a marked cruiser. Selectman Cowan asked how many times he goes down there. Dwayne said that he has gone many times and he has been bringing his personal vehicle instead

of a cruiser. Selectman Cowan asked if it would be possible for Chief Peasley to come in and give them some background on what is really going on and the challenges that we face in terms of crime in this community. Dwayne said that he is sure that he would do that. She would really like to know what is going on.

They are also looking at a loader and the price of a loader is about \$150,000 to \$155,000. Dwayne thinks that they can get \$20,000 to \$25,000 as a trade in on our current loader. This brings the price down to about the \$120,000 to \$130,000 range. He feels that their best option would be to do a lease purchase for over 5 years for about \$30,000 per year. That fits better into the budget framework than coming up with \$150,000.

The next three items are things that we are looking at. We have been patching the roof on the Salt Sand Building for years, but this year we found a major leak that we need to repair. In order to fix it, we need to strip the majority of the roof. The issue then becomes whether to just patch it up or replace the whole roof. Dwayne said that the right thing to do would be to replace the whole roof. It would cost \$33,000 to do this project. He said that the biggest problem that they have there is the wind so the shingles are always blowing off. He stated that right above the door, there is an area that they have patched at least 3 times. He said that he believes that they can probably do better than \$33,000 but he wanted to budget high and come in low.

The second item is the substation floor. Dwayne said that they talked about this a couple of years ago and put it off. The Fire Chief would like to take the money that they are not using for the SCBA bottles this year and apply it to doing the substation floor. Dwayne said that the floor has not been done since it was built which is about 30 years now.

The last item is in regards to an addition to our Public Works building. Dwayne said that they had started talking about it 2 years ago. He said that they priced it out but he thinks that they will push it out another year. He said that if you got to the Public Works building, there is a little brown building that is next to it. It used to be a forestry building and then it was used for police storage. The cost would be about \$30,000 and it would be about a 20 x 30 building. It would be for cold storage so they would use it for the one ton, sidewalk plow and then use it for our signs, posts and barricades. Dwayne said that our capital for next year is a lot less. The ambulance will be pushed out until 2019 because of the other ambulance that we just bought. Dwayne feels that because next year is lighter, we should probably push this off until then.

Chairman Galemmo asked what our Revenue numbers look like. Dwayne said that he can locate this on Page 91 of their packet. He said that they are looking at new real estate value to be about \$3 million. The new personal property value will be about \$12 million. This is about \$15 million in new value so we are looking at about \$190,000 in new revenue. He said that Hannaford will add about \$1.5 million to our valuation because we can capture 100% this year. Dwayne said that our auditor is looking at commercial real estate values because he thinks our numbers are a little soft.

Dwayne said that he feels that he can definitely bring this budget down. Chairman Galemmo stated that it would be nice if they could keep a flat tax rate this year. Dwayne said that with our budget he thinks they could do it but it will all depend on what the school budget is.

6. Other Business:

No other business at this point.

7. Review and Approve Warrants and Correspondence:

Warrant:	December 22, 2015	- \$ 56,772.79
Warrant:	December 29, 2015	- \$ 0.00
Warrant:	January 5, 2016	- \$ 70,189.31

Selectman Hall motioned to approve the Warrant of December 22, 2015 for the amount of \$56,772.79 and the Warrant of January 5, 2016 for the amount of \$70,189.31. Selectman Folsom seconded the motion. VOTE: 5-0

8. Adjournment:

Selectman Folsom motioned to adjourn at 9:15 pm. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Respectively submitted,
Susan Niehoff, Stenographer

Original To Town Clerk

Chairman: Charles Galemmo

Selectman: Wendy Cowan

Selectman: Elaine Folsom

Selectman: Michael Johnson, Jr.

Selectman: Jonathan Hall