

North Berwick Board of Selectmen Minutes April 19, 2016

NORTH BERWICK BOARD OF SELECTMEN MINUTES APRIL 19, 2016

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

Also Present: Dwayne Morin, Sofie Larsen

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

1. Pledge of Allegiance

2. Review and Approve Minutes of April 5, 2016

Selectman Johnson, Jr. motioned to approve the minutes of April 5, 2016 as written. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

3. Public Input:

There was no public comment at this time.

5. New Business:

A. Farmer's Market: Presentation and Enter into Agreement for Ensuing Year

Sofie Larsen stepped forward to discuss the Farmer's Market. She stated that last year was a little challenging for her because her father passed away in the fall. She had to leave the market in August to go to Denmark. She stated that the market was affected by this. She stated that on a normal day, she does 80% of the work, 10% of the market farmer do the last 20% and the rest of them don't do too much. While she was gone, the 10% did step up and do a little more but there are still a lot of things that went by the wayside. Press releases, print advertising and other things like this were not done. It was not because she didn't tell them what needed to be done but they are farmers and it is a busy time of year for them. She is sure that this affected the market quite a bit.

Sofie stated that she has different priorities with her family now and it is time for her to pass the torch on to someone else. They have found a new manager. She will not just drop it on her and leave. She will train her slowly as the season goes so she can make sure that all areas are covered. The new manager will be Katie Semro from Berwick. She currently manages the Berwick Winter Market. Sofie is hoping that by having someone that manages both the winter market and our summer market, there will be some sort of continuity. She stated that they don't always see customers that go to the winter market transfer their patronage to the summer market and vice versa. She would like to see that happen more, especially since a lot of the vendors are the same. She hopes that by having the same manager for both, it might help with this.

Sofie stated that they will be offering double value for SNAP recipients and it is a really popular program. They did see a sharp decline in recipients at the market. She does not think that this is reflective of nothing happening in the last part of the season. All of the markets in the area experienced a decline as well because benefits are becoming hard to obtain. The average time that somebody might be on SNAP is about 9 months. She stated that they do see a large number of prior SNAP recipients still come back to the market. She said that every SNAP family that they had come to the market before, came back at least twice.

Sofie said that they had an inspector from the USDA come by last year. She stated that it went well. There were only a few minor corrections to make like somebody was using a scale that was not up to par. Otherwise it was great. She stated that the inspector gave her a few resources to obtain information that she may need to know so it turned out to be very helpful.

Sofie stated that they are always recruiting new vendors. She said that most farmers only farm for 5 years and some of their longtime farmers have received grants for research so they are no longer at the market.

Dwayne asked if Berwick had a summer market. Sofie said that they did not and that North Berwick was the summer market in the area. Selectman Johnson, Sr. asked if South Berwick had one. Sofie said that they have been thinking about doing one but they haven't acted on it yet. Selectman Johnson, Jr. asked if they got a lot of crossover from these towns since there is no markets there. Sofie said that they did and that they get customers from as far away as Dover. Selectman Cowan said that it would be nice if they could do some signage in these other towns advertising our market. Sofie said that they do put up a sign in South Berwick on Fridays when they have the market. She said that she wanted to ask about putting up the signs. She said that on Route 4 and Route 9, she usually puts up the little signs that state that there is a Farmer's Market every Friday. She asked if it would be okay to put them up this week because she will be out of town for the first couple weeks of the market. Dwayne said it would be fine.

Selectman Hall motioned to renew the Farmer's Market Agreement for this year. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Sofie said that she will be back at another meeting with the new manager, Katie Semro to introduce her to the Board. Selectman Johnson, Jr. asked her about having music at the market. Sofie said that they used to have Marty Englund to coordinate the musicians for the market but he no longer does it. She has been looking for someone to coordinate this but has not had much luck. She said that it is hard to have musicians come out here to play for \$50. She has thought about getting involved with the high school music program, but she has been to many markets where the students have played. She said that it can be a pleasure but it can also be somebody that is not as good as they think they are. Dwayne said that you also have to be cognizant as to what they are singing about. Sofie said that they are still looking to recruit someone to work on getting musicians.

4. Unfinished Business:

A. Code Enforcement: Progress of Replacement and Interim CEO Coverage

Dwayne stated that Jim Allaire will start officially on Monday but will come in on Friday to get acquainted and look at the current ongoing work load. Dwayne said that Wells and South Berwick have done a great job in helping us out, but it will definitely be nice to have somebody here in the office. Chairman Galemmo asked Dwayne where we were at for new houses this year. Dwayne said that they just issued our 19th new house for the year since last July. He stated that the last 3 years, we have averaged 10 new houses per year so we have almost doubled that this year. We have a cap at 39 new houses per year and we have not even come close to that since the first couple years since they started the cap.

Dwayne stated that he had a letter to the Town of Wells and one to the Town of South Berwick to thank them for their help during our time without a Code Enforcement Officer. He read the letter to Wells into the minutes:

The Town of North Berwick Board of Selectmen would like to extend our thanks and gratitude to the Town of Wells for provided Code Enforcement Officer coverage to the Town of North Berwick during our search to fill the North Berwick Code Enforcement Officer position. Thankfully, we have selected James Allaire to fill the position beginning on April 25, 2016.

The Town of North Berwick would like to thank the entire Code Enforcement Office Staff for their assistance. Jodine, Jim, Dave, Gordon and Elaine have provided excellent professional service to the Town of North Berwick citizens and contractors during this interim period. Their knowledge of building and plumbing codes along with their desire to learn the Town of North Berwick Zoning Ordinance requirements and their ability to assist North Berwick citizens in a professional manner, with kindness and patience, during this interim period have been greatly appreciated. The Town of Wells should be proud of the service the entire CEO staff provides to Wells citizens.

The Town of North Berwick is also pleased to have forged a relationship with the Town of Wells that will continue in the future as we assist each other with mutual issues.

Dwayne stated that the letter to South Berwick was basically the same thing. It just thanks Joe Rousselle for helping us with plumbing inspections and permits.

B. Tax Acquired Property: Disposition of the Phillips Property on Railroad Avenue

Dwayne stated that he is still waiting to talk to the McDonalds. He stated that he did speak with Mike after the last meeting we had, but he is in San Diego for the next few weeks. Mr. McDonald will speak with his neighbors about it when he gets back. Mr. McDonald did state that they are definitely interested in buying the property even if the neighbors are not.

C. Public Works: Discussion of Replacement One Ton

Dwayne stated that they bid out the one ton. They have sent it out to four dealers to get pricing and this is due back by May 2nd. They are also getting pricing on the back end of the truck. He will have those bids available at the next meeting. They will be able to see if it is better for us to do it on our own or to purchase a prepackaged vehicle. Dwayne stated that the good news is that there are a lot of people that are interested in the old one with the blown transmission. Selectman Johnson, Jr. asked if they were going to sell the sander and plow with the truck. Dwayne said that he would like to set a price for the truck and a price for the sander so that people can bid for one or the other. He stated that the sander can fit on any one ton truck as long as it has hydraulics. He said that they will probably set a minimum price of \$1,000 on the sander and about \$2,500 on the truck.

D. MSAD60: Sign Warrants and Approve Ballot Clerks for Election

Dwayne stated that the Superintendent was planning on being here tonight but he had a conflict. He is actually in Berwick right now. He will attend the May 3rd meeting.

Dwayne said that the Board have to sign the Warrants for the school vote and appoint the ballot clerks for the election on May 10th. The proposed ballot clerks are Kathleen Pease and Susan Linscott.

Selectman Cowan motioned to approve Kathleen Pease and Susan Linscott to be ballot clerks at the May 10th election. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Reminders: Next Board of Selectmen's Meeting – May 3, 2016 – 6:30 pm Municipal Building

5. New Business:

B. Earth Day: Request by Parks and Rec

Dwayne stated that during the Budget Committee process, they talked about trying to enhance Earth Day to make it more like a Pride Day. The timing didn't work for this year, but in ramping up to that, the Parks and Rec is seeking people to help clean up around town. They are asking all committees, departments and businesses around town to help do cleanup for 2 hours. Dwayne stated that the Selectmen's invitation is included in their packets. They can either put together a team or just help out themselves. It will run from 10:00 to 12:30 this Saturday.

C. Safewise: Announcement that North Berwick is 6th Safest Town in Maine

Dwayne stated that Safewise is an insurance organization and they ranked the safest cities according to certain criteria. They do this for every state in the union. They did the State of Maine last year for the first time. Last year, we were in 7th place and this year we went up to 6th place. It shows that our public safety personnel are doing their job. It is based on the amount of crime and our ability to clear crimes. Selectman Johnson, Jr. asked where they got the information for the rankings. Dwayne said that all of our crimes are logged in with the FBI so they used that data. Chairman Galemmo stated that it justifies what we spend for the services.

D. William Hill Firefighter Assoc: Gift of Nozzles to Town

Dwayne stated that throughout the year, the William Hill Firefighter Association is continually buying apparatus and equipment for the Fire Department to save us money on taxes. This past month, they purchased 7 new TFT nozzles at a cost of almost \$3,500. They are looking to gift these to the town so that these become insured by our town policy.

Selectman Hall motioned to accept the gift of the 7 TFT nozzles from the William Hill Firefight Association. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

E. Aroma Joes: Review of Project before Planning Board

Dwayne stated that the Planning Board will be reviewing at their next meeting, the Aroma Joes proposal. Because it is right next door, he thought it would be a good idea for the Selectmen to see what it looks like in case they have questions about it. Selectman Cowan stated that the proposal states that it will have two bays for the car wash but the design shows three. Chairman Galemmo stated that one of those is not a bay for the car wash. It is actually the drive thru window. Dwayne said that it is exterior but it is under an overhang. They will have a walk up window. Dwayne showed the Selectmen the plans on the projector. He pointed out where our entrance will be which will be about 30 feet wide. Dwayne stated that the 2 car washes are automatic and one will be touch free and the other will be the roller. He showed them where the detention ponds will be and talked about the landscaping. Selectman Johnson, Sr. asked where the water drained to and Dwayne said that it drains through the town system and goes to the river. He stated that they are discussing an issue concerning the drainage with the applicant and looking at another detention pond to be added.

Chairman Galemmo asked if the Town would be losing any parking spots. Dwayne said that we would not be losing any. He stated that people currently park where we have no spaces so that area will no longer be available to park in. However, all of the current spaces that we have will still be there. Selectman Johnson, Sr. asked what they would do with the rest of the land in the back. Dwayne stated that there is still about 4 acres out back and they will probably do some housing there in the future. Selectman Johnson, Sr. asked how they would be able to get to that part of the property. Dwayne said that they have an entrance off of Route 9 and off of Burma Street. They have about 250 feet of frontage on Burma Street and they have a 30 foot wide right of way off of Route 9. Selectman Cowan asked about the colors they were going to use. Dwayne said that he was very happy with the choices they made. He said that the siding will be

beige, the shake siding will be granite, the trim will be light blue, the roofing will be charcoal gray and their awnings will be a dark blue. Their sign will be the traditional Aroma Joes sign but they are muting them quite a bit.

Selectman Cowan stated that the roof lines of their buildings are usually pretty good. Dwayne said that we had them change the roof lines because the original plans were not really good. They originally had a very shallow pitch on the roof. It is a 5/12 pitch on the garage and it is a 12/12 pitch on front. We made them have two dormers on the front and we made them add dormers on either side of the garage to break up the long roof line.

Dwayne stated that they had about 12 changes for the applicant to do and they have been very receptive to them. He wishes that we would have a wider entrance to the Town Hall but the problem is that we need the detention pond. He said that we will need to enter into an agreement with them. We will flop easements. They will give us an easement for our entry way and we will have an easement with them to help them maintain the pond in the front. He does not want it to be a brown pond. He wants it to be a green pond so they added underdrain under the pond. We will not put any curb on our side to allow the water to flow.

Dwayne stated that they will putting in a new sidewalk with granite curbing in the front of their building. They will be using pre form concrete on their site. They will be adding braille pads on the sidewalks as well.

Dwayne stated that the Public Hearing will be next Thursday. The applicant would like to break ground this summer and start working on it. Alan Gray still needs to move all of his stuff to his residence. Selectman Johnson, Jr. asked if Dwayne had received any complaints about it yet and Dwayne said that he has only had positive feedback.

6. Other Business:

Dwayne stated that there is a mobile home park that was proposed a while back. It is a 55 years and older park which will be located on Route 4. It is about a half mile away from the road so it will not be that visible. It will be called Country Estates Mobile Home Park and will have 39 lots. Chairman Galemмо asked if the 39 lots was because of our cap. Dwayne said that it will not fall under our cap because it is under one ownership. Chairman Galemмо asked who was going to be responsible to get the permit. Dwayne stated that the developer will be the one to obtain it. Chairman Galemмо asked if they would need one permit for all 39 lots or if they will need individual ones. Dwayne stated that he wasn't sure and needs to check into that. Dwayne showed the Selectmen where the property was located on a map on the projector. They will be using town water. They have already talked to the Water District and they will put a line right in and have individual meters in the development. Dwayne said that they were going to come in with just an open mobile home park but we convinced them to put in an over 55 park instead. He thinks that they will do very well with it.

Dwayne stated that one of the ladies in the office is going in for surgery on June 1st and will be out for 4-6 weeks. We will be down on staff so that means that he will have only one person in the office on the day of the primary which is on June 12th. Dwayne stated that they can try to handle it or they can close the office on that day and use all of the staff for the primary. Selectman Johnson, Jr. asked what day it was on and how busy are they on that specific day. Dwayne said that it was a Tuesday and they very rarely have anyone come in on an election day because most people assume that they are closed for them. Dwayne stated that his concern with having just one person in the office is because it makes it very difficult. The Board agreed to close the office and have the personnel work at the polls instead.

Dwayne said that he has been trying to get Hannaford to sell our Pay As You Throw bags in their store and they would like to sell them. However, they require anyone that sells anything in their stores sign a Master Vendor Agreement. He said that for the most part, it is not a big deal. There are two sections that are an issue. He forwarded it to our attorney and to our insurance company to review it so that we are not signing anything that we shouldn't. Our insurance company stated that the insurance requirements that they are requesting from us, we do not have so we would have to buy additional insurance. They also want us to name Delhaize as an additional insured and because of the structured language that is in the agreement, our insurance cannot name them as an additional insured. They also want us to have Workers Compensation insurance and Liability insurance which we do have. Above all of this, they want us to buy Excess Insurance in the amount of \$1 million. Dwayne asked our insurance what they thought and they recommended not signing the agreement. He asked the insurance company if they insure about 90% of all the towns in the state of Maine and they said that they did. He asked them if any other town had asked them to review this agreement and they told him that none of them had. He told them that he could name 20 towns that have signed that agreement and they are all insured by them. Dwayne stated that Hannaford told him to just sign it and not to worry about it because they will never ask for that insurance. Dwayne told them that he had a moral dilemma. If he signs the agreement, he is literally in default because he can't meet the requirements in it. Dwayne said that he asked them to change the agreement but they will not change it. Dwayne is asking the Board what they think he should do.

Chairman Galemmo asked what insurance is protecting them from. Dwayne stated that if we go in there and deliver bags and we drive into their building, it will be our responsibility so they want to make sure that they are covered. In regards to the Workers Compensation coverage, if our employee slips and falls or hurts their back while delivering bags, they will not be responsible for it. Dwayne said that Hannaford really wants to sell the bags. He went to their manager and told him to convince the main office to remove Article 12, he would sign the agreement tomorrow. The Manager is working on it.

Selectman Hall asked if Cumberland Farms sold our bags and Dwayne said that they did. Dwayne said that they signed our agreement because we have one for people to sign. Chairman Galemmo asked if they get a cut for selling our bags and Dwayne said that they did not. Dwayne said that we make them sign an agreement that states that they need to buy the bags from us and they don't get anything out of it. They do it because it draws people into the store. Selectman Johnson, Jr. stated that he doesn't see what the benefit is for the town. Dwayne said that it is more of a convenience for our citizens.

7. Review and Approve Warrants and Correspondence:

Warrant:	April 12, 2016	- \$	0.00
Warrant:	April 19, 2016	- \$	589,308.65

Selectman Hall motioned to approve the Warrant of April 19, 216 for the amount of \$589,308.65. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

8. Adjournment:

Selectman Cowan motioned to adjourn the meeting at 7:53 pm. Selectman Hall seconded the motion. VOTE: 5-0

Respectively Submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Charles Glemmo

Selectman: Wendy Cowan

Selectman: Michael Johnson, Jr.

Selectman: Jonathan Hall

Selectman: Michael Johnson, Sr.