

North Berwick Board of Selectmen Minutes June 21, 2016

NORTH BERWICK BOARD OF SELECTMEN MINUTES JUNE 21, 2016

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

Absent: Chairman Galemmo

Also Present: Dwayne Morin, Stephen Peasley, Ernest Rose, Dan Pelkey

Vice Chairman Hall will be the Acting Chairman for tonight. He called the meeting to order at 6:30 pm.

1. Pledge of Allegiance

2. Review and Approve Minutes of June 7, 2016

Dwayne Morin stated that under the Public Works section, the final price for the one ton was listed as \$178,000, but it should be \$78,000.

Selectman Johnson, Jr. motioned to approve the minutes of June 7, 2016 as amended. Selectman Cowan seconded the motion. VOTE: 4-0

3. Public Input

There was no public comment at this time.

5. New Business:

C. Police Department: K-9 (Maverick) Certification, Sheriff Deputy Agreement

Chief Stephen Peasley stated that Dan Pelkey has been working for the past 14 weeks at the Police Academy with Maverick. He said that about 5 or 6 years ago when they first started to do the K-9 program, Officer Pelkey was the one that volunteered to do it. Chief Peasley stated that when he originally interviewed Officer Pelkey for the officer position, he had asked him what he would be interested in doing. Officer Pelkey said that he was interested in being a K-9 officer. Chief Peasley said that you really need the right kind of person to be a K-9 officer because it is an incredible amount of work. It is not just putting the dog in the car and coming to work. Aside from feeding him and taking him out, he has to work with him all the time and is constantly reinforcing the training. They originally obtained Hoki for the program. He was donated to the department. He was a little older than the optimal age but he was free and it was a great way to get started into this program. Hoki has done an excellent job. Shortly after he graduated, there was an armed robbery in Somersworth and they crashed the car on Route 4. Hoki tracked them through the woods and found them. Chief Peasley said that Hoki is getting a little old and he is

slowing down a little bit so Officer Pelkey started looking for replacement. He found Maverick from California. He was also donated to the town. His former owner flew him out personally. He even came back for Maverick's graduation from the Academy last week. The 14 weeks at the Academy is very rigorous. It is even more rigorous than the police officer's training. Officer Pelkey stated that they have changed the whole course since Hoki was there for training. Officer Pelkey had to spend a lot of time at the Academy and even when he came home on weekends, it wasn't really off time because he was continuously working with Maverick.

Chief Peasley said that he had a talk with Officer Pelkey before he went to the Academy because he was concerned about whether or not Maverick would be able to work out in this program. He is young and has a lot of energy. Officer Pelkey took Maverick to a State Police handler who has a lot of experience in this field. The State handler did some tests with Maverick and said that he thought he would be okay for the training. Chief Peasley stated that Officer Pelkey would meet with him on Fridays when he came home to show him what he had learned that week. Chief Peasley said that it is a completely different dog. It was incredible how much he has learned and changed.

Officer Pelkey showed the Board members some of the things that Maverick had learned. He stated that he had to be completely retrained as well because the training has completely changed since he went with Hoki. The old way that they used to train the dogs was through compulsion. If they told the dog to sit and they didn't sit, they would yank them around a little bit until they did what they were asked to do. There was always a disconnect with this method and they couldn't figure out where the disconnect was. They knew that there was something that they could do better but didn't know how to fix it. A couple of years ago, the troopers met with the New Hampshire State Police to watch the training plan that they were running. They are running an operative training program. They are basically creating thinking dogs, dogs that can learn, dogs that can understand and dogs that can problem solve. Instead of just being told what to do and punishing them when they don't do as they are told, we let them solve the problem. The entire foundation of their training started off with using a tug for obedience. When they said sit they would show them how to sit and reward them. This is how they showed them all of the commands. It is all play driven. He continued to describe the training involving the words they use and how they used washers for tracking.

Chief Peasley stated that Maverick was not trained for finding drugs yet. That training is another 8 weeks and they will only do that next year. Officer Pelkey stated that Hoki is getting older and is having a harder time with running, jumping and climbing. However, his nose still functions so in order to save money and try to spread out the training costs a little bit, they will keep Hoki drug certified for this year, They will skip this coming drug school, put Maverick in the one next year and officially retire Hoki after that. He will be about 9 ½ years old at that time.

Selectman Johnson, Sr. asked if he is able to get somebody that doesn't want to be caught. Chief Peasley stated that he is trained to get somebody that is fleeing and he is trained so that he can be called back. Selectman Johnson, Sr. asked if he is trained to grab them by the throat. Officer Pelkey stated that he can grab them from anywhere that he can get a hold of. They train them to try and get the arm all the time so that is what he will go for most times. Selectman Johnson, Sr.

asked if he loses the scent whenever he is in the woods. Officer Pelkey stated that that he has never been trained and rewarded on any scent other than human odor.

Dwayne stated that the York County Sheriffs are changing their agreement with Municipal Law Enforcement Agencies. In the past, the Sheriff's would deputize some of our police officers. Recently, there was an incident where an off duty police officer arrested someone and was not in his jurisdiction and it caused a great deal of grief for the Sheriff. They want to enter into a new agreement with all the towns which basically says that the responsibility of the police officer, regardless if he is acting as police officer or deputy, is the responsibility of the Law Enforcement Agency with which he is employed and not the York County Sheriff Department. Because it is an agreement that they would like the town to sign, it needs to be approved by the Board of Selectmen. The agreement states that we will be able to choose who will be deputized from our department for the York County Sheriff Department and that we will be totally responsible for the actions of those individuals. Selectman Cowan asked if this would get renewed any time there is a new sheriff and Dwayne said that it did. Dwayne stated that we work hand in hand with the Sheriff's especially because Lebanon uses the Sheriff's as their law enforcement. Our SRO and Police Department also work with the Sheriff's deputies and there are certain things that only deputies can do. It is nice to have somebody within our Law Enforcement Agency that is deputized. Chief Peasley stated that Officer Pelkey would be deputized because he is the K-9 Officer and he goes to different jurisdictions sometimes to help. He stated that our SRT Officer, the Main Staff and Officer Varney at the High School because he covers 3 different jurisdictions will be deputized as Sheriff deputies. Chief Peasley stated that the Sheriff had 138 deputized officers throughout York County and he figured that this was quite a bit of liability. The deputies are mostly utilized to follow up on cases that we started here and involves other jurisdictions. Dwayne stated that it would be the same as our Mutual Aid Agreements. We go to assist in other towns when called but we are ultimately responsible for our own people.

Selectman Johnson, Sr. motioned to approve the Agreement between Municipal Law Enforcement Agencies in York County and the York County Sheriff's Office. Selectman Cowan seconded the motion. VOTE: 4-0

4. Unfinished Business:

A. Public Works: Update on Projects

Dwayne stated that they have primarily been working on the Canal Street Project. The basketball court is about ready for pavement. The playground will be installed next Tuesday and Wednesday, June 28th and 29th. They will then complete Hammond Road and a few smaller projects. They will then work on paving projects and Diamond Hill Road. They have sent out and received back the letters from residents on Diamond Hill Road regarding the tree cutting. He stated that he will be walking the project with Mike tomorrow and marking the trees where people want to keep the wood versus those that we will be keeping. We can then get pricing from our tree cutters so we can hopefully get them cut in July and work on the road at the beginning of August. Selectman Johnson, Jr. asked if it was less expensive if we keep the wood. Dwayne stated that if we keep the wood it is less expensive because we are able to utilize it as an

incentive for the tree cutters because they can have any of the wood that is salvageable. When people want the wood, we are basically paying somebody for the labor to cut the trees down.

B. Stub Marsh Road: Update on Site Walk and August 9 Meeting

Dwayne stated that they will have the meeting on August 9th. He has talked to both Inland Fisheries and to Maine DEP and they will be present. He will try to set up a time for the site walk for the week of the July 18th through the 22nd.

C. Fire Department: Update on Substation

Dwayne stated that they did a few more improvements to the substation. They did some foaming on the back mechanic's door and changed the door sweeps on one of the overhead doors. He said that since they have done this, there has been no evidence of any mice in the building. Dwayne said that the exterminators came in today to set up their traps and whatever else they will be doing. They are still working on getting some quotes on doing some renovations at the substation. Dwayne stated that if you are looking at the side of the substation there are two doors right beside each other. These doors are special order doors because they are short and wide. They are also not easy to install because they were not installed in a full 7 foot wall. They are installed in a 6 ½ foot wall and they are 6 foot doors. He stated that they are going to do away with one of the doors and wall it up instead. The door is of no value and is in a hallway. Dwayne said that it was there because the idea was that if we expanded the station, this is where we would expand it out to. He said that they will never expand that station because it is wet there. Dwayne said that they still need to replace the front door because it is damaged. Now that we have foamed the mechanic's room door, we will just replace the molding with composite molding.

Selectman Cowan asked if the remote for the door was working. Dwayne said that they figured out that it was not actually the remote that was the problem. It is a commercial unit and there is a chip board on it that sends a signal to tell it to start. The chip board was fried so he replaced it yesterday. It cost about \$37 to replace and he also bought four extra remotes for \$10 each so they have extra ones.

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

Note: First meeting in July is cancelled due to July 4th Holiday. August meetings will be held on the second (August 9) and fourth (August 23) Tuesdays with meetings returning to the regular first and third Tuesday schedule in September.

5. New Business:

A. Surplus Equipment: Review of Bids for Surplus Equipment 2016

Dwayne stated that they put out two pieces of equipment for bid – the one ton and the fire engine. He received two bids. He said that this was a little disappointing because there was a tremendous amount of interest going into the bid. He said that people told him they didn't bid because they thought there was going to be too many bidders. The highest bid on the Ford F-450 was from Jamie Fenderson for \$3,710 and the highest bid on the Fire Truck was from Larry Wick for \$2,022.

Selectman Cowan motioned to award the bid for the Ford F-450 to Jamie Fenderson for \$3,710 and the bid for the Fire Truck to Larry Wick for \$2,022. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

B. Abatements: Abatement Request for Past Personal Property Accounts

Dwayne stated that there are no abatements for today. He thought they would have one but the people did not get back to him yet. He said that when they send out all of the letters for past personal property taxes, some of them are very old and in most cases, the interest outstrips the actual taxes that are due. In one case, the company has stated that they never actually received a bill. Dwayne stated that the address that we had on file was not their address. They will be requesting a reduction in interest. They are willing to pay the taxes but would like the interest reduced because they didn't even know that it was outstanding. He believes that they will have a few others so he will just keep it on future agendas.

D. Appointments: Appointments for Fiscal Year 2017

Dwayne stated that every year, for all the offices in town that have not been elected, he needs to present to the Board a list of appointments for the Board's consideration. He indicated that the list of appointments for the upcoming year was on pages 21-23 in their packet.

Selectman Johnson, Jr. motioned to approve the list of appointments for the year 2017 presented to them. Selectman Cowan seconded the motion. VOTE: 4-0

E. Fee Schedule: Updated Fee Schedule for FY17

Dwayne stated that the last time they adopted a fee schedule was in 2012 and none of the current members were on the Board except for Charles Galemmo. He stated that there were really no changes except for one thing. A new non-engineered septic system permit now costs \$265.00 because the State has implemented a \$15 DEP fee on all new septic systems. Everything else was the same. Susan Niehoff pointed out that the demolition permit fee was not listed. Dwayne stated that they would need to add it and also that the Board had never established a fee.

Selectman Cowan motioned to make the fee \$5 for the demolition permit and add it to the Fee Schedule for the Town of North Berwick. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

E. Vacation: Request to Carry Additional Vacation Hours – Dunn

Dwayne stated that at the end of the year, everyone is making sure that they are not going to lose their vacation hours for the upcoming year. Michael Dunn has 8 hours that he could potentially lose. He was going to take a day this week and one next week but because we are installing the playground next week, he cannot take that day.

Selectman Johnson, Sr. motioned to approve 8 hours of vacation time be brought forward for Michael Dunn. Selectman Cowan seconded the motion. VOTE: 4-0

G. Personnel Policy: Review Proposed Changes

Dwayne stated that they have been looking at the personnel policy and there are a couple of changes that he would like to propose. He said that two of them are really housekeeping items that he thought they had fixed the last time but apparently it wasn't done. Under Section 5.12 Personal and Business Use of Social Media we are still including Rescue personnel. They are a separate entity and should not be included in our Personnel Policy.

The next item is under Section 6.15 regarding the Maine State Retirement System. It used to be called the Maine State Retirement System but it is no longer called that. It is now called the Maine Public Employees Retirement System and they changed the numbers. They used to have the Plan numbers in there that really don't mean anything if you are looking at the plans. They are now going to have AN and just N for the Police Department so they will be properly defined in the policy to show what they actually are.

The one change that they would like the Board to consider is to allow regularly scheduled part time employees who are averaging more than 20 hours a week to be able to have limited sick time. Our current sick time policy states that if you are a full time employee, you gain a day a month or 12 days a year. You can accrue up to 21 days of sick time and then it stops. Once you use it then it starts accruing again. Selectman Johnson, Jr. asked if they considered sick and personal time the same thing. Dwayne said that they do not have personal time. They only have vacation and sick time. He stated that the idea behind sick time is if you get sick, you don't lose any pay. It doesn't mean that if it's a nice day out and you decide to take a day off. This should

be a vacation day. It is meant for if you are legitimately sick or have a spouse or child to take care of. They have also extended it to include doctor's appointments because most people have to make appointments during their work times. He stated that we currently have part time employees that are regularly scheduled. He said that when they are sick, he does not want them here to infect everyone else. It hasn't really been an issue too much because we were job sharing on one of the jobs and the others are full time employees so if they are sick, they just don't come in and use their sick time. He doesn't want somebody to feel that they need to come into work sick because they can't afford to take off.

Selectman Cowan asked how this would compare with the full time employees coverage. Dwayne said that for every regularly scheduled employee that works at least 20 hours a week over a 50 week time frame, you would get 1 day a month up to 10 days instead of up to 20 days like the full time employees. Vice Chairman Hall asked how many employees this would affect. Dwayne said that it would currently affect 2 employees. One is a Police Officer and the other one is in our office.

Selectman Johnson, Sr. wondered if you have somebody that is sick all the time and then you have somebody that never takes a sick day, are the ones that never take a sick day compensated somehow. Dwayne said that their compensation is when they leave the employment, they get the days paid. Selectman Johnson, Sr. stated that there are people that are going to take those 12 days even if they are not sick. Dwayne said that if they take a day and he finds out that they are not sick, they are fired. It has happened before. Dwayne said that if you are out more than 3 days, the employee needs to give him a doctor's note. He stated that our current employees do not abuse the sick time.

Dwayne said that if the Board agrees with these changes, he will send it out to all of the employees for a 15 day comment period. After the 15 day comment period, then the Board can vote to make it official.

Selectman Cowan motioned to accept the proposed changes subject to review. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

6. Other Business:

Dwayne stated that he had a letter from Michael Johnson, Sr. resigning his position on the Budget Committee. The Board needs to accept his resignation. They also have to appoint somebody until the next election which would be next April. Selectman Cowan asked if there was anyone now that was an alternate. Dwayne said there was nobody at this time. He can put it on the website or take any recommendations from the Board.

Selectman Johnson, Jr. motioned to accept the resignation from Michael Johnson, Sr. from the Budget Committee and open the appointment investigation for a new candidate for the remainder of the year. Selectman Cowan seconded the motion. VOTE: 3-0 Abstain: 1

7. Review and Approve Warrants and Correspondence:

Warrant:	June 14, 2016	- \$	0.00
Warrant:	June 21, 2016	- \$	526,851.90

Selectman Johnson, Jr. motioned to approve the Warrant from June 21, 2016 for the amount of \$526,851.90. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

8. Adjournment:

Selectman Cowan motioned to adjourn the meeting at 7:53 pm. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

Respectively Submitted,
Susan Niehoff, Stenographer

Original to Town Clerk
Chairman: Charles Galemmo

Selectman: Wendy Cowan

Selectman: Michael Johnson, Jr.

Selectman: Jonathan Hall

Selectman: Michael Johnson, Sr.