

North Berwick Board of Selectmen Minutes November 15, 2016

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
NOVEMBER 15, 2016**

Present: Chairman Galemmo, Selectman Hall (left at 7:30), Selectman Cowan, Selectman Johnson, Jr., Selectman Johnson, Sr.

Also Present: Dwayne Morin, Dayna Mayrose, Kristie Michaud, Keven G. Dyer, Aimee Metz Jordan, Lincoln Harrison

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

1. Pledge of Allegiance

2. Review and Approve Minutes of November 1, 2016

Dwayne stated that he had made a couple of changes. On Page 8, in the 3rd paragraph, the first sentence currently reads, “Dwayne said that in the past few weeks, they have had one house that had to be destroyed and one garage that had to be destroyed because they put them in the wrong place.”. It now reads, “Dwayne said that in the past few weeks, they have had one house that had to be demolished and one garage that had to be moved because they put them in the wrong place.”.

Selectman Cowan stated that on Page 9, in the first big paragraph the last 2 sentences should be switched. Instead of reading, “She doesn’t want it to be for things like making sure that people’s lawns are mowed. She feels that we should require a certain standard for building maintenance.”, it will now read, “She feels that we should require a certain standard for building maintenance. She doesn’t want it to be for things like making sure that people’s lawns are mowed.”

Selectman Johnson, Jr. motioned to approve the minutes of November 1, 2016 as amended. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

3. Public Input

Kevin Dyer stated that he lives on Randall Road. He said that he lived in York for 34 years but it got too congested so he moved here. He stated that his family is from up in Maine and he grew up on a dirt road. He bought the property on Randall Road that is on the dirt part. He does love the area. The problem he has is that because the road is dirt, when people drive on it, there is a lot of debris that gets thrown up. He stated that the speed limit is 45 mph. He said that his wife and grandson were walking down the road a couple of weeks ago and a truck drove by in excess of 45 mph and was throwing up stones. He stated that once they get to Route 9, they have to slow down to 40 mph. He is hoping that sometime in the future, consideration would be made to improving the road, but until then he is asking that some kind of speed limit be established there.

He feels that it should be about 20 or 25 mph. He stated that it is a very heavily traveled road. He said that people use it as a shortcut to Beech Ridge Road.

Mr. Dyer stated that people might say that he bought the house and he knew it was a dirt road. However most of the roads here in town were probably dirt at some time but people built houses so the roads were updated. He said that you can't walk down the road without the possibility of dirt being thrown at you by a passing vehicle. He stated that it is not about the dust because that seems to blow across to where his house is and goes across Route 9. His biggest issue is that a lot of vehicles especially trucks go barreling down the road at more than 45 mph.

Dwayne pointed out where the road was located on the map. He stated that it is an unposted road. He said that it is a State of Maine law that all unposted roads have a speed limit of 45 mph. Selectman Cowan asked if there was any way to limit the use of large trucks on this road. Dwayne stated that they would need to do an engineering study to establish that and he doesn't believe that they would limit the use of the road. Dwayne also stated that they can put as many signs as they want there but the big problem will be the enforcement of the limit. Selectman Cowan asked what they needed to do to get the road posted. Dwayne stated that the Selectmen do not have the authority to post speed limits within our community. All speed limits are determined by the State of Maine. We would need to write a letter to the State asking them if we can post that road. We would make a recommendation as to what we would like the speed limit to be and they would tell us if they concur or not with that recommendation. Selectman Cowan asked what the time frame for getting this done would be. Dwayne said that it does take quite some time. The Town had submitted a letter to the State about 2 ½ years ago and we just got it approved. Dwayne said that he told Mr. Dyer to come here tonight and if the Board agreed, they can start the process to have it posted. Chairman Galemme asked if there was any plan to pave that road in the near future and Dwayne said that it was not currently on the CIP plan. Selectman Cowan said that it may not be a good idea to pave it because then the vehicles would definitely go fast. Dwayne said that there are 65 miles of road in the town and this one is just not a high priority. Before Mr. Dyer built his house on this road there were no homes there.

Selectman Cowan asked if they could do more in regards to surveillance of the road. Dwayne said that they would have to enforce it at the 45 mph so it wouldn't make a big difference right now. Chairman Galemme asked if they should recommend it to be 25 mph. Dwayne said that he thinks the State would do 35 mph because that would tie in with Cider Mill Pond Road. Dwayne said that if they are interested in doing this, they would send a request to the Police Department. The Police Department would go down, take a look at it and make a recommendation on what they think the speed limit should be on the road. They would bring this back to the Board and we would submit a letter to the DOT for the change.

Selectman Cowan motioned that they initiate a request to the Police Department to have the road posted at the end of Randall Road. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

5. New Business:

A. Parks and Rec Commission: Discussion with Parks and Rec Commission

Dwayne stated that the Parks and Rec Commission were here to discuss any budget issues and ideas that they might like to plan for the upcoming year.

Chairman Galemmo asked the Commission members what they currently have going on. Kristie Michaud said that the next couple of things coming up was the tree lighting and the Santa letters. Chairman Galemmo asked about the walking trail. Dwayne said that it will be done in the spring. Chairman Galemmo asked if there was anything that they were planning on doing for next year. Kristie Michaud stated that one of the issues that she has at the Community Center is dogs. She said that people don't seem to see the signs that are posted. When she approaches people with dogs to tell them that they cannot have them there, they will ask if they can just keep them in the parking lot and not the fields. She tells them that they are not allowed anywhere on the premises. The Commission members were wondering if there was anywhere in town where they could set some kind of dog walk or dog park. Lincoln Harrison asked if people were allowed to bring their dogs to the Mill Field. Dwayne said they were and that the town was going to install a doggie disposal. They are going to put it behind the fire station so it is not as noticeable.

One of the Committee members stated that there is a dog park on Route 4. She said that people come up to her all the time and say how nice it is. Dwayne stated that that park is privately owned. Kristie stated that there is one in Sanford. She lives in Sanford and goes by the park quite a bit and they always have at least 4 or 5 cars out there. Selectman Johnson, Jr. asked if they would be allowed on the trails. Dwayne said that once the trails are done, dogs will be allowed on them. The Great Works trails do allow dogs on the trail.

Chairman Galemmo asked the Committee what the impact of the raising of the minimum wage would have on their programs. Dwayne said that it will definitely have an impact especially when it relates to the summer camp. Dwayne stated that at the last meeting, He had received a request to come up with different options for summer camp. They are in the process of looking at those. They are looking at not only our traditional summer camp but also an extended hour's summer camp and options for before and after care. They will put together all of the data and present it to the Selectmen when it is complete. Dwayne said that 90% of the summer camp is salary driven. We start the staff at \$7.50 and 90% of the staff is under \$9.00. Next year, they will have to budget it for \$9.00 for those staffing positions. He stated that they are anticipating a significant increase in summer camp fees for next year because of this wage increase. He stated that in taking a quick look at the numbers, they are looking at about \$100 increase right now. He stated that a lot of the places that the campers go to visit are currently closed such as Funtown/Splashtown. The wage increase will affect these places as well so prices will probably go up. This will in turn affect what they charge us to bring the kids there. Dwayne stated that they will do their best to try and figure it out for the budget but he said there will definitely be some increases.

Dwayne stated that because of these price increases, we will probably have to look at setting some minimum numbers. They have always worried about maximum numbers not minimum numbers. The concern is that if 20 kids signed up for summer camp, is that financial doable for the town. They are also going to reevaluate the before and after care. They will have to look at the previous year's records to get an idea of how many people utilized it and what times they were using it more. They will need to put together a few different ideas and models to figure out which one will work for us.

Selectman Cowan asked about surveying parents to see what they would be interested in. Dwayne said that they did do a survey at the end of summer camp last year. Out of the 65 surveys that came back, 3 people mentioned a standardized fee for after care. Kristie stated that 2/3 of the people don't use the before and after care. Aimee Metz Jordan stated that when her kids went to the Wells camp, they did a flat fee at the beginning of the season for before care and after care. Dwayne said that another thing that they would need to be careful of is the staff getting overtime. Selectman Cowan asked if they would have to restructure the hours that people worked. Kristie said she really didn't know how she was going to do that. Her before care person works 7-3 and the after care person works 9-5.

Kristie stated that when she raised the cost of the camp by \$25.00 a few years ago, people were very upset. Dwayne stated that they are definitely going to have an increase this year. There will be no way around it because of the minimum wage law that just passed.

Selectman Cowan stated that the Mill Field Festival was a great success again this year and told them that they do a great job. The rest of the Board agreed.

4. Unfinished Business:

A. Budget FY18: Discussion on Budget for FY18

Dwayne stated that he is just keeping it as an open item. He is working on a few things. Dwayne said that he had told the Selectmen a little while back that he had negotiated our new phone system for 3 years. He is still in some deep discussions with them because when they billed us they didn't bill us according to what they had quoted to us. It is basically because they have added tariffs to everything. They told Dwayne that these were standard tariffs. Dwayne told them that the price that was negotiated was an all-inclusive price. Originally we were going to see about a \$200 per month decrease and with these additional costs it will still be about a \$100 decrease.

Dwayne stated that in the process of negotiating the electrical contracts, the pricing that he has received so far has not been really good. Our current contract will expire on 11/28. This is a problem because the standard offer is not released until the 30th of the month. We then have a 2 day time frame where we are stuck. If we stay with the existing company for those 2 days, our holdover rate is \$.16 per kilowatt hour which is high. He has gone out to other companies to see what options are available. He had a good discussion with Maine Power Options today and they think that they can get us in at \$.06 to \$.07 kilowatt hour. We have been paying \$.097 with our current company. Selectman Cowan asked how long of a contract do we get. Dwayne said that

it is just for a year. When you go into multiple year contracts, the price goes up quite a bit. He should have some numbers by Friday. He wants to try to get our contract start date after 11/30 so we can get the standard offer before we go into a contract.

Chairman Galemmo asked if would be possible to bring back the Volunteer Appreciation Dinner. He stated that we have a lot of volunteers that do a lot of work and it would be nice to recognize them. Selectman Johnson, Sr. asked why it went away in the first place. Dwayne stated that the Budget Committee had not approved it. Chairman Galemmo said that this all happened back when we had budget increases because of the school budget and it was cut for a cost saving. They thought it might look bad if people were getting a free meal. Dwayne said that there is probably a way to do it so that it wouldn't cost as much as it has in the past when they went to the Red Barn. Selectman Johnson, Sr. feels it should be put back in the budget. He said that with all of the organizations in town, volunteers play a huge part. He stated that one of the reasons that our budget has gone up is because of things like Rescue and Fire not being able to get volunteers.

The Board all agreed that it should be added back in. Dwayne said that he can put it in the budget.

B. Code Enforcement: Dangerous Building – 42 Nowell Street Sign Order

Dwayne stated that at the last meeting, the Selectmen had not signed the order. They did an inspection yesterday and it has all been cleaned up. He stated that it is up to the Board as to whether or not they want to sign the order. He is recommending that they do only because they had said that they would do so. It just becomes part of record. That way if something happens again in the future, they can see that this has been an issue in the past.

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

Meeting with Planning Board – Dec. 8, 2016 – 6:30 pm Municipal Building

5. New Business:

B. Boards: Membership Application for Planning Board and Budget Committee

Dwayne has received a couple of applications for some open seats on a couple of the committees. The first one is for the Budget Committee to replace the spot vacated by Michael Johnson, Sr. when he became a Selectman. David Bentley sent in an application. He has been on the Budget Committee before. The other application is for the Planning Board. David Ballard would like to be considered for this position. The Board has had applicants come before them in the past to meet them and ask any questions. The Board agreed to have them come in. Dwayne will check with them to see if they can come to the next meeting or the one after that.

C. North Berwick Police Association: Letter Requesting to Begin Negotiations

Dwayne said that the Police Association would like to set up a meeting with the Negotiation Committee for 12/13.

D. Town Report: Dedication and Cover

Dwayne wants to start talking about what to put on the cover of the Town Report and who we want to dedicate it to. Dwayne came up with a couple of ideas for the Cover. One is a picture of the Canal Street Playground and the other is one of the new Tanker. Dwayne said that they could also consider Hannaford. Selectman Cowan asked if there was any way to do some sort of collage to include all three. Dwayne said that he has a very small space to work with but he will see what he can do. Chairman Galemmo said that if he had to pick one of them, he would pick the playground.

Dwayne said that he didn't really have any specific ideas for a dedication. He asked the Board to think about some options.

E Recreational Marijuana: Discuss Potential Zoning Ordinance Changes

Dwayne provided the Selectman with a copy of the Act that was just approved regarding recreational marijuana. He stated that it was approved but it is being challenged, but he doesn't think that it will make a difference. Dwayne stated that per the Act, we cannot stop people from utilizing it or from doing it in their own home. We do have the ability to stop commercial types of activity. There are provisions within the Law regarding stores, smoke clubs and commercial growing areas. We can limit where these things can be.

Dwayne stated that it won the popular vote but it has not been certified. It doesn't become law until the Governor certifies it. Once the bill goes into law, it doesn't mean that it becomes legal yet. They still need to go into rule making which will take up to 9 months. The Legislature will assign a Task Force and they will put together the rules and regulations. This will probably not really be in effect until the middle of next year. Dwayne said this gives us time to see what other towns are going to be doing and what MMA will decide to do with it. He said that if it seems like everything will go into effect quicker than we are expecting, we can put a moratorium in place which gives us 6 additional months. Selectman Cowan stated that we should probably wait to see what comes down from the State before making any big changes. Chairman Galemmo stated that they definitely need to look at the growing facilities, security and ventilation. Dwayne stated that one of the things that is unique to this law and not to some of the other laws is regarding smoking areas. By law, you are not allowed to be out on the street smoking. You can be in your house or in smoke shops or clubs. Dwayne said that the big thing that will also come out of this is the edible market. This is where you are going to see stores cropping up to sell these candies and other food.

6. Other Business:

Dwayne stated that back in August of 2014 we wrote a letter requesting speed limit changes on Wells Street/Route 9. After 2 years and 3 months, they have written back to say that they are only approving one of the requests that we made. The change will be that the 35 mph zone will now be 30 mph. There will be no changes to the 40 mph and 50 mph zones.

Dwayne stated that he has also included a summary of last year's fuel fund. We only funded one applicant last year. We have \$15,000.00 in that account. He stated that last year was a mild winter so they didn't have many applicants.

Dwayne stated that the Liquor Referendum did pass. We have submitted our results to the Secretary of State and they have so many days to verify our voting. We should know something by the end of December or beginning of January. Selectman Cowan asked if there was a limit as to how many Agency Liquor Stores could be in town and Dwayne said that there was none. Dwayne thinks that it will only be Hannaford and Cumberland Farms. He doesn't believe that Allard's will apply.

Dwayne also gave the Selectmen a handout of the International Property Maintenance Code that they had discussed at the last meeting. Chapter 3 is really the only thing that that we do not have in our Ordinance. This is just informational for the Board.

7. Review and Approve Warrants and Correspondence:

Warrant:	November 8, 2016	- \$	0.00
Warrant:	November 15, 2016	- \$	569,504.91

Selectman Johnson, Jr. motioned to approve the Warrant of November 15, 2016 for the amount of \$569,504.91. Selectman Cowan seconded the motion. VOTE: 4-0

8. Adjournment:

Selectman Cowan motioned to adjourn the meeting at 8:02 pm. Selectman Johnson, Jr. 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.