

North Berwick Board of Selectmen Minutes June 5, 2018

NORTH BERWICK BOARD OF SELECTMEN MINUTES JUNE 5, 2018

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

Also Present: Dwayne Morin, Jeannie Provencher, Rebecca Reed, Mark Reed

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

1. **Pledge of Allegiance**
2. **Review and Approve Minutes of May 15, 2018**

Selectman Cowan motioned to approve the minutes of May 15, 2018 as written. Selectman Galemmo seconded the motion. VOTE: 5-0

3. **Public Input**

There was not public input at this time.

4. **Unfinished Business:**

- A. **Tax Acquired Property:** Malcolm Hilton Property and Gordon Donnell Property

Dwayne Morin stated there were 2 IRS liens on the Malcolm Hilton property. Under State Law, we do not have to notify IRS but under Federal Code, we need to do so. He has now notified the IRS and we have to wait 25 days. It is required that both of those liens go away because it is under Federal Law when the IRS is attached to your property, after 10 years the liens just disappear. Selectman Cowan asked Dwayne if this was something new for him. Dwayne said that it was and that we have never encountered this before. He said that even our attorney didn't pick it up while reviewing all the paperwork.

Dwayne stated that this was now holding up the final transfer. He said that because of the way that our bid bond is structured, it states that they need to close within 30 days. He is recommending that the Board amend the bid bond to allow them to close no later than June 28th.

Selectman Galemmo motioned to amend the bid bond to allow the buyer to close no later than June 28th. Selectman Cowan seconded the motion. VOTE: 5-0

Dwayne stated that the Donnell property is all cleaned up. He wants to know if the Board wants to put it out to bid. The Board agreed to do that. Dwayne stated that on Page 28 of the packet is a listing of what amount of money that we have into it right now. There is \$1,251.00 in back

taxes and it cost \$1,250.00 to clean it up for a total of \$2,501.00. He is recommending a minimum bid between \$2,600.00 to \$3,000.00 because there is still going to be some additional costs such as ad costs added to the total. Selectman Galemmo asked how big the piece of property was. Dwayne said that it is about 150 x 200.

Selectman Galemmo motioned to put it out to bid for a minimum of \$2,750.00. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

B. Public Works: Project Updates

Dwayne stated that the parking lot has been paved and it will be striped by the end of the week. If the weather holds out, they will be base paving Church Avenue tomorrow. Then they have to wait until the Sanitary District comes in and raises the manholes. Once they do this, they will come in and install surface. When they install the surface, they will do the sidewalk next to the old bank as well.

Dwayne stated that the Public Works Garage is almost done. The garage door was installed today. Once the electricity is installed then they are pretty much done and will start emptying out the old building. Once the old building is empty, they will demolish it.

Dwayne stated that they will start working on the parking lots for the trails after Church Avenue is paved. DOT has given us permission to put the parking lot off of Route 9. We will then gear up for the beginning of our next season. We will start on Quarry Road first and then do Bauneg Beg Hill Road. Eastern Avenue can be paved at any time. They are just waiting for the Sanitary District to raise the manholes.

C. Tax Liens: Release 1975 and 1976 Tax Liens on Map 18 Lot 28

Dwayne stated that on May 1st, the Board had signed a deed to release the tax liens on the Hollis property. We mailed the deed and it seems to have been lost in the mail. The Board will need to sign another one.

D. FY19 Tax Commitment: Preliminary Update on Commitment

Dwayne stated that they are still collecting information but most of the personal property has now come in. Pratt & Whitney's personal property came significantly higher than what he had budgeted. They added about \$54 million worth of equipment last year. When you throw in depreciation and other things, we will realize almost \$45 million in new value. Of this amount, we will get about \$27 million and he had budgeted about \$13 million. Dwayne stated that the personal property prediction was off. We will be losing about \$4 to \$5 million. As they buy new equipment, they are getting rid of the older one. We will still have a net gain of \$22 million which is still higher than his budgeted \$13 million. Selectman Cowan asked him how this effected the tax rate. Dwayne said that until he has all of the numbers in for the real estate values, which he should have by the end of July, he doesn't know for sure. He is thinking that it will be about a \$.40 to \$.50 increase to the rate instead of the \$.80 to \$1.00 increase that was

originally thought. Dwayne stated that this will be Pratt & Whitney's last capital campaign for a while. They think they will settle down into the \$20 million range.

Dwayne believes that we will have an increase in the tax rate but it won't be to the magnitude that they originally thought it would be. He said that they do need to be cautious when they set the tax rate. He typically stays around the 2.5% for our overlay. Listening to the Superintendent at the last meeting, he didn't get the impression that this was an abnormal one year bump in the budget. He thinks that it will be multiple years of bumps in the budget. If they are as significant as they are this year, his concern is not only our tax rate starting to increase multiple cents for multiple years, but he is also worried about the cash flow. As we start eating into the cash flow to pay the bills, he wants to make sure that we have enough reserves so he can carry the town without borrowing money. He will probably look at having 2.5% to 3% this year and see how that plays out. He said that if the State came through with their funding then this issue would go away. Selectman Galemme stated that if we received the full funding for education from the State we would get about \$2.6 million more. Dwayne said that if our Revenue Sharing were fully funded, we would get about another \$180,000.00 for the town.

Reminders: Next Board of Selectmen's Meeting – June 19, 2018 – 6:30 pm Municipal Building

5. New Business:

A. Conservation/Agricultural Comm: Review Applications for Board Membership

Dwayne stated that he had received 2 applications for membership to the Conservation/Agricultural Commission. One is from Jason Smith who lives on Wells Street and the other is Patricia Cluff who lives on Meehan Lane. The Board would like have them come in to meet them. Dwayne will ask them to come in to the 6/19 meeting.

B. Code Enforcement: Update on Enforcement Actions

Dwayne stated that they have 2 current enforcement actions that they are looking into. One of them will be coming before the Board either on 6/19 or the beginning of July. The owner of Bubba Frye's property, Mr. Anderson, cut about trees in the Shoreland Zone. He wanted to add to a parking lot. He has to replant 36 trees per DEP. Dwayne stated that he was told to stop and 2 days later he had the excavator out there stumping which we stopped. The DEP has told him that he has to replant about 36 trees. He has to plant a tree every 15 feet in a grid. Selectman Cowan asked if there were any fines involved. Dwayne stated that the DEP has decided not to fine him because they are making him replant. This will be a significant cost because it is not just the trees, but he has to plant shrubs in between the trees. Everything has to be a native species. Selectman Cowan asked what Mr. Anderson's response was when the town notified him. Mr. Anderson told them that he didn't realize that he couldn't do that. Selectman Cowan asked why he did the stumping a couple of days after he was told. Dwayne said that Mr. Anderson had already set up for the guy to come in and stump it. Somewhere along the lines, communication didn't get through. The guy that was doing the stumping saw that it was cut so he just came in and started doing it. Roger was able to stop him before he got too far along.

Selectman Johnson, Jr. asked if he had any permits for doing the parking lot. Dwayne said that he did not have any permits. Dwayne said that the fine issue will come down to the Board. Roger is putting together a packet for the Board to review showing the DEP decision, what his proposal is to meet the DEP requirements and then he will come to the Board for them to make a decision. Dwayne stated that when they did talk to the owner, they did stop right away and he does believe that the stumping was really just a communication issue.

Dwayne stated that the other violation is regarding a junkyard on Route 9. The owner is involved in smash up derby competitions. He smashes up his derby cars and then he puts them on his property. Dwayne stated that the concern is that they are only allowed to have 3 unregistered and uninspected cars on your property and most of the time he has significantly more than that. The other concern is that these cars are leaking fluids everywhere.

Roger has sent them 3 letters. When they received the first one, they did clean it up. However, he has refused the last couple of letters and has not cleaned it up. Dwayne stated that the letters were sent to Ariana Boucher & Daniel Gill. Selectman Johnson, Jr. asked if they were the property owners. Dwayne said that they did own it. It used to be owned by Mr. Gill's mother but the property has now been transferred to their names. Our attorney has drawn up a letter and we will send it out both certified and registered letter and we will try to hand deliver one as well.

D. SAD 60: June 21, 2018 Meeting of Three Communities

Dwayne stated that the 3 town meeting with the Superintendent and School Board will be held on June 21, 2018 at the High School. Selectman Cowan asked if they were going to allow public input. The Superintendent told Dwayne that it was totally up to the 3 towns as to whether they wanted to do this. He is just creating a vehicle by which the towns can meet. Selectman Cowan is almost inclined to allow public input since no one was allowed to talk at the last combined meeting. Selectman Johnson, Jr. said that it would be nice to hear what the public thought. Selectman Johnson, Sr. asked what the agenda was going to be. Dwayne said that the Superintendent would like to specifically discuss school funding and how the towns can rally together to try and get the State to give more funding. Selectman Galemme said that so much of the budget is out of their control. The kids come in and this year they have about 33 more special needs kids coming in. Selectman Johnson, Sr. stated that we spend a lot of time in our town to limit housing and apartments and some of the other towns are not doing this. Selectman Cowan stated that this exactly why she is interested in the breakdown historically as to where we have come from per town with the special education population and where we are now. She feels that this is an important part of the communication. Chairman Hall would like to request that the Superintendent have the projection numbers. He knows that they are not always correct but he would like to see the enrollment projections. Selectman Cowan asked if the Superintendent was creating the agenda for the meeting. Dwayne said he was because it is actually a school meeting.

6. Other Business:

Dwayne would like to review the July meetings. We are currently scheduled to meet on July 3rd and he will be in New York. He would like to propose that they meet on 7/10 and 7/24 instead.

Selectman Cowan motioned for the July meetings to occur on the 10th and 24th. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Chairman Hall stated that he received a letter from the Bauneg Beg Lake Association and he was wondering what that was about. Dwayne stated that the Bauneg Beg Lake Association is doing a lake survey. They are looking at the condition of the water in the lake and trying to determine where the pollution is coming from and what they can do to limit contamination. They have been working with the DEP and Lake Organizations to look at the water shed. It is voluntary. Chairman Hall said that it mentioned something about not being any fines this time. Dwayne stated that the letter could have been structured better. It is 100% a volunteer thing. The Lake Association does not have the power or authority to do anything other than to look at what is going on and make recommendations to make it better. Dwayne is meeting with them on Friday to look at the town roads and the ditching to see what if anything needs to be done. It is not just North Berwick but the majority of Sanford comes into this water shed. Chairman Hall said that some of the farmers in that area are concerned that they will be blamed for contamination from their manure. Dwayne said that they have no regulatory power whatsoever. They are not even allowed on your property if you don't want them there.

7. Review and Approve Warrants and Correspondence:

Warrant:	May 22, 2018	- \$ 30,994.20
Warrant:	May 29, 2018	- \$ 84,677.52
Warrant:	June 5, 2018	- \$

Selectman Galemmo motioned to approve the Warrant of May 22, 2018 for the amount of \$30,994.20 and the Warrant of May 29, 2018 for the amount of \$84,677.52. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

8. Adjournment:

Selectman Cowan motioned to adjourn the meeting at 7:28 pm. Selectman Galemmo seconded the motion. VOTE: 5-0

Respectively Submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Jonathan Hall

Selectman: Wendy Cowan

Selectman: Michael Johnson, Jr.

Selectman: Charles Galemmo

Selectman: Michael Johnson, Sr.