

North Berwick Board of Selectmen Minutes December 18, 2018

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
DECEMBER 18, 2018**

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

Absent: Selectman Johnson, Sr.

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

1. Pledge of Allegiance

2. Review and Approve Minutes of December 4, 2018

Selectman Galemmo motioned to approve the minutes of December 4, 2018. Selectman Johnson, Jr. seconded the motion. VOTE: 3-0 Abstain: 1

3. Public Input

There was no public input at this time.

4. Unfinished Business:

A. Zoning Ordinance: Discussion on Ordinance Changes for FY19: Medical Marijuana

Dwayne stated that he met with the Planning Board last Thursday night. He said that the Planning Board has made a few suggestions that they would like the Selectmen to consider. There are basically 4 changes that they would like to change. The Planning Board stated that they had a concern with the idea of having just 1 retail shop in town. They stated that some of the people that cultivate do not want people coming to their cultivation areas to get their marijuana. He said that they don't want people coming into their clean rooms so they want to be able to sell it somewhere else. The Planning Board said that if they allow a counseling office, these people could do that. Dwayne said that it would be similar to a doctor's office. He said that they would have to come before the Planning Board to get permission to have a counseling office. Nothing would be stored on site. They could have either regular hours or ad hoc hours. Dwayne stated that we have one of those in town right now. The Planning Board felt that because of the limitation of retail stores and the fact that we are allowing people to cultivate, there should be the ability to sell their product elsewhere if they want to.

Selectman Galemmo asked if the person that bought the restaurant that wanted to have the catalog, would be able to have a counseling office. Dwayne said that a counseling office would be another use that he would have to have space within his building to do so. Dwayne said that he did not have the space. Chairman Hall asked if there were setbacks for counseling. Dwayne

said that it would be something that they would need to talk about. It would be similar to doctor's offices but we would file them under General Standards so there would be setbacks from schools, churches, and other similar places. Selectman Cowan said that she feels that this is just another way for them to back door the whole retail operation. Dwayne stated that because it is medical, it is more along the lines of doing it as a courtesy. Selectman Galemme asked about not having the product on site. Dwayne said that the product needed will be brought to the site and they would leave with it at the end of the day. Selectman Cowan asked how they could make sure that this is actually what is happening. Dwayne stated that they can do spot checks so he doesn't see it as an issue.

Selectman Cowan stated that she sees it as being very enticing for people that are selling that product to combine procedures and sell it in addition to the counseling particularly if they are growing it. Dwayne said that a caregiver grows for the purpose of selling so if we allow them to grow but don't allow them to sell, it is like telling them that they can't grow either. Selectman Cowan thought that Dwayne said that they weren't going to be selling the product. Dwayne stated that the whole idea behind a caregiver is that the caregiver grows with the intent to sell. They do not grow it just to stockpile it. He stated that if we are going to allow cultivation but then tell them that they can't sell it, it goes against the whole principal of it. Chairman Hall stated that they can sell it in another town or city. He stated that he didn't think that the reasons the Planning Board were suggesting were good reasons. Dwayne stated that it was up to the Selectmen as to what they do but he thought that the Planning Board had some very good discussion and reasons. They were not saying to do it just for the sake of doing it. They had logical reasons and valid discussions. They stated that we would basically be saying that people can grow it but can't sell it. He said that if the Selectmen want to do that they can. Dwayne said that we actually aren't doing that because we are saying that 1 lucky person will be able to have a retail store and everyone else will be out of luck. Selectman Cowan said that they should also look at surrounding communities and not everyone has jumped on the bandwagon with this. She asked what the great impetus and hurry was to make these accommodations and allowances. Dwayne said that there is no hurry. He said when they started these discussions, he put a whole lot of questions before them and the first one was if they wanted to do this or if they didn't want to do it. He said that if they don't want to do this, all of the discussions that they have had are all for naught. He said that if it is the pleasure of the Board to not allow any of this in town, they can do so. However he was under the impression that the Board was clearly going to allow these in town. Chairman Hall stated that the Board said that they had to bring something before the voters to vote on. Chairman Cowan said that she is not thrilled about this and she doesn't see the reason to hurry and put all of these Ordinances in place. Dwayne stated that this is a discussion that the Board has to have.

Selectman Galemme said that he thinks that the will of the voter is that we do have something. Both referendums passed and any meetings that they have had, there seems to be an overwhelming desire to have medical marijuana. He has not heard as much support for recreational but he does believe that there is support in the community. Selectman Cowan believes that people support the concept of medical marijuana and she is not opposed to it either. Her concern is that they are jumping into this too quickly and not take a more measured approach regarding retail stores and expanding medical marijuana sales in town. She believes that other communities are taking their time so she is wondering what the rush is for us. She said

that she understands that some of the Planning Board members are into commercial enterprises themselves so they are focused on the business aspect of it and she understands that but she wants us to be cautious in terms of how we proceed.

Selectman Galemmo said that he doesn't see a difference between this and having a drug store in town. The biggest crisis in America right now is opioids and those come from drug stores. Selectman Cowan said that they don't have people selling drugs out of their homes and you could have a lot more of that in town than drug stores. Selectman Johnson, Jr. said that if we don't do something, the citizens might not like that. He said that this way we can put some thought into how we want things. Selectman Cowan agrees but she just wants to be cautious on how we proceed with this and not just throw the doors wide open and letting the Planning Board take control of the issue. Selectman Galemmo thinks that their suggestion for a counseling office is a good idea. He said that it is not going to be a big marquis. It is going to be an office and is going to be low key. He stated that we won't even know where the counseling offices will be. Dwayne said that there is one in town now and it is basically a back office. It has been there for over a year now. Dwayne stated that from a measured approach, the Ordinances that they have drafted are far more restrictive than any Ordinance that he has seen. Selectman Cowan asked if they were putting a limit on how many of these counseling offices they can have. Dwayne said that it is only caregivers and you cannot limit how many you can have in town. Selectman Galemmo said that there are 2 or more registered caregivers are prohibited from forming, owning or operating a medical marijuana office. This means that they can only have 1 person per office. When you consider rents this would create an economic obstacle. In the end, this is about earning a living. All we are doing is giving an offsite location from the cultivation area. Dwayne said that as a cultivator they can sell from their cultivation area. The Planning Board were wondering what the option was for the people who don't want to sell at their cultivation area.

Chairman Hall asked if it would be in all of our zones. Dwayne said that it is only where retail is allowed which is Village Center, Commercial District, Commercial II District and the Industrial District. It is all Conditional Use so it they will all need to be reviewed. Selectman Cowan stated that, regarding the retail setting, her feeling is that it should not be in Village Center and feels that the Commercial and Industrial zones are the appropriate place for it. Dwayne said that the Board was very clear that these zones were where the retail was going to go. Selectman Galemmo stated that, with the setbacks, they are not going to be able to use places like the bank according to what the Selectman had discussed. Dwayne stated that the Planning Board had different ideas regarding the setbacks. Selectman Johnson, Jr. stated that they will be doing this again in another year or so for recreational marijuana. He asked if the ones approved for the medical marijuana would be grandfathered in. Dwayne said that they would not. What they are working now has nothing to do with recreational marijuana. Selectman Cowan asked how they can prevent this. Dwayne said that the Ordinance states medical marijuana only and we specifically state the State law. He said that the only thing they have included in these draft Ordinances is about Home Cultivation for recreational marijuana because we are not allowed to stop that. Since we cannot stop it we can at least regulate it. He stated that if they tried to pass a law in North Berwick that said, "No home recreational use", we wouldn't be able to do it. The State law says that they can do it but we are allowed to regulate it. Everything else is strictly regarding medical marijuana. Dwayne stated that the State has not written anything for

recreational marijuana yet. They have pushed it off until 2020. They just created the Committee to start writing the rules. They are actually still waiting to complete the Committee because the new Governor has to appoint 3 members to it. Dwayne did state that Hannah King, one of our attorneys has been appointed to this Committee.

Chairman Hall asked how this compares to how Massachusetts handled it. Dwayne stated that they passed the Law, put the regulations in place and went forth with it. Selectman Johnson, Jr. asked if theirs was passed by referendum or by Legislation. Dwayne stated that all of the States that have passed it so far have been through referendum. Selectman Johnson, Jr. said that he believes that New Hampshire will be doing by Legislation within the next year or so.

Chairman Hall read the definition for the Counseling office into the minutes:

Medical Marijuana Counseling Office: A “Counseling Office” is an office for consultation with patients and operated by a single medical marijuana registered caregiver to furnish or sell medical marijuana, prepared medical marijuana, or medical marijuana products to qualifying patients, as those terms are defined in 22 M.R.S.A. § 2422 by that medical marijuana registered caregiver to medical marijuana qualifying patients for patients’ medical use. No medical marijuana or medical marijuana products as defined in 22 M.R.S.A. § 2422 will be left on site. Two or more medical marijuana registered caregivers are prohibited from forming, owning or operating a medical marijuana counseling office. A medical marijuana counseling office is only authorized as a principal use, and not as an accessory use, and only where expressly allowed as a permitted or conditional use.

Selectman Johnson, Jr. stated that he doesn’t want to see them renting out a room in their house for a counseling office. Dwayne stated that it is a principal use so they can’t do that. This is why they put it as a principal use and not an accessory use. Dwayne stated that they can’t create a counseling office in their house unless they have enough land within the approved zones. He did state that, if they are a caregiver, they are allowed to sell out of their house because the law allows them to do that. Selectman Galemme stated that this would allow them to have an office somewhere other than their home or cultivation area. Dwayne stated that Geoffrey Aleva was the one that was leading the charge for this addition. He has helped design some of these rooms that people use to grow the marijuana and a lot of them do not want others in their clean room. Dwayne said that he does have an example for them which is the business on Buffum Road. The way that they control the odor is through negative pressure. If they open the door, they lose all of the negative pressure and their systems don’t work and expels the smell into the area. Unless they have a vapor lock where you have to open one door, close it and then open the other door, the negative pressure won’t work. Now that we are going to have odor requirements that state that they can’t have odor coming out of their building, the people are more concerned about it. Dwayne said that caregivers also don’t want people coming to their facility because there is a lot of marijuana and cash there. An office would be a more secured location because they will only bring a little bit of cash and marijuana. Dwayne stated that the Planning Board also fears that what will happen if we don’t allow this is that we are going to watch drug deals going down in places like the Hannaford parking lot. The caregivers are going to sell their products one way or another so wouldn’t it be better for us if we had some control as to where these places might be.

Chairman Hall asked the Board members how they feel about allowing the Counseling offices. Selectman Glemmo stated that he believes that the Planning Board had some sound reasoning and thinks that it is better to have some control over it. Selectman Johnson, Jr. stated that, realistically, it will probably not be any more prevalent than it is now. Most people are now selling out of home based counseling offices. His concern is if they would be allowed to add on as a retail store and start selling pipes and things. Selectman Glemmo stated that they couldn't do that because that would be another use to their counseling office unless they had quite a bit of land. He believes that, with the zones that they are allowing them in, the caregivers would either be buying an existing building or renting a space in one. There is not a lot of open land.

Selectman Cowan stated that she is not opposed to what the Planning Board is proposing but her support of it will depend on the setbacks. She said that she will not support it if the setback is less than 300 feet. Dwayne stated that the Planning Board was recommending that the setback be 250 feet. Selectman Johnson, Jr. asked what they felt 50 feet difference would make. Dwayne stated that the Selectman had given them a range of 250 to 300 feet so that is what he told the Planning Board and they are recommending the 250 feet. Selectman Cowan stated that this was not the case. She said that the Selectmen has wanted it to be a minimum of 300 feet. Dwayne stated that it is still 1000 feet from all schools. Dwayne reviewed his notes and read what they had discussed:

The Board of Selectmen unanimously agreed with 1000 foot setback for public and private schools and childcare providers. There is a difference of opinion as to what setbacks should be from parks, playgrounds and churches. The minimum setback that was discussed was 250 to 300 with a maximum of 1000.

Selectman Glemmo asked what difference 250 or 300 would make realistically. He said that in the downtown area, they have 2 parks and the church. Chairman Hall said that he didn't think they were going to allow anything anywhere. If they go out on Madison Street and Portland Street, this is where these places would probably go. Selectman Cowan said that there is all kinds of space on these streets as well as a few others so she would rather have these offices out there instead of near the park or where young kids play. Selectman Glemmo stated that if they do it that way, they will be pushing these things out among the residential areas instead of downtown. Selectman Cowan stated that they have all of the other zones to do this so why are we so insistent on making it more accessible within the Village Center. She said that it is not like they are prohibiting it entirely. Selectman Glemmo stated that they have a different view of philosophy because he views this as people in need with medical issues and coming to get medicine. It is not druggies hanging out. He stated that there are no restrictions to pharmacies being 250 feet from playgrounds and parks. Selectman Cowan stated that it is a different issue but Selectman Glemmo does not feel that it is. Selectman Cowan stated that this is still a new arena for the State and Town and it is still federally illegal. We still have not resolved it on a national level yet, so in her mind, she thinks it makes sense for us to be a little cautious in terms of how wide we throw open the doors. She stated that having a minimum setback of 300 feet of a park where young kids play is not unreasonable.

Selectman Johnson, Jr. asked Dwayne to show them on the computer where the setbacks would fall from the parks and playgrounds in the area at both the 250 feet and 300 feet to see if it would

make a big difference. After looking at several areas, it showed that it wouldn't make a really big difference. Selectman Cowan asked if they could do different setbacks for different zones. Dwayne said that you could but he said that the question that he would ask from a legal perspective is, "Why would it make a difference?". Selectman Cowan said that because you have parks and churches in some areas so you could do different setbacks in those areas. Dwayne stated that zones have nothing to do with parks, churches or schools. Zones are basically only land size so he doesn't see the correlation for that. Chairman Hall asked Dwayne if the counseling offices would be in the same areas that we allow the retail store. Dwayne said that it was.

Chairman Hall asked the Board if they were in agreement with adding the section on Medical Marijuana Counseling Offices. The Board members all agreed.

Dwayne stated that one of the other changes was located on Page 21 of their packet under the General Performance Standards. Under D, Compliance with health and safety codes, the last sentence reads, "The structure shall be required to include an internal sprinkler and/or fire suppressant system approved by the Fire Chief.". Dwayne stated that the way that they wrote this section is that an applicant has to meet all of the codes that the town has adopted and regardless what the code says about sprinklers, it will be required. Chairman Hall asked if OSHA would require this as well and Dwayne said that they would not. Dwayne stated that the Planning Board stated that sprinklers are lifesaving issue. The reason that you put sprinklers in is not to save the buildings but to get the people out of the buildings. When you look at the facilities that we are going to allow in our town and that we are going to limit them to 2,500 square feet, this means there would only be 1 or 2 people working in that facility. Under all codes, State Life Safety, Federal Life Safety and our local building codes, sprinklers would not be required because there is only 2 people. The Planning Board agreed that the applicants should meet all codes as written but we shouldn't add to the code. The Life Safety code is reviewed nationally so why would we, as a small town, say that the National Life Safety guys don't know what they are doing and we would do it anyway. Chairman Hall asked if any of the current applicants had sprinkler systems and Dwayne said that they did not. Dwayne said that sprinklers are required if there are 300 people. Chairman Hall stated that with the amount of electricity being used, there is a higher risk of electrical fire. Dwayne said that this was correct but water on electrical fires is usually not good though. Selectman Johnson, Jr. asked what the requirement would be if there was a residential dwelling in the building as well. Dwayne stated that they would then need a sprinkler system because it is a living space.

The Board had no issues with removing the line about requiring sprinkler systems.

Dwayne stated that the other change was on Page 17 of their packet under Section E. Dwayne stated that the Board had discussed not allowing 2 cultivation things to happen on the same property or within the same building. The Planning Board would like this to be reconsidered. He stated that they wanted the 2500 square feet to be expanded and Dwayne told them that this would probably not happen. The Planning Board would like to see it stay at 2500 square feet but we allow for more than 1 to happen on 1 property. They used the facility on Buffum Road as an example. This facility has 3 uses and are all less than 2500 square feet but are all run singularly. The building is owned by 1 person and the 3 separate people rent from him. They stated that it

has been in our town for a while now and there really haven't been any issues. There have been a few issues with the odor but that was mostly because the Planning Board had not required the first guy to go in there to have an Odor Control Management. That individual left and when the new guy came in we did require one from him. The Planning Board stated that if a guy wants to come in and do this as an investment, 2500 square feet is really not going to be enough for them to do as an investment. However, they might come in and build a nice facility. They would go before the Planning Board and have to meet all of our Commercial Standards so they would have to put up nice buildings up with landscaping. They could put up 1 building and have 3 of the growers go in there. Selectman Johnson, Jr. stated that someone could come in and open 3 LLC's and own all of them. Dwayne stated that LLC's cannot be caregivers. Selectman Cowan asked what our size restrictions were on commercial buildings. Dwayne said that we don't have any size restrictions. Selectman Cowan said that somebody could come in and build a huge facility and have like 100 units to sell. Dwayne said that this would be impossible. He stated that we have Commercial Building Standards so for someone to meet our standards to do that kind of facility is unlikely.

Selectman Johnson, Jr. asked if this would be allowed in Farm and Forest. Dwayne said it would be. Selectman Johnson, Jr. asked if each use would require a four acre lot. Dwayne said that each unit would need to have 4 acres. Dwayne stated that the Planning Board said that if someone came in to do a larger facility, it would be good for the town. They would have to build a nice building and we would get some tax revenue out of it. Selectman Galemmo said that his understanding on limiting it to 2500 square feet was to prevent big tobacco corporations from coming in and building large facilities. Dwayne said that it would prevent it because corporations cannot be caregivers. He said that he will double check this, but he believes that a caregiver license can only be issued to an individual. Selectman Galemmo said that it would be better. If somebody does build a 10,000 square foot facility and breaks it up into 4 units and meets all of our standards with odor control, it would be better to have it this way. Dwayne stated that if they built a larger facility, they would also probably be required to have sprinklers. Selectman Cowan stated that she would also like to see that more than see 50 individual units scattered around the town. Chairman Hall stated that he still feels that it is opening the door for big corporations to come in and rent to 4 people and really just having the 1 person being in control. Dwayne stated that they couldn't do that because they don't meet the caregiver requirements. He stated that the corporation could own the property but they couldn't own the caregiver license. Dwayne asked Chairman Hall if it made a difference if one person owned the building or a corporation did. Chairman Hall said that he had recommended the 2500 square feet, because his idea in Farm and Forest, people could use barns or other pre-existing structures. He doesn't want to see big warehouses. Dwayne said that it wouldn't be warehouses because they still have to meet all of the standards. He stated that if they do allow this, they will have to add something to it which would state that they have to meet our Commercial Standards because if it is in Farm and Forest, they might say that they don't need to meet them. We should probably indicate that they would need to for this.

Dwayne stated that they also need to discuss if they would want this for outdoor cultivation. The Planning Board only discussed the indoor cultivation. He stated that they just can't take a big giant field and split up the lots into 2500 square foot sections. The only discussions have been related to indoor facilities. Dwayne stated that they would probably want to add that they are

limiting collocating to indoor cultivation and that all indoor cultivations have to meet the town's Commercial Construction Standards. Selectman Galemmo does not believe that there will be a lot of outdoor cultivation. The way they grow it now with all of the scientific technology, it will limit the outdoor cultivation. Selectman Cowan stated that they have no building size limitations in Farm and Forest either somebody could come in and put in a massive facility. Dwayne stated that they would have to have the acreage to build the building and parking. Chairman Hall stated that a 10,000 square foot building is only 16 acres. There are numerous fields that are 40 acres or more. Selectman Cowan asked if they really want a big facility in the middle of Farm and Forest. Dwayne stated that if the concern is just for Farm and Forest, they could just exempt Farm and Forest out of colocation.

Chairman Hall stated that at this point the Board is in agreement with allowing counseling offices, 300 foot setbacks, and to eliminate sprinkler systems. He stated that they are not in agreement with colocation of cultivation facilities. Selectman Galemmo stated that he would be in favor of limiting the number of colocated facilities. He thinks that it would be better to colocate 3 or 4 facilities rather than to have a bunch of small buildings all over the place. Selectman Johnson, Jr. stated that he would like to see 4 or less. Chairman Hall asked what our Comprehensive Plan say about these kind of issues. Dwayne said that it doesn't say anything about it because it was never addressed. Chairman Hall said that he doesn't mean about marijuana but he is talking about our philosophy on the rural aspect of this town. If we allow collocating marijuana growth facilities, he thinks that it is detracting from the rural aspect of our town. Dwayne understands what he is talking about but he believes that it is all in the eye of the beholder. He said that they could ask if a 10,000 square foot building in Farm and Forest was taking away from the rural nature of Farm and Forest. Some people would say yes and others would say no. Dwayne stated that, right now, somebody can go into Farm and Forest and put up a hut that looks like dirt and there is nothing that we can do about it because it is not a commercial building. Selectman Cowan stated that the chances of that happening for a single individual is less likely than a corporation coming in to make an investment and build a large building that they are going to rent out to others. Dwayne thinks that the ability for the regular guy to go buy a \$30,000 Quonset Hut and put it on his property and start growing marijuana is more likely than a big corporation coming in and building a giant building. Selectman Galemmo stated that if he was going to go and grow marijuana and have to put his own money into it, he is going to go the cheapest way that he can and it won't be a pretty building. However, if you are a developer and you have to go before the Planning Board, you don't have an out. You have to do what they want you to do and the developer has the money to meet the standards. He stated that if they are concerned on how things will look, they should want the colocation. Selectman Cowan stated that she believes that the people want to maintain the rural nature of this town and she thinks that we should not throw open the doors to all possibilities. She feels that they have the right to protect, particularly Farm and Forest, because that gets at the very nature of the Comprehensive Plan. This is what keeps this town with its rural character and we are very fortunate to have it.

Chairman Hall would like to not see collocating in any place. He would rather see individual people not outside developers put up a building and start a business. He would have no problem accepting everything that the Planning Board wants except collocating and the 2500 square feet. Selectman Cowan agreed with Chairman Hall. Selectman Johnson, Jr. stated that they could do

colocating in existing buildings. Chairman Hall likes this compromise. He stated that if it is a preexisting building we would allow it. Dwayne stated that he is trying to think of a way to write this where we don't run the risk of discriminating. Selectman Cowan stated that they have the right to develop the Ordinances the way they feel they should be. Dwayne stated that they do have the right but they want to be cognizant and don't want to put something out there that is going to be challenged. Dwayne said that he would rather that it be based on zones than existing buildings. Chairman Hall stated that having colocation in existing buildings only would be an issue. Dwayne stated that he is not sure how it would go over. He said that someone could say that they have a piece of property so why can't they build? Selectman Cowan stated that the easiest thing to do is to say no to the colocation. Selectman Galemmo stated that allowing colocation and limiting the number of people that can colocate is much better for the town, the appearance and everything else about it, than having small facilities all over the place. He does not believe that we will see a big boom in growth facilities anyway. Selectman Galemmo stated that he would like to not allow colocating in the Farm and Forest zones but allow it in the other ones. The Board agreed.

Dwayne reviewed what the Board had agreed upon. They want colocation on all allowed zones except Farm and Forest and that colocation has to be built according to our Building Standards. They want to have 300 foot setbacks for parks, playgrounds and churches. They agree to remove the sprinkler unless it is required by code.

B. FY20: Budget Discussions

Dwayne stated that the Rescue Department is playing catch up with the wages. We are the lowest in the area with our wages. Right now, a paramedic in most other towns is starting at \$20 and we are at \$18. An EMT in most towns is starting at \$15 and we are at \$13.75. The good thing is that it looks like the Rescue Department is going to have additional revenue to cover the majority of that increase but there still will be an increase in that budget.

Dwayne said that the Chief of Police will most likely be coming to the Board to request an additional police officer for this year. He has asked the Chief to flush it all out and to also look at grants. The main reason for the additional officer is that when looking at the shifts that they are filling, the concern is with having part time officers out there singularly without full time officers in the background. The Chief has some safety and liability concerns. Dwayne said that a full time officer costs \$100,000.

Dwayne said that he just signed our oil deal for 2020 at a cost of \$2.15. This was in conjunction with the school. It is a reduction in our budget because we are now at \$2.40.

On the Capital project, Mike wants to move a couple roads around. He wants to move Ford Quint back 1 year and move Dennett Road up 1 year. He stated that Dennett Road is falling apart really badly. They would move it from 2023 to 2020.

C. Personnel Policy: Policy Updates

Dwayne stated that they sent out the policy updates to be reviewed by employees. He should have them back for the next meeting.

D. Election: Elementary School Polling Location

Dwayne stated that there was a complaint made by a citizen of North Berwick. It was made to the town but they were told that the operation of the school is through the School Board so they would have to discuss it with them. The person was complaining about child safety during the election polling times. They were wondering if there was anywhere else that we could hold our polling. They specifically asked about the Community Center but it really isn't large enough. One of the Lebanon School Board members said that we would just have to build a bigger Community Center. Dwayne sent a request to the Superintendent and the School Board recommending that they hold a Teacher Development Day on these dates. The Superintendent was actually in favor of this but the School Board directed him to go and investigate other buildings in the town for us to use for our polling place. They were looking specifically at the Community Center, the Town Hall Building and the High School. One of the comments stated about using the High School was that we could use golf carts to bring the voters from the parking lots to the gym. The Superintendent will meet with Dwayne in the new year to look at the proposed buildings. Dwayne stated that they tried using the High School when it was first built but the parking lots are too far from the main entrance and the elderly people will not go there. He stated that if the concern is student safety, there are still students in the High School. Dwayne stated that it is not about school safety. Selectman Galemme stated that the comments on the Facebook page were mostly about the extra time it took to drop the kids off at school. Dwayne stated that the majority of voting in Maine takes place in schools.

Dwayne told Mr. Connolly that if there is no solution to this, the Board may have to attend a School Board meeting.

Reminders: Next Board of Selectmen's Meeting – Jan. 8, 2019 – 6:30 pm Municipal Building

5. New Business:

A. Fire/Rescue Station: Appoint a Selectmen to the Committee

Dwayne met with the architects for the new fire station and he was impressed with their philosophy. Their motto is form, function and finance which means that they want to build something that looks good, will do the job but they are not in the habit of spending money for the sake of spending money. He said that this is why they do not go after the school work because they feel that it is way overpriced for what is done.

Dwayne stated that the committee will be starting to meet in February and they would like to have one of the Selectmen to be on the committee. Selectman Galemme said that he would be willing to do so as long as it wasn't during the day.

B. Planning Board: Review Requests for Reappointments

Dwayne stated that there are 2 members that have terms that end on December 30, 2018. They are Jon Morse and David Ballard. Dwayne has reached out to them and they are both interested on being reappointed to the Planning Board.

Selectman Galemmo motioned to reappoint Jon Morse and David Ballard to the Planning Board. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

C. ZBA: Review Requests for Reappointments

Dwayne stated that there are 3 members that have terms that end on December 30, 2018. They are Todd Hoffman, Tim Kezar and Craig Linscott. He said that he did hear from Mr. Kezar and Mr. Linscott and they are both interested in being reappointed. He has not heard back from Mr. Hoffman yet.

Selectman Galemmo motioned to reappoint Tim Kezar and Craig Linscott to the ZBA Board. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

D. Parks and Recreation: Review of Parks Director Overtime for Summer Camp

Dwayne stated that last year they lost the Summer Camp Director after the first week. We didn't have the opportunity to find someone to replace her so Kristie put in a tremendous amount of hours to cover. She ended up putting in 120.5 hours of overtime during the 6 week period. Dwayne said that typically when a salaried employee works overtime he offers them comp time. He said that there is no way that he can comp her for all of her time. Even after giving her all of the time off that she wants she would still have 187 hours of comp time that he would have to give her. He stated that he would like to offer her compensation for the 120.50 hours. He said that they didn't spend it out of the summer budget. He said that it was budgeted for them to pay someone to do that. He stated that she did it in less hours than they would have paid somebody else to do it. The 120.50 hours would be at a cost of about \$2,700.00.

Selectman Cowan motioned to approve Kristie Michaud for the 120.50 summer camp hours. Selectman Galemmo seconded the motion. VOTE: 4-0

E. Sanitary District: Request From Sanitary District to CEO

Dwayne stated that they received a letter from the Board of Trustees from the Sanitary District asking us to do a few things. He wrote them back another letter and told them that what they are asking is not reasonable. He thinks it is because they don't understand the discussion. Dwayne stated that they believe that when somebody comes into our office, we can approve or disapprove additional or less usages on a property. To some degree that is true, but they are in the loop whenever we have to agree to give additional uses. Part of our requirement is that they have to go to the Sanitary District and get the required units. Their concern is not with the additional usages. They think that we can take uses from people but we can't. What has happened is that there are 4 buildings in town where the people came in and we found out that they had more uses

in their building than they should have. Dwayne said that it is a pretty regular occurrence for people to come in and ask how many uses they have on their property. The Sanitary District is asking us to notify them every time somebody comes in to talk to us about a usage. Dwayne said that it is not practical. The Sanitary District thinks that we are reducing their ability to collect revenue. Dwayne told them that in the 4 cases that they found, the District was actually charging them more than what they should have. Dwayne told them that it is not our job to tell them how much they charge or don't charge. Dwayne told them that we always direct the people their way so they can talk about their units with the Sewer Department. Dwayne told them that we are not making a decision. We are just telling the people the way that it is and what the requirements are.

Dwayne is going to their Board meeting on the 10th of January to discuss the uses issue with them.

6. Other Business:

Dwayne stated that they are looking at an additional change to our Street Ordinance. When we originally did the definitions of roads in our town, for private roads, there was some verbiage that was left off. There was a part of the roads that was supposed to be existing roads at the time of the Ordinance adoption. They were the camp roads. We put in an exception for these roads that says, "At the time of adoption in 2006, they will be considered okay roads, never to be turned over to the town." Dwayne stated that for some reason, "At the time of adoption" was not included. They are now adding it and listing all of the roads that are included.

7. Review and Approve Warrants and Correspondence:

Warrant:	December 11, 2018	- \$	0.00
Warrant:	December 18, 2018	-	\$721,888.49

Selectman Galemмо motioned to approve the Warrant of December 18, 2018 for the amount of \$721,888.49. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

8. Adjournment:

Selectman Cowan motioned to adjourn the meeting at 9:28 pm. Selectman Galemmo seconded the motion. VOTE: 4-0

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.