

North Berwick Board of Selectmen Minutes January 8, 2019

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
JANUARY 8, 2019**

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

Absent: Selectman Galemmo

Also Present: Dwayne Morin

Chairman Hall called the meeting to order at 6:35 pm.

1. Pledge of Allegiance

2. Review and Approve Minutes of December 18, 2018

Selectman Cowan stated that on Page 3 of the minutes the sentence before last of the 2nd paragraph had Chairman Cowan but it should be Selectman Cowan.

Selectman Johnson, Jr. motioned to approve the minutes of December 18, 2018 as amended. Selectman Cowan seconded the motion. VOTE: 4-0

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 they are working on getting the Public Hearings set up for the Medical Marijuana Zoning Ordinance changes. The changes are currently being reviewed by our Attorney. The Public Hearing is scheduled for 1/24/19 at the Planning Board meeting. Selectman Johnson, Jr. asked if the Planning Board had any comments or changes. Dwayne said that he had not heard anything back from the Planning Board since the email that he sent them after the last Selectmen's meeting. Dwayne said that they have not had a meeting since then either. Dwayne stated that they had a copy of the Public Hearing notice on Page 15 of their packet.

Dwayne stated that they also have a copy of the Public Hearing notice for the Licensing Ordinance and also for the Food Sovereignty Ordinance. This is scheduled for the next Board of Selectmen meeting. He said that it will be a busy Board meeting because our auditor will also be here to go over the audit. Dwayne said that the attorney did make a lot of changes to the Food

Sovereignty Ordinance but the Licensing Ordinance was good the way it was written. Selectman Johnson, Jr. asked if the changes were mostly changing the language or if it had to do with the ideas that were presented. Dwayne stated that it was mostly the language. You don't need "whereas", "wherefore" and "therefore" on Ordinances. He stated that there were some substantive changes, mainly just to align ourselves with State Law. Dwayne said that he had told the Conservation & Agricultural Committee that some things would have to be changed so they are aware of that changes were going to be made to their draft.

B. Dispatch: Discussion on Dispatch Contract

Dwayne stated that he has been working with Sanford on our first dispatch contract and he asked them to consider doing a flat increase over the first 5 years. Their original offer was that they gave us a base rate and then they wanted the base rate plus CPI over the first 5 years until we get to parity with the other partners. At first they were hesitant but then they sent him something that he would never agree to. He said that their assumption was a 7% CPI. He said that the CPI over the past 10 years has been about 2.25%. Dwayne said that once they finalize the contract, he will recommend to the Board that they go with the base plus CPI. He does not see CPI getting to 7% or 8%. It has never reached that in the past 15 years. Dwayne stated that this means they will take a big jump this year, a bigger jump next year and then we will settle into smaller jumps. Dwayne stated that they did agree to the other language changes which basically makes our contract mirror the contracts that Berwick and South Berwick have with them. Chairman Hall asked if this means that while we are going to parity, the other towns are just going up by CPI. Dwayne said that was correct.

C. Personnel Policy: Approve Policy

Dwayne stated that back in December, the Board had approved to change the Personnel Policy as it relates to overtime for on-call employees and seasonal employees. It has now been over the 15 days required to receive comments from the employees. He has received no comments so he is recommending for the Board to approve the changes to the Personnel Policy.

Selectman Cowan motioned to approve the changes to the Personnel Policy. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

D. Election: Elementary School Polling Location

Dwayne is still waiting to hear back from the Superintendent. There have been no discussions during the holiday season. Dwayne said that the last time he spoke to the Superintendent, he was in favor of having a day off or Teacher's Workshop day but the School Board wants more information.

E. Sanitary District: Request From Sanitary District to CEO

Dwayne stated that he is meeting with the Sanitary District on Thursday.

Reminders: Next Board of Selectmen's Meeting – Jan. 22, 2019 – 6:30 pm Municipal Building

6. Other Business:

Dwayne stated that it is Lebanon's turn to host the three town meeting and they are looking to have it on either 2/21 or 3/7. Dwayne said that his preference would be 3/7. He said he could do 2/21 but prefers 3/7. The Board agreed to do 3/7 and will be at the High School.

Dwayne stated that the Board needs to consider what they want to do for the cover and dedication for the Town Report. On Page 47 of their packet, he did add a picture of the new ambulance as a possible choice for the cover. Selectman Cowan said that she was fine with that.

Dwayne stated that they need to think about who they want to dedicate the Town Report to. He has included in their packet, a list of the people that passed away in the past year. Dwayne said that they can choose from these, but they can also choose someone that is still living as well. They have done other people like Town volunteers in the past.

Dwayne said that the State will be paving Route 9 from Portland Street to Route 109 and also part of Route 109 to Chapel Road in Wells.

Chairman Hall had a question about the land in between his property and the Campbell's property. There is currently 5 vehicles and a lot of other stuff on the property and he would like our Code Enforcement Officer to check on it. Chairman Hall said that he doesn't mind the junkyards that we have in town but he is not in favor of a new one. Dwayne said that if the vehicles have legal plates on them, then it is okay for them to be there. He will have the CEO take a look at it.

Selectman Cowan stated that the house at the end of Madison Street is messy again. Dwayne said that they have already sent them a letter. They were given 2 weeks to clean it up around Christmas time. He will talk to the CEO and have him follow up with it. Dwayne said that we have a stipulated judgement with them so if they do not clean it up, they owe us \$45,000. He said that, by law, they have to send them a letter. They usually clean it up because they don't want to pay the money.

Dwayne stated that they had a situation occur at the end of the year relating to a tree cutting operation next to Bauneg Beg Lake. He said that, when we passed our Shoreland Zoning updates back in 2007, we agreed to allow the State to take over timber harvesting. However, there was a caveat. The caveat was that when 231 towns in the State signed up, the State would take over the forestry. In 2011 or 2012, we received a letter from the State that said they were now taking over foresting so we assumed that they had hit their number. Since that time, we have been under the impression that they have taken it over. He said that if a forester calls the State, they are told that they are the ones responsible for timber harvesting in North Berwick.

A timber harvesting operation started on Morrells Mills Road and we received complaints that they were cutting too close to the water. Dwayne said that they went out to look and they did cut

too close to the water. However, under State standards for timber harvesting they can go within 25 feet of the water and take a certain percentage of trees. When we were having this reviewed, the State Forester told them that he didn't think they should be doing our timber harvesting anymore because we haven't hit the number of towns needed. Dwayne stated that they got the State Forester and the Maine DEP involved. They said that there was a big mix-up. All of the towns that voted were sent a letter from the State Forestry Service saying that they were taking over the timber harvesting and they have been doing so for years. Dwayne said that nothing has gone to the Planning Board because of the letter that was sent to us. The State is now saying that they are not going to do our timber harvesting so Dwayne said that he needs a letter from them that says this. He has not received it yet. Dwayne stated that the State's standards is different from our Town's standards. Selectman Cowan asked if the Town standards would trump the State's or would the State ones trump the Town's. Dwayne said that the Town would trump the State if it is our responsibility.

Now this current harvesting is being pushed on us. They did cut within the 25 feet but they were in compliance of the State law. Dwayne said that they had to get a permit from the State. Selectman Johnson, Sr. said that the State can't back out of it now. Dwayne said that the problem is that some people on the lake are upset because we are not fining these people for cutting so close to the water. Dwayne said that they have spoken with DEP and they will not fine them because it was an honest mistake. It was really caused by the Maine Forestry Service who were supposed to be regulating it but are now stating that they will not regulate it.

Chairman Hall asked if they had stopped harvesting. Dwayne said that they have stopped and are now just cutting back from the lake. Selectman Johnson, Jr. asked what our law stated as far as distance and Dwayne said that they can't cut within 75 feet of the water. Dwayne said that the people that are currently cutting have a couple other places that they want to cut. Dwayne told them they will need to come to the Town for a permit. However, Dwayne is still waiting for a letter from the State that says they are no longer regulating the timber harvesting.

Dwayne said that some members of the Lake Association are upset because they cut within 25 feet from the water and the town is not making them replant and are not fining them. Selectman Cowan said that we can't find them because they were legal when they started the project. Selectman Cowan asked if they were still cutting. Dwayne said that they are finishing up the project and the company has been very cooperative with us. Dwayne said that they were only allowed to cut a certain percentage so there are still trees there. They cut about 25 trees.

5. New Business:

A. FY20: Initial Budget Requests

Dwayne stated that the initial budget requests are about 6% higher than last year. The good news is that we have significant amount of revenue increase this year that will help offset most of this increase. Chairman Hall asked where the revenue increase was coming from. Dwayne said that it is coming from different places. Our excise tax has been growing quite a bit. He is not budgeting the full amount of excise tax. He always budgets it one year behind. This makes sure that he is staying honest because if we don't collect it we could get in trouble. Dwayne said that

we had an excess amount of overlay in the amount of about \$200,000 last year. He said that our Miscellaneous Fees are up about \$6,000 from his estimate. Last year, we did about \$330,000 and this year he is looking at about \$336,000. He said that this amount is still conservative. Last year our number was actually about \$360,000. However, you can't always count on these. Sometimes we get them and sometimes we don't.

Dwayne said that if the State Law is followed this would be an additional \$200,000. He said that he does not budget the new money, only the old money. Chairman Hall asked if he thought that the Legislation would follow the law. Dwayne stated that he feels that we have Legislature that don't necessarily agree with the law. He said that he is hoping that they will. He stated that, the majority of people that were just elected, have all said that they are going to re-establish Revenue Sharing. However, he said that the numbers are huge and when they see the numbers, they may not follow through. It would be about an additional \$150 million that they would need to spend. Dwayne said that if they do get it, it would be a bonus. Dwayne said that if we got it, it would be about \$340,000. Right now he budgets for \$137,000.

Dwayne said that we have cost increases in a lot of places and some of them are quite significant. He said that, in the draft budget that he has given them tonight, he has accounted for a 2.5% salary increase which is what CPI is tracking. He said that he will know better at the next meeting.

Dwayne said that the departments are not looking for lots of things but we have a lot of cost increases that are beyond our control. Dwayne said that, at the last meeting, he had mentioned that the Police Chief wanted to add another full time Police Officer. He has decided not to try for this at this time because he is not ready for it yet. He will take the year and figure everything out for next year. Chairman Hall asked about the Maine State Retirement System being up almost 15%. Dwayne said that it is up almost 15% for Police and almost 12% for Municipal employees. This past year, MSRS was completely revamped and this means that the employers are going to start paying a whole lot more as well as the employees. It is now a shared system. Our State pension plan is only funded at 82% which places us in the top 10 of the country, but they feel that now is the time that they need to do something to get to 100%. The goal is 5 years to get to 100% by doing what they are doing now. Dwayne said that the percentage looks high but the dollar amounts are not that high. He said that, if you added it all up from last year to this year, it might be an increase of about \$15,000 with all of our employees. Selectman Johnson, Jr. asked why the Police percentage was higher than the others. Dwayne said that it is a different plan. Their plan is more expensive than the regular employees plan. He said that the Police Officers can retire after 20 years no matter what age they are. Some of the other employees are 25 years at 60 years of age or 65 years of age.

Dwayne started to review the draft budget. For the Police budget, there are some decreases in training because we don't expect to hire a new Police Officer. There is a very large increase with Computers. There is a \$50 increase in supplies. There is an increase of about \$250 for Canine because of some increased costs. He stated that our vet cost shares with us. Dwayne stated that there is an increase in Insurance but it only went up about 4%. He said that Salaries for the Police Department is an increase of 1.68% but that is because of the way it is figured out. He said that we are set at 2% for the Police Department per their contract. Dwayne said that the

Other Regular Salary is for our Crossing Guards. There is an increase for the SRO for almost 5%. This is mainly because the SRO has reached the next salary step. Dwayne said that the school pays for the majority of this cost. The total cost is about \$85,000 so the school will pay about \$76,000 and we will pay about \$18,000.

Dwayne said that there is a new item on their budget which is for Computers CIP. We need to replace all of our PC's and 4 of our mobile computers. The PC's are about \$650 each and we need to replace 11 of them by January of 2020. Dwayne said that in January of 2020, Windows 7 is going away and all of our computers are Windows 7. The 4 mobile computers are very expensive and cost about \$3,300 each. Pratt & Whitney will buy 2 of them for us so we will have to come up with \$6,600 each. Chairman Hall asked what these are used for. Dwayne said they are used in the cars and are used every single day and are used more than the PC's are. This will all be at about a total of \$16,000. He said that about \$2,000 of the \$16,000 is for the T1 line hookup. We need to get a new modem that will talk between our computers and Sanford's computers. He said that the data line is about \$4,750 per year but we will do away with our server that we have in Sanford. This will open up our internet service here in the building because right now, it is very slow. The Police Department demands all of our bandwidth.

Dwayne said that when everything is all said and done the Police budget is really only up about 2%. The CIP amounts are really what is bumping the number up. There is a 1% increase in vehicle costs. He said that the 2020 models of the SUV's are going to hybrids and adding about \$6000 to the cost of the vehicle. He said that they placed a reserve for 2019 and the dealership will hold it for us until July.

Dwayne said that Protection budget is going up a little over 6%. The street light costs are going up because the electric rates are increasing. This will be about an 11% increase. He said that we already know what next year's numbers are for Dispatch because they have given them to us. He said they were notified that Lebanon will be leaving the group so we will see an increase of about \$800. Dwayne said that, for the next 5 years, we are going to see some major bumps. At year 5, it will be about \$150,000 and just CPI after that. Dwayne said that the Water District is not increasing hydrants rates this year.

Dwayne said that there is not a whole lot of difference for the Public Works budget. One of the things that they looked at was parts. He said that they have been budgeting \$40,000 for parts but costs seem to be creeping more towards \$45,000. The trucks don't seem to be giving us the longevity that we have had in the past and is requiring more maintenance to get us to the longevity. The Heating Oil has decreased because Dwayne locked in a price of \$2.15 already. Regarding the MSRS, he said that we miscalculated last year for the Highway Department so it's actually just about a 4% increase. He budgeted Salaries at 2.5% but because of the hourly wages it comes out to 2.45%. Dwayne said that they seem to be doing more tree work so he has increased that amount by \$2,000 from last year. He said that they are going to change the roads that they are going to be doing under Road Reconstruction. They are moving Ford Quint Road forward a few years and bring Dennett Road over. This will help our budget because of the cost of pavement right now. They will also be doing the middle section of Valley Road from Oak Woods Road to Boyle Road.

Dwayne said that they are looking to buy a few trucks. The small equipment purchase is a 1 ton. He thought that it was going to be about \$75,000 but the price they got was \$85,000 and it might even go up to \$95,000. The cost increase is all because of the price of steel going up. Dwayne said that they have been putting money away for the heavy purchase equipment which would be a wheeler. He thought the cost was going to be around \$180,000 but it looks like it will be around \$195,000. The Vehicle numbers is for the loader payment.

Dwayne said that they need to do some work on their buildings as well. They need to work on the sand building. The concrete is spalling so they need to repair it. He has received one price of \$39,000 but he is not happy with the way they have designed it. He will be looking into it further but he did budget \$40,000. He will budget it out of surplus because he thinks that they can do something different that will cost a lot less. They want to add an 8 inch ring of concrete around the building. He would rather treat it and put a rubber coating on it. He said that there are 6 areas that are spalling and it has gotten into the rebar. They will need to clean the rebar out. Dwayne said that his idea was to take everything out of the building and pressure wash it. They would then inject something into the really bad spalled areas, put a 2 inch lip all the way around and cover it with rubber.

Dwayne said that there is an increase in Winter Public Works. He said that we spent all of our Public Works money last year and started this year in the hole a little bit. He said he likes to have \$150,000 at the start of winter so that is how much he is budgeting for. Chairman Hall asked if we were using a lot more salt. Dwayne said that the salt numbers have been about the same. He said that our sand prices are pretty stable and our salt costs went down this year.

Dwayne stated that the big increase this year for the Transfer Station budget is on the Recycling Buffer. There is also an increase in the tipping fee of \$1.00. There is also an increase in Transportation costs based on our contract. It will go from about \$27,000 to \$30,000. Dwayne said that we are still way under what we were paying 4 years ago when we were doing it ourselves. The Salary shows a 3% increase but this is because of the way that they break it apart. We are still only budgeting the 2.5%. The Capital Improvements are down. The only thing they will be doing is replace the motor in the new compactor. We had bought it used so it needs to be replaced. The cost to replace the motor is about \$3,800. Chairman Hall said that the new waste oil furnace looks really nice. Dwayne said that it is working great. He said that one of the Capital Improvements is to change the compressor on the waste oil furnace. When we bought the furnace we didn't replace the compressor. That will cost around \$850. The compressor is a unit that sits on top of the waste oil furnace and this creates the combustion. Dwayne stated that the increase in the Recycling Buffer is because our recycling deal expires in March of this year. We have been paying \$45 per ton but in March we go to \$90 per ton. He said that it looks like it may actually go from \$90 to \$110 per ton. He said that all towns are being hit like this and some have even said they would not recycle. Dwayne said that the State says that we need to recycle. If you want to change the recycling plan, you need to get permission from the State and the State will not give anyone permission. He hopes that they can keep the \$90 range but he budgeted \$110 per ton. He said that we recycle about 250 tons per year. Chairman Hall asked if this has gone up since we have been doing single sort. Dwayne said that it has remained pretty steady. He should be getting the numbers for this past year within the next few weeks.

Dwayne said that there are a few increases for the Town Office. He said that the newsletter has been running about \$2,000 every time we do one. He bumped up the budget to \$4,000. Our Computer costs have increased. Next year will be an even bigger increase in our computer budget. Five years ago, we bought a 5 year backup program. We altered it this year so we are paying more per month. In 2020, it goes to \$245 per month. We haven't been paying this because we prepaid it for 5 years. He has been buying the Town Office computers so the Windows 7 isn't a big issue. He has 4 computers downstairs and has 3 more to replace. The increase is about \$3,000 and about \$1,800 is to manage our PC's. Hopefully this will save us money on servicing because they won't have to come here all of the time. They will be able to do things online. It is also a secure PC management system. We will also be paying \$79 for the first half of the year and \$245 per month for the second half of the year for our datto system.

There is an increase of about 2% in MMA Association fees. Dwayne said that they have been budgeting \$8,000 for supplies but we have been spending up towards \$9,000 so that is what he is budgeting for. Postage is up from \$12,000 to \$13,000 because we have been doing more mailings. There is a decrease in Utilities that is basically due to our heating oil because we now have our heating oil set. He thinks he will be able to hold our electricity rates. He thought that we were going to be able to decrease our electricity rates by 33% when the school left the building but he has been able to reduce it by almost 43%. For the 12 month period since the school left our electricity was \$13,000. There is an increase for the Town Report of \$500. Salaries are currently marked at 2.5% increase. The Part time is up a little more than the 2.5%. Dwayne said that the Town Office on a whole is up about 3%.

Dwayne stated that the Selectmen stayed the same. Code Enforcement office is up about 3% mainly because of insurance, MSRS and salary increases. He is still waiting for the numbers from South Berwick regarding Tax Assessment but he plugged in a 3% increase. The Town Manager budget is up about 2.7% which is due to salary, insurance and MSRS increases. General Assistance remains the same at \$7,500. Eastern Trail requested \$3,500 but he has not made a decision as to what he will recommend to the Board yet. Cemetery budget came in high. They always come in high and Dwayne cuts it down.

Fire has decreased by about 10%. The Operating budget is about the same as last year. We don't have to replace ae SCBA's because we have done it for the last 3 years. There are some vehicle costs. The bonds are for the tanker and fire truck payments. We are keeping \$50,000 for the new station.

Rescue budget looks like it is down but it isn't. There is a line in the budget for a Rescue Allowance. They have increased their allowance from \$170,000 to \$190,000. Most of the increase are regarding salaries because we are playing catch up. Regarding the ambulance, Rescue had given us \$65,000 so we don't have to raise as much as we thought we were going to have to raise. The next 2 years we will raise \$33,500 and the ambulance will be paid off and we will be financing that ourselves.

The Library came in at about 4.3% increase. Dwayne said that he has not looked at their numbers yet. Parks and Recreation has an increase of about 2.3 %. Our programs are about the same as last year. Dwayne said that there is something that has come up with the NBAA. He

said that we have moved all of our programs to a user fee system. The only one that hasn't been on a user fee system is NBAA. We have been paying for their toilet rentals for their fields. We have told them that we want them to include this in their budget. The toilet rentals cost \$750. Dwayne said that we use to send them a bill at the end of the year for electricity that they use for the concession stand. It runs at a cost of about \$350. We told them that they need to budget for the electricity as well. Dwayne said that they are going to be changing port-a-potty vendors. The current vendor was going up about 40% so they are changing from A1 to Blow Brothers. The Mill Field is being held at \$5,000 again. It usually runs about \$3,000. Regarding the Summer Program, they are looking at a \$50 increase for the cost of the camp.

Dwayne said that the Community Center numbers looks bad but that is because of the Rec Complex Parcel Fields at an amount of \$10,300. Parks and Rec is looking to make some improvements to the parking lot. They want to add some trees, bushes and fencing along the front of the parking lot. Planning Board and Zoning Board of Appeals stayed the same. Dwayne said that the Historical Society decreased because Operations costs going down by about \$200. He stated that our Cemetery costs have increased by about 25%. This is due mainly because we have not had as many people adopting Veterans cemeteries.

Dwayne said that the budget for Grants has stayed about the same. It is actually down a little bit. Visiting nurses budget for what they didn't receive the year before. They are asking for \$7,600 this year. Conservation Commission is the same for Operation at \$1,000. He is building in \$5,000 to help with the trail development. We will take this out of Impact Fee Funds for open space. We need to build some bridges across some of the ravines.

Dwayne said that our Insurances are up. Our Workers Comp insurance took a huge increase but we had over budgeted last year so it is only about a 2% increase. We had budgeted a 5% increase last year for our regular insurance and it actually came in about the same as the year before. FICA and Medicare are increased to about 3%. Town Office Building Fund stayed the same as did Unanticipated Funds.

Dwayne stated that the overall budget is at about a 6% increase. He thinks that he can bring the budget in at a 0% tax increase leaving about \$250,000 to use for the school increase. If we get the State Revenue Sharing we could actually see a tax decrease.

7. Review and Approve Warrants and Correspondence

Warrant:	December 25, 2018	- \$	0.00
Warrant:	January 1, 2019	- \$	97,385.10
Warrant:	January 8, 2019	- \$	0.00

Selectman Johnson, Sr. motioned to approve the Warrant of January 1, 2019 for the amount of \$97,385.10. Selectman Cowan seconded the motion. VOTE: 4-0

8. Adjournment:

Selectman Cowan motioned to adjourn the meeting at 8:30 pm. Selectman Johnson, Jr. 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 Glemmo

Selectman: Michael Johnson, Sr.

