

**North Berwick Board of Selectmen Minutes April 2, 2019**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES APRIL 2, 2019**

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

**Also Present:** Dwayne Morin, Jeannie Provencher

Chairman Hall called the meeting to order at 6:32 pm.

- 1. Pledge of Allegiance**
- 2. Review and Approve Minutes of March 19, 2019**

Selectman Cowan motioned to approve the minutes of March 19, 2019 as written. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

- 3. Public Input**

There was no public input at this time.

- 4. Unfinished Business:**

There is no unfinished business at this time.

**Reminders:** **Next Board of Selectmen's Meeting** – April 16, 2019 – 6:30 pm Municipal Building

**Town Meeting** – Saturday, April 6, 2019 – Noble High School

**Tri-Town Meeting** – Thursday April 11, 2019 – 6:30 pm Noble High School

Dwayne stated that one of the things that they want to discuss at the Tri-Town Meeting is LED lights for the street lights. He said that he has been doing some research and most towns are seeing 3½ to 5 year payback on the lights. The lights are guaranteed for 10 years but last about 20 years. Dwayne said that he has spoken with a few Town Managers and they say that it is much cheaper to own them than rent them. Maybe if all 3 towns go in together, they could get a better deal.

**5. New Business:**

**A. Town Meeting:** Discussion

Dwayne asked the Selectmen if there was anything specific that they would like for the Town Meeting. Selectman Cowan said that she would like tablecloths on the tables. Chairman Hall said that he likes having the metal pitchers of ice water. Dwayne said that he has the power point presentation ready.

**B. Madison Street:** Discuss 80K Proceeding Regarding Junkyard

Dwayne stated that he sent the letter from our attorney to the property owner. He received an email from the property owner stating that he was going to start cleaning up the property. Our attorney would like to know if the Selectmen want to move forward with an 80K proceeding. Selectman Galemmo asked if they have been cleaning up yet. Dwayne said that, since he received the email last Tuesday, he made multiple inspections last week and drove by it again today and not much has changed. They did close the garage door and move some of the totes closer to the garage. Dwayne said that this is just repetitive and doesn't stop. Every year, we have to send them a letter to tell them to clean up. Dwayne just wants to know how they can get it to stop. Selectman Cowan agreed. Dwayne said that he spoke to the attorney about the stipulated judgement and they said that it would not be enforced. They would do another judgement. The attorney stated that the only way to make sure that the property owner will clean it up is to get a new stipulated judgement. The new judgement would say, that if they do not clean it up, the town will step in and clean it and there would be a monetary punishment. Dwayne said that the goal is not to get the money. The goal is to get them to keep the place clean.

Selectman Johnson, Jr. asked if they owners had any kind of hardships such as physical or financial issues. Dwayne said that he has been told that the wife is handicapped but he does not know to what extent. The last time that he met them was back in 2012 when they signed the last stipulated judgement. Since that time, we have asked them repeatedly to come in and meet with us to discuss the matter, but we never hear from them.

Chairman Hall asked if the long term goal is to have a judgement where we can go in and clean up the property and charge them the fee. Selectman Cowan said that she doesn't see the likelihood of them paying the fee. Dwayne said that it becomes a tax lien attached to their property. Chairman Hall asked about how much it would cost to clean the property. Dwayne said that if they didn't touch the inside of the building, \$2,000 should cover it. He said that they wouldn't be picky. They would bring in a container, put everything in it and dispose it. Selectman Johnson, Jr. said that doing this would probably result in them losing their house eventually because it would add up. Dwayne said that they do pay their taxes so it shouldn't be an issue. Chairman Hall stated that if they have to pay the \$2,000 one year, maybe they would do better at keeping the property clean so they wouldn't have to pay it every year. Dwayne stated that the goal is to have it clean. It is attracting vermin and it is causing a hardship for the property owners that are around there.

Dwayne stated that the brief for the 80K proceeding is ready to be filed in court. We would be asking for another judgement with a few more stipulations in it.

Selectman Galemmo motioned to authorize the attorney to move forward with an 80K proceeding. Selectman Johnson, Jr. seconded the motion.

Selectman Johnson, Sr. asked what exactly an 80K proceeding was. Dwayne said that it is the State Statute. Dwayne said that the 80K proceeding is like a Town Small Claims Court. It is meant specifically for zoning violations and other type of things that municipalities deal with on a regular basis.

VOTE: 5-0

**C. Abatement: Abbott Abatement Request**

Dwayne said that there are 2 abatement requests for the Board to review for the Abbott family. Dwayne stated that when a new deed is created, we create a lot and a tax account. Sometimes, people will come in and tell us that they are going to be splitting a property off of their parcel. We then create a lot because they are advertising to sell the property and they want to make sure that it is a definitive lot. In 2004, Martha Abbott came in with a proposed description for a deed signed by a surveyor which stated that they are creating a lot and are actively trying to sell it. The property was up for sale for many years but never sold. A lot had been created but no deed had ever been created. Barry Abbott has taken over his mother, Martha's affairs and asked if there was a deed on that lot. They did some research and found that there was no deed. Selectman Cowan stated that we were charging them taxes on a lot that was never officially created. She asked Dwayne if they needed a sale first. Dwayne said that they typically do. Selectman Cowan asked if that had been overlooked this time and how it happened. Dwayne said that his understanding was that they were insistent that we create a lot so that they could sell. Selectman Cowan said that before we start charging them taxes, shouldn't we see some evidence that the parcel was sold. Dwayne said that that is usually how it is done. Dwayne said that they were selling off parcels of land pretty rapidly for a while and they were doing this so they made sure that they stayed out of subdivision.

Barry has asked us to recombine it and our accessor has combined it with another parcel. Barry asked if there was a possibility for an abatement so that is why Dwayne has brought this before the Board. Dwayne stated that we have been sending a tax bill and they have been paying it. He stated that an abatement runs 152 days after commitment. That period ended at the beginning of February for us. Dwayne stated that they can do the abatement for 1, 2 or 3 years. For FY2019 the amount was \$715.95, FY2018 the amount is \$699.30 and FY17 the amount is \$699.30. Selectman Cowan stated that since they were assessed tax on a lot that hadn't been officially recorded, she has no problems with doing all 3 years.

Selectman Cowan motioned to approve Abatement #3 for tax year FY2019 for \$715.95, FY2018 for \$699.30 and FY2017 for \$699.30 for a total of \$2114.55. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

Dwayne stated the other abatement is Abatement #4. In this case, they created a lot and Martha deeded it to Meagan Abbott, who is Barry's daughter. Two years ago, Meagan decided that she didn't want the land anymore and she deeded it back to Martha. We never received that deed that combined the parcel with another piece of property. Dwayne said that there was a deed but we never received a copy of it.

Selectman Cowan motioned to approve Abatement #4 for tax year FY19 for \$717.24 and FY18 for \$700.56 for a total \$1417.80. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

**6. Other Business:**

Dwayne stated that on Wednesday, 4/17/19, the Budget Committee process for York County starts. The Selectmen are invited to the caucus at the EMA Building. He said that, in our area, we are down 1 elected official.

Dwayne stated that they did receive some preliminary information from the County. He said that if the budget that is being recommended by the York County Commissioners passes, it will increase our costs by about \$20,000 for next year.

**7. Review and Approve Warrants and Correspondence:**

Warrant:	March 26, 2019	- \$	0.00
Warrant:	April 2, 2019	- \$	100,896.87

Selectman Galemmo motioned to approve the Warrant of April 2, 2019 for the amount of \$100,896.87. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

**8. Adjournment:**

Selectman Glemmo motioned to adjourn the meeting at 7:46 pm. Selectman Cowan 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 Glemmo

Selectman: Michael Johnson, Sr.