

## North Berwick Board of Selectmen Minutes July 9, 2019

### NORTH BERWICK BOARD OF SELECTMEN MINUTES JULY 9, 2019

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

**Also Present:** Dwayne Morin, Greg Drew, Dan Baker, Rebecca Reed, Jamie Fenderson, Maurice Dolbec, Stan Cowan

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

1. **Pledge of Allegiance**
2. **Review and Approve Minutes of June 18, 2019**

Selectman Galemmo motioned to approve the minutes of June 18, 2019. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

#### 5. **New Business:**

##### A. **Budget Committee:** Review Special Town Meeting Warrant with Budget Committee

Dwayne stated that some of the Budget Committee members were present tonight to discuss the Special Town Meeting Warrant. Dwayne stated that, since January, we have been looking at switching our streetlights over to LED lights. He said that it has been a long process and that this was mostly due to CMP. We need to go to CMP and get a net book value to buy out our contract with them. It took several months for CMP to give us that number.

Dwayne gave each of the members a draft of the newsletter that will go out to all of the residents in town. He believes that it will answer any questions that people may have about the conversion. Dwayne said that this will be a cost savings to the town in terms of cash as well as cost savings in energy and carbon dioxide savings and emissions.

Dwayne gave the members a little background regarding streetlights. Up to 2013, in order for towns to have streetlights, they had to go to the local utilities and tell them that they wanted a streetlight. For every streetlight that we put up, we had to sign a 20 year contract that stated that we had to pay for it for 20 years. This contract included 4 different costs. There was a lease cost that would be anywhere from \$5.00 to \$150.00 per fixture depending on the type of fixture. It also included the electricity cost, transmission cost and distribution costs. We have 179 streetlights and our yearly bill for this is about \$30,000. The main reason that this bill is so high is because of the lease cost. If one of our streetlights gets repaired, it starts another 20 year time frame.

In 2013, a bunch of towns petitioned the Legislature to have this changed. He said that some of the towns went to CMP and Emera to see if they would offer LED lights but they both said no. Dwayne said that the main reason is that streetlights are good money for these companies. There is very little costs and the towns pay them. Dwayne stated that the towns petitioned the State and the State passed a law that, as of 2013, towns can own their own streetlights. It then went into rule making with the PUC. Over the course of the next 3 years, the PUC created rules and regulations that stated how towns could do this. Even though the Legislature had passed the Law, it didn't put all of the fine detail on how to actually do it. Dwayne said that CMP and Emera had significant input on this decision making process. In CMP territory, in order to own your own light, you have to buy a special fuse. If we are going to own our streetlights, we must install this fuse. Another stipulation is that they need to be installed by lineman and not an electrician.

After they added all of these rules and regulations, they created a Net Book Value which states how the towns get out of their contracts. Dwayne said that there was a lot of back and forth talking on this point. CMP said that it was too difficult to track each individual light. CMP provides a Net Book Value to every town that requests and the formulas are created by the utility. In our case, it will cost about \$38,000 to pay off our contract.

In 2016, the Town of Falmouth was the first town to sign a contract to put the LED streetlights up. It took over a year to install them because the PUC hadn't finished with all of the rules and regulations. They were followed by Cape Elizabeth. There are now about 35 to 40 towns in the State of Maine that have converted. Dwayne said that people might ask why we were not part of the first wave of towns to convert. He said that it was better to see how things went for the others first. He talked to the Town Manager from Falmouth and he was told that it was a struggle to get the lights up. The fuse issue was a big fiasco and there were quite a few problems. All of issues have now been resolved.

Dwayne said that people might ask why we are looking to perform this conversion. In January, they started talking to a company called Affinity LED Lighting. They are located in Dover, NH and are the industry leader in the Northeast. They have installed more LED streetlights than any other company in the Northeast. Dwayne said that people may wonder why we didn't go out for a competitive bid for the project. It is because Affinity has won just about every bid. They won 32 bids in the State of New Hampshire and have won just about every bid in the State of Maine for the past 2 years. They offered us the exact same pricing that they gave everybody else.

Dwayne said that they have worked with Affinity to see what we can do and what kind of streetlights we should get. They looked at the numbers for everything to see if it would make sense to convert. He stated that we currently spend about \$30,000 for our streetlights. Once the LED lights are installed, our yearly costs will drop to about \$4,000. This will be about a \$26,000 per year saving. It will cost about \$101,500 to do this project. This is a payback of 47 months. This is at our current contract. Our streetlight electricity contract will expire in December of 2020. We currently have great deal and pay \$.045 per kilowatt hour. It is unlikely that we will get that rate again. Right now, streetlights are averaging about \$.075 per kilowatt hour. With this cost our payback time drops to about 41 or 42 months.

Dwayne reviewed the Long Term Savings. For 5 years, we save \$28,000 and 10 years we save \$157,000. The lights are warranted for 10 years but the estimated lifespan is 20 years. At 20 years, our savings is \$416,000. Dwayne said that he attends meetings in Augusta once a month with other Town Managers and every town is looking to convert. Dwayne said that CMP is now offering LED lights but they still want to do a lease thing instead of a purchase thing.

Dwayne stated that another question is who maintains the streetlights once we own them. He said that we would have to hire a company to maintain them. The warranty period is a 10 year period. Affinity uses the best components available. They use CREE lights and Meanwell Drivers which are the state of the art, best in the world. They assemble everything in Dover by US Veterans. The 2 owners both live in Maine. Dwayne said that the cost to replace a light after warranty averages about \$300 to \$500. He said that the thing that will probably fail between 10 to 20 years is the light sensor that sits on top of the light and it costs about \$5.00.

Dwayne said that there will be some differences. The current streetlights have an orange glow. The LED streetlights will have a soft white light and are 3,000K. Our streetlights are 2,200K. The lower the number the more the light is an orange color and the higher the number, the more blue the light gets. He said that one of the downfalls of the first LED streetlights was that they were a stark blue. These were not great as they hurt your eyes because they were so blue. Dwayne said that LED technology has changed so much over the past few years. They have been able to temper LED lights to the rest of the spectrum. You can get LED lights between 2,000K and 6,000K. He said that they picked 3,000K which would be about the same as the light in your house. Dwayne said that light affects people differently and can affect their livelihood so the softer white light will not cause any issues. Dwayne said that if you look at a light now, you can actually see a spot on the road because they are lightbulbs and shine straight down. LED lights create a more uniform spread of lights so it is more of a shed of light.

Dwayne said that the reason they want to hold a Special Town Meeting is because the longer we wait, the less cost savings we get. Affinity said that they could squeeze us in late Summer or early Fall. We have 179 streetlights and they said that it would take about 3 days to complete. They average about 50 to 60 lights a day. Maurice Dolbec asked if they take down the ones that are already there. Dwayne said that they take them down and recycle them. There are Federal laws on how to recycle them because of hazardous materials. Dwayne said that Affinity uses the company, Coutts Brothers. They are linesman and perform the installs for Affinity. The other nice thing about Affinity that the other companies do not offer is that they will give the town a complete GIS map of all our streetlights. Dwayne can put it into our GIS system and he will be able to see where the lights are placed. He said that he can watch it live on the system and see when they get a light done.

Gregg Drew stated that sometimes a person will request a streetlight so he wondered how this would work now. Dwayne said that they would have to contact Affinity and have one installed. He said that we haven't added a streetlight in quite a number of years. He said that the rule is that they only install streetlights at the intersections of roads.

Stan Cowan asked if the SAD 60 schools are included in this project. Dwayne told him that, under the Law, it states that only municipalities can own their streetlights. The School District is

not a municipality. However if a town changes over their lights, CMP will allow us to change over the School District lights at the same time. Dwayne sent all of the information to the School District. He said that their cost savings are not as great as ours because they don't have as many streetlights. In North Berwick, the cost savings are about \$5,000 per year and the overall savings over the 20 year life is about \$60,000. He sent all of this information over to the Superintendent but he has not heard anything back yet. He told him that they really need to consider it because if they don't do it now, they lose the opportunity to do it in the future unless the Law is changed in the future. Dwayne said that Lebanon and Berwick are negotiating with Affinity right now so the School District should just do it.

Dan Baker asked if the poles were going to be the same. Dwayne said they would use the same poles. Mr. Baker asked if the fixture was going to look different. Dwayne said that it won't really look too different. He said that the only difference between this Cobra head and another Cobra head is that this will be a flat fixture instead of the dome that we see on the current ones. The flat fixture is a built in diffuser to spread the light out.

Jamie Fenderson asked if the savings had been confirmed with the other towns that have already converted. Dwayne said that he has confirmed it. The towns are seeing about a 90% cost savings. He stated that most of the towns are seeing a 3 to 5 year payback. Mr. Fenderson asked if CMP could charge us more. Dwayne said that once we buy out the streetlights, it is done. The only thing that we become subject to is the change in rate for transmission and distribution and whatever the power rate is. We bid out our power rates and we currently pay \$.0448 per kilowatt because the town signed a 5 year contract. Around October, 2020 he will start shopping around for the streetlights again.

Chairman Cowan asked Dwayne what he needed the Budget Committee to do at this point. Dwayne said that he recommends that we take the money from Undesignated Surplus. He said that they currently have about \$2.9 million in cash reserves. He would like to appropriate \$101,450 from Undesignated Surplus.

Gregg Drew from the Budget Committee motioned to appropriate \$101,450 from Undesignated Surplus. Maurice Dolbec seconded the motion. VOTE: 6-0

Dwayne said that the other issue that they need to discuss to include at the Special Town Meeting has to do with the intersection at Linscott Road. The Linscott Road and Route 9 intersection is one of our most dangerous intersections. If you pull out of Linscott Road and you are looking back toward the Village, there is zero visibility. This is because the bridge that goes over the railroad has a change in elevation and the bridge guardrail assembly is high. This coupled with the vegetation by the road and guardrail makes it very hard to see.

Dwayne stated that a few years ago, we petitioned the State to change the speed limit in that area. One of the main concerns is the speed limit change from 35 to 45 is at the base of hill right after you pass Portland Street before you go over the bridge. We had petitioned the State to move the 45 mph speed limit back to the other side of the intersection. The State denied it. Over the past year or so, we have been in discussion with the State regarding what can be done at this intersection. Over the past 4 years, there has been 10 accidents at that intersection that had

personal injury. The State originally told us that they would probably not do anything. In addition to the traffic issue, Hussey Manufacturing owns 40 acres right off that intersection. It is in the Industrial Zone and we would like to see it developed. Dwayne said that if that land was to be developed, it would add more vehicles going through that intersection.

In February, 2019, the Selectmen wrote a letter to the DOT requesting a safety assessment. A safety assessment was supposed to happen during the course of the winter but it never happened. They are now doing it on July 31<sup>st</sup>. Dwayne said that they have also met with Maine DOT Planners to see what we can do. Anything that happens at that intersection would require a partnership between the Town and DOT which means that we would be responsible for some of the engineering costs.

Dwayne stated that, in this Warrant Article, we are looking to put money in an engineering fund so if we need it, we would have it available. They are proposing \$20,000 to be taken from Undesignated Surplus for this project. Dwayne said that the State will match up to \$50,000. He said that they have solicited their own engineers and their preliminary review would be around \$3,500 and additional reviews would bring up to about \$20,000 to \$25,000. Dwayne said that the study takes a year to complete.

Gregg Drew asked what Dwayne thinks they would suggest to put there. Dwayne said that they have asked for signalization. Mr. Drew asked where it would be put. Dwayne said it would be right at the intersection. Dwayne said that they actually sat down with people from the DOT and were able to explain to them what are concerns were. He said that he made them drive through the intersection. Dwayne said that the State has given us permission to put in an Intersection Warning System. They are flashing lights that show when cars are coming. They will look at realignments, improvements to the intersection itself, speed limit changes, signalization and intersection warning systems. They will bring all of their safety people down to look at all of the aspects.

Stan Cowan from the Budget Committee motioned to appropriate \$20,000 from Undesignated Surplus for the possibility of an engineering study. Rebecca Reed seconded the motion. VOTE: 6-0

#### **4. Unfinished Business:**

##### **A. Maple Street Forest: Maine Community Foundation Day Fund Request**

Dwayne showed the Board members the pictures of the signs that they built for the trails. They are all cedar with pressure treated posts. They did some widening of the trails but they still have more to do. The Conservation Commission went out and installed the trail signs. He has already sent our close out package to the State and they have accepted it. They will come perform a site visit in the next month or so. They are working on the connection between our property and the Great Works Regional Land Trust property. He met with Dave Parker last week. Mr. Parker has blocked off the paths but will unblock them now that the town's trails are complete. He has asked us to add a sign on his property line. He would like a marker that states that the person is

now entering Town property and on the other side, one that states that they are now entering private land.

Dwayne said that he met with GWRLT to let them know that we now have the money to build the bridge so they can get to work on it. He was told by Chris Mende that they are working on it.

**B. Assessing: Review Assessor Proposal for Valuation Increase**

Dwayne said that Craig has been working on the assessing and the new numbers. On Page 10 of their packet, he has an update of the numbers that they are currently at. He said that the State's increase to the Homestead Exemption is not occurring this year. They pushed it one more year. He stated that of the 2,458 Real Estate parcels, 1,523 accounts will see a reduction of property taxes to an increase of up to \$25.00. He stated that 1,117 will see a reduction, 69 will see an increase of \$0.00 to \$5.00 and 337 will see an increase of \$5.00 to \$25.00. He stated that 935 accounts will see an increase. There will be 391 accounts that will see an increase of \$25.00 to \$50.00, 341 accounts will see an increase of \$50.00 to \$100.00 and 203 accounts will see an increase of over \$100.00. He stated that, of the 935 accounts, 200 of them are due to new houses or additions to houses.

Dwayne said that these numbers are going to change because the Exemptions are not in some of these. The way our system works is that you can't put the Exemptions in until you commit the numbers. He said that in looking at the raw numbers, he thinks that the decrease will be between \$12.40 to \$12.45 for a mil rate. He should have the final numbers at the next meeting.

**C. Linscott Road: Update on MDOT Review of Intersection with Route 9**

Dwayne said that he had a great meeting with the DOT. There were 2 representatives from Hussey here as well. He thinks that the DOT now has a better understanding of what the issue is. They also said that they will go back and look at the speed limit request again.

**Reminders: Next Board of Selectmen's Meeting – July 23, 2019 – 6:30 pm Municipal Building**

**5. New Business:**

**B. Special Town Meeting: Review Final Warrant and Newsletter**

Dwayne said that he needs for the Selectmen to sign the Warrants. Selectman Hall asked when the newsletter was being mailed out. Dwayne said that it was going to the printer on Friday and they will be mailed next Friday.

Chairman Cowan had a few changes that needed to be made on the Newsletter. In the 3<sup>rd</sup> paragraph on the 1<sup>st</sup> page, the last sentence currently reads, "...should the voters of Town approve...". It should read, "...should the voters of the Town approve...". On the last paragraph on the 1<sup>st</sup> page, the 1<sup>st</sup> sentence should read, "...PUC had to approved orders...". It should read, "...PUC had to approve orders...". Also the last sentence of the same paragraph it

currently reads, "...their streetlights to energy conserving LED fixtures.". It should read, "...their streetlights to energy-conserving LED fixtures."

Selectman Hall stated that in the first paragraph, it states High Pressure Sodium (HPS). He said that it should just have HPS throughout the rest of the Newsletter instead of writing the whole thing out each time. Selectman Hall stated that he should also spell out what LED stands for followed by the (LED) in the first paragraph and then just use LED throughout the rest of the article.

Chairman Cowan stated that on the page 2, under the section, What are LED streetlights? the first sentence currently reads "Light Emitting Diodes (LED) are a technology that has been used...". It should read, "Light Emitting Diodes (LED) technology has been used...". Also, on the 3<sup>rd</sup> page under the Linscott Road/Route 9 Intersection section, the 4<sup>th</sup> sentence currently reads, "Recent crash data provides that...". It should read, "Recent crash data indicates that...". The next sentence currently reads, "...the Town would to enter into a...". It should read, "...the Town would have to enter into a...". Selectman Hall also had an issue with the 7<sup>th</sup> sentence in this section. It currently reads, "It is anticipated that a partnership with the MDOT will take approximately a year to complete the required study.". It should read, "It is anticipated that the required study will take approximately a year to complete."

Selectman Galemmo motioned to approve the Warrant and the Newsletter as amended for the Town Meeting. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

**C. Retirements:** Ernie Rose and Marianne Benedict

Dwayne stated that Ernie Rose is retiring after 17 years on the Highway Department and Marianne Benedict is retiring after 16 years. He is going to shuffle the positions around a little bit in the Town Office. Chris Dudley will be the Office Manager. He is moving Rebecca up to do part of what Marianne was doing such as payroll. He will move her up into the Deputy Treasurer position but they will split some of the duties up. Chris will take on some of the HR functions, especially with the insurances. He will hire somebody new that will have an Accounting background.

Dwayne stated that Ernie is done on Monday and Marianne will be here until 7/28.

**D. Citizen Request:** Video Tape Meetings and Place on No. Berwick You Tube Channel

Dwayne received a request form Joe Harlan. He would like to see the Town videotape our meetings. Selectman Hall asked where it would be broadcast. Dwayne said that it is not broadcast. It would be videotaped and then we would upload it to YouTube. Selectman Johnson, Jr. asked if somebody would volunteer to do it. Dwayne said that they would have to hire someone to do it. Selectman Johnson, Jr. said that he wouldn't be opposed to someone volunteering to do it but doesn't want to pay someone to do it. Dwayne said that he would be concerned about a volunteer because that puts a lot on that person and if they don't show up, there is no backup. He said that once they start videotaping they cannot stop. Dwayne said that they could check to see what the cost would be to hire someone to do it. Chairman Cowan asked

if we had received any other requests for this and Dwayne said that they had not. Selectman Galemmo stated that he is not opposed to the idea but the logistics and cost could be an issue. Chairman Cowan agreed and stated that if they had more requests for this then they could probably look into it more.

**6. Other Business:**

Dwayne said that he tried the country treatment in 3 different spots for poison ivy. He did one at his house, one at the Community Center and one at the cemetery. He said that a significant amount of poison ivy leaves died at his house. At the cemetery, nothing died. At the Community Center, half of them died. Dwayne said that he did contact the lady regarding the goats. She requires a minimum of ¼ acre to eat. She said that although goats do eat poison ivy, if the majority of the ¼ acre is poison ivy they will probably not eat it. They get very finicky if it is only poison ivy. Dwayne said that the areas that are treating are really not big.

Selectman Galemmo motioned to get rid of the poison ivy in the most expedient way possible. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

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

Warrant:	June 28, 2019	- \$ 1,257.00
Warrant:	July 2, 2019	- \$ 141,372.34
Warrant:	July 9, 2019	- \$ 1,741.33

Selectman Galemmo motioned to approve the Warrant of June 28, 2019 for the amount of \$1,257.00, the Warrant of July 2, 2019 for the amount of \$141,372.34 and the Warrant of July 9, 2019 for the amount of \$1,741.33. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

**8. Adjournment:**

Selectman Glemmo motioned to close the meeting at 7:56 pm. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Respectively Submitted,  
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Wendy Cowan

Selectman: Jonathan Hall

Selectman: Michael Johnson, Jr.

Selectman: Charles Glemmo

Selectman: Michael Johnson, Sr.