

**North Berwick Board of Selectmen Minutes February 4, 2020**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES  
FEBRUARY 4, 2020**

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

**Absent:** Selectman Galemmo

**Also Present:** Dwayne Morin, Paul Healey, Mary Healey, Joshua M. Delay,  
Rebecca Reed

Chairman Cowan opened the meeting at 6:30 pm.

**1. Pledge of Allegiance**

**2. Review and Approve Minutes of January 21, 2020**

Dwayne Morin stated that he had only made one change. On page 7 in the 1<sup>st</sup> paragraph, the 3<sup>rd</sup> sentence, he changed the words, “the tenureship” to “her tenure”.

Selectman Hall motioned to approve the minutes of January 21, 2020 as amended. Selectman Johnson, Sr. seconded the motion.

**3. Public Input**

Mary Healey lives on Wells Street right next to the Weaver property. They recently became aware that there was going to be an intersection put in right beside their house. She stated that Dwayne has been great at keeping them informed but they are anxious to learn a little bit more. She stated that they were told that there was going to be fencing or vegetation. They would like to see them do both. She is wondering if there is anything they can do to make this happen. Mrs. Healey stated that the fencing is a great interim. She said that she has seen similar fencing down in Wells along Route 9 and they seem to fall down a lot. She said that she knows that initially vegetation takes a while to grow so that wouldn't be a good buffer.

Dwayne pulled up the property on the computer to show the Selectmen where the Healey property was located and where they planned on putting a fence. He said that they tried to maintain a setback from their property. They have about 50 feet and it narrows a bit when it gets down to the end. He stated that the Weaver property goes about halfway through the Healey property. Dwayne is recommending that they put a vinyl stockade fence on the town property and not on the property line. Some of the trees in that area would remain but they would have to take down some of the bushes. To give the Healey's some privacy, the fence would be 6 foot panels for a length of about 70 feet. The fence would be about 25 feet from their property. Dwayne figures that this would give plenty of cover. Mrs. Healey stated that they hadn't really

thought about what kind of trees to put there. She stated that the fruit trees that are there are pretty much coming to the end of their usefulness.

Mary Healey asked who would be responsible for the mowing on the other side of the fence. Dwayne said that the town would take care of that. Dwayne told the Healey's that he understands their concerns about the fence. He said that he knows exactly what fence she is referring to in Wells. He said that they did a very poor job of installing that fence. He said that when we install the fence, he guarantees that it will not come down. He said that if they construct it correctly by putting it into the tracks and screwing it into the tracks, it will not come down. He said that he is suggesting a vinyl fence because of how it looks. He said that if they plant vegetation it will have zero effect if the fence is up. If they put a vegetated buffer, it will take so long for it to provide them with any privacy. Dwayne said that his main concern is with the lights shining into their house. He told them that they would be the people that will be impacted the most for this project. He stated that the DOT wanted to put the new intersection right at the Healey's property line but we fought to have them change their mind. The main concern was with the Healey's property and the property across the street. If the intersection was right up along their property the car lights would shine right in the house across the street. Dwayne stated that they are trying to create some sort of buffer and let them have some kind of privacy.

Chairman Cowan asked the Healey's if this alleviated their concerns. Mrs. Healey stated that if the fence doesn't come down then it does help. Dwayne stated that the town would be maintaining the fence. He said that it is our Highway crew that will be installing it so if it does fall down, it would be them that would be repairing it. He stated that there will be no snow that will be pushed up against the fence so there is even less of a chance that the fence will get loose. Selectman Johnson, Jr. asked Dwayne if there was any problems with the Healey's planting flowers or other vegetation on their side of the fence even though it is on town property. Dwayne stated that the Healey's asked if there was any way that the town would deed the town property on their side of the fence to them. Dwayne said that he has no problems with that request but it is up to the Board. The Board agreed.

Selectman Hall motioned to add a Warrant to deed the property up to the tree line to the Healey's. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

Chairman Cowan asked the Healey's if they had any other concerns. Mary Healey stated that they may have an issue with the turn lane but she knows that this may not be done initially so not sure if it is something to bring up now. Selectman Hall asked if their concern was because they would not be able to turn in the opposite direction. Dwayne stated that if the third lane is added the question was asked about the breakdown lanes and if they would go away. He said that to get into their driveway, they go into the breakdown lane and back into the driveway so they are facing out. Because of the speed of traffic it is easier and safer when they leave their driveway going forward instead of backing out. Dwayne stated that they haven't designed the turn lane. All that we have done is develop a concept to see if a turn lane can be placed within the right of way. This was more to make sure that it would not affect the railroad bridge. Dwayne said that when he looks at the plan, it shows that there is still some breakdown lane left. Dwayne pointed out a place where they could put some sort of turning area right next to the sidewalk. This would

allow them to pull into the driveway, pull into this area and then back up. He said that if they wanted to do this, the town could assist with it while they are working on the road.

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

##### **A. Linscott Road: Intersection Realignment**

Dwayne stated that he did send the application for the MPI funding. We should know if approved or not by the end of March. If we do get funded, we would get \$215,000.

##### **B. Streetlight Project: Update**

Dwayne stated that they have identified all of the poles to add additional streetlights. It worked out to be 22 poles. Selectman Hall asked how many of those were on private roads. He said that there are 7 but with a possibility of 5. He stated that the Board will get a request to have Deerfield Estates turned over to the town this year. They are putting the paperwork together for the 18<sup>th</sup> for the Board to act upon. There are 2 on the intersection of Governor Goodwin and Deerfield Estates. The other private road intersections are Morrells Mill and West1, Morrells Mill and West 2, Morrells Mill and Otter Cove, Morrells Mill and West 4 and Valley Road and Butler Road.

Dwayne stated that they found 2 additional public intersections that they added. One is at the intersection of Turkey Street and Bauneg Beg Hill Road and the other is at the intersection of Lebanon Road and Back Beech Ridge Road. He said that he had to drive around and get the pole numbers and that's when he found that they missed those 2 additional areas. It will be a total of 22. He has submitted it to CMP today. Selectman Johnson, Sr. asked Dwayne if he knew about the transformers yet. Dwayne stated that CMP they will start their process. They said that this was new because they haven't installed new lights since the new Law went into effect. They told him that they would let him know what the process is going to be. Dwayne stated that the entire install cost is our responsibility.

Selectman Hall asked Dwayne if there had been any discussions with any of the abutting property owners. Dwayne said that he wants to know what it will cost us before he talks to anybody. He wants to know what the cost will be so we can make a decision here with the Selectmen to see if we will move forward. Affinity has told him that they will hold their price for installs so we know what that cost will be. The big unknowns right now are CMP costs, the cost of the mast arms and the cost for the installation of the mast arms. Dwayne said that the Town of Randolph is in the process of eliminating at least 15 lights in their town. They were going to sell their mast arms on E-bay but he is going to try to get the mast arms from them. He said that the Town of Randolph may actually hold on to a few of them in case they need them so there will actually be about 12 available for purchase. We will need 22. He asked CMP if we could buy the arms from them or if they could let us know who their vendor is that they get them from.

**C. Budget FY21: Discuss Budget for FY21**

Dwayne stated that the Budget Committee meetings are starting tomorrow night. He said that the budget is coming in at about a 5.3% increase from last year. If he deducts the Linscott Road project from the budget it would be a .85% increase. He stated that there are 2 things that they need to review tonight that he looked at after their last meeting. The first item was regarding the Rescue budget. They had not requested an increase in salaries and Dwayne had recommended that they do give them one. He said that they had approved to go from \$14.00 to \$14.50 for EMT's and from \$19.25 to \$19.75 for Paramedics. He then had a conversation with Mike to let them know what they were doing. Mike said that they would like to see if they can go to \$15.00 and \$20.00 instead and they found the money to do it. They have eliminated their retirement program and that saves the town \$18,000 per year.

Selectman Hall motioned to increase the salary for the Rescue Department from \$14.00 to \$15.00 for EMT's and from \$19.25 to \$20.00 for Paramedics. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

Dwayne stated that the other thing is that they were trying to figure out our road CIP. Our Capital Improvement Project for this year was to complete section 3 of Valley Road which is from Ford Quint Road to Morrell Mills Road, a section of Ford Quint Road and then some money to work on Beech Ridge Road. With adding Linscott Road into the mix, they had to relook into our CIP projects. Knowing that our direct cost for the Linscott Road project will be about \$125,000 to \$135,000, we had to look at everything and figure out how to use the \$400,000. Mike told him that they have a section of Dillingham Road that is falling apart this year. It has heaved a lot for about a mile and a half and it will not come back in spring time. We were going to push Beech Ridge off for another year but they decided to not do that. They will include Beech Ridge Road and Dillingham Road because they are basically right together. Dillingham Road is only about an 850 foot section and the pavement costs would go through the roof if they sent a crew up to just do that. We would construct the Linscott Road intersection, Beech Ridge Road and 850 feet of Dillingham Road. This would leave about \$10,000. The first 50 feet of Madison Street is in bad shape so we would use the balance to fix that. Dwayne said that they have just shifted everything and slid Ford Quint Road and Valley Road into the next 3 years. We will still get them done by the end of our CIP which is 2023.

Dwayne stated that the rest of the Budget is the same as what they had discussed at the previous meetings.

**D. Referendum Questions: Referendum Questions for Annual Town Meeting**

Dwayne stated that the Planning Board had their Public Hearing on the Referendum questions and they have voted to move forward with them. He has submitted them to the Town Attorney. They have been reviewed and approved by her. There will be 2 questions. The first one is regarding the expansion of the Industrial Zone and the second one is a change to the rear setback on a Residential Use.

**E. Annual Report: Cover and Dedication**

Dwayne stated that they need make a decision regarding the dedication for the Annual Report. He will need an answer by the next meeting.

**Reminders: Next Board of Selectmen's Meeting** – Feb. 18, 2020 – 6:30 pm Municipal Building

**Budget Committee:** February 5, 2020 – 6:30 pm Municipal Building

**Budget Committee:** February 12, 2020 - 6:30 pm Municipal Building

**5. New Business:**

**A. Great Works Crematory: Proposal for Expansion of Crematory**

Dwayne stated that Michael Johnson, Jr. has a proposal for the Board to review. In 2009, he approached the town to build a crematory on the town's property at Hillside Cemetery. He went through the whole processing including the leasing, Town approvals, Planning Board approvals and he constructed the crematory on the property. He would like to expand his business to include a pet crematory. Dwayne said that he sent it to the Town Attorney to make sure that they don't need further Town Meeting approval. The Attorney said that they didn't because it is just a crematory. It would just need Planning Board and Cemetery Trustee approval. The Selectmen would have to vote to alter the lease to include the new pet crematory and the Planning Board would have to do a Conditional Use and site plan review of the project.

Selectman Hall asked Selectman Johnson, Jr. how much he pays for the lease now. Selectman Johnson, Jr. stated that for human cremation, State Law says that a crematory has to be on cemetery property of 20 acres or larger. This parcel of land was for sale for \$77,000 and he wanted to buy an easement to it. The lawyers didn't like that but they would lease it to him. He agreed to pay \$500 per month for 12 years which equals \$77,000. There is also a \$1,000 payment per year for a licensing fee. Dwayne said that Mr. Johnson is proposing to pay an additional \$250 per month increase for 10 years for a total of \$30,000. Selectman Hall asked how long the current lease was for. Dwayne said that it is for 99 years. Selectman Hall asked if the lease was for 10 years or for the 99 years. Dwayne said that the 99 year lease would be amended to include the pet crematory with an additional charge of \$30,000. After that it would be just the \$1000 per year. Chairman Cowan asked what kind of animals he would be doing. Mr. Johnson, Jr. said that it would be small animals because the machinery for large animals like horses is very expensive.

Selectman Hall motioned to amend the current lease to include the pet crematory for a \$250 per payment for a 10 year period. Selectman Johnson, Sr. seconded the motion. VOTE: 3-0  
Abstain: 1

**B. Police:** Appoint Robert Landrigan as Reserve Officer

Dwayne said that Chief Peasley is recommending to appoint Robert Landrigan as a Reserve Officer position. He said that we sponsored Mr. Landrigan to go through the Reserve School.

Selectman Hall motioned to appoint Robert Landrigan as a Reserve Officer. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

**6. Other Business:**

Selectman Hall has a question from a constituent. If somebody's horse dies, what is their responsibility for taking care of that dead horse? Dwayne said that if their horse dies the owner is responsible for disposing of the body. Selectman Hall asked if there was a time frame under our Ordinance for this sort of thing. Dwayne said that it wouldn't fall under our Ordinances. It would most like come under a health concern. He stated that there is no time frame but if it becomes a health issue than they can talk to the owner about disposal. They can send the Animal Control Officer to check it out.

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

Warrant:	January 28, 2020	- \$ 10,662.97
Warrant:	February 4, 2020	- \$ 72,940.53

Selectman Hall motioned to approve the Warrant of January 28, 2020 for the amount of \$10,662.97 and the Warrant of February 4, 2020 for the amount of \$72,940.53. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

**6. Other Business – Executive Session**

Selectman Hall motioned to go into Executive Session at 7:25 pm and to come out of Executive Session at 7:35 pm. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

**8. Adjournment:**

Selectman Hall motioned to adjourn the meeting at 7:35 pm. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

Respectively Submitted,  
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Wendy Cowan

Selectman: Jonathan Hall

Selectman: Michael Johnson, Jr.

Selectman: Charles Galemmo

Selectman: Michael Johnson, Sr.

