

**North Berwick Board of Selectmen Minutes April 14, 2020**

**NORTH BERWICK BOARD OF SELECTMEN MINUTES APRIL 14, 2020**

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

**Also Present:** Dwayne Morin, Mary Muthig

Chairman Cowan opened the meeting at 6:30 pm.

**1. Pledge of Allegiance**

**2. Review and Approve Minutes of March 17, 2020**

Chairman Cowan stated that in the 2<sup>nd</sup> paragraph under the Other Business section, the last name Moring should be Morin.

Selectman Hall motioned to approve the minutes of March 17, 2020 as amended. Selectman Johnson, Sr. seconded the motion. VOTE: 5-0

**3. Public Input**

There was no public input at this time.

**4. Unfinished Business:**

**A. Linscott Road:** Intersection Realignment Update – State Agreement

Dwayne stated that we have received the survey of the property from Sebago Technics. Unfortunately, when it was surveyed, it was done incorrectly. If you are standing on the road to the right of the property, it is closer to the house than what they thought it was based on the tax maps. To give the State 11,500 sf, the line will run along the house foundation all the way down to Linscott Road.

Dwayne stated that we finally got an agreement with the State and it is finally in its final form. He told the Selectmen that it was included in their packet. The last time that they looked at the agreement, it stated that they wanted to do an environmental study and a geotechnical study on the property. They have agreed to remove these requirements from the agreement. They also wanted us to remove the septic system, but they are now going to allow us to crush it and leave it place. Dwayne stated that if we decided to burn the house, we would have to do testing on it so he thinks it would just be better to tear down and haul it away. Chairman Cowan asked what the cost differential was between burning it and tearing it down. Dwayne said that it would cost about \$10,000 to remove the house which he built into the budget. If we burn the house it would

save us \$10,000. We would have to do environmental testing and he is not sure what that cost would be for that.

Dwayne said that we had asked the State for 3 easements across the property. The first one is to cut trees so we can get our site distance. They are granting us this easement. We also asked for grading easements and they have granted this easement as well. The one easement that they cannot grant us is the utility easement. This would be a future easement in case we want to ever put in water, sewer or natural gas down Linscott Road. Instead of digging up our brand new pavement, he asked for permission to go across existing property so we could keep going down Linscott Road. By Law, they cannot grant us that easement. Under #12 in the agreement, it states that they will allow us to get a Utility Location Permit. All we have to do is comply with the laws at the time that we are applying for the permit and they will give it to us. Dwayne said that at first, they just wanted to do gas, but we asked them for water and sewer as well. Everything has to be below ground. We cannot have any structures above the ground wo we couldn't use it for electricity. If we ever had to put in a pump station, everything would have to be below the ground.

Dwayne stated that we now have the State agreement and now we just wait to go to Town Meeting for approval. He stated that we are still waiting to see if we were approved for the MPI Grant. He knows that they have reviewed our grant, but they have not made any decision on it yet. He said that they are giving grants out for 2021. They give out the grants a year in advance. He stated that we were one of the first ones to apply so he hopes that we are successful with the grant. Dwayne said that he will contact the Weavers and let them know where things stand with the project. He stated that the likelihood of building the road this year is highly unlikely. It will probably have to wait until Spring of 2021. We can take care of the house this year as long as we can have Town Meeting.

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

Dwayne stated that CMP has finally come into agreement regarding our bill. Our original bill was around \$2,500 a month and with the new light installation, our bill will be around \$300 per month. Of that \$300, the School is responsible for about \$25. Their bill went from \$181 per month to \$25 per month. Dwayne stated that we were hoping to realize about 85% of cost savings. We are actually realizing about an 88% cost saving. We will have to hold off on the additional streetlights until we can have Public Hearings.

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

Dwayne stated that our budget was complete, but he believes with the situation we are now in, our revenues are going to be significantly different from what we had predicted. He stated that State Revenue Sharing will be down. We were slated to get a pretty large increase in Revenue Sharing. It was supposed to go from a 2% to 3% which would have been about a \$70,000 swing. He stated that he didn't budget that increase into the budget so that if we didn't get it, it wouldn't hurt us. He stated that the last time this happened, there was a 20% drop in Revenue Sharing. By not budgeting the additional \$70,000, we should be okay.

Dwayne stated that he doesn't know where some of our non-tax revenues will be. He doesn't know where building will go. We are still seeing some permits come in, but he is not sure how that will progress through the summer and the rest of the year. He stated that the last time we went through a recession, our excise tax had dropped about 20%. He stated that he budgets what we raised before so he thinks we are still okay. He budgeted \$911,000 which is what we took in FY19. He still thinks that we will have some drop in revenue. He stated that, in terms of expenditures, we were pretty much bare bones in the budget. Most of our increases are in the salary lines and the biggest increase is in the Police budget because of the new contract.

Dwayne stated that he has completed various spreadsheets reviewing what happened in the last 2 recessions that happened in 2001/2002 and 2007-2009. The loss of revenue averaged out to about 13% so he wants to see how it will play out with the rest of our budget. He stated that we have enough surplus that can carry us through the first year but if goes on longer than that, it could be problematic. Chairman Cowan asked if Pratt & Whitney had made any changes regarding their investments. Dwayne stated that they are not doing as much this year as they have done in the previous years. He is still waiting to find out what their number is going to be, and he should get that by mid-May. It will not be in the \$40 million range like it has been, but it will be in the \$15 to \$20 million range.

Dwayne stated that, when looking at our new construction and permits, our new taxation numbers are still on track. He has reached out to the Superintendent this morning to find out where they are at with the school budget, but he didn't hear back yet. He also wants to find out when they are planning to hold elections. Dwayne said that the Governor has moved the Primaries from June to July 14<sup>th</sup>. We usually hold the school vote at the Primaries. Selectman Johnson, Jr. said that he spoke to a Board member and they are still planning on moving forward with the construction projects. Dwayne stated that if they do that, we will definitely have to have discussions with the School Board. If we go into a recession, we are looking at a \$1 to \$2 million increase for a school project. We will have to have some serious discussion regarding this. Selectman Johnson, Jr. said that they are looking at a cost of about \$38 million for the projects. Dwayne thought it was more than that. He believes that there are 3 projects that they are looking on doing. They are a new Lebanon School, additions to the North Berwick Elementary and additions to the Berwick Elementary. Dwayne feels that the Lebanon School should be the first project to be done. North Berwick and Berwick can wait. Selectman Johnson, Jr. stated that if Maine doesn't have a good tourist summer this year it would affect the education budgets. Dwayne stated that the Federal Government approved a \$1.25 billion to go to each State and Governor Mills has said that \$41 million of that amount will go to education.

Selectman Johnson, Jr. asked about the extension that the Governor set for the quarantine. Dwayne stated it is not a quarantine extension. It is a State of Emergency extension. This gives the Governor the ability to do the stay at home quarantine. Right now, it is scheduled until the 30<sup>th</sup> of April, but she has now extended it to May 15<sup>th</sup>. She can extend the dates at any time.

Dwayne stated that if they are unable to hold Town Meeting before the end of the fiscal year, the Governor passed a Law that allows us to revert to last year's budget. There are 2 different trains of thought that our attorney has told him. The first one is that if we are unable to have Town Meeting before we set commitment, we revert back to the actual numbers that were voted on at

Town Meeting by department or Article. This could be problematic especially in the Police Department because we had a significant increase in it. However, we have had decreases in other budgets. We are able to hold those numbers until Town Meeting. If we don't hold Town Meeting until after we set commitment which would be sometime in August, we can actually set commitment based on the current year budget which is more than last year's budget.

Dwayne stated that he is just trying to preplan and see how we are going to keep things running. He said that we don't have large staff that we can do layoffs and still make things work. Chairman Cowan asked if all of the staff were doing okay and Dwayne said that they were.

**Reminders: Next Board of Selectmen's Meeting – April 21, 2020 – 6:30 pm Zoom Meeting**

**5. New Business:**

**A. COVID-19: Update of Town Precautions and Discussion**

Dwayne stated that he has put together a letter to let people know how everything is operating during this time. They are still trying to maintain our Social Services such as Police Department and other First Responders. The Transfer Station is still running with limited staff. Richard is pretty much running it himself but has an extra person on Saturday and sometimes at other times during the week. He stated that the amount of trash has gone up quite a bit so our revenues for the Transfer Station are not down.

Dwayne stated that Public Works is continuing to work but he has curtailed all of our road construction projects. Dwayne stated that our biggest 3 months of excise tax collection are April, May and June. We usually collect about \$90,000 per month for those 3 months. We actually spend our money on construction during the summer/fall month and then we collect that money in the Spring. This year we are not getting that money. Eventually we will get the money when people start registering their cars again. The Governor has stated that all expired license plates are not expired until 30 days after the State of Emergency is over. Our excise tax is down significantly. In March we were down and in April we are really down. We haven't even collected what we made last summer so that is why he has curtailed the road projects. The Dennett Road project is on hold until we can start collecting some money. His concern is that if the State of Emergency exceeds further than June, we are going to close the books this year with a significant loss of revenue on our excise tax. Selectman Johnson, Jr. asked how they were doing on online registrations. Dwayne said that people are doing it, but we are typically doing \$6,000 to \$8,000 per day and we are now doing \$200 to \$300 per day. Dwayne did a comparison of excise tax collected over the years from 2005 to present. Looking back at the numbers from 2019 we were at \$80,000 for April, \$95,000 for May and \$90,000 for June. Even in March we are typically at about \$70,000 and this year we took in \$47,000. Up until March, we were running about \$50,000 ahead of last year.

Selectman Johnson, Jr. said that it will probably affect people paying property taxes too. People probably won't pay online for that either. Dwayne said that they are getting a lot of property tax payments by mail. Also 80% to 85% of the people in town have escrow accounts and the payments are coming to us from the banks.

Another thing that he mentions in the operations letter is that all of the Recreation programs are closed until further notice. All playgrounds are closed but walking trails and parks are open for exercising. They have put summer camp signups on hold. Dwayne said that if this continues to go into the Summer, they will need to decide if they need to cancel it. Chairman Cowan stated that it is too early to think about putting a group of people together at this time. She would be very surprised if they would be able to have summer camp this year. Selectman Galemmo agreed. Some of the other towns around have already cancelled. Dwayne asked if they wanted to decide now or wait a little longer. He said that camp wouldn't start until June 29<sup>th</sup> and go to about August 15<sup>th</sup>.

Selectman Hall stated that he has no problem with waiting to make a decision, but he is wondering how much time Kristi will need to get ready if we decide to have camp. He knows that she has to plan for the signups and getting workers. Dwayne said that he has spoken with her. She has told previous employees that if we do have camp they will definitely be hired. Dwayne said that by mid to end of May, we would definitely need to have made a decision.

Dwayne stated that the Code Enforcement Office is coming in Monday, Wednesday and Friday. He is screening his emails and phone calls daily. He said that a lot of contractors are anxious, so we have told them to mail the information to us. Roger is getting all of the permits out on Mondays and Wednesdays. They are not going into any homes to do inspections if it is lived in. If it is not inhabited, they will go. If they are doing plumbing or electrical, we are asking for a sign off from a Master Electrician or Master Plumber saying that they built it according to code. If we can't do an Occupancy Permit, we will do temporary occupancies until we can get in and do a full occupancy. Selectman Johnson, Sr. asked if the applications are online. Dwayne said that they were.

Dwayne said that they were handling General Assistance applications over the phone. The Assessor continues to come into the office twice a week and is keeping our assessing records up and going. The Town Office staff has decided to work split shifts. They will have 2 people working on Monday and Wednesday, 2 will work on Tuesday and Thursday and there will be 1 in the office on Friday. They will answer the telephone from 9:00 to 1:00. They are encouraging people to get their car registration renewals, dog licenses, boat registrations, etc. online.

Dwayne stated that we will continue to hold Board of Selectmen meetings on Zoom until we are able to assemble. All other boards and committees are cancelled until further notice. Chairman Cowan asked if it was causing problems for the Planning Board to not hold meetings. Dwayne said that they have a couple of applications that need review. They require site walks which we cannot do. He will reach out to the Planning Board Chairman to see what he wants to do and how he wants to progress. If they are comfortable running Zoom meetings, then they can try it. Chairman Cowan feels that they are an essential Board so she would like to see some means for them to address issues.

Dwayne also included in the letter that the Town Meeting will be rescheduled but we do not know when it will be yet. He stated that if the Board approves the letter, he will put it on our website and Facebook page so people will be informed as to what is going on.

Selectman Hall motioned to approve the COVID operations letter. Selectman Galemmo seconded the motion. VOTE: 5-0

**B. Budget FY20: Discuss Revenue Implications of Virus Impact**

Dwayne stated that he does have some concerns mostly with the excise tax situation. As of 3/31/20 we have collected 90% of all revenue that we had anticipated. We only collected about 75% of excise tax but we have spent 90% of our excise tax. That is why they are holding off on some road projects. He stated that they are currently doing small projects like repainting all of our stuff for winter so we will be ready. They also have some tree and bush trimming that they can do. Dwayne said that we are ahead of what we should be with the Code Enforcement Office.

Dwayne stated that he had renegotiated our interest rates with our bank accounts. We are currently about \$40,000 ahead of what he budgeted. However, he budgeted the full amount for next year. He got a call from Kennebunk Savings today stating that our interest was cut. It wasn't a bad cut. It went from 1.5% to 1.25%. He does expect another call within the next couple of weeks from the bank saying that it is cut again. They base everything off the Fed rate and that rate is currently 0 to .2%. The cut is at a loss of about \$56,000 per year.

Dwayne said that we seem to be doing okay with our other revenues. As of the end of March, we were at 90.37% collection. He stated that he is usually at 100% by the end of the year but due to everything going on with the excise tax this year, he doesn't believe that he will be. We are currently about \$180,000 short in excise tax collection at this point.

Dwayne stated that when the State of Emergency is over, he still believes that there will be some social distancing issues for a while. They are looking at doing a few things at the Town Office. They are looking at putting up a plexiglass shield in the office to protect the employees as well as the customers. One of our biggest problems is how our building is set up. We only have one door in and it is very narrow. They are trying to figure out how to get people in and out safely. They have talked about having people come in the front door and having them use the back door to go out. Even just coming into the Town Office itself, there is only one door. He is discussing options with the staff.

Dwayne stated that they also discussed possibly putting up some kind of awning in the entry area. Selectman Johnson, Jr. asked if it was going to be a temporary or permanent one. Dwayne said that he was looking for a nice looking permanent one. He has a concern with putting up a fabric one with the snow coming off the building. He would like to check to see if they do some kind of plexiglass or plastic covering under the awning so it would be sturdy when the snow falls off the building. He said it is not a lot of snow and they would only need it for a small part of the awning.

**6. Other Business:**

Dwayne stated that they have an email in their packet from a woman that moved into a home by the water tank. The Great Works Land Trust parking lot by their trail is basically just loam and grass so it gets very muddy during the mud season. When this happens, they block off the parking area. People who use the trail during this time will park on the side of the road on Lebanon Road. She lives at the crest of the hill, so when she pulls out of her driveway, she can't see cars coming. He asked if they want to amend the Parking Ordinance and add signs on both side of that hill stating that there is No Parking on the road. Chairman Cowan feels that it would definitely be beneficial because she feels that it is a hazard. Dwayne stated that if they would like to do that, he will prepare something for the next meeting. Selectman Hall asked if they were just talking about a certain section of Lebanon Road. Dwayne said that it is a section of about 500 feet. Selectman Hall asked if it would only be on her side of the street or on both sides. Dwayne believes it should be on both sides of the street. He will also send Chief Peasley out to take a look and recommend where the signs should be placed and if it should be both sides of the road or not.

Chairman Cowan stated that they need to discuss Memorial Day and the parade. Selectman Galemmo said that he thinks that we are going to have to. He doesn't see everything clearing up enough by that time to start having big crowds get together especially considering the age of some of our veterans. Chairman Cowan agrees. Dwayne stated that he can reach out to the Commander of the American Legion and report back to the Board at next week's meeting. Selectman Johnson, Jr. stated that they wouldn't be able to have any bands either because there is no school.

Dwayne stated that they also have to discuss what they want to do with the Mill Field Festival in August. He knows that it is a ways away but they have already started putting down deposits on a good number of the things. Selectman Johnson, Jr. asked if they were non-refundable. Dwayne said that they may be able to get most of the refunds back but probably not all of them. They had to pay half for all of the bounce houses that they are renting. He stated that a lot of the vendors they use are local companies so they may be able to get the deposits back. They could also have them keep it to apply to the following year's rentals. He will have Kristi reach out to the vendors they have given deposits too and find out what options we have if we cancel. They will also not put any more deposits on anything at this time.

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

Warrant:	March 24, 2020	- \$	0.00
Warrant:	March 31, 2020	- \$	0.00
Warrant:	April 7, 2020	- \$	58,554.39
Warrant:	April 14, 2020	- \$	663,305.16

Selectman Hall motioned to approve the Warrant of April 7, 2020 for the amount of \$58,554.39 and the Warrant of April 14,2020 for the amount of \$663,305.16. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

**8. Adjournment:**

Selectman Glemmo motioned to adjourn the meeting at 7:38 pm. Selectman Johnson, Sr. 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.