

**South Berwick  
Town Council Meeting  
July 26, 2022**

Chair Mallory Cook called the meeting to order at 6:43pm. Councilors present included John C. Kareckas, Jeff Minihan, and Jessica Cyr. Town Manager Tim Pellerin and Assistant Town Manager Jennifer Janelle were also in attendance. John James was not present.

**Executive Session**

On a motion by Mr. Kareckas, seconded by Ms. Cyr, it was unanimously voted to enter executive session at 6:43 pm to conduct an interview with a potential Conservation Commission member.

On a motion by Mr. Kareckas, seconded by Ms. Cyr, it was unanimously voted to end the executive session at 6:53pm.

**Approval of Minutes**

1. Town Council 7-12-22: On a motion by Mr. Kareckas, seconded by Mr. Minihan, it was unanimously voted to adopt the minutes as written.

**Treasurer's Warrant**

1. On a motion by Mr. Kareckas, seconded by Mr. Minihan, it was unanimously voted to sign the warrant dated July 21, 2022 in the amount of \$176,676.74.

2. On a motion by Mr. Kareckas, seconded by Mr. Minihan, it was unanimously voted to sign the warrant dated July 21, 2022 in the amount of \$359,739.12.

On a motion by Mr. Kareckas, seconded by Mr. Minihan, it was unanimously voted to hear Report #2 from Ryan Hale first.

**Reports & Presentations**

1. Vaughan Fund update from Ryan Hale of Quadripoint Investments: Mr. Hale gave the Council (who also serve as the Vaughan Fund trustees) an update regarding the Fund's performance. This has been the worst S&P start since 1970. It has also been the worst year for bonds. We have been using a balanced approach to investing at 60/40.

Mr. Kareckas made note that there may not be any funds available for grants in February.

2. Great Works Regional Land Trust – Salmon Falls River Project: Tin Smith, project manager, stated that the Project is seeking to conserve about 62 acres of forest land and 10/11 acres of intertidal land along the Salmon Falls River. The properties are being sold, but the Land Trust has been given time to secure financing for the purchase and care of the properties. The Land Trust is seeking support from South Berwick. There are numerous funding opportunities; some may require the Town to own the property. Mr. Smith explained that the Town doesn't have to take ownership, but that will decrease the availability of certain grants.

On a motion by Mr. Minihan, seconded by Mr. Kareckas, it was unanimously voted to authorize the Manager to work with the Attorney to draft language for a warrant article for the November 8<sup>th</sup> Election asking for \$250,000 to be "donated" to the Land Trust toward the Salmon Falls River Project. (This would come from the undesignated fund, not increasing taxes.)

On a motion by Mr. Minihan, seconded by Mr. Kareckas, it was unanimously voted to authorize the Manager to work with the Attorney to draft language for a warrant article for the November 8<sup>th</sup> Election asking if the Town would accept ownership of the properties, pursuant to receiving grant funding.

-Brad Christo, Rebecca Kibler, Brett Cropp, Sandy Agrafiotis, and Cliff Cleary all participated in the discussion. Concerns expressed were the clarity of the ballot questions, the effect on property taxes, and the possible uses or restrictions of use on the properties.

## Public Comment

1. Cliff Cleary, Spillane's Hill Rd, stated that the YouTube channel is fantastic. However, the sound quality is awful. Mr. Pellerin explained that we have ordered sound panels for the walls.
2. Bill Cole, Tamarack Dr, made note of a parking issue on Agamenticus Road near the ball fields. People are parking in such a way as to make visibility an issue. Comment was made that there are no parking signs. Ms. Cook commented that we could possibly create more parking in place of the red barn.

## Town Manager's Report

- Highway: Eric Kulickowski has been promoted to Highway Supervisor. Staff will be getting new uniforms. Roadside mowing continues. Striping was completed last weekend.
- Police: 6 arrests, 5 accidents, and 82 traffic stops. Two new cruisers have been ordered; expected delivery in December or January. We will be participating with York and Ogunquit Police for National Night Out on August 2<sup>nd</sup>.
- Fire: 15 calls.
- Code: Staying busy with permits.
- Planning: Working with the Southern Maine Stormwater Working Group to make sure our annual report is ready for submission, due to the MDEP in September. Continued work on several projects including solar farms, finds-of-fact for the Patten subdivision, work on marijuana licensing ordinance, Great Hill Rd subdivision, and review of Samville Estates. Also working on updating office procedures and record keeping.
- Library: Lee has had training on the new 'tracking' software. We are working on getting the gutters cleaned and repaired. The Tuskegee dialogue went well. Thank you, Maureen for attending.
- Recreation: One of the A/C units at the Community Center needs repair; estimated at \$9,000. A big thank you to the volunteers who stepped up and kept things running while Nikki was on vacation and Mona was out with COVID. There are only 2 weeks of summer camp left. Wednesday will be the senior's Flamingo Party luncheon.
- Assessing: Hoping to postpone signing the commitment and setting the tax rate until the second meeting in August. Staff will be meeting on Thursday to go over the numbers.
- Town Clerk: Barbara was on vacation. Tyanne handled the office; no issues.
- Transfer Station: Dan has asked if we could consider going back to a sticker system. He is seeing a lot of vehicles with New Hampshire plates.
- Finance: Tax Club applications are available and being processed. We have added a pie chart to the tax bills in hopes that the distribution of tax dollars amongst the Town, County and school are much more obvious. Continue to work on finalizing year end.
- Administration: Will be holding interviews on Thursday for the Economic Development Director position. Joe Rousselle and Mark Leach's last day at the Fire Department is Friday, July 29<sup>th</sup>. Have met with Mike Lassel regarding the new town hall project. Will be meeting with York Ambulance on Thursday to discuss staffing issues. Will be meeting with MDOT on Wednesday to discuss area projects. The Community Supper with the Tuskegee group was last Sunday. We have a new display honoring our sister city at Town Hall. (Thank you Tyanne). We still have the 'petition' from residents of Liberty Street asking for weight limit restrictions on the road.
- LD 290: "An Act to Stabilize Property Taxes for Individuals 65 Years of Age or Older Who Own a Homestead for at Least 10 years". It has just been brought to our attention that this bill has been approved. Representative Tiffany Roberts stated that the bill wasn't even voted on by the house or senate; it came out of committee and went into law without the Governor's signature. Rep Roberts added that the intent was good, but the execution leaves a lot to be desired. The legislation is being scrutinized in regard to whether it meets the requirements of equal taxation.

Mr. Kareckas stated that he is fed up with the Legislature and Governor for making our jobs harder. This is another reason why so many people are leaving municipal employment.

It was agreed that the new law will make it difficult for Assessors and Municipal Officers to administer and budget. The law states the municipalities "may" recover the amount of the lost taxes from the state. The state has a history of not funding such programs.

## Unfinished Business

1. & 2. A workshop is scheduled for August 2<sup>nd</sup> with the Planning Board.

## New Business

1. On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to adopt the Ordinance extending the Moratorium on Commercial Solar Farm Facilities for an additional 180 days, to March 22, 2023.

2. On a motion by Mr. Kareckas, seconded by Mr. Minihan, it was unanimously voted to appoint Brett Cropp to the Conservation Commission with a term to expire June 30, 2024.

3. On a motion by Mr. Kareckas, seconded by Mr. Minihan, it was unanimously voted to adopt the 2022 York County Hazard Mitigation Plan update.

4. The Council discussed the fees being charged at the Transfer Station. There have been a significant number of vehicles with out of state plates and we have even had a business from Somersworth try to dump about 30 mattresses. Our fees are significantly less than some of the area towns and haven't been increased for many years.

Mr. Minihan asked if we have any composting programs planned. Mrs. Cook asked that the Transfer Station information be updated on the website.

On a motion by Mr. Kareckas, seconded by Mr. Minihan, it was unanimously voted to update our fees as proposed, effective September 1<sup>st</sup>.

5. The Council discussed the proposed fee increases for Building Construction, Code Chapter 60. (These fees are also referenced in both the Subdivision and Zoning Ordinances). It was agreed to hold a public hearing at a later date for action.

6. Mrs. Cook explained that there has been a rise in the organization of local white supremacist groups. Mr. Minihan drafted a resolution for the Council to consider and adopt. Mrs. Cook read the resolution.

-Audrey Fortier, Rodier Rd, stated that she completely agrees with the language of the resolution but cautioned the Council about "throwing out a gauntlet". She added that it is the duty of every citizen to call out such behaviors, but an official body representing the entire town needs to be cautious.

Mr. Kareckas commented that he is in favor of the resolution but concerned that this could lead to civil rights claims.

On a motion by Mr. Minihan, seconded by Ms. Cyr, it was unanimously voted to adopt the resolution, "A Resolution Condemning White Nationalism and Extremist Groups", as written, pending legal review.

## Councilor Comments

1. Ms. Cyr:

-Thanked the Manager for greeting the group from Tuskegee.

## Executive Session

On a motion by Mr. Kareckas, seconded by Ms. Cyr, it was unanimously voted to enter executive session at 8:59pm, pursuant to 1MRSA §405.6A to discuss a personnel issue.

The Chair reported the following to the Clerk:

On a motion by Ms. Cyr, seconded by Mr. Minihan, it was unanimously voted to end the executive session at 9:27pm.

## Adjournment

On a motion by Ms. Cyr, seconded by Mr. Minihan, it was unanimously voted to adjourn the meeting at 9:27pm.

Attest:

Barbara Bennett, CCM