

**South Berwick
Town Council Meeting
April 25, 2023**

Vice-Chair Jeffrey Minihan called the meeting to order at 6:34pm. Councilors present included Chair Mallory Cook, John James, Jessica Cyr, and Melissa Costella. Town Manager Tim Pellerin and Assistant Town Manager Jennifer Janelle were also in attendance.

On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted to take up Unfinished Business #1 out of order.

On a motion by Mrs. Cook, seconded by Mr. James, it was unanimously voted to indefinitely table, without comment or discussion, the appointment of Christine Prunier as a regular voting member to the Planning Board. [The Clerk erroneously commented that to indefinitely table meant to 'kill' the consideration of the motion in the future. To indefinitely table only means that the specific motion is not actionable during the current meeting.]

On a motion by Mrs. Cook, seconded by Ms. Cyr, it was unanimously voted to hold an executive session at 6:00pm on May 9th to conduct an interview with a prospective planning board member.

Approval of Minutes

1. Public Hearing 4-11-23: On a motion by Mrs. Cook, seconded by Mr. James, it was unanimously voted to adopt the minutes after deleting the extra \$ in the 8th paragraph in front of \$295,000.
2. Town Council 4-11-23: On a motion by Mrs. Cook, seconded by Ms. Cyr, it was unanimously voted to adopt the minutes as written.

Treasurer's Warrant

1. On a motion by Mrs. Cook, seconded by Mr. James, it was unanimously voted to sign the warrant dated April 20, 2023 in the amount of \$327,254.72.

Reports & Presentations

The Manager announced that April 30th to May 6th is Professional Municipal Clerks' Week. The Chair and Vice-Chair presented a Proclamation to the Clerk and Deputy Clerk expressing the Council's appreciation for the dedication to the position, the ongoing training, and the work done by the Clerk & Deputy.

Public Comment

1. Rheinhold Holton, Emery's Bridge Rd, addressed the Council regarding the notice his partner received from the Code Office regarding the business being operated at their farm. Mr. Holton expressed his displeasure and frustration over how the situation was handled. Mr. Holton went on to explain that the "Whoopie Shack" had received all its approvals from the state and from the former CEO. He asked, why after 3 years is this now an issue. Mrs. Cook stated that in this instance the Council doesn't have any input. This is a Code issue. [Clerk note: The specific use of the property has changed since the initial approvals were given]

Council thanked Mr. Holton for his comments and took no action.

Unfinished Business

1. See above.
2. The Town has received full approval from the State for the Transit Oriented Omnibus TIF, effective April 18, 2023.
3. The Sebago Technics traffic study has come in over budget by \$15,980. There was extra work done beyond the scope of the contract. They have requested that the Town consider paying some or all of the additional costs.

Mrs. Costella stated that they should have been more mindful of the budget and issued changed work orders. Mrs. Costella also expressed her concerns with pulling too much money from the TIF account.

On a motion by Mrs. Cook, seconded by Mr. James, it was voted 3-2 (Mrs. Costella and Ms. Cyr opposed) to pay one-half of the additional costs of \$7,990, funds to be expended from the TIF account. [The total overage was \$15,980.]

4. The Council discussed the proposed rules for the Transfer Station. Manager Pellerin explained that the rules already exist in our ordinance and the Council has the authority to adopt rules as needed. He also stated that staff members have been verbally and physically threatened.

On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted to accept the rules, as presented, and order that they be displayed at the Transfer Station.

The council discussed the issue of glass recycling. There are currently no vendors to purchase the glass. Our crushing machine is broken and would be cost prohibitive to repair. Until we are able to sell the glass, it will be thrown into the hopper. Note was made that all area towns are doing the same thing. Ms. Cyr commented that in some states they are required to use a certain percentage of crushed glass in their paving mix for road construction. More effort should be made here to find alternative uses.

New Business

1. On a motion by Mrs. Cook, seconded by Mr. James, it was unanimously voted to schedule an executive session at 6:15pm on May 9th to interview both Karl Honkonen and Philip Brekke prior to considering any appointments to the York River Partnership Wild & Scenic Stewardship Committee.

2. The Council discussed the logistics of making a nomination for the Spirit of America Award and how/when it would be presented. On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to seek nominations from the community, with the nominations due by May 19th.

3. Code Enforcement Officer Jeni McCabe explained that the requested changes to Chapters 121 & 140 are somewhat minor. They include a small change to the sketch plan review process and a decrease in the setbacks required in the Industrial Zones.

On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to hold a public hearing on May 23, 2023 at 6:30pm at the Police Station to receive input on the proposed changes to Chapters 121 and 140 of the Town Code.

4. The Council discussed the upgrade of lighting in the Library and Community Center. The high efficiency, intelligent lighting is projected to save the Town about \$11,500 annually. At year 20 the return on investment is estimated at about \$160,000.

On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to authorize the Manager to sign a contract with Affinity Lighting for the lighting project at the Library and Community Center, and sign the Lease with Municipal Leasing Consultants for the financing.

5. On a motion by Mr. James, seconded by Mrs. Cook, it was unanimously voted to authorize the Town Manager to sign a contract with P. Gagnon & Son to replace the oil tanks when the boilers are replaced.

Town Manager's Report

-Highway: Have begun inspecting stormwater basins. Have been repairing and reseeding areas damaged by plowing. Staff attended a recent excavation & trench safety class.

Police: Made 2 arrests, attended 5 accidents, and conducted 42 traffic stops. In the process of hiring a new office.

-Fire: Had 15 calls; YTD is 211. The online fire permit system is available. Brush fire season has begun. Completed the annual controlled burn at the golf course.

-HR/Personnel: Have 137 unpaid tax accounts to date. Will be sending out 30-day demand notices on May 2nd.

-Town Clerk: Attended the York County Clerk's meeting on April 20th. MOSES Rep Angela was very informative. Britney's training is going well. Genealogy season has begun.

- Assessing: Finishing up work on permit passes. Tyanne has been out measuring decks and sheds. Working on the BETE and Personal Property declarations. Manager Pellerin commended Tyanne for her efforts learning and helping in Assessing.
- Code/Planning: Issued 2 plumbing permits, 7 building permits, and conducted 22 inspections. There are 2 applications before the Planning Board. Kudos to Martha the temp. She has been instrumental in getting the office in shape and organized.
- Library: Has been busy. Lee will be on vacation in Honduras next week. The library now has the State Park Vehicle Passes that can be signed out. (They are good for about a week).
- Community Center/Recreation: Signage for Powderhouse Hill and the Willow ball fields are ready for installation. Most of the summer camp staff are returning this year; there is only one position for a camp counselor available. Sign-ups for summer camp are going well. The first week is already full. The seniors will have a lunch and learn on balance and falls.
- Transfer Station: Busy. The brush has been mulched and hauled away; we are able to take more. Staff finished winter clean up. Have met with Casella; no one is taking glass. Transfer Station rules will be posted on new signs. A police presence during the busy days may be necessary.
- Finance/HR: Working on FEMA documents. Will have a town hall update for the Council meeting on May 23rd. Looking into the cost of tearing down the Red Barn. The change from Consolidated Communications to GWI is complete.
- Administration: Admin Asst Dawn Moreau is in Bangor for Welfare Director training. Reminded everyone to give ample notice for any time off. Issued a memo regarding which groups will use the PD Training room for meetings and which will use town hall. (A new owl has been ordered for the PD room. The older owl will be at town hall). Still planning on setting up a day in May for staff to visit the Counting House Museum. Mandatory training will be held on Thursday, April 27th.

Councilor Comments

1. Ms. Cyr:

- Appreciates staff efforts in providing reports and information.
- The Marshwood Baseball golf scramble fundraiser went very well.

2. Mrs. Costella:

- Received concerns from residents about speeding traffic on some of the back roads. She asked if 'Maggie' the speed sign could be utilized in these areas.
- Has become aware that what you say is not always what people hear. She clarified that she is not trying to tell people how to vote; but that they should go vote.

3. Mr. James:

- In response to Mrs. Costella's comment, stated that if you "don't vote, don't complain".

EXECUTIVE SESSION

On a motion by Mrs. Cook, seconded by Mr. James, it was unanimously voted to enter executive session at 7:54pm pursuant to 405.6A, Personnel and 405.6D, Negotiations.

The Chair reported the following to the Clerk:

On a motion by Mrs. Cook, seconded by Mr. James, it was unanimously voted to end the executive session at 8:31pm.

Adjournment

On a motion by Mrs. Cook, seconded by Mr. James, it was unanimously voted to adjourn the meeting at 8:32pm.

Attest:

Barbara Bennett, CCM