

**South Berwick
Town Council Meeting
May 23, 2023**

Chair Mallory Cook called the meeting to order at 6:30pm. Councilors present included John James, Jeff Minihan, Jessica Cyr, and Melissa Costella. Town Manager Tim Pellerin and Assistant Town Manager Jennifer Janelle were also in attendance.

Approval of Minutes

1. Public Hearing 05-09-23: On a motion by Mr. Minihan, seconded by Mrs. Costella, it was unanimously voted to adopt the minutes as written.
2. Town Council 05-09-23: On a motion by Mr. Minihan, seconded by Mrs. Cook, it was unanimously voted to adopt the minutes as written.

Treasurer's Warrant

1. On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted to sign the warrant dated May 18, 2023, in the amount of \$1,275,031.68. Note was made that \$1,000,000 is being deposited into a 1-year CD with Androscoggin Bank at a rate of 4.6%.

Reports & Presentations

Mrs. Cook made note that this is a very important presentation and is the first time the Council will see it. She stated that there will be no public input tonight. She asked that everyone listen and digest the information. There will be ample time for public input at future meetings. We have just begun the process and it could take several years to come to fruition as did the Police Station.

Lita Semrau from Port City Architecture gave a presentation of its findings regarding the existing town hall and what would be required to rehab the current building vs. building new. [The presentation may be viewed on the Town's YouTube channel as part of the 5-23-23 Council meeting.]

The current town hall is in significant need of repair and updating. There is no insulation in the exterior walls and portions of exterior are falling off the building. The roof is showing wear and the bricks need repointing. Doors and windows are old, don't work properly and need replacing. The parking lot needs work and must be brought to code for ADA.

The interior of the building is not poorly laid out and provides little to no security. Staff lack proper views to monitor anyone in their office or the building in general. The elevator is old, needs repair (parts may not be available), and could possibly fail. Lack of proper storage has created an issue with storing land use documentation in unsecured areas. The Clerk's Office has no ergonomic workstations, no queuing space for customers, is not ADA compliant, and the Clerk's built-in desk is completely inadequate. The Code office (like most others) has new ergonomic furniture: but has no security for staff or files.

It is hard to find your way around the building; there are multiple isolated rooms. There are no ADA compliant workstations, customer counters, bathrooms, or sinks. Stairwells do not meet current codes. Mechanical and electrical systems are old, inefficient and should be replaced. Existing boilers & tanks are being replaced because they are failing. The generator is old and barely sufficient. The increased electrical needs have caused shortages and some breakers are permanently off. The air handlers (not heating & cooling) are at the end of their expected life and if they fail this creates a health and safety issue because they provide fresh air to the building.

Projected costs to renovate the existing building, which could be done in phases (and cost more), is estimated at \$3,450,000 for the shell, egress & required infrastructure, per floor cost is estimated at \$2,300,000, and the cost to house town hall functions during construction is \$150,000. Note was made that finding a location to serve as a temporary town hall may be difficult. The total estimated cost to renovate the existing building (2 floors, no public meeting space, and no council chambers) is \$10,500,000.

Projected costs to build a new "turnkey" building of approximately 11,600^{sf} is \$6,400,000. This would include adequate space for current uses and provide for growth.

The building could be a single story and contain sufficient space for public meetings. Office staff would have better views and security controls over files, storage, sensitive materials, and the public areas. The building would be built to all current codes and create long-term savings for energy-related systems.

Note was made that the pictures included are merely a representation of what a new town hall could look like. There have been no decisions made regarding a location if the current building is not renovated. The actual design, if a new building is chosen, would partially depend on the location.

The Council briefly discussed the steps moving forward. It was agreed that the agenda for the June 27th meeting would contain an item to set a public hearing date.

Public Comment

1. No one in the audience or on zoom wished to speak.

Unfinished Business

1. Mrs. Cook stated that the Council held a public hearing on May 9th and did not receive any public comments.

On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to adopt the amendments to the Zoning Ordinance §140-9 Definitions and new section 140-67.3 Medical Marijuana Registered Caregiver Performance Standards and Local Licensing Requirements, as written and presented.

2. The Council discussed the new Rules of Order & Procedures draft presented by the Manager at the last meeting.

On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to adopt the Rules of Order & Procedures dated May 4, 2023, with the following amendments:

§6C, the reference to paragraph 12C should be paragraph 11C.

§6D(v), last sentence to read "All formal complaints must be submitted to the Town Manager in writing via hard copy. [Emails are not considered formal complaints]

New Business

1. On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted to adopt the amendments to Code Chapter 121 §27, Sketch Plan Review, as presented.

On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to adopt the amendments to Code Chapter 140 Table B, decreasing the setbacks in the I1 & I2 Zones.

2. The Council discussed the need to make appointments to the Planning Board, Zoning Board of Appeals, and the Board of Assessment Review. All three boards serve vital roles and need to be appropriately staffed and trained. The Council agreed to hold a special meeting on June 13th to conduct interviews in executive session, beginning at 6:00pm, at the Police Station training room.

3. On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted:

1) That a Capital Acquisition Project (the "Project") consisting of a lease of One F550 Truck with plow and sander and associated equipment is hereby approved; and

2) That the financing for the Project in the principal amount of up to \$154,000.00 is awarded to Androscoggin Bank with terms consistent with the proposal submitted hereto dated May 8, 2023, and titled "Municipal Lease Purchase Proposal" at an interest rate of 5.49%, subject to annual appropriation; and

3) That the Town Manager/Treasurer and Chair of the Town Council are hereby authorized to, each individually in the event the other is unavailable, execute the Municipal Lease Purchase Agreement (the "Lease") and all other documents reasonably necessary to accomplish the purpose of this vote, as the documents may require; and

4) That the Town Council hereby confirms its determination that the term of the Lease does not exceed 120% of the economic life of the Project; and

5) That said Lease is hereby designated a "bank qualified tax-exempt obligation" of the Town for the 2023 calendar year under the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

4. On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to authorize the Town Manager to sign a Quitclaim Deed for Map 13 Lot 50, Rodier Rd.

5. On a motion by Mr. James, seconded by Mrs. Costella, it was unanimously voted to sign the Maine Municipal Workers' Compensation Safety Incentive Program Resolve.

Town Manager's Report

-Highway: Drainage has been fixed at the ballfields and at Powderhouse Hill. Fixed 4 washed-out roads, pricing the cost of grub control for the Police Station front lawn. Hauled 47 loads of brush from the Transfer Station. Currently looking for a maintenance custodian and mechanic/laborer.

-Police: Made 3 arrests, attended 9 accidents, and made 25 traffic stops. Our new officer started May 22nd and will be attending training in August. Officer Sprouse completed his training and graduated 5th in class on May 19th, he was also President of his class.

-Fire: Attended 16 calls; 244 YTD. Engine 4 responded to the six-alarm fire in Kittery on May 17th. The same day, crews attended several brush fires. Tank 3 shows severe corrosion. Looking for quotes for repairs.

-Code: Issued 10 building permits, 1 plumbing permit, 1 stop work order, and 3 certificates of occupancy.

-Planning: Working on the preliminary plan for PKS Woodworks for the I1 Zone. Working on LD 2003 ordinance language and amendments to the Lot Merger Policy.

-Library: The book sale was successful. The Girl Scouts took the leftover books.

-Recreation: Youth and adult programming is going well. Fall soccer registrations are open. Finishing up on sponsor materials for the Strawberry Run.

-Assessing: Have finalized the contract with KRT Appraisal to conduct the revaluation over the next 3 years. Attended MMA training for the Board of Assessment Review. Working on exemptions, solar energy data compilation, and mailing address changes.

-Town Clerk: It is boat season. Have issued over 120 transfer station stickers thus far. The school budget vote passed with only 33 voters participating. Absentee ballots are available for the June election.

-Transfer Station: The stickers and new signs are working; it has slowed down a bit. Currently have 1 part-time position available.

-Economic Development: The Downtown Revitalization Plan will begin in July after the Market Analysis is completed. Well attended focus groups were held last week.

-Finance/HR: Sent out 90 30-day demand notices for unpaid taxes. There are currently 58 accounts unpaid, totaling \$131,000. Have met with Dept. Heads to review budgets. FEMA will be visiting on June 5th. Moody's has the Town listed with an A- rating. Asst. Town Manager will be on vacation June 11-24. Moving \$1,000,000 to a 1-year CD at Androscoggin Bank with a rate of 4.6%. Adopting the MMA Workers' Comp Resolve will earn the Town a 5% credit on our Workers' Comp Insurance.

-Administration: Have met with several entities including a citizen regarding a complaint about a road name, camion about the Market Analysis, Salmon Falls Tidal Water/Land for Maine's Future Board, the Christian school about a new playground ceremony, and the Chair & Vice-Chair of the Planning Board. The Town Offices will be closed on Monday, July 3rd. Staff will take a vacation day. 8 staff were able to attend the Counting House tour. Dealing with 4 personnel issues. Have made 5 phone calls to the attorney.

Councilor Comments

1. Mr. Minihan:

-Congratulated Officer Sprouse; excited he has come on board.

-Appreciates the public's interest.

2. Ms. Cyr:

- Made note of the Memorial Day Parade on Monday.
- Reminded everyone that Hike-thru-History is Friday, June 2nd.

3. Mrs. Costella:

- Asked if we could do something on the island in town to discourage panhandling.
- Questioned the significant amount of heavy truck traffic on Belle Marsh Rd. Area residents have expressed their concern for the road and the bridge. The Town Manager stated that he and Jay would check into it. Note was made that the load limit signs had been taken down several years ago, and the bridge has been in good shape.

Executive Session

1. On a motion by Mr. Minihan, seconded by Mrs. Cook, it was unanimously voted to enter executive session at 8:50pm pursuant to 1M RSA §405.6A to discuss a personnel issue.

The Chair reported the following to the Clerk:

On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to end the executive session at 9:43pm.

Adjournment

On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to adjourn the meeting at 9:43pm.

Attest:

Barbara Bennett, CCM