



Town of Berwick

BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

Tuesday, June 23, 2020

6:30pm

Via Zoom
11 Sullivan Street
Berwick, ME 03901

1. Call to Order

Chair Wright called the meeting to order at 6:30pm.

2. Roll Call

Board Members Present via Zoom: Chair Thomas Wright, Vice Chair Ed Ganiere, Selectman Noah Cobb, and Selectman Kenneth Manning, Jr.

Board Members Absent: Mark Pendergast

Staff Members Present via Zoom: Town Manager Stephen Eldridge

3. Pledge of Allegiance

Chair Wright led the Pledge of Allegiance.

Town Manager Eldridge gave an update regarding the Covid19 exposure to staff. On Thursday June 18, 2020, a police officer tested positive for Covid19. The officer had been at Town Hall Tuesday morning and had contact with one staff member. The staff member has been quarantined and has been tested. All police officers have been tested and one has been quarantined because of extended contact with the officer who tested positive. York County EMA sent a team to disinfect the Police Station, Police vehicles and Town Hall. Town Hall has been closed and is anticipating a Thursday, June 25th reopening.

4. Approval of Meeting Minutes

- June 9, 2020

Motion: Selectman Manning moved to accept the June 9, 2020 minutes as written. Vice Chair Ganiere seconded the motion.

The motion carried: 4:0

5. First Public Comment

Chair Wright opened the first public comment. There being no comments, Chair Wright closed the first public comment.

6. Public Hearing

- July 14, 2020 Town Meeting Election

Chair Wright opened the public hearing. There were no comments or questions. Town Manager Eldridge stated people have been calling him regarding the budget.

Chair Wright closed the public hearing.

7. Reports of Committees

- BCTV Committee

None.

- Envision Berwick Committee

None.

Department Reports

None.

8. Appointments/Presentations/Other Guests

None.

9. Unfinished Business

None.

10. Town Manager Report

Town Manager Eldridge reported the following:

- There have been discussions regarding the credit enhancement agreement with Great Falls Construction. A meeting is scheduled for Monday, June 29, 2020.
- Police Chief Town and Fire Chief Plante are doing an excellent job amid the pandemic.
- Public Works is doing culvert work.
- Fire Station Update: The office area is sheetrocked and painting will commence. The access road is slated for paving mid-July. The target date for move in is early September. BCTV has posted a walk-through video of the station.

11. Selectmen Communications

None.

12. Approval of Warrants

06-18-2020	Payroll Warrant #2051	\$ 47,964.51
06-25-2020	Payroll Warrant #2052	\$ 58,629.14
06-25-2020	A/P Warrant #2052	\$ 283,271.03

Motion: Chair Wright made a motion to accept the Accounts Payable Warrants as presented and on the condition of the inspection of a majority of the Board of Selectmen. Vice Chair Ganiere seconded the motion.

The motion carried: 4:0

13. New Business

- Ridlon Road and Diamond Hill Road bridge design

Town Manager Eldridge reported that both bridges have been rated for weight restrictions according to the state reports. An engineer firm inspected the bridges and proposed a design at the cost of \$22,000 for

each design. The bridge projects are available for State funding. The designs would be helpful in securing the 50/50 State funding. The funds for the designs can come out of the road budget.

Motion: Selectman Cobb made a motion to authorize the Town Manager to use \$44,000 from the Public Works Road budget for the purpose of obtaining designs for the Ridlon Road bridge and the Diamond Hill Road bridge as presented. Vice Chair Ganiere seconded the motion.

The motion carried: 4:0

- Water connection to Somersworth, NH

There is an existing connection to the Somersworth water district that could be used as backup. The line was disconnected when the bridge work was done. The cost of a design would be \$19,000. This cost is in the Water Department budget. Town Manager Eldridge will move forward with the engineers. The BOS instructed the Town Manger to explore other resources before committing to the design phase.

- The Berwick Library Association and Town of Berwick Memorandum of Understanding (MOU)

The final MOU is ready for acceptance after legal review. Several members of the Library Board were present.

Motion: Selectman Cobb made a motion to accept the Berwick Library Association and Town of Berwick Memorandum of Understanding as presented. Vice Chair Ganiere seconded the motion.

The motion carried: 4:0

- Town Hall Hour Change

Effective July 6, 2020 the hours at Town Hall will be

MONDAY	8:00	4:00
TUESDAY	8:00	6:00
WEDNESDAY	8:00	4:00
THURSDAY	8:00	4:00
FRIDAY	8:00	12:30

Staff will stay until 1:30 on Fridays.

Motion: Vice Chair Ganiere made a motion to accept the proposed hours for Town Hall as presented. Selectman Manning seconded the motion.

The motion carried: 4:0

- TIF Assessment Amendment

Assessor Paul McKenney was present. During the annual audit of Assessing by Maine Revenue Services, it was discovered that the Original Assessed Value (OAV) of \$13,203,300, that was approved by the DECD included assessed values for exempt properties when this value should have been zero according to the definition of original assessed value, 30 M.R.S.A. §5222.13.

The purpose of this amendment is to correct the OAV from \$13,203,300 to \$10,233,000 which is the taxable assessed value of the Town of Berwick Downtown & Omnibus Municipal TIF District as of March 31, 2016.

Motion: Vice Chair Ganiere made a motion to accept the TIF Assessment Amendment as presented. Selectman Manning seconded the motion.

The motion carried: 4:0

- Town report Dedication

Motion: Vice Chair Ganiere made a motion to set the polling hours from 8am to 8pm for the July 14, 2020 Town Election as requested by the Town Clerk. Selectman Cobb seconded the motion.

The motion carried: 5:0

14. Quitclaim Deeds and/or Installment Contracts

None.

15. Abatements/Supplements

- Abatement: Map R013 Lot 1

Assessor Paul McKenney was present. The subject property is a 723.87-acre vacant parcel which is the result of 12 parcels that were merged on April 1, 2017 as shown as Exhibit 1 Harvard Turf Farms Berwick Lot Merger. Of those parcels that were merged into R013-1, only a 21.7-acre portion of Map/Lot; R013-1, and Map/Lot: R013-2 4.7-acre parcel were NOT classified as Farmland.

During the revaluation, the 21.7-acre portion of R013-1 and the 4.7-acre portion from the former R013-2 which totals 26.40 acres, were valued as vacant land suitable for residential development, and the neighborhood code for these acres of these areas were changed to be consistent with the other developed parcels located on Ridlon Rd.

The property owner seeks an abatement for the difference in valuation from residential development to farmland and for the neighborhood code to be changed back to slightly below average due to the site being accessed by the portion of Ridlon Road that is seasonal, and therefore not maintained during the winter months.

A search of the assessing files and requests from the property owner did not produce a farmland application showing that these 26.40 acres were in farmland. Assessing notes from the 2017 merger state that 21.70 acres were not in farmland, and the 4.7-acres from R013-2 was a non-buildable lot due to wetlands and topography. Assessing does acknowledge that the neighborhood code should have been classified as noted by the owner, and the 4.70-acre area should have been classified as non-buildable. However, the total FY2019-20 assessment of this property has been greatly reduced due to most of it being classified as Farmland. This parcel, therefore, is not substantially overvalued.

In conclusion, the property owner has not provided any supporting evidence to prove any one of the three tests for an abatement. The property owner has failed to prove that there has been an a “substantial overvaluation”, an “unjust discrimination”, or that the assessed value is “manifestly wrong”.

Therefore, it is recommended that the property owner’s request for an abatement be denied.

Mr. Donahue, Vice President of Harvard Turf Farms, was present. He presented a summary of the lots’ history.

Motion: Selectman Manning made a motion to table the abatement request for Map R013 Lot 1. Vice Chair Ganiere seconded the motion.

The motion carried: 4:0

16. Second Public Comment

Chair Wright opened the first public comment. There being no comments, Chair Wright closed the first public comment.

17. Executive Session

None.

18. Other Business/Non-Agenda Items

- Spirit of America Award

Town Manager Eldridge asked the Board to vote on the recipient(s) of the Spirit of America Award.

Motion: Vice Chair Ganiere made a motion to nominate the recipients of the 2019-2020 Town dedication recipients for the Spirit of America Award. Selectman Cobb seconded the motion.

The motion carried: 4:0

Selectman Manning asked about the request regarding the vehicle that was hit by the Town's flagpole. The vehicle owner is hoping to receive \$1,300.00. Town Manager Eldridge requests \$1,300.00 be awarded from the contingency fund.

Motion: Vice Chair Ganiere made a motion to authorize the Town Manager to take \$1,300.00 from the contingency fund to compensate the owner of the vehicle that was hit by the Town's flagpole. Selectman Manning seconded the motion.

The motion carried: 4:0

19. Adjournment

The meeting adjourned at 7:32pm.

Respectfully submitted,

Patricia Murray
Town Clerk

The June 23, 2020 BOS Meeting Minutes – Signed as approved at the Board of Selectmen's July 28, 2020 meeting.

On behalf of the Board
