



Town of Berwick

BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

Tuesday, August 25, 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: Chair Thomas Wright, Vice Chair Ed Ganiere (via Zoom), Selectman Noah Cobb (via Zoom), Selectman Kenneth Manning, Jr. (via Zoom) and Selectman Mark Pendergast (via Zoom)

Board Members Absent:

Staff Members Present: Town Manager Stephen Eldridge, Assessor Paul McKenney (via Zoom), Assessor Karen Fortier (via Zoom) and Town Clerk Patricia Murray (via Zoom)

3. Pledge of Allegiance

Chair Wright led the Pledge of Allegiance.

4. Approval of Meeting Minutes

- August 11, 2020

Motion: Selectman Manning moved to accept the August 11, 2020, minutes as written. Vice Chair Ganiere seconded the motion.

The motion carried: 4:0 with Selectman Pendergast offline

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

None.

7. Reports of Committees

None.

- **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:

- Move in date for the fire station is the week of September 14, 2020.
- A section of Cranberry Meadow Road will be reclaimed starting September 14, 2020. Pine Hill to Worster and Logan Street will be worked on next. Little River Road and Long Swamp will be looked at next year.
- The hazardous waste day date is September 12, 2020, at 2 Industry Drive.

11. Selectmen Communications

Chair Wright reported the following:

- Political signs are not allowed on right-of ways or public property until six weeks prior to an election.

12. Approval of Warrants

08-20-2020	Payroll Warrant #11	\$ 68,502.61
08-27-2020	Payroll Warrant #12	\$ 65,492.52
08-25-2020	A/P Warrant #13	\$ 223,460.19

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: 5:0

13. New Business

- 2021 Tax Commitment

Assessor Paul McKenney and Assessor Karen Fortier were present. Mr. McKenney presented the following.

The town's total taxable real estate valuation base decreased from 2019-20 tax year by \$831,600. This was due to an increase in personal exemptions, primarily the Homestead Exemption, which increased from \$20,000 to \$25,000. In addition, more personal exemption applications were processed this year due to the Governor's executive order extending the deadline to file applications from April 1, 2020 to the day of commitment. Although the real estate valuation actually increased by \$6,912,700, the total of all exemptions increased by \$7,744,300 resulting in the slight decrease of \$831,600 in total taxable real estate value.

Personal property increased by \$806,991 which is a 16.00% increase from the 2020-19 tax year. Compared to 2019-2020, the County tax appropriations increased by 4.91%; Municipal appropriations increased 24.91% while School/education appropriations increased 3.49%.

The TIF value shows a decrease of (\$9,837) which is primarily due to a correction in calculating the TIF value. The 2nd Amendment to the 2019-20 tax year resulted in an increase of \$7,359 for the TIF due to changing the negative net change between the 2019-20 assessed value and the taxable original assessed value (OAV) for each property to a zero when it should have been just applied to the overall net change for the entire TIF district. In total, appropriations have increased by 13.32%. The State revenue sharing is down (9.09%) and other revenues are expected to increase about 24.05%. The Homestead reimbursement increased by \$177,651 or 57.6% over the 2019-20 tax year. This is due to the increase in the exemption amount from \$20,000 to \$25,000, and an increase in the percent reimbursed by the State from 62.50% to 70%. Overall, the total deductions (revenue) noted on the warrant increased by \$680,893.01 or 21.56% from the 2019-20 tax year.

The minimum tax rate that could be selected is \$19.29 while the maximum rate is \$20.26. In consideration of the noted changes in valuation, appropriations and revenues, it is the assessor's suggestion that a rate of \$19.36 be selected which is an increase from last year's rate of \$17.53.

2020-21 MUNICIPAL TAX RATE CALCULATION FORM 08-24-20

1	LOCAL TAXABLE REAL ESTATE VALUATION	\$715,654,100		
2	LOCAL TAXABLE PERSONAL PROPERTY VALUATION	\$5,850,471		
3	TOTAL TAXABLE VALUATION	\$721,504,571		
4A	TOTAL OF ALL HOMESTEAD EXEMPT VALUATION	\$35,861,500		
4B	HOMESTEAD EXEMPT REIMBURSEMENT VALUE	\$25,103,050		
5A	TOTAL OF ALL BETE EXEMPT VALUATION	\$2,767,622		
5B	THE STATUTORY STANDARD REIMBURSEMENT IS 50%	\$1,383,811		
6	TOTAL VALUATION BASE		\$747,991,432	
	ASSESSMENTS			
7	COUNTY TAX	\$357,114		
8	MUNICIPAL APPROPRIATION	\$9,017,923		
9	TIF FINANCING PLAN AMOUNT	\$23,842		
10	SCHOOL/EDUCATION APPROPRIATIONS	\$8,358,594		
11	TOTAL APPROPRIATIONS		\$17,757,472	
	ALLOWABLE DEDUCTIONS			
12	STATE MUNICIPAL REVENUE SHARING	\$500,000		
13	OTHER REVENUES	\$2,826,100		
14	TOTAL DEDUCTIONS		\$3,326,100	
15	NET TO BE RAISED BY LOCAL PROPERTY TAX RATE	\$14,431,372		
16	MAXIMUM ALLOWABLE TAX	\$14,431,372	1.05	\$15,152,941
17	MINIMUM TAX RATE	\$14,431,372	\$747,991,432	\$0.019293
18	MAXIMUM TAX RATE	\$15,152,941	\$747,991,432	\$0.020258
19	TAX FOR COMMITMENT	\$721,504,571	\$0.01936	\$13,968,328
20	MAXIMUM OVERLAY	\$14,431,372	0.05	\$721,569
21	HOMESTEAD REIMBURSEMENT	\$25,103,050	\$0.01936	\$485,995.05
22	BETE REIMBURSEMENT	\$1,383,811	\$0.01936	\$26,791
23	OVERLAY	\$14,481,114	\$14,431,372	\$49,742

CERTIFICATE OF ASSESSMENT TO BE RETURNED TO MUNICIPAL TREASURER
STATE OF MAINE

County of York, ss.

We hereby certify that we have assessed a tax on the estate, real and personal, liable to be taxed in the Municipality of Berwick for the fiscal year 07/01/20 to 06/30/20, at 0.01936 mills, on a total taxable valuation of \$ 721,504,571.

Assessments:

1. County tax	\$ <u>357,113.56</u>	
2. Municipal appropriation	\$ <u>9,017,923.00</u>	
3. TIF financing plan amount	\$ <u>23,841.84</u>	
4. Local education appropriation	\$ <u>8,358,594.00</u>	
5. Overlay not to exceed 5% of "net to be raised"	\$ <u>49,741.72</u>	
6. Total assessments		\$ <u>17,807,214.12</u>

Deductions:

7. State municipal revenue sharing	\$ <u>500,000.00</u>	
8. Homestead exemption reimbursement	\$ <u>485,995.05</u>	
9. BETE reimbursement	\$ <u>26,790.58</u>	
10. Other revenue	\$ <u>2,826,100.00</u>	
11. Total deductions		\$ <u>3,838,885.63</u>
12. Net assessment for commitment		\$ <u>13,968,328.49</u>

(line 6 minus line 11)

Lists of all the same we have committed to Stephen Eldridge, Tax Collector of said Municipality, with warrants in due form of law for collecting and paying the same to Lisa Vargas, Municipal Treasurer of said Municipality, or the successor in office, on or before such date, or dates, as provided by legal vote of the Municipality and warrants received pursuant to the laws of the State of Maine. (36 M.R.S. §712)

Given under our hands this 08/25/20.

_____ Municipal Assessor(s)

File the original certificate with the treasurer. File a copy in the valuation book.
PTA 201 (05/20)

TAX RATE	OVERLAY AMOUNT	EQUATES TO ASSESSED VALUE	% OF TOTAL TAXABLE ASMNT
\$19.34	\$34,807	\$1,799,717	0.24%
\$19.35	\$42,274	\$2,184,709	0.29%
\$19.36	\$49,742	\$2,569,304	0.34%
\$19.38	\$64,677	\$3,337,302	0.45%
\$19.40	\$79,612	\$4,107,953	0.55%

PRIOR YEAR COMPARISON

	2019-2020	2020-2021	\$ CHANGE	% CHANGE
LOCAL TAXABLE REAL ESTATE	\$716,485,700	\$715,654,100	-\$831,600	-0.12%
LOCAL TAXABLE PERSONAL PROPERTY	\$5,043,480	\$5,850,471	\$806,991	16.00%
TOTAL TAXABLE VALUATION	\$721,529,180	\$721,504,571	-\$24,609	0.00%
TOTAL OF ALL HOMESTEAD EXEMPTION VALUE*	\$28,143,200	\$35,861,500	\$7,718,300	27.43%
HOMESTEAD REIMBURSEMENT VALUE*	\$17,589,500	\$25,103,050	\$7,513,550	42.72%
BETE EXEMPTION	\$2,453,928	\$2,767,622	\$313,694	12.78%
BETE REIMBURSEMENT	\$1,226,964	\$1,383,811	\$156,847	12.78%
TOTAL VALUATION BASE*	\$740,345,644	\$747,991,432	\$7,645,788	1.03%
APPROPRIATIONS				
COUNTY TAX	\$340,401	\$357,114	\$16,712	4.91%
MUNICIPAL APPROPRIATION	\$7,219,302	\$9,017,923	\$1,798,621	24.91%
TIF FINANCING PLAN AMOUNT*	\$33,679	\$23,842	-\$9,837	-29.21%
SCHOOL/EDUCATION APPROPRIATIONS	\$8,077,073	\$8,358,594	\$281,521	3.49%
TOTAL APPROPRIATIONS*	\$15,670,455	\$17,757,472	\$2,087,018	13.32%
ALLOWABLE DEDUCTIONS				
STATE MUNICIPAL REVENUE SHARING	\$550,000	\$500,000	-\$50,000	-9.09%
OTHER REVENUES	\$2,278,140	\$2,826,100	\$547,960	24.05%
TOTAL DEDUCTIONS	\$2,828,140	\$3,326,100	\$497,960	17.61%
NET TO BE RAISED BY LOCAL PROPERTY TAX RATE*	\$12,842,315	\$14,431,372	\$1,589,058	12.37%
TAX RATE OVERLAY*				
TAX RATE	\$17.53	\$19.36	\$1.83	10.44%
OVERLAY*	\$142,611	\$49,742	-\$92,869	-65.12%
TAXES ON A \$250,000 ASSESSMENT	\$4,383	\$4,840	\$458	10.44%
* 2ND Amended 2019-20 Commitment Value				

Motion: Vice Chair Ganiere made a motion to set the Tax Rate at \$19.36 per 1,000 for the 2021 tax year as recommended. Selectman Manning seconded the motion.

The motion carried: 5:0

- Water Project Award

Town Manager Eldridge received two proposals from Tighe & Bond and Wright Pierce for the water project. The \$1.2 million funding through Maine Drinking Water Program is on hold. The application with the Maine Bond Bank is in but Town Manager Eldridge notified them the scope of work may be changing because there are complaints about the water quality. The water has consistently been brown in color during droughts. According to the Maine Drinking Water Program and one of the engineering

group thinks finding a different source of water is necessary because the Salmon Falls River has a high manganese level.

Both firms proposed research on digging and testing groundwater aquifers. Tighe & Bond wants to continue to research removing manganese from the river. Wright Pierce wants to research the aquifers in the region and begin test well digging. Town Manager Eldridge recommends awarding the bid to Wright Pierce. The bid is \$7,500.00 for research and could go up to \$50,000 for test wells. If a well is found then the \$1.2 million loan could be applied. Grants are also being sought. The bid from Tighe & Bond is \$75,000.00 for continued research.

Motion: Vice Chair Ganiere made a motion to award the water project to Wright Pierce for phase 1 not to exceed \$7,500.00 and Phase 2 not to exceed \$50,000.00 as recommended. Selectman Pendergast seconded the motion.

The motion carried: 5:0

- Moulton Street MS4 Project

Town Manager Eldridge stated this is the federally mandated MS4 project. This is the last MS4 projects and the most expensive. Milone & MacBroom has been doing the design work. The project estimate is \$1.3 million and is scheduled to start next summer. DEP can approve delaying the project.

The Board directed the Town Manager to pursue delaying the Moulton Street MS4 Project.

- Pandemic Policy

A revised version was supplied to the Board for their comments and suggestions. The final draft will be available after legal review.

- Political Activity Policy

Town Manager Eldridge presented the political activity policy.

Town of Berwick
Employee Political Activity
August, 2020

- (a) No Town employee may, as part of his or her job, be required to perform tasks in any way related to partisan political activity.
- (b) Town employees, like all citizens, have a constitutional right to express political opinions and engage in political activities. It is required that they do so only on their own time and avoid even the appearance that they are speaking or acting on behalf of Town.
- (c) Restricted Activities: Town employees are prohibited from engaging in the following activities:
 - a. Identifying yourself as a Town employee when participating in partisan political activities;
 - b. Running as a candidate for an incompatible public office or an office which creates a conflict of interest while retaining his or her position at the Town. All employees seeking elected office must first notify the Town Manager in writing of their intent, including the position being considered. The Town Manager will notify the employee in writing if seeking such office will be considered a conflict;

- c. Engaging in political activity while on duty or on or in any property owned or leased to the Town;
 - d. Engaging in political activity while wearing any Town uniform or insignia;
 - e. Using Town equipment, including computers, printers, copiers, mobile and landline telephones, fax machines, or office supplies to engage in any type of political activity;
 - f. Distributing pamphlets, wearing buttons or other indication of support for any particular candidate, political party or political cause during such times while he or she is performing his or her official functions and duties with the Town. Nothing herein shall be construed to prohibit any Town employee from participating in the political process during off-duty hours and in his or her capacity as a private citizen.
 - g. Using the Town's e-mail system or communications platforms (e.g., website, Facebook, Twitter) to engage in any type of political activity;
 - h. Allowing your official position, influence, or duties at the Town to be used in connection with campaign or fund-raising activities for partisan political activities.
- (d) No political activity undertaken by a Town employee shall be construed as an endorsed or sponsored activity of the Town.
- (e) Town employees who participate in political activities are reminded that they are still subject to the Town's policies and procedures and are required to carry out official Town duties in professional, impartial, fair and unbiased manner.
- (f) The actions detailed in this policy will not apply if an employee is authorized or required to communicate an official position of the Town related to an issue concerning the Town or related to municipal government.

Motion: Vice Chair Ganiere made a motion to adopt the Political Activity Policy as presented. Selectman Cobb seconded the motion.

The motion carried: 5:0

Aside: Selectman Pendergast spoke about the sign at the Maine Medical Canna Connection on Bow Street. Town Manager Eldridge will have the Code Enforcement Officer look into it to ensure it is in compliance with the sign ordinance.

14. Quitclaim Deeds and/or Installment Contracts

None.

15. Abatements/Supplements

None.

16. Second Public Comment

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

17. Executive Session

None.

18. Other Business/Non-Agenda Items

Selectman Manning inquired about the presentation to the county regarding an assessment of farm land. Town Manager Eldridge replied that the County agreed with the plaintiff. The County Commissioner is reviewing.

19. Adjournment

The meeting adjourned at 7:13pm.

Respectfully submitted,

**Patricia Murray
Town Clerk**

**The August 25, 2020 BOS Meeting Minutes – Signed as approved at the Board of Selectmen’s
September 8, 2020 meeting.**

On behalf of the Board
