



Town of Berwick

BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

Tuesday, December 10, 2019

6:30pm

Selectmen's Room
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, Selectman Noah Cobb, and Selectman Kenneth Manning, Jr.

Board Members Absent: Selectman Mark Pendergast

Staff Members Present: Town Manager Stephen Eldridge, Assessor Paul McKenney and Town Clerk Patricia Murray

3. Pledge of Allegiance

Chair Wright led the Pledge of Allegiance.

4. Approval of Meeting Minutes

- November 26, 2019

Motion: Selectman Manning moved to accept the November 26, 2019, minutes as written. Selectman Cobb seconded the motion.

The motion carried: 3:0 with Vice Chair Ganiere abstaining

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

- **BCTV Committee**

Chair Wright reported that the BCTV Committee will be holding their meeting next week.

- **Envision Berwick Committee**

Chair Wright reported that Comprehensive Plan Committee surveys are still available. The deadline is December 16th.

Department Reports

None.

8. Appointments/Presentations/Other Guests

None.

9. Unfinished Business

None.

10. Town Manager Report

Town Manager Eldridge reported the following:

- The weather put a hold on the Fire Station progress. The footprint is laid out and the access road is being worked on. The access road should be usable next week. The hides that were found can be buried per DEP.
- The new Town Hall heating system is up and running. The furnace will be cleaned to increase efficiency. Dana Hall removed the old radiators.
- Public Works staff attended a DOT meeting regarding the Hubbard Road bridge repair. The road will be closed for 60 days starting June 29, 2020.
- Town Manager Eldridge asked for a BOS meeting on December 17, 2019, to vote on the union contracts.
- Chris Weisman, Water Department Chief Operator, was in a serious car accident. He will be out of work for an extended period of time.

11. Selectmen Communications

None.

12. Approval of Warrants

12-05-2019	A/P Warrant #2023	\$ 214,979.53
12-05-2019	Water A/P Warrant #023	\$ 22,076.84
12-05-2019	Payroll Warrant #2023	\$ 73,692.49
12-12-2019	Payroll Warrant #2024	\$ 66,533.73

Motion: Chair Wright made a motion to accept the Accounts Payable Warrants as presented. Selectman Manning seconded the motion.

The motion carried: 4:0

13. New Business

None.

14. Quitclaim Deeds and/or Installment Contracts

None.

15. Abatements/Supplements

Assessor Paul McKenney was present and presented the following for Board consideration:

- Abatements:
 - Map/Lot R007-4-A

The subject property is a single-family dwelling situated on a 10.00-acre parcel on Long Swamp Rd.

The Assessors inspected the property and as a result, picked up a finished room in the basement, adjusted the overall condition from average to good, and adjusted the land value due to the characteristics of the site such as topography. As a result of these changes, the assessed value was reduced \$12,800 from \$320,500 to \$307,700.

The owners submitted an appraisal report that stated the market value as \$290,000 on an effective date of 04-22-2019. The purpose of the appraisal is for a refinance transaction. Assessing completed an analysis of comparable sales located in Berwick as of 04-01-2019 valuation date, and concluded that the assessed value, with the noted changes, is within the acceptable value range and equitable to other similar properties.

Therefore, it is recommended that an abatement be granted in the amount of 224.38 ($\$12,800 \times 0.01753 = 224.38$).

Motion: Vice Chair Ganiere made a motion to accept the abatement in the amount of \$224.38 for Map/Lot R007-4-A as presented. Selectman Cobb seconded the motion.

The motion carried: 4:0.

- Account 340 Wells Fargo Vendor Financial Services

The subject owns personal property (copier equipment) located at the Berwick Public Library which was listed on the 2019 Business Equipment Tax Exemption (BETE). The item was denied on the BETE application and taxed for fiscal year 2019-2020, and it should have been granted an exemption under the BETE program.

Therefore, it is recommended that an abatement be granted in the amount of \$68.72 for fiscal year 2019-2020. ($\$3,920 \times 0.01753 = \68.72)

Motion: Vice Chair Ganiere made a motion to accept the abatement in the amount of \$68.72 for Account 340; Wells Fargo Vendor Financial Services as presented. Selectman Manning seconded the motion.

The motion carried: 4:0.

- Map/Lot U004-148

The subject property is 0.40-acre parcel that contains the pumping station and treatment plan for the Berwick Sewer District. This entire parcel was incorrectly transferred from the Sewer District to 20 Sullivan Street LLC, when there should have been only a lot line adjustment between this parcel and the adjacent parcel owned by 20 Sullivan Street LLC, Map U004-146, per Deed Book 17831 P0135 7-2-2018 and recorded in the York County Registry of Deeds.

It is recommended that an abatement be granted to 20 Sullivan Street LLC in the amount of \$1,951.09 for the assessed value of \$111,300.

Motion: Vice Chair Ganiere made a motion to accept the abatement in the amount of \$1,951.09 for Map/Lot U004-148 as presented. Selectman Cobb seconded the motion.

The motion carried: 4:0.

- Map/Lot R037-15-C

The subject property is a single-family home in which the previous owner started an addition in 2001, however, the interior was never completely finished.

On November 13, 2019, the Assessors inspected the interior and exterior of the property and updated the information on the property card to reflect the estimated condition as of April 1, 2019. As a result of these changes, the assessed value was reduced by \$35,100, reducing the assessed value from \$237,100 to \$202,000.

Therefore, it is recommended that an abatement be granted in the amount of \$615.30 for fiscal year 2019-2020. ($\$0.01753 \times \$35,100 = \$615.30$)

Motion: Vice Chair Ganiere made a motion to accept the abatement in the amount of \$615.30 for Map/Lot R037-15-C as presented. Selectman Manning seconded the motion.

The motion carried: 3:0 with Chair Wright recused.

- Map/Lot R063-3-D-1

The subject property is vacant 2.49-acre parcel off Love Brook Rd.

Per Deed Book 16923 Page 62, this parcel transferred ownership from the Julianne C. Scarcks Trust to Neptune Properties LLC on October 7, 2014, and on the same day, this parcel then transferred to Central Maine Power Company per Deed Book 16912 Page 69.

The transfer of ownership to Central Maine Power Company was omitted from Commitment, and the incorrect owner, Neptune Properties, LLC, was assessed for this parcel. Attorney Alan Wolf who now represents Neptune Properties, LLC has recently made Assessing aware of this error.

Therefore, it is recommended that an abatement be granted in the amount of \$964.15 for fiscal year 2019-2020 due to the incorrect owner being assessed for this parcel.

Motion: Vice Chair Ganiere made a motion to accept the abatement in the amount of \$964.15 for Map/Lot R063-3-D-1 as presented. Selectman Manning seconded the motion.

The motion carried: 4:0.

- Map/Lot R049-12-A

The subject property is a single-family dwelling on a parcel that was reduced from 5.60 to 3.14 acres when the ownership transferred from Carol Smith to Dana Kneeland, per Deed Book 17748 Page 266, dated 7-2-2018, as recorded in the York County Registry of Deeds. A new lot was created from the remaining acreage, R049-12-A-1.

Assessing did not process this transfer and change in acreage, and as a result the incorrect owner, Carol Smith, was assessed at \$228,100 for the entire parcel.

Therefore, it is recommended that an abatement be granted in the amount of \$3,998.59 for fiscal year 2019-2020 due to the incorrect owner being assessed for this parcel. ($\$0.01753 \times \$228,100 = \$3,998.59$)

Motion: Vice Chair Ganiere made a motion to accept the abatement in the amount of \$3,998.59 for Map/Lot R049-12-A as presented. Selectman Cobb seconded the motion.

The motion carried: 5:0.

- Supplements:
 - Map/Lot R049-12-A-1

The subject property is a new vacant lot created from the split of R049-12-A, per Deed Book 17748 Page 266, dated July 2, 2018, as recorded in the York County Registry of Deeds.

This new lot was not created, and was omitted from Commitment. The assessed value for this lot is \$73,600 for Fiscal Year 2019-2020.

Therefore, it is recommended that a supplemental tax bill be issued to Carol Smith in the amount of \$1,290.21 for the omitted assessment of \$73,600 ($0.01753 \times \$73,600 = \$1,290.21$).

Motion: Vice Chair Ganiere made a motion to accept the supplemental tax bill in the amount of \$1,290.21 for Map/Lot R049-12-A-1 as presented. Selectman Manning seconded the motion.

The motion carried: 4:0.

- Map/Lot R049-12-A

The subject property is a single-family dwelling on a parcel that was reduced from 5.60 to 3.14 acres when the ownership transferred from Carol Smith to Dana Kneeland, per Deed Book 17748 Page 266, dated 7-2-2018, as recorded in the York County Registry of Deeds. A new lot was created from the remaining acreage, R049-12-A-1.

Assessing did not process this transfer and change in acreage, and as a result the incorrect owner, Carol Smith, was assessed at \$228,100 for the entire parcel.

With the noted corrections, the assessed value for this parcel is \$221,800 and the owner is Dana Kneeland for Fiscal Year 2019-2020.

Therefore, it is recommended that a supplemental tax bill be issued in the amount of \$3,888.15 ($0.01753 \times \$221,800 = \$3,888.15$) to Dana Kneeland.

Motion: Vice Chair Ganiere made a motion to accept the supplemental tax bill in the amount of \$3,888.15 for Map/Lot R049-12-A as presented. Selectman Cobb seconded the motion.

The motion carried: 4:0.

- R063-3-D-1

The subject property is vacant 2.49-acre parcel off Love Brook Rd.

Per Deed Book 16923 Page 62, this parcel transferred ownership from the Julianne C. Scarks Trust to Neptune Properties LLC on October 7, 2014, and on the same day, this parcel then transferred to Central Maine Power Company per Deed Book 16912 Page 69.

The transfer of ownership to Central Maine Power Company was omitted from Commitment, and the incorrect owner, Neptune Properties, LLC was assessed for this parcel. Attorney Alan Wolf who now represents Neptune Properties, LLC has recently made Assessing aware of this error.

Therefore, it is recommended that a supplemental tax bill be issued in the amount of \$964.15 to Central Maine Power Company, the correct owner of this parcel.

Motion: Vice Chair Ganiere made a motion to accept the supplemental tax bill in the amount of \$964.15 for Map/Lot R063-D-1 as presented. Selectman Manning seconded the motion.

The motion carried: 4:0.

16. Second Public Comment

Chair Wright opened the second public comment.

Jeremy Hasbrouck, 194 Long Swamp Road, spoke. He commented on the assessment abatement process. He is extremely disappointed in the process and response from the Assessor's Office. He requested an appointment to discuss his assessment based on an appraisal he received on his property. He noted the appointment was not made within a timely manner and when he did get an appointment, the staff was unprepared. The Assessing staff did revisit his property. He had not received any communication from them until hearing the abatement request at tonight's meeting. He remains unhappy with the assessed value of his property.

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

17. Executive Session

- Title 1 §405(6)(D) – Discussion of Labor Contract; Teamsters and MAP

Rescheduled for December 17, 2019

18. Other Business/Non-Agenda Items

Town Manager Eldridge handed out Annual Goals to the Board for review. A workshop will be scheduled.

Discussion ensued regarding an elevator and/or handicap ramp at Town Hall.

19. Adjournment

The meeting adjourned at 6:56pm.

Respectfully submitted,

Patricia Murray
Town Clerk

The December 10, 2019 BOS Meeting Minutes – Signed as approved at the Board of Selectmen's December 17, 2019 meeting.

On behalf of the Board