

BOARD OF SELECTMEN/ASSESSORS

Town of Berwick

January 22, 2013

APPROVED MINUTES

ROLL CALL: Chairman Haley, Selectwoman Murphy, Selectman Crichton, Selectman O'Connor and Selectman Ganiere in attendance. Selectman O'Connor arrived at 6:15 and entered in Executive Session with the other Board members.

Executive Session at 6:00 p.m. until 7:00 p.m. Regular Board meeting started at 6:59 p.m.

OTHERS PRESENT: Interim Town Manager, Gary Stenhouse, Town Clerk, Melissa Albert and 10 other members of the public.

NON-PUBLIC SESSION: *Selectwoman Murphy moved to enter into Executive Session @ 5:59 p.m. pursuant to MRSA 405 (6) (E), second by Selectman Ganiere, 4/0 Selectman O'Connor absent from vote.*

PLEDGE OF ALLEGIANCE: Chairman Haley led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES: *Selectwoman Murphy moved to accept the minutes of January 8th, 2013 regular meeting as amended, second by Selectman O'Connor. 5/0 motion passed*

Discussion: Selectman Ganiere noted that Item B on number 4 should be 2013 not 2012.

Chairman Haley noted before the Board opens Public Comment that upon consultation with Town legal counsel the Board will not hear comments about Berwick Iron & Metal. A Public Hearing is scheduled for January 29, 2013 to receive comments pertaining to the re-zoning. Chairman Haley noted that everyone has the right of freedom of speech but other individuals have the right to due process.

PUBLIC COMMENT:

Mr. Stolpe has concerns about the switch gear that feeds the power to the building attached to the current Police Department. Mr. Stolpe has inspected the switch gear and it is severely deteriorated and it's a time bomb waiting to happen and needs to be addressed. Chairman Haley addressed Mr. Stolpe to have him clarify "time bomb" what is the timeline that there may be failure. Mr. Stolpe stated within a year, there are 400 amps of power and there is a spark it will be an issue. Chairman Haley noted that there are issues with that building, and town was waiting on the Bateman land use issues which is now behind them. Waiting for a permanent Manager, need to have the Planning Board approval for the conditional use permit for that building that houses the Police Department.

Town Manager, Patrick Venne, Selectman Crichton and Mr. Stople will have a meeting to discuss what exactly the issues are and safety hazardous at the Police Station building, concerning the electrical switch gear. Town Manager will report back to the Board at the next regular meeting.

COMMUNICATIONS:

- A. **Discussion with SAD 60 Superintendent Steven Connolly:** Town Manager stated Mr. Connolly could make the meeting tonight due to a death of a student. He did not reschedule for the next meeting. Town Manager will contact his office to see when he wants to reschedule.
- B. **Governor's Budget Message:** Governor sent a memo out regarding his budget for the next fiscal year and cutting revenue sharing with municipalities. The Town would stand to lose about \$600,000 in revenue sharing and other local aid (excludes the School District) if the Governor's budget is approved.

- C. **New Hire Berwick Water Department:** Water Department received eight resumes for the position. There were four candidate's that were the most qualified and the Town Manager and the Chief Operator of the plant interviewed these candidate's and Starr Glenn, part-time employee was hired to fill this position. Ms. Glenn obtained her Class I license on her own. Chairman Haley noted that the Board feels that the Water Department does not need to fill the part-time position that was just vacated due to the part-time employee moving up to this full-time position. Chris Weismann came to the podium and stated he feels the same and will not need to fill this part-time position. Board will like to meet Starr at the next meeting on the 5th.
Selectwoman Murphy moved to eliminate the present vacant part-time position in the Water Department, second by Selectman Ganiere 5/0 motion passed.

Interim Manager noted that the Board received budget reports and must have been a printer error because the Board did not receive the CIP reports for the correct year. He then handed out the revised reports.

Chairman Haley asked the Interim Manager how the search for the Finance Director position was going. Interim Manager noted that he has four candidates' that have municipal experience and will be interviewing them on February 11 & 12.

Chairman Haley received notification from COAST bus service; he has been attending their regular meetings. About 25% increase from last year. Cost for transporting the disabled under the ADA is the big driver for the increase. Town Clerk will make copies for the other Board members to review for the next meeting on the 5th of February.

APPROVAL OF ACCOUNTS PAYABLE WARRANTS:

TW 1328 \$136,100.04
PR 1328 \$ 45,987.42
PR 1328A \$ 1,566.16
W 1328 \$ 226,351.13
TW 1329 \$ 640,281.09
PR 1329 \$ 35, 801.63
W 132 \$2,608.40
PR 1330 \$36,311.22

- PR 1328 is included in TW 1328 total
- PR 1329 is included in TW 1329 total

Selectwoman Murphy moved that the warrants be approved, second by Selectman Ganiere, 5/0 motion passed.

REPORTS OF COMMITTEES: NONE

UNFINISHED BUSINESS: Chairman Haley noted that the Board wanted to discuss and review the Disorderly Housing Ordinance for placement on the ballot for May Town Meeting. Interim Manager

stated that Chief Towne is on a limited schedule due to medical reasons; he left him a message and waiting to hear back from him on where the Chief stands with going over the ordinance to fit Berwick. Interim Manager will have Chief Towne get the changes to them within a week.

Board will have a discussion with Auditors regarding previous Town Manager not collecting \$40,000 in personal property taxes. Interim Manager will contact Mr. Shepard and discuss this issue with him.

Interim Manager will contact Ron Smith from RHR Smith Auditing firm to reschedule the workshop to review the audit they finished for the 2012 year.

Board needs to schedule an Executive Session pursuant to 405 (6) (E) with Attorney Guay.

Selectwoman Murphy mentioned a sign ordinance. Interim Manager will contact South Berwick and ask for a copy of their ordinance for guidance.

NEW BUSINESS:

- A. Authorize contract with Downtown Consulting:** Authorize Town Manager to enter into a contract with GLA- Beta Group for an amount not to exceed \$20,270. \$25,000 was authorized at a Town Meeting vote for Downtown Vision and Mr. Underwood noted this contract agreement with GLA will help him and the group with technical assistance. Mr. Underwood stated that GLA was involved in the Downtown Vision Committee years ago. *Selectwoman Murphy moved to accept the proposal from GLA (Gates & Leighton, Associates) for an amount not to exceed \$ 20,270, second by Selectman O'Connor 5/0 motion passed.*
- B. Participation in Water/Wastewater Agency Response Network:** Chris Weismann, Chief Plant Operator for the Town of Berwick, Water Department, explained this agreement to the Board stating this mutual aid agreement is like the Fire Department and Police Department have with other towns. There is no cost to the town to enter into this agreement. *Selectman Crichton moved to enter into the Maine Water and Wastewater Agency Response Network (MEWARN) agreement, second by Selectwoman Murphy, 5/0 motion passed.*
- C. York County Fiscal Year Conversion Assessment:** Town Manager explained the York County conversion process. York County is converting from January-December fiscal year to July-June fiscal year in order to do this York County will have an 18 month budget for each Town's contribution year which begins July 1, 2014. Town of Berwick will need \$160,000 in addition to the normal contribution of \$320,000 per year. Interim Manager explained there are three ways to distribute payment they are:
- Option A: Pay money all at once, pay normal amount per year plus the extra six months total amount would be \$480,000. Taxes would go up 26 cents for next year.
 - Option B: Town Meeting to appropriate out of General Fund Balance.
 - Option C: Finance the additional \$160,000 over a five year period. Interest rate at 1.82% town would pay approx. \$9,000 in interest over the five year period, and the effect on the tax rate is 5.5 cents a year.

Interim Manager recommended option A or C due to the Governor's proposed budget and the loss of revenue sharing. Town Manager recommends not touching surplus to make up the short fall of loss revenue. Town Manager received an e-mail that 12 towns in York County are asking for a delay in this conversion until FY 2015. Town Manager needs to let the County Commissioners know the Town of

Berwick's plan for payment by February 15th, 2013. Additional \$160,000 is a onetime expense. Town Manager will enter this item for Unfinished Business for the next meeting on February 5th, 2013 by then the Town Manager will have more information regarding the payment not due until FY 2015.

- D. Sewer District Trustee Appointment:** Tabled to the February 5th, 2013 meeting. Board received resumes from both candidate's' and both will attend the February 5th meeting.
- E. Waiver of Hiring Freeze for Highway Department:** *Selectman Crichton moved to waive the hiring freeze for the Highway Department, second by Selectman Ganiere, 5/0 motion passed.*
- F. Other:** Appointment of Department Heads for Chris Weismann and Kimberly Taylor.

Pursuant to MRSA 30-A, Section 2636, Gary Stenhouse hereby appoints Kimberly Taylor as Recreation Director with and for the town of Berwick without term unless specified by law. Selectman Crichton moved that the Board accept Gary Stenhouse, Interim Manager appointment of Kimberly Taylor, second by Selectwoman Murphy, 5/0 motion passed.

Pursuant to MRSA, Section 2636, Gary Stenhouse hereby appoints Chris Weismann as Chief Plant Water Department Operator with and for the town of Berwick without term unless specified by law. Selectman Chrichton moved to accept Gary Stenhouse, Interim Town Manager appointment of Chris Weismann, second by Selectwoman Murphy, 5/0 motion passed.

PUBLIC COMMENT: Mr. Stolpe commented that the Table of Plenty serves approximately 14,000 meals a year.

ABATEMENTS/SUPPLEMENTALS: *Chairman Haley moved to enter into non-public session pursuant to MSA 36-841-2 (E) for the purposes of reviewing poverty abatement. Board of Selectman denied the poverty abatement request due to, resident exceeded State guidelines for income.*

NON PUBLIC SESSION MRSA 405 6 A

Chairman Haley moved to enter into Executive Session @ 9:02 pm pursuant to MRSA 405 (6) (A) to discuss a persommel matter, second by Selectman Ganiere, 5/0 motion passed.

Board returned from Executive Session at 9:30 pm.

ADJOURMENT:

Selectman Ganiere moved to adjourn at 9:30 pm, second by Selectman O'Connor, 5/0 motion passed.