

**BOARD OF SELECTMEN/BOARD OF ASSESSORS
MEETING MINUTES
January 6, 2015**

I. CALL TO ORDER: 6:30 p.m.

ROLL CALL: Chairman O'Connor, Selectman Crichton, Selectman Ganiere, Selectman Pendergast, Selectman Wright

OTHERS PRESENT: Town Manager Patrick Venne, Town Clerk Jo Anne Lepley, Finance Director Maureen Finger

PLEDGE OF ALLEGIANCE

II. APPROVAL & SIGNATURE OF MINUTES

Motion: It was moved by Selectman Crichton and seconded by Selectman Ganiere to approve the December 16, 2014 BOS Meeting minutes.

The motion carried unanimously; 5 – 0.

III. FIRST PUBLIC COMMENT

William Langley – Mr. Langley asked why he has been banned from entering the Transfer Station. He also stated that there has been nothing done regarding employee(s) removing copper wiring from the Transfer Station for them to resell.

The Town Manager stated that Mr. Langley was a former employee and that the proper way to handle these matters would be in a private meeting between Mr. Langley and himself. The Town Manager stated that he has discussed this matter with the Police Chief and the "stealing of trash" is not prosecutable from a criminal standpoint.

Selectman Wright stated that there was a policy that Transfer Station employees cannot take "scrap" and "picking" is not allowed.

IV. REPORTS OF COMMITTEES

- a. **BCTV Committee - None**
- b. **Rec Committee Update – None**
- c. **Envision Berwick (EBC) – None**

V. APPOINTMENTS/PRESENTATIONS/OTHER GUESTS

- a. **Renewal Requests for Massage Licensure: Barbara Endycke & Seacoast Body Sculpting**
Motion: It was moved by Chairman O'Connor and seconded by Selectman Crichton to approve the Massage Establishment License renewal for Seacoast Body Sculpting to expire December 31, 2015.

The motion carried unanimously; 5 – 0.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Crichton to approve the Massage Therapist License renewal for Barbara Endycke to expire December 31, 2015.

The motion carried unanimously; 5 – 0.

- b. **Tax Collection Settlement & Recommitment, Appointment of Successor Tax Collector**
Upon resigning the position of Town Manager, the Town Manager is also resigning the concurrent positions of Tax Collector and Treasurer. Maine requires these positions to be held by a Maine resident. The Town Manager recommended that Finance Director

Maureen Finger be appointed as Interim Tax Collector to help ensure a smooth transition through the process of interim manager to permanent manager. The Town Manager presented the BOS with the Certification and Settlement and Discharge for Fiscal Years 2013, 2014 & 2015.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Wright to sign the Certificate of Settlement and Discharge as presented today for FY 2015.

The motion carried unanimously; 5 – 0.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Crichton to sign the Certificate of Settlement and Discharge as presented today for FY 2014.

The motion carried unanimously; 5 – 0.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to sign the Certificate of Settlement and Discharge as presented today for FY 2013.

The motion carried unanimously; 5 – 0.

Selectman Crichton stated that he felt there should be an audit performed before the new Town Manager is appointed to the role of Tax Collector/Treasurer. Ms. Finger stated that the paperwork tonight is an accounting of the taxes committed to the Town Manager, the balance committed to the interim, and then an audit would take place.

Motion: It was moved by Selectman Ganiere and seconded by Chairman O'Connor to sign the ORDER OF MUNICIPAL OFFICERS, Pursuant to 36 M.R.S.A. § 906. (Selectman Ganiere read out loud)

The motion carried on a vote of 4 – 1 (Selectman Crichton)

Motion: It was moved by Selectman Ganiere and seconded by Selectman Wright to sign the CERTIFICATE OF RECOMMITMENT. (Selectman Ganiere read out loud)

The motion carried unanimously; 5 – 0.

Motion: It was moved by Selectman Ganiere and seconded by Chairman O'Connor to sign the WARRANT FOR COMPLETION OF COLLECTION 36 MRSA § 766. (Selectman Ganiere read out loud)

The motion carried unanimously; 5 – 0.

d. Planning Board Appointment Request of Nicole Fecteau

Ms. Fecteau stated that she was grateful to have this opportunity serve the community. The BOS thanked her for volunteering her time.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Pendergast to appoint and confirm Nicole Fecteau as a Regular Member of the Berwick Planning Board for a term to expire December 31, 2015.

The motion carried unanimously; 5 – 0.

VI. COMMUNICATIONS

a. Workforce Housing Charrette Opportunity

The Executive Director of Seacoast Workforce Housing Coalition, Ashlee Iber-Amenti, presented the BOS with the organization's background, a definition of Workforce Housing and the process that goes into holding a charrette. Ms. Iber-Amenti inquired as to whether the BOS would be interested in her organization scheduling a charrette for Berwick for the fall.

After Ms. Iber-Amenti answered the BOS questions regarding results and funding of the charrette and the Town Manager stated that the Town Planner would

endorse this program and that it was non-binding, the consensus of the BOS was to move forward with this opportunity.

- b. Update on Request for Interim Town Management Services of Gary Stenhouse**
The Town Manager explained that in order to secure Mr. Stenhouse as their Interim Town Manager, they would have to negotiate and contract with his employer Municipal Resources (MRI). He has a non-compete clause in his contract with him and it would be cited in this case. MRI is also one of the three RFP respondents for the Town Manager search. After discussion, the consensus of the BOS was to engage Mr. Stenhouse and open the bids for the Town Manager search RFP.

It was the consensus of the BOS to move on to the opening of the RFP bids.

New Business

- a. Public Opening of & Potential Action on Town Management Recruitment Services RFP**
Chairman O'Connor opened the bids.

1. Eaton Peabody	Consultation Fee	\$5,000
	Advertising Fee	\$450
	Indirect Costs	\$500
2. Maine Municipal	All staff services	\$4,900
	Does not include advertising or other expenses	
3. Municipal Resources	Lump Sum Charge	\$12,800
	Does not include advertising or candidate travel	

The consensus of the BOS was to take the three RFP's under advisement and to set a meeting for January 9th 2015 at 6:30 p.m.

Eaton Peabody – Don Gerrish

Mr. Gerrish of Eaton Peabody was in attendance. He addressed the BOS and answered their questions as to what type of service the Town would receive from Eaton Peabody. Mr. Peabody gave his background and the company's information and outlined some of the process that would go into the recruitment/search.

VII. APPROVAL OF ACCOUNTS PAYABLE WARRANTS

A/P WARRANT	1525	\$38,405.80
WATER WARRANT	W1525	\$2,582.89
PAYROLL WARRANT	1526	\$43,532.23
A/P WARRANT	1526	\$36,162.69
WATER WARRANT	W1526	\$2,340.77
PAYROLL WARRANT	1527	\$37,603.31
A/P WARRANT	1527	\$70,662.31
WATER WARRANT	W1527	\$1,319.35
PAYROLL WARRANT	0001,1528	\$40,109.51

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to accept the Accounts Payable Warrants as presented.

The motion carried unanimously; 5 – 0.

VIII. Unfinished Business

a. Appropriation of Manager's Accrued Sick Time Forfeiture

Chairman O'Connor stated that after reading the options presented by the Town Manager he was of the opinion to not have the Town Manager forfeit his accrued sick time. The rest of the BOS was in agreement. The discussion turned to amending the accrued sick time policy.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Wright to amend the Berwick, Maine Personnel Policy in accordance with Option 2 advanced in the January 6, 2015 regular meeting materials, related to discontinuing all cash value of sick time accruals for the position of Town Manager and all other employees covered by the Policy who are hired after January 1, 2015, except to the extent negotiated separately by contract.

The motion carried unanimously; 5 – 0.

b. Action on Closure of Public Ways Policy

There was a short discussion on uniformly waiving the \$100 fee and setting guidelines to implement the waiving of the fee.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to adopt the Closure of Public Ways Policy as presented on January 6, 2015.

The motion carried unanimously; 5 – 0.

IX. New Business

a. Public Opening of & Potential Action on Town Management Recruitment Services RFP
[This item was addressed earlier in the agenda]

X. Abatements/Supplementals – None

XI. Quitclaim Deeds/Installment Contracts – None

XII. Second Public comment

Eleanor Murphy – Ms. Murphy stated that there were already Transfer Station policies in effect that did not allow employees or citizens to remove any items from the Transfer Station. They were put into place under Jim McMahan.

The Town Manager again stated the difficulty of prosecuting this type of activity. Disciplinary action can be taken.

XIII. Other Business/Non-Agenda Items

The Town Manager stated that the Fire Department has implemented a temporary schedule through the month of January. There will be staggered shifts which will allow for two firefighters during the day and two during the evening. This was an outgrowth from the fire study.

XIV. Potential Executive Session – None

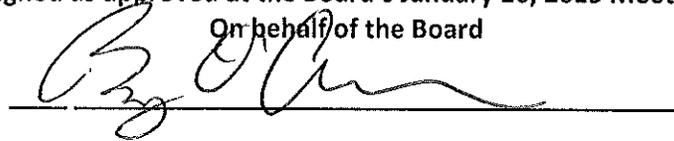
At this time, Chairman O'Connor stated that it had been a pleasure working with Mr. Venne and that he wished him luck on his future endeavor and that it had been a mutually beneficial relationship.

XV. Adjournment

Motion: It was moved by Selectman Crichton and seconded by Selectman Ganiere to adjourn.
The motion carried unanimously; 5 – 0.

The meeting adjourned at 8:52 p.m.

The January 6, 2015 BOS Meeting Minutes
Signed as approved at the Board's January 20, 2015 Meeting
On behalf of the Board

A handwritten signature in black ink, appearing to read "Bryan O'Connor", is written over a solid horizontal line.

Bryan O'Connor, Chairman, Berwick Board of Selectmen