

**BOARD OF SELECTMEN/BOARD OF ASSESSORS  
MEETING MINUTES  
March 27, 2014**

**I. ROLL CALL AND PLEDGE OF ALLEGIANCE**

**CALL TO ORDER: 6:33 p.m.**

**ROLL CALL: Chairman O'Connor, Selectman Crichton, Selectwoman Murphy, Selectman Ganiere, Selectman Haley**

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

The BOS agreed to move Item Vb. Up to this point on the agenda.

**V.b. Brian Cincotta Request for Appointment to BCTV Committee**

**Motion:** It was moved by Selectwoman Murphy and seconded by Selectman Crichton reappoint Brian Cincotta to the Berwick Community Television Committee for an indefinite term.

**The motion carried unanimously; 5- 0.**

**II. APPROVAL & SIGNATURE OF MINUTES**

**Motion:** It was moved by Selectwoman Murphy and seconded by Selectman Ganiere to approve the March 18, 2014 minutes as submitted.

**The motion carried unanimously; 5 – 0.**

**III. REPORTS OF COMMITTEES**

**a. BCTV Committee Update - None**

**b. Downtown Vision Committee (DVC)**

**Frank Underwood –** Mr. Underwood presented the DVC update.

Mr. Underwood introduced the other DVC members present: Judy Haley, Pat Boisvert, Paul Boisvert and Kevin Gray.

Mr. Underwood gave an update on behalf of Jessica Sheldon regarding the three winter farmer's markets that were held in January, February and March.

1. Each market had more attendees.
2. Ms. Sheldon wished to thank the BOS, Town staff and volunteers for their assistance.
3. Ms. Sheldon hoped that the markets can continue.

Members of the committee have met with the bridge construction contractors and DOT and found that the barricades that will be used are movable and may be moved for activities in the downtown area.

Mr. Gray, a member of the Economic Development Committee reported on a meet with UNITIL and Mr. Kehaya regarding the future expansion of natural gas to the downtown area. Four options were discussed:

1. Bring gas through Somersworth - the interstate nature of this endeavor would be expensive and not timely.
2. Bring the gas through South Berwick – costly
3. Bring the gas through North Berwick – perhaps lining up other large users like MSAD #60 to help defray costs.
4. The possibility of trucking in compressed natural gas.

Pat Boisvert stated that she attends Believe Committee meetings at Noble High School. She recently spoke with the Director of Admissions for York Community College, Fred Quistgard, about the future possibilities at the Prime Tanning site. Mr. Quistgard mentioned that York Community College was looking at future expansion and would like updates as to what develops at the site.

Mr. Underwood broached the subject of whether the Economic Development Committee should be formalized before the Town Meeting. No action was taken.

- d. **Rec Committee Update - NONE**

#### **IV. FIRST PUBLIC COMMENT - None**

#### **V. APPOINTMENTS/PRESENTATIONS/OTHER GUESTS**

- a. **Public Hearing on Proposed Update to 1991 Comprehensive Plan re: Downtown Vision 7:07 p.m.**

Mr. Boisvert questioned whether this is an update or an addendum and whether it would legally be the priority to the 1991 Comprehensive Plan. Selectman Crichton asked if this addendum would have precedence over earlier adoptions and changes.

The Town Manager explained that Comprehensive Plans often have competing goals and this addendum applies only to the "downtown" area and is not something that concerns other areas of Berwick.

Chairman O'Connor asked Mr. Underwood if the Planning Board was "unanimous" in its support of the proposed addendum and Mr. Underwood stated that it was a unanimous vote of those present.

Chairman O'Connor closed the Public Hearing at 7:17 p.m.

**Motion:** It was moved by Selectwoman Murphy and seconded by Selectman Crichton to place the proposed Addendum to the 1991 Comprehensive Plan on the Town Meeting Warrant.

**The motion carried unanimously; 5 – 0.**

Chairman O'Connor stated that he felt that this would help to open up development and start the Town moving forward.

Mr. Underwood started to go over what the DVC felt would be the next steps to take to move forward. The consensus of the BOS was to wait on the next steps until the public had a chance to vote on the warrant article at Town Meeting.

- b. **Brian Cincotta Request for Appointment to BCTV Committee – moved to earlier on agenda**

#### **VI. COMMUNICATIONS**

- a. **York County Budget Committee Litigation Update**

This was an FYI item to update the BOS on the finding of the Court in favor of the York County Budget Committee whom the BOS supported in this legal endeavor. No action was taken.

- b. **South Berwick Approach to Commuter Park and Ride**  
This item was a follow-up from the prior BOS meeting. The Town Manager of South Berwick informed Berwick's Town Manager that the park and ride situation in his similar. There just does seem to be enough parking for the park and ride and others needing parking during the day in their downtown area. The BOS and Town Manager discussed this being a regional problem with a possible regional solution.
- c. **Radon Testing for Town Hall**  
The Town Manager stated that the radon testing kit has been purchased by the Code Enforcement Officer and the test will be conducted soon.
- d. **AEC Engineering Partnership for Efficiency Upgrades at Town Hall**  
The Town Manager has not heard back from Mr. Nichols as of this meeting.
- e. **Update on Research RE: Municipally – Imposed Land Use Violation Fines**  
No Discussion/ No Action
- f. **4H Foundation Funding Request**  
No Discussion/No Action
- g. **Local Option Liquor Sales Warrant Article Petition Potential**  
Cumberland Farms will not be placing the voters' petition article regarding sale of alcohol on the upcoming Town Warrant. Their goal is the June 10 general election date for a Special Town Meeting.

**VII. APPROVAL OF ACCOUNTS PAYABLE WARRANTS**

W	1438	\$77,987.71
PR	1439	\$36,557.79
WW	1438	\$409.06

**Motion:** It was moved by Selectwoman Murphy and seconded by Selectman Ganiere to approve the Accounts Payable Warrants as presented.

The motion carried unanimously; 5 – 0.

**VIII. QUITCLAIM DEEDS AND/OR INSTALLMENT CONTRACTS - NONE**

**IX. UNFINISHED BUSINESS**

- a. **Finalization of Annual Town Meeting Warrant for May 13, 2014**

**Motion:** it was moved by Selectman Crichton and seconded by Selectwoman Murphy to add wording to each article on how the BOS voted at their budget meetings.

The second and motion were withdrawn.

**Motion:** It was moved by Selectman Crichton and seconded by Selectwoman Murphy to place BOS recommendation as to whether an article should pass on the warrant.

The motion carried unanimously 5 – 0.

The consensus of the BOS was to read the draft warrant, discuss any changes and vote to accept the warrant at the end with any approved changes.

(These minutes will only reflect non-unanimous votes, language and additions/deletions)

**Article 18** - Selectman Haley stated that he cannot support this; it is not transparent.

The vote on the Warrant 4 – 1.

**Article 21** – Remove "Note."

**Article** – Remove from Warrant and renumber accordingly.

**Article 29** – Add: “and Holiday.”

**Article 31** – Correct 2014/2014 to 2014/2015 and in the note add “and unserviceable.”

**Article 33** – Should read “purchase of.”

**Article 34** – The vote is 5 – 0.

**Article 42** – The vote is 4 – 1.

**Motion:** It was moved by Chairman O’Connor and seconded by Selectman Ganiere to approve the Town Warrant as amended.

**The motion carried unanimously; 5 – 0.**

The Town Manager stated that there was an article on the 2005 Town Warrant which passed that gave authority to the BOS to accept Grants and other Funds.

It was the consensus of the BOS to add summary sheets showing expenditures for the last two – three years for a comparison history in the Town Report.

**b. Opportunity to Clarify BCTV Coordinator Hiring Process**

The BOS had several questions regarding this item: the funding for the position, the Town’s Nepotism Policy if one of the candidate’s spouses is elected at Town Meeting to selectman position. The consensus was to bring this item back at a future meeting.

**XI. NEW BUSINESS**

**a. Request from Public to Mail Town Report Notification Postcard**

Discussion centered on the availability of the Town Report. The Town Clerk will be posting online, putting out a PSA on BCTV to let the public know when the Town Report will be available.

**Motion:** It was moved by Selectwoman Murphy and seconded by Selectman Ganiere to mail postcard notices funded through Contingency Funds to announce when the Town Report is available.

**The motion carried; 4 – 1 (O’Connor)**

There was discussion of the earlier requested salaries list for the Town Report regarding the incorrect withholding on Selectman pay and to reflect it correctly in the salaries. Finance Director Maureen Finger explained that she was working with the IRS on this issue to make sure there was a paper trail for any future audit.

**II. ABATEMENT/SUPPLIMENTALS - None**

**XIII. SECOND PUBLIC COMMENT**

**Selectwoman Murphy -** Selectwoman Murphy gave an update on the Berwick Public Library book sale. The sale netted \$963; the target had been \$1000. Selectwoman Murphy stated that she would be working on another fundraiser for the fall. She also wished to thank members of the Berwick Police Department for carrying the books out of the basement for the sale and the leftover back down.

**XIV. OTHER BUSINESS/NON-AGENDA ITEMS**

There was discussion regarding mailing of the Town Warrant. It was consensus to not mail the Warrant, but put the word out about the Warrant by posting on the website, making available at the Town Office, a getting a PSA on BCTV.

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The Town Manager gave an update as to the status of the Teamsters 340 mediation. He stated that there was proposed meeting dates of April 22<sup>nd</sup> or 26<sup>th</sup>. The Police negotiations will be able to move forward when the negotiator has recovered from a health issue.

The Town Manager will be meeting with MSAD #60 Superintendent Steve Connelly regarding tipping fees.

TerryAnn Holden and Kevin Gray will be meeting with the Town Manager on March 31<sup>st</sup> regarding grant funding.

The Town Manager stated that "Orals Boards" had been conducted earlier in the day for the Sergeant opening in the Police Department.

LD1 Tax Cap was discussed. The Town Manager stated that it was exceeded three times over the past few years.

Chairman O'Connor stated that he felt "all boards" meeting should take place after the Town Meeting in order to see whether the addendum to the Comprehensive Plan passes.

Selectman Ganiere inquired as to whether the Town had a similar "call" system to the school to call residents regarding the upcoming Town Meeting vote. The Town does not.

**XV. POTENTIAL EXECUTIVE SESSIONS – NONE**

**XVI. ADJOURNMENT**

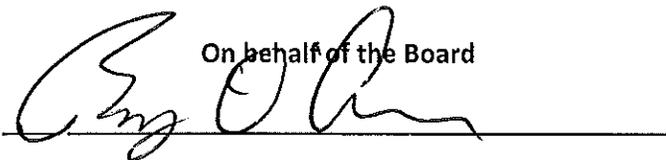
**Motion:** It was moved by Selectman Crichton and seconded by Selectman Ganiere to adjourn.

The motion carried unanimously; 5 – 0.

The meeting was adjourned at 9:56 p.m.

The March 27, 2014 BOS Meeting Minutes  
Signed as approved at the Board's April 1, 2014 Meeting

On behalf of the Board



Bryan O'Connor, Chairman, Berwick Board of Selectmen