

**BOARD OF SELECTMEN/BOARD OF ASSESSORS
MEETING MINUTES
April 1, 2014**

I. ROLL CALL AND PLEDGE OF ALLEGIANCE

CALL TO ORDER: 6:34 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, Highway Foreman Robert Perschy, Police Chief Timothy Towne

II. APPROVAL & SIGNATURE OF MINUTES

Motion: It was moved by Selectwoman Murphy and seconded by Selectman Haley to approve the March 27, 2014 minutes as amended (strike unanimously from XI. a. the vote was 4 – 1)

The motion carried unanimously; 5 – 0.

III. REPORTS OF COMMITTEES

a. BCTV Committee Update

Lisa Huestis, Chair ,Vicki Stone – Ms. Huestis stated that since the time the BCTV brought the proposal for hiring a Coordinator 25 hours per week, the committee has discovered that the position would not legally be a “contractor” position, but would have to be considered a Town position. This changes the committee’s initial wage offering due to the benefits that would have to be paid. All wages and benefits will be paid from the BCTV account. The committee has decided to start at \$20 per hour and work backward deducting the benefits. BCTV

Other community television stations were contacted and \$18.75 would be considered on the low side. BCTV is currently run by volunteers and they are sometimes spending more than thirty hours a week editing, filming and setting up.

Selectman Haley stated that he feels that the position was a “cushy gig” for and administrative position. Terri Wright explained that there was a lot of technical work, physical work, and administrative work that was part of the position. Selectwoman Murphy stated that there was a lot of “behind the scenes” work.

Motion: It was moved by Selectman Crichton and seconded by Selectman Haley to support the position for twenty-five (25) hours per week but not having set hours in order to best meet BCTV’s needs and coverage of BOS and other meetings.

Selectman Haley asked if the BCTV Committee was self-governing. The Town Manager stated that this is “gray area.”

The Town Manager stated that the position would be a benefit and that BCTV Committee is just a committee-an entity of the Town.

Selectman Ganiere stated that he is a big supporter of BCTV and that it is a tremendous asset to the Town.

The motion carried on a vote of 3 – 2. (Ganiere, O'Connor)

Motion: It was moved by Selectwoman Murphy and seconded by Selectman Ganiere that the BCTV Coordinator position must be paid for out of Revenues paid by Comcast.

The motion carried unanimously; 5 – 0.

Ms. Stone asked about clarification on the hiring process. The Town Manager stated that he was responsible for hiring Town employees but that he depends on management and their choices. Ms. Stone just wanted to be certain that the BCTV Committee will be involved in the hiring process for this position

Motion: it was moved by Chairman O'Connor and seconded by Selectwoman Murphy to temporarily remove the hiring freeze for the BCTV Coordinator position.

The motion carried unanimously; 5 – 0.

b. **Downtown Vision Committee (DVC) - NONE**

d. **Rec Committee Update**

Kim Taylor – Recreation Director

1. Ms. Taylor recognized Jessica Sheldon for all of her work and success with the Farmer's Market.

2. Ms. Taylor announced that the annual clean-up for the Town will be April 19th through the 27th.

3. The applications for summer staff and volunteers are now available.

IV. FIRST PUBLIC COMMENT - NONE

V.a. UNFINISHED BUSINESS WAS MOVED TO THIS POINT ON THE AGENDA UNFINISHED BUSINESS

a. **Discussion of Road Improvement Priorities Plan**

The Town Manager explained the process used to determine the ten (10) roads in most need of repair work. There was discussion regarding the extent of repairs and Highway Department Foreman Robert Perschy and the Town Manager answered questions.

Selectman Crichton raised the subject of hiring an engineering firm to give direction on what is needed to perform a long term fix or repair.

Motion: It was moved by Chairman O'Connor and seconded by Selectwoman Murphy to put out an RFP for Pine Hill Road and the Police Department Parking while waiting for more information regarding Sullivan Street and Wilson Street and the Rochester Street work.

There was discussion regarding whether the funds were approved and whether it was ok to release an RFP now.

Chairman O'Connor withdrew his motion and Selectwoman Murphy withdrew her second.

Motion: It was moved by Chairman O'Connor and seconded by Selectwoman Murphy to release an RFP for full-depth reclamation work on Pine Hill Road.

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

X.c. NEW BUSINESS WAS MOVED TO THIS POINT

c. **Presentation of Draft Fund Balance Policy**

Finance Director Maureen Finger stated that one of the comments in the last fiscal year's audit was the suggestion of a Fund Balance Policy. By Ms. Finger's calculation it should currently be set at 12.5%.

Motion: It was moved by Selectman Ganiere and seconded by Selectman Haley to adopt the Finance Director's proposed Fund Balance Policy currently set at 12.5%.

The motion carried unanimously; 5 – 0.

The BOS asked about the budget Ms. Finger had given them being the "actual" budget figures from the County and School District. Ms. Finger stated that the budget figures for the County were estimated and that the School budget figures would not be available until April 11th. The BOS wished for the actual figures to be included in the proposed budget.

VI.b. COMMUNICATIONS MOVED TO THIS POINT ON THE AGENDA

b. Historical Summary of Compliance with LD1

Finance Director Maureen Finger stated to the BOS that she could not find any documentation regarding whether the Town of Berwick had exceeded the Tax Cap.

Selectman Haley stated that it was water under bridge/ancient history and the Town would be moving forward.

VI.d. COMMUNICATIONS MOVED TO THIS POINT ON THE AGENDA

d. Chief Towne explained the issue to the BOS and stated that it was dangerous to pull out at the Sullivan School exit due to the parked cars blocking the view of traffic.

The Planning Board will be taking final action next week after all of the abutters are notified.

VI. COMMUNICATIONS

a. Department Updates

c. Riverfront Land Purchase Potential Update

The Town Manager stated that there had been further discussion with Mr. Selig regarding the purchase of his property on the river. Since further looking into the matter, it is not a "necessary" purchase by the Town.

Consensus of the BOS was to take no action.

Selectman Haley stated that he noted that the Fire Department includes service calls in their reports, but he would like to see how many calls they do not respond to. It was the consensus of the BOS to include all calls and times of calls in the Fire Department Report going forward.

VII. APPROVAL OF ACCOUNTS PAYABLE WARRANTS

W	1439	\$43,643.64
PR	1440	\$36,727.39
WW	1439	\$7,912.34

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

The motion carried unanimously; 5 – 0.

VIII. QUITCLAIM DEEDS AND/OR INSTALLMENT CONTRACTS – NONE

X. b. NEW BUSINESS MOVED TO THIS POINT ON THE AGENDA

b. UPDATED REQUIREMENTS FOR RECORDING QUITCLAIM DEEDS RE: REAL ESTATE TRANSFER TAX

The Town Manager explained that the Registry of Deeds now requires a real estate transfer tax form to be signed whenever a municipality quitclaim deeds a piece of tax foreclosed property back to its previous owner. The forms provide two signature lines only for the "grantor". It would appear to be appropriated to make a motion to permit

the Chairman to sign real estate transfer tax form for any piece of tax foreclosed property approved by the BOS to be deeded back to its previous owner.

Motion: It was moved by Selectman Haley and seconded by Selectman Ganiere to grant authorization to whosoever shall hold the position of Chairman of the Berwick Board of Selectmen (or Town Manager) to sign real estate transfer tax forms as may be required to formally record deeds of tax foreclosed property, upon and only upon Board action approving any underlying conveyances memorialized in such deeds, on behalf of and for the Board as a whole as agent for grantor Town of Berwick.

The motion carried unanimously; 5 – 0.

IX. UNFINISHED BUSINESS

b. DISCUSSION OF APPROACH TO TOWN HALL HVAC SYSTEM MAINTENANCE/REPLACEMENT

Discussion ensued as to what steps to take in order to move forward with the HVAC upgrade/replacement. The consensus of the BOS was to try and go with option #3 geothermal if possible and have option #4 boiler and HSP systems as a secondary choice. There were three motions made and withdrawn.

The consensus of the BOS was to have the Town Manager make some phone calls and see if he can get some rough estimates on options #3 and #4.

X. NEW BUSINESS

a. APPROVAL OF CHAIRMAN'S LETTER ON BEHALF OF THE BOARD FOR FY 14 TOWN REPORT

Motion: It was moved by Selectman Haley and seconded by Selectman Ganiere to approve the Board of Selectmen Report as written.

The motion carried unanimously; 5 – 0.

XII. ABATEMENTS/SUPPLEMENTALS - NONE

XIII. SECOND PUBLIC COMMENT

Selectwoman Murphy used this time to state that she did not like the comment at the last meeting that Mathews was picking up outside of town. That comment was insinuating that the company was dishonest.

Andrea Ouimette – Ms. Ouimette inquired about whether Mr. Pendergast could still be on the Budget Committee if he is elected as Selectman.

The Town Manager stated that the Budget Committee ends at Town Meeting. He is hoping to extend the duties of the Budget Committee into an advisory committee on finances in general.

XIV. OTHER BUSINESS/NON-AGENDA ITEMS

The Town Manager stated he had short list.

1. April 25th is the last day to get everything to the Town Clerk for a Special Town Meeting requiring a secret ballot vote.
2. TerryAnn Holden, Frank Underwood, Kevin Gray and Planner John Stoll will be meeting to discuss grant funding.
3. There is a list of grant opportunities put forward by the DVC.
4. The gas theft case has final come to a close with a final payment to the Town of \$1,276.

5. Officer Shisler has been promoted to the rank of sergeant which will become official on April 7, 2014.
6. A local wrestling club has requested the use of space at the Police Department building.

XV. POTENTIAL EXECUTIVE SESSIONS

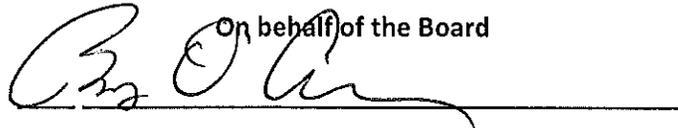
- a. **Discussion of Potential Employee Sick Time Allowance for Town Hall Employee – Per M.R.S. 405(6)(A)(1)**

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to enter into Executive Session per M.R.S. 405 (6)(A)(1) to discuss Potential Employee Sick Time Allowance for Town Hall Employee.

The motion carried unanimously; 5 – 0.

XVI. ADJOURNMENT

**The April 1, 2014 BOS Meeting Minutes
Signed as approved at the Board's April 15, 2014 Meeting**

 On behalf of the Board

Bryan O'Connor, Chairman, Berwick Board of Selectmen