



**BOARD OF SELECTMEN/BOARD OF ASSESSORS
REGULAR MEETING MINUTES
May 5, 2015
6:30 p.m.**

I. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call to Order: 6:30 p.m.

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

ABSENT: Selectman Wright

OTHERS PRESENT: Interim Town Manager Bruce Benway, Town Clerk Jo Anne Lepley, Water Department Operator Chris Wiseman, Public Works Supervisor Robert Perschy

II. APPROVAL OF MINUTES

a. April 21, 2015 BOS Meeting Minutes

Motion: It was moved by Selectman Ganiere and seconded by Selectman Pendergast to approve the April 21, 2015 BOS Meeting Minutes as submitted.

The motion carried unanimously; 3 – 0 (O'Connor abstained due to absence from the meeting)

III. FIRST PUBLIC COMMENT - None

IV. PUBLIC HEARING – None

V. APPOINTMENTS/PRESENTATIONS/OTHER GUESTS

a. Sandy Bolotsky – Water Rate Case Update

Ms. Bolotsky stated that she was there to update the BOS on the progress on the Water Rate Case. She explained that the PUC had sent data requests and approximately fifty-six questions to answer and that the PUC had scheduled the Technical Conference for May 15th. The Technical Conference will assist the PUC in deciding if there is further “discovery” needed before the Hearing or whether the Hearing will be scheduled. Ms. Bolotsky stated that she was also there to ask for BOS approval to move forward with any discussions that may take place on behalf of the Town and bring anything that may require a decision back to the BOS. She also explained that this particular Rate Case is focusing on rate structure.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to allow Sandy Bolotsky to enter into discussion on behalf of the Town of Berwick and bring back any final decision to the BOS.

The motion carried unanimously; 4 – 0.

b. Jay Wheeler - Sewer Department

There was discussion with Mr. Wheeler and with Dave Stolpe, Sewer Board Chairman, regarding what the BOS was looking for as back-up material for the Sewer District's request. It was clearly stated that the BOS wanted the Sewer District's budget and Mr. Wheeler and Mr. Stolpe stated that this would be given to the BOS. It was agreed that the District would come before the BOS

and present their budget and answer any questions at the June 2, 2015 BOS meeting. After the presentation, the BOS would decide on whether to hold a Special Town Meeting.

VI. REPORTS OF COMMITTEES

a. BCTV Committee – None

b. Envision Berwick Committee (EBC)

Frank Underwood – Mr. Underwood presented on behalf of the EBC. Mr. Underwood thanked the Legion and Town for his being given the Citizen of the Year award.

1. On April 22, 2015, the EBC held a public forum that was taped by BCTV and is currently being shown on PEG TV. There will be more public forums to come.
2. The EBC and Workforce Housing Coalition (WHC) did a site walk on April 27, 2015 of the Estabrook School and the Prime Tanning site. The WHC is primarily interested in the proposed mixed use are at the Prime Tanning site and this would be a pilot project for them. WHC gave the EBC a questionnaire and the next meeting will be May 14, 2015.
3. The KACTS site walk is scheduled for May 20, 2015. The EBC feels that a base map of existing conditions will be an important outcome of this.
4. There was an article in Foster’s regarding the Riverfront and the PS&H property.
5. The EBC will be meeting on May 5, 2015 and will be discussing the appointments and renewals of membership.
6. The bridge has been closed for the railroad crossing work in Somersworth. The overhead cables will be gone and the EBC is working on having the area landscaped.
7. The EBC is still gathering information on whether remodeling or demolition of the Estabrook School property would be the most feasible. They have speaking with Ralph Blackington, Dana Hall and Dave Stolpe.
8. The last item was to encourage residents to get out and vote. The EBC feels that Articles 3, 23, and 24 are extremely important for the Town to move forward.

Dennis Dupuis – Riverfront Committee

Mr. Dupuis stated that the Riverfront Committee had a great response to their fundraiser at the Farmer’s Market. Funding is currently at \$5,680 and that will enable the committee to have the lot surveyed since discovering during research the old measurements are not to spec. The lot had fifteen cars parked there during a meeting and there appears to be plenty of space for parking and the proposed buildings/improvements.

Chairman O’Connor asked about how the donations were being handled and the term “secured funding” that Mr. Dupuis had used. Mr. Dupuis stated that he had meant donated funds and explained that there had been an account set-up through the Town and administered by Finance Director Maureen Finger. Donations can be made by addressing them to the Town of Berwick, Friends of Berwick Riverfront.

VII. UNFINISHED BUSINESS

a. Regional Dispatch Opportunities

The Town Manager stated that Chief Towne was still waiting for a response back from Wells and that he had discussed this with South Berwick Town Manager Perry Ellsworth and that Mr. Ellsworth was present for tonight’s discussion.

Mr. Ellsworth addressed the BOS with a history of “regional dispatch” for the area going over the many years of attempts to get this type of service regionalized. This is a complicated issue not only from the cost perspective, but also from the technological perspective also.

Mr. Ellsworth stated that he would be willing to change the current dispatch contract with South Berwick to a month to month with a 120 day notice to end clause. The regionalization may

take a long time to put into place and he feels month to month would be the best way to go in the near future.

Mr. Ellsworth also mentioned that the Code Enforcement Officer contract is also due for renewal with a slight increase.

Chairman O'Connor stated that the Police Chief has done a lot of research on this matter and does not want to see all of that go to waste. Mr. Ellsworth stated that it would not, but first, the Town Managers need to meet and then the Police Chiefs, Fire Chiefs and any other departments involved would start meeting and all would bring that research and start discussions.

b. Bids for 6-Wheel Plow Truck

The Town Manager stated that after meeting with the Public Works Foreman, they decided to recommend the Daigle & Houghton Western Starr bid. The bid wasn't the lowest, but the Town had just purchased the same truck from them and having the same brand of truck could save money on maintenance and parts.

Motion: It was moved by Selectman Crichton and seconded by Selectman Pendergast to accept the bid of \$166,664 from Daigle & Houghton for the Western Starr, pending Town Meeting approval.

The motion carried unanimously; 4 – 0.

VIII COMMUNICATION

- a. Members for Noble High School Memorial Scholarship Committee**
Chairman O'Connor and Selectman Ganiere volunteered.

IX. APPROVAL OF ACCOUNTS PAYABLE WARRANTS

A/P WARRANT	1543	\$51,880.81
WATER WARRANT	0543	\$1,498.20
PAYROLL WARRANT	1544	\$40,850.07
A/P WARRANT	1544	\$78,840.15
WATER WARRANT	1545	\$5,830.66
PAYROLL WARRANT	1545	\$48,752.70

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

The motion carried unanimously; 4 – 0.

X. NEW BUSINESS

- a. CMP Town Pole Permit**

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to approve and sign the CMP Pole Permit request as presented.

The motion carried unanimously; 4 – 0.

- b. Maine Highway Safety funds – Equipment Reimbursement**

Motion: It was moved by Selectman Crichton and seconded by Selectman Pendergast to accept the Maine Highway Safety Funds Grant for Equipment Reimbursement.

The motion carried unanimously; 4 – 0.

- c. Authority to use 217 Old Sanford Road for Fire Training Exercise**

Selectman Crichton asked if there were currently any liability issues and if there were any legal or liability issues associated with the proposed training exercise. The Town Manager stated that the Town owns the building and currently there are liability issues with people going into the property. There has already been a hazardous materials survey completed.

Motion: It was moved by Selectman Ganiere and seconded by Selectman Pendergast to proceed to use 217 Old Sanford Road for fire training exercise as recommended.

The motion carried unanimously; 4 – 0.

d. **Signing of Amended Town Meeting Warrant – Discussed earlier**

XI. QUITCLAIM DEEDS AND/OR INSTALLMENT CONTRACTS

a. **Quitclaim Deed Re: R038-014**

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to approve the Quitclaim Deed Re: R038-014-000.

The motion carried unanimously; 4 – 0.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to table the installment contracts until the next meeting and have the Town Manager look into the policy.

The motion carried unanimously; 4 – 0.

b. **Installment Contract Re: U003-034-000-000**

c. **Installment Contract Re: R041-020-00B-000**

d. **Installment Contract Re: R051-008-000-000**

e. **Potential Installment Contracts Re: R038-008-00B-000**

f. **Potential Installment Contract Re: R045-024-000-000**

XII. ABATEMENTS/SUPPLEMENTALS - None

XIII. SECOND PUBLIC COMMENT

Eleanor Murphy – Ms. Murphy spoke against Article 29 on the Town Warrant.

Perry Ellsworth – Mr. Ellsworth stated that Interim Town Manager Bruce Benway was great to work with and reminded the BOS that the CEO contract and the dispatch contract were both due for renewal. He also stated that there may be missed opportunities for capital projects between the Towns when combining orders.

IVX. EXECUTIVE SESSION

a. **MRSA Title 36 § 841(2) – Poverty Abatement (Tabled at 4-21-15 BOS Meeting)**

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere to enter into Executive Session per MRSA Title 36 §841 – Poverty Abatement.

The motion carried unanimously; 4 – 0.

The BOS entered into Executive Session at 8:15 p.m.

The BOS returned to Regular Session at 8:28 p.m.

Motion: It was moved by Chairman O'Connor and seconded by Selectman Ganiere re R001-013 to authorize the tax collector to reduce the amount to be collected for Fiscal Year 2013 to \$1,000 and Fiscal Year 2014 to \$1,000.

The motion carried unanimously; 4 – 0.

XV. OTHER BUSINESS/NON-AGENDA ITEMS

Chairman O'Connor – Chairman O'Connor Stated that this was his last BOS meeting and that it been a pleasure serving with all current and past members. He had enjoyed his time and it had been a tremendous learning experience. He thanked all of the Town's employees and residents.

XVI. ADJOURNMENT

Motion: It was moved by Selectman Ganiere and seconded by Selectman Crichton to adjourn.
The motion carried unanimously; 4 – 0.

The meeting was adjourned at 8:31 p.m.

**The May 5, 2015 BOS Meeting Minutes
Signed as approved at the Board's May 19, 2015 Meeting
On behalf of the Board**



Robert Crichton, Vice-Chairman, Berwick Board of Selectmen