

MINUTES

The Meeting was called to order at 6:30 PM by Chairman Haley. Board Members Murphy, Crichton, and Ganiere were present. Mr. O'Connor was absent. The Chairman led those present in the Pledge of Allegiance.

MINUTES. The Board voted to approve the Minutes of July 17, 2012. Murphy/Crichton 4/0.

PUBLIC COMMENT. The Chairman noted that the Board was operating under the current three minute rule with a maximum of fifteen minutes and that this rule would be further discussed later on the Agenda. Comments included the suggestion that the Second Chance Shop be kept open on Tuesdays and it was so voted. Crichton/Murphy 4/0. A request was made to remove some old faded signs located around the old high school. The Chairman noted that retention of those signs is favored by some residents to prevent the blocking of their driveways. They will be inspected for their condition. Concerns were voiced about the upcoming Planning Board Meeting and how it may vote on the Sullivan Street School Project. Mrs. Murphy noted that the Board of Selectmen has no jurisdiction over the Planning Board. Interest was also expressed about the scope of the Independent Investigation about to be initiated on the Sullivan Street School Project.

COMMUNICATIONS. The Town Manager explained that, like any other communication addressed to the Board of Selectmen, one had been received from resident Ron Long and was listed on the Agenda. In an effort to provide answers to the questions posed by Mr. Long, the Fire Chief had provided a response to the Board Members. Mrs. Murphy suggested an outside review of the Fire Department be conducted as had been done with the Police Department and noted that she believed such a review would be welcomed by the Fire Chief. The Chairman observed that the Board had no legal obligation to respond to questions but all agreed that it would continue to do so in the interest of being responsive to the residents who ask them. The Town Manager was directed to arrange for RFP's to be sent for an outside evaluation of the Fire Department by an appropriate authority. Crichton/Murphy 4/0. It was suggested he first contact the Fire Marshal to see how that might best be accomplished. The Town Manager will also forward Mr. Long a copy of the Fire Chief's responses to the questions he posed.

WARRANTS. The Board approved Payroll Warrants 1303 (\$40,493.60), 1304 (\$38,817.49), 1305 (\$39,053.21) and Town Warrants 1252B (\$14,661.94), 1303 (\$92,098.94), 1304 (\$94,220.08) and Water Warrants W1252A (\$8,224.79), W1304 (\$6,324.33). Murphy/Crichton 4/0.

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REPORTS OF COMMITTEES. None.

UNFINISHED BUSINESS.

A. **Agreement with South Berwick.** The Agreement to share Code Enforcement, Building Inspector and Plumbing Inspector Services with South Berwick on a trial basis was approved and the Chairman was authorized to sign it. Crichton/Murphy 4/0. A copy of the Agreement is attached to and made a part of these Minutes. The Town Manager thanked the Town Manager and Council in South Berwick for their assistance and cooperation in this matter.

B. **Independent Review of Sullivan Street School Project.** The Town Manager explained that of the three firms he had contacted, one sent word that it could not submit a proposal due to its current workload. Leah Rachin from Bergin Parkinson and Sandra L. Guay from Woodman Edmands Danylik Austin Smith & Jacques both submitted proposals and both were present to explain their backgrounds and to respond to questions from Board Members. The Chairman read an e-mail message from Mr. O'Connor stating he had no objection if the Board decided to proceed with a decision following the interviews and stressing the importance of maintaining this as an independent review. Following that, the Board voted to engage the services of Lea Rachin from Bergin Parkinson as Members felt her experiences more closely matched the needs of Berwick. Crichton/Murphy 4/0. The Town Manager expressed his thanks and appreciation to all three attorneys who had taken the time to consider responding to the Town's request for proposals.

C. **Interim Town Manager Priority List.** The Town Manager explained that he felt he could best help the long term interests of the Town during his remaining time here by focusing on updating Job Descriptions as they form the cornerstone to the personnel function, working with the Public Works Department to complete summer projects and working with the Water Department to help on the Standpipe Painting Project which is the subject of a later item on the Agenda. In response to a question, he noted that his style was one of being a "hands on Manager" and that other Managers have other styles. Board Members did not disagree with his priorities.

D. **Capital Improvement Expenditures.** Mr. Crichton noted that a Committee had previously reviewed the various repair projects and stated he would make sure the Town Manager received a copy of the list. This will be listed on the Agenda for August 7, 2012 for further discussion of the items on the list.

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E. Current Board Policy. Following discussion, the Board Members agreed to adopt the following changes to the Berwick Board of Selectmen Policy. 1) Under Section 11, at the end of the second sentence, add “for the first Public Comment Period.” 2) Under Section 11, add two new sentences to read: “There shall be no limit under the second Public Comment Period” and “The Board shall always have the discretion to allow comments at other times during the Meeting when circumstances so warrant providing there is a consensus of the Board Members present to do so.” Murphy/Crichton 4/0. The Town Manager will add these amendments to the Policy.

F. Road Projects. The Town Manager provided Board Members with a list of roads that he and the Public Works Department Foreman had driven over for them to consider for a more in depth discussion at the Board Meeting to be held on August 7, 2012.

G. Town Hall Steps. This matter will be discussed as described in D. above.

NEW BUSINESS.

A. Water Department Issues. The Town Manager introduced Chief Operator Chris Weisman who provided a detailed presentation to bring the Board up to date on the Standpipe Repair/Painting Project which has fallen badly behind schedule. A copy of his Report is attached to and made a part of these Minutes. Following his presentation, lengthy discussion ensued about different options available at this point in time. He will investigate getting temporary tanks to place on our site and will check with the Fire Chief about Fire Department water needs during the time the Standpipe is down for painting/repairs with an eye toward putting off the project until next spring and keeping the entire Project in Berwick and, in the meantime, working on improvements to the plant. Mr. Crichton noted that it would be best to have mutual aid in the form of tanker trucks during the time the Standpipe is under repair and being painted. Increasing the debt being incurred for this project from its current \$300,000 level will also be investigated. The Board granted its approval for this approach in concept. Mr. Weisman was asked to do a cost/risk analysis and was authorized to consult with an engineer. He will provide an update at the Board Meeting on August 7, 2012. Crichton/Murphy 4/0.

B. & C. RFP. Both of these items were tabled unassigned until a full-time Manager is hired. Murphy/Ganiere 4/0.

D. Police Department Grant. The Chairman read the details of the grant which requires no local match and will be administered by the Police Department. It was accepted. Crichton/Ganiere 4/0.

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E. Grass Issue. Mrs. Murphy asked what could be done about grass growing in and out of the curbing. The Town Manager stated this will be addressed as part of a wide ranging discussion of the Public Works Department Budget at the Board Meeting on August 7, 2012.

F. Public Meeting on new Berwick/Somersworth Bridge Project. The Town Manager reminded Board Members of the Public Meeting scheduled for Thursday, August 2, 2012 in Somersworth and suggested at least one Board Member should attend and inquire about decorative lights being planned for the Bridge and whether the Town of Berwick will be expected to pay for any part of their cost or operation. Mr. Crichton will attend the Meeting.

G. Speed Limits. The Town Manager was asked to contact Sen. Ron Collins to see if he ever received a request to lower the Speed Limit on Cemetery Road from 45 to 35 MPH. The State MDOT must approve such changes in local speed zones. The Town Manager noted how both he and the Police Department had recently requested updated lists of approved speed zones in Berwick from the Maine Department of Transportation and how difficult they were to understand. Rep. O'Connor was in the audience and agreed to meet with the Town Manager about this on Friday.

ABATEMENTS/SUPPLEMENTALS. None.

PUBLIC COMMENT. Comments centered on concerns about various aspects of the Sullivan Street School Project and information presented to and handled by the Maine State Housing Authority, about getting cable television out on Route 4, about getting an estimate to bring cable to the remaining roads in Berwick, about the ongoing Town Manager search, about road paving, about the future of the Prime Tanning property and about the status of the Disorderly Housing Ordinance. The Chairman advised that the Board has been keeping track of the situation at Prime Tanning and that the Town Manager will contact the representative from Comcast. The Town Manager will also be sent a copy of the Housing Ordinance as he has not seen it.

ADJOURNMENT. The Meeting was adjourned at 10 P.M. Crichton/Murphy 4/0.

Respectfully submitted,

James K. McMahon

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Interim Town Manager