

APPROVED MINUTES

May 15, 2012

BERWICK BOARD OF SELECTMAN

May 15, 2012

SELECTMAN CHAMBERS

Call to Order

Chairman Haley called the meeting to order at 6:33 P.M.

Roll Call

All Present: Chairman Haley, Vice Chair Crichton, Selectman Creveling, Selectwoman Murphy and Selectman O'Connor

Pledge of Allegiance

Chairman Haley led those present in the Pledge of Allegiance.

Approval of Minutes

Selectwoman Murphy moved to accept the minutes from May 01, 2012 as written, seconded by Selectman O'Connor. Vote was taken with all in favor. Motion passes 5/0

Public Comment

Ken Poirier came to the podium to give Selectwoman Murphy a T-shirt.

Oscar Stone came to the podium and noted that the signs on the sidewalk coming in to the town from Somersworth, NH looks trashy and needs to be addressed. Town Manager will check with CEO regarding sign ordinance.

Jodi Wright came to the podium and noted that she has an affidavit she obtained from Alfred, and she commented about the Fire Department budget.

Ron Long made a comment on budget concerns.

David Rodique made a comment that he wants the Board of Selectman to be prepared for the Planning board meeting on May 17, 2012 that contains the Bateman application.

Thomas Lavigne spoke about the Sullivan School project, approved plan was violated.

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Lisa Lapierre commented on the Fire Department budget, allow the residents to vote on the 20% decrease.

Communications:

Town Manager read a letter to the Board of Selectman and Berwick residents stating that his last day will be June 30th, 2012. No votes taken.

Finance Director and Town Clerk also leaving June 30th, 2012

Approval of Account Payable Warrants

Selectwoman Murphy moves to approve the disbursements of the town warrants: Warrant # T1244 in the amount of \$54,196.79 and warrant # T1245 in the amount of \$141,046.80
Seconded by Vice Chair Crichton. Vote taken all in favor, Motion passes 5/0

Report of Committees NONE

Unfinished Business

Recommendation and approval of Forestry unit Bid

Sam Tibbetts came to the podium and explained that the Fire Department was granted \$125,000 grant for the vehicle purchase. Fire Dept. reviewed three bids and the one that came close to the specifications was Blanchette Company. The town's monetary responsibilities for this purchase are \$6,250.00. Delivery and training are included in the price. Once fire fighters are trained on the vehicle the old Forestry vehicle will be decommissioned and returned to the State.

Selectman O' Connor moved to accept bid from Blanchette Company to purchase the forestry unit with accepted grant, Seconded by Selectwoman Murphy. Vote was taken motion passes 5/0.

Final review and approval of ATM Warrants

Article 1 & 2, NO

Article 4, NO VOTES VOTES

Article 3, NO VOTES

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Article 5, *Selectwoman Murphy moved to accept article 5, seconded by Selectman O'Connor*
Motion passes 5/0

Article 6: *Selectman Creveling moved to accept article 6, seconded by Selectwoman Murphy.*
Motion Passes 5/0

Article 7: *Selectwoman Murphy moved to accept article 7 as written. Seconded by Selectman O'Connor. Motion Passes 5/0*

Article 8: *Selectman Creveling moved to accept article 8 as written. Seconded by Selectman O'Connor. Motion passes 5/0*

Article 9: *Selectman O'Connor moved to accept article 9 as written. Seconded by Selectman Creveling. Motion passes 5/0*

Article 10: *Selectwoman Murphy moved to accept article 10, seconded by Selectman Creveling*
Motion Passes 5/0

Article 11: Chairman Haley stated that article 11 should be approved as written with the requirement of sharing staff between highway department and transfer station is removed.

Selectman Creveling moved to accept article 11, seconded by Selectman O'Connor
Motion passes 5/0

Article 12: *Vice Chair Crichton moved to accept article 13, seconded by Selectman O'Connor*
Motion passes 5/0

Article 13: *Vice Chair Crichton moved to accept article 13, seconded by Selectwoman Murphy*
Motion passes 5/0

Article 14: *Vice Chair Chricton moved to accept article 14, Selectman Creveling seconded*
Motion passes 5/0

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Article 15: *Selectman O' Connor moved to accept article 15, seconded by Selectman Creveling.*

Motion passes 4/1 Chairman Haley opposed.

Article 16: *Selectman Creveling moved to accept article 16, seconded by Selectman O' Connor.*

Motion passes 4/1- Vice Chair Crichton opposed.

Article 17: *Vice Chair Moved to accept article 17, seconded by Selectman O' Connor*

Motion passes 5/0

Article 18: *Vice Chair moved to accept article 18, seconded by Selectman Creveling*

Motion passes 5/0

Article 19: *Selectman Creveling moved to accept article 19, seconded by Selectwoman Murphy*

Motion passes 5/0

Article 20: *Vice Chair Crichton moved to accept article 20, seconded by Selectwoman Murphy*

Motion passes 5/0

Article 21: *Vice Chair Crichton moved to accept article 21, seconded by Selectman Creveling*
motion passes 5/0

Article 22: *Vice Chair Crichton moved to accept article 22, seconded by Selectwoman Murphy*

Motion passed 5/0

Article 23: *Selectman Creveling moved to accept article 23, seconded by Selectman O' Connor*

4/0 Selectwoman Murphy abstained

Article 24: *Selectwoman Murphy moved to accept article 24, seconded by Selectman O' Connor*

Motion passes 5/0

Article 25: *Selectwoman Murphy moved to accept article 24, seconded by Selectman O' Connor*

Motion passes 5/0

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Article 26: NO VOTES TAKEN

Article 27: *Vice Chair Crichton moved to accept article 27, seconded by Selectwoman Murphy
Motion passes 4/1 Chairman Haley opposed*

Article 28: NO VOTES TAKEN

Article 29: *Selectwoman Murphy moved to accept article 29, seconded by Selectman O' Connor
Motion passes 5/0*

Article 30: *Selectwoman Murphy moved to accept article 30, seconded by Selectman O' Connor
Motion passes 5/0*

Article 31: *Selectwoman Murphy moved to accept article 31, seconded by Vice Chair Crichton
Motion passes 5/0*

Article 32: *Selectman Creveling moved to accept article 32, seconded by Vice Chair Crichton
Motion passes 5/0*

Article 33: NO VOTES TAKEN

Article 34: NO VOTES TAKEN

Article 35: NO VOTES TAKEN

Break for recess at 9:45 P.M. Town Manager produced the town warrant for the board of selectman to sign.

Selectwoman Murphy moved to elect Ronald Turcotte and Priscilla Dube to the Sewer District Board of Trustees for a three year term, seconded by Selectman Creveling. Motion passes 5/0

New Business:

Development of tasks, goal and objectives- tabled to next meeting

Chairman Haley noted due to the resignation and retirement of employees as of June 30th Chairman wants to discuss with the board a plan of action to fill these position: Town Manager & Finance Director

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Discussion: Municipal Resources in Manchester, NH and Eaton Peabody, Portland, ME are consulting firms that will fill these position interim, until board can start the process in hiring new town manager. May 29th board will meet for workshop after TM gets proposals from the above firms.

Chairman Haley stated he needs Chapter 9 in his manual, and Selectman Creveling

Mr. Long would like to be refunded \$13.00 for copies. Statues and polices conflict with one another. Board will re-evaluate the policy for copies. Town Manager will look for sample policies. Selectwomen Murphy feels if you refund Mr. Long's you should refund everyone that has obtained copies. No motion was made.

Public Comment:

June 30th there will be an informational meeting pertaining to the Freedom of Access Act, 7:00 P.M. at the school

Selectman O' Connor wanted to congratulate Ashley Sheedy for obtaining the Girl Scout gold award.

Erik Saucier wants pedestrian sign at 85 School St area; there is a crosswalk that needs to be painted. TM will look into who is responsible. Town ROW adjacent to Mr. Sousa property wants to put a fence up; TM will talk to town engineer to distinguish the property line.

Chairman Haley would like a dedication of town report. *Selectman Crichton moved to dedicate this year town report to Keith Bowles, seconded by Selectwoman Murphy. Motion passes 5/0*

Andrea Ouimette appreciates the hard work the Board of Selectman has put forth.

Dave Stolpe would like to know, where the money is coming from to fund the new forestry vehicle. Finance Director stated from the CIP account.

Jodie Wright came to the podium to discuss Sullivan School Project

Adjournment:

Selectman Creveling moved to adjourn, seconded by Selectwoman Murphy with all in favor. Meeting adjourned at 10:41 P.M.

2012 ANNUAL TOWN MEETING WARRANT
Wednesday June 27, 2012 and Thursday June 28, 2012

To: Denise Dunn, a resident of the Town of Berwick in the County of York and the State of Maine.

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Berwick qualified by law to vote in Town affairs, to assemble at the Town Hall on Wednesday, the 27th day of June, 2012 A.D. at six o'clock in forenoon until eight o'clock in the evening then and there to act on **Articles 1 thru 27** as set out below:

And to notify and warn said inhabitants to meet at the Town Hall in said Town on Thursday the 28th day of June, 2012 A.D., at seven o'clock in the evening then and there to act on **Articles 28 thru 35** as set out below, to wit:

ARTICLE 1

To elect a Moderator to preside over the meeting.

ARTICLE 2

To elect by secret ballot, two Selectman (who also serves as Assessor and Overseer of the Poor) for three years, and one School Board Member for MSAD #60 for three years.

ARTICLE 3

To vote on the following referendum question: An ordinance entitled "Disbursement Warrant Ordinance", the purpose of the ordinance is to provide an emergency alternative to the statutory procedure for the approval of warrants authorizing the Town Treasurer to disburse public funds. (See Exhibit A)

ARTICLE 4

To vote on the following referendum question: An ordinance entitled "Town of Berwick Mass Gathering Ordinance", the purpose of the ordinance is to regulate mass outdoor gathering/special event attended by 175 or more persons, to continue two or more days, is intended as a commercial enterprise and could create a hazard to public health and safety. (See Exhibit B)

ARTICLE 5

Shall the Town vote to appropriate \$1,712,949 from estimated revenues to reduce the amount to be raised by taxation in FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 6

Shall the Town vote to raise and appropriate the sum of \$211,920 for the General Expense Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 7

Shall the Town vote to raise and appropriate the sum of \$93,324 for the Assessor's Office Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 8

Shall the Town vote to raise and appropriate the sum of \$475,554 for the Administration Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 9

Shall the Town vote to raise and appropriate the sum of \$128,600 for the Town Hall Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 10

Shall the Town vote to raise and appropriate the sum of \$110,471 for the Planning & Ordinance Administration Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 11

Shall the Town vote to raise and appropriate the sum of \$594,238 for the Public Works Department Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 12

Shall the Town vote to appropriate the sum of \$250,000 from Fund Balance for FY 2012/13 and authorize its use for road, bridge and sidewalk construction and repairs, including expenses for curbing, drainage and engineering fees when required, with the funds to be used in conjunction with the State of Maine Urban/Rural Initiative Program with unspent balances to be carried forward each year?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 13

Shall the Town vote to authorize the expenditure of all revenues received from the State of Maine Urban/Rural Initiative Program for FY 2012/13 for road improvements as authorized by the Program with unspent balances to be carried forward each year?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 14

Shall the Town vote to raise and appropriate the sum of \$1,295,738 for the Police Department Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 15

Shall the Town vote to raise and appropriate the sum of \$503,268 for the Fire Department Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 4-1

ARTICLE 16

Shall the Town vote to raise and appropriate the sum of \$458,929 for the Refuse Disposal Account for FY2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 4-1

ARTICLE 17

Shall the Town vote to raise and appropriate the sum of \$83,862 for the Recreation Department Account for FY 2012/13, which begins July1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 18

Shall the Town vote to raise and appropriate the sum of \$55,000 for a Town Buildings Capital Reserve Account for FY 2012/13, which begins July 1, 2012? This Account will be used to perform major repairs to any or all Municipal Owned Buildings. The Funds will be disbursed after a recommendation from the CIP Building Committee and majority vote of the Board of Selectmen.

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 19

Shall the Town vote to raise and appropriate the sum of \$65,065 for the Community/Agency Appropriations Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 20

Shall the Town vote to raise and appropriate the sum of \$182,356 for the annual Fire Protection costs for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 21

Shall the Town vote to raise and appropriate the sum of \$40,000 for the General Assistance Account for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 22

Shall the Town vote to carry forward the following previously approved Designated Fund Balances until such time as they may be fully expended or be reauthorized: Federal Stormwater Program Account first authorized in 2000 and reauthorized in 2002; Unfunded Liability Account to pay for certain accrued liabilities when Town employees resign or retire first authorized in 2000; Handicap Repair & Modification Account to make various repairs and modifications to Town owned buildings and property as required by law first authorized in 2002?

ARTICLE 23

Shall the Town vote to raise and appropriate the sum of \$72,500 as a contribution to the Berwick Library Association for FY 2012/13, which begins July 1, 2012?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 4-0-1

ARTICLE 24

Shall the Town vote to raise and appropriate the sum of \$25,000 for the purpose to prepare an update to the Comprehensive Master Plan for the Urban Overlay District (Prime Tanning is central to this district) inclusive of the Shoreland Commercial/Industrial and the Commercial/Industrial Districts and their immediate neighborhoods. Said funds to be used for expenses and professional services to assist the Town in the development of a vision of the Urban Overlay District to be incorporated into the Comprehensive Master Plan Update for the Town of Berwick, Maine.

THE BOARD OF SELECTMEN RECOMMEND A YES VOTE 5-0

ARTICLE 25

Shall the Town vote to raise and appropriate the sum of \$39,000 to the Berwick Sewer District. The funds would be known as a "betterment fee" and the District indicates that their focus for the funds at this time, is on the rehabilitation of the School Street Pump Station.

THE BOARD OF SELECTMEN RECOMMEND A YES VOTE 5-0

ARTICLE 26

Shall the Town vote to charge interest on unpaid taxes at the rate of 7.00% per annum, and to set the date when taxes are committed for the Fiscal Year 2012-2013 (July 1, 2012 through June 30, 2013) become due and payable as October 15, 2012 and April 15, 2013. Said interest to be collected after October 15, 2012 and April 15, 2013, and to allow the Tax Collector to accept prepayment of taxes prior to the Tax Commitment Date.

ARTICLE 27

Shall the Town vote to authorize the raising and appropriating of funds up to the amount approved in FY 2011/12 for any Municipal Operating Budget on this Warrant not approved?

ARTICLE 28

Shall the Town vote to require all those who make and second motions at the Town Meeting to rise and identify themselves?

ARTICLE 29

Shall the Town vote to raise and appropriate the sum of \$13,500 for the Federal Stormwater Program and place this amount into the account established for this purpose?

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 30

Shall the Town vote to raise and appropriate the sum of \$21,634 for Debt Service in FY 2012/13 as authorized by the passage of Article 37 at the 1997 Annual Town Meeting? NOTE: This is for half the cost for repayment of the Water Department Bond issued by the Federal Rural Development Agency for the new Water Treatment Plant. All other debt of the town is in the Water Department Enterprise Fund Budget and is paid for from revenues received by the Department.

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 31

Shall the Town vote to raise and appropriate the sum of \$15,000 for the unfunded Liabilities Account for FY 2012/13 which begins July 1, 2012.

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 32

Shall the Town vote to raise and appropriate the sum of \$20,000 and authorize the Board of Selectmen to hold it in a Contingency Account and to use it to meet unanticipated expenses and emergencies that might occur during the FY 2012/13, which begins July 1, 2012.

THE BOARD OF SELECTMEN RECOMMEND YES VOTE 5-0

ARTICLE 33

Shall the Town vote to set an interest rate of 3.00% as allowed by state law as the rate to be paid to taxpayers who pay amounts in excess of amounts finally assessed and authorize any such interest paid or abatements granted to be charged against the annual overlay.

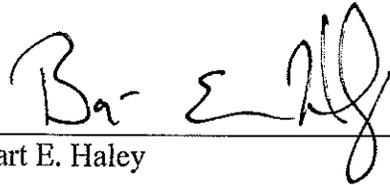
ARTICLE 34

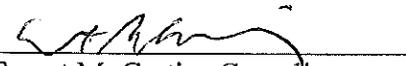
Shall the Town vote to continue the current "Tax Club", so called, with payments to be made on property taxes over the full Fiscal Year without late payment charges in accordance with the Rules of the Tax Club? **This authorization will remain in effect until rescinded by a future town meeting vote.**

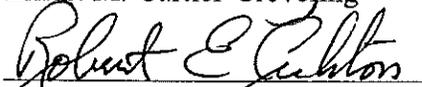
ARTICLE 35

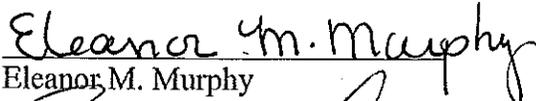
Shall the Town vote to authorize the use of interest money from the Lena Clark Trust Fund Interest Account when there are major repairs or maintenance needs at the Town Hall? NOTE: The Trust Fund was established to take care of the Town Hall. Interest from the Trust Fund is being allowed to accumulate in a Money Market Account, separate from the Principal, which is being managed by the Philanthropic Management Group, a wholly owned subsidiary of Bank of America. The balance in the Interest Account was \$21,442.73 on June 30, 2011, which was the close of the prior Fiscal Year. Interest funds are not used for everyday repair or maintenance costs but instead are being allowed to accumulate for one time or major unforeseen repairs or expenses. Approval of this Article will authorize these kinds of expenditures from the Interest Account should it become necessary to make them during Fiscal Year 2012/13.

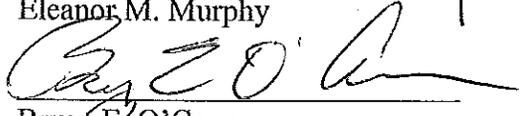
Approved and signed by the Board of Selectmen this 15th day of May 2012.


Bart E. Haley


Ernest M. Cartier-Crevelling


Robert E. Crichton


Eleanor M. Murphy


Bryan E. O'Connor

ATTEST: 
Judith Buckman, Clerk