

BOARD OF SELECTMEN/ASSESSORS  
Town of Berwick  
November 27, 2012  
MINUTES

**ROLL CALL:** Chairman Haley, Selectwoman Murphy, Selectman Crichton, Selectman O'Connor and Selectman Gainere informed Chair that he would be late. Selectman Ganiere arrived at 7:32 P.M.

**PLEDGE OF ALLEGIANCE:** Chairman Haley led those present in the Pledge of Allegiance.

**PUBLIC COMMENTS:**

Ron Long- Had questions for the Board they are the following:

- **Plowing bids why wasn't one of the plowing bids accepted of \$ 68.00 hour from one of the bids-**
- Chairman Haley stated that the town of Berwick did solicit bids for contracted plowing. Berwick did not have a benchmark to go by as to whether \$ 68.00 is cost effective for the Town. Robert (Foreman DPW) needs to look at internal cost regarding Town plowing.
- **Hiring of Patrick Venne-**
- This personnel was discussed in Executive Session due to it is personnel, and refer to the job description that Mr. Venne is fulfilling right now.
- **Cut in Code Enforcement-** CEO retired and with budget cut backs the Town now has a shared arrangement with South Berwick with sharing a CEO. This full-time position will be looked at when the contract with South Berwick in six months expires.
- **Rick Burns' appeal-** BCTV denied the video due to policy and so did some of the Board members. ACLU never got involved because the BCTV re-visited there denial and aired Mr. Burn's video.
- **Mr. Tibbett's plowing for the Town this year-** Mr. Tibbett's is on the payroll as an on-call plowing employee.
- **Letter to the editor from Roger Saucier, retiree from the Fire Department and Peter Finley review of the Fire Department, Mr. Long wanted reassurance that the public may talk to Mr. Finley privately and will remain confidential and will this report be used to make changes to the Fire Department-** Board commissioned the review and will use this as a basis to make changes if warranted.

Oscar Stone, Rochester St. Hiring of Town Planner feels that this job should have been advertised with the new job description. Why does the consent decree need to be in Executive Session? Mr. Haley stated to Mr. Stone that the hiring of the Town Planner is the domain of the Town Manager the reason why the board got involved was that Jim McMahon was Interim Town Manager and wanted the blessing of the Board; the same was done with the Finance Director. Chairman Haley addressed the reason as to why the Board will go into Executive Session for the Consent Decree, State of Maine law allows the Board to enter and discuss with legal counsel. The Board has heard over 100 hours of public input and understands what the public wants regarding the Sullivan School project.

Chairman Haley stated that there are three openings on the Planning Board and the Board of Appeals at the end of December 2012; this has been advertised in the paper and at the Town Hall.

**Approval of Accounts Payable Warrants:**

TW 1321 \$ 134, 300.27

PR 1321 \$ 33,386.07

PR 1322 \$ 34, 061.72

***Selectman Crichton moved to accept the warrants as presented, second by Selectman O'Connor. 4/0***

**NEW BUSINESS:** Items B & C were taken out of order until the arrival of Selectman Ganiere.

- A. **Consent Decree Sullivan School Associates:** Chairman Haley read a letter to the public and the other Board members, this letter will be made part of these minutes as will the Consent Decree. Mr. Reid had a question about #10 on the Decree. Patrick Venne, Dir. of Planning explained to Mr. Reid that question 10 is covered by question 8. Mr. Venne felt comfortable with the language. Chairman Haley stated that Attorney Dench and Shepard were consulted on this Decree and gave the same answer as Attorney Venne. Chairman Haley also stated that the CEO does not have to issue an occupancy permit to Sullivan School Associates until all of the requirements of the Decree have been met. Mr. Lavigne asked the question about tearing down the building. Chairman Haley stated that the building will be restored to the original footprint within 60 days, no three bedroom units. Mr. Long asked that on question 2, Sullivan School Assoc. states that they own the building, Mr. Long thought Sullivan School Assoc. was the Lessee, Chairman Haley told Mr. Long that Sullivan School Assoc. owns the building and the Town owns the land. Until its 75<sup>th</sup> year when the lease expires, the building will be turned over to the Town.

Chairman Haley stated that Jodie wright and David Rodrigue did a lot of research on the Sullivan School Project and he appreciates their time.

***Selectman O'Connor moved to except the terms of the Consent Decree, second by Selectman Ganiere, 5/0***

- B. **Extend Appointments of Interim Tax Collector and Treasurer:**
- ***Selectwoman Murphy moved to accept Melissa Albert as Interim Tax Collector until January 31, 2013, second by Selectman Crichton 4/0***
  - ***Selectman O'Connor moved to appoint Douglas Mitchell as Interim Treasurer until January 31, 2013, second by Selectwoman Murphy. 4/0***
  - ***Selectwoman Murphy moved to appoint Gary Stenhouse as Interim Town Manager for a term ending no later than January 8, 2013, second by Selectman O'Connor. 4/0***
  - ***Selectman O'Connor moved to appoint Gary Stenhouse as Interim Health Officer for a term ending no later than January 8, 2013, second by Selectwoman Murphy. 4/0***
  - ***Selectman O'Connor moved to appoint Gary Stenhouse as Interim Road Commissioner for a term ending no later than January 8, 2013, second by Selectwoman Murphy. 4/0***

**PUBLIC COMMENT:**

Mr. Stolpe- Start the budget process earlier this year and ask each Department Head to attend a meeting and ask certain questions to them on what can be cut and what can't.

Mr. Hall- Happy with the Board of Selectman and wanted to "thank" the Board for listening to the People of Berwick.

Mr. Long- relaxing the air emissions in Town. Chairman Haley commented that he has not heard about any changes in air emissions.

Commented on the town Attorney Alan Shepard, comments at a meeting about an executive session.

Patrick Venne, Director of Planning answered questions about the air omission. Chairman Haley asked Mr. Venne about Berwick's growth and the Planning Board.

Mr. Venne went into detail about the Planning Board and Town government.

Selectwoman Murphy mentioned having a Budget Committee on the warrant.

***Chairman Haley moved to enter into Executive Session at 8:15 P.M. pursuant to MRSA 405 (6) (A) second by Selectman O'Connor. 5/0***

Board of Selectman exited Executive Session at 8:35 P.M.

**ADJOURMENT:**

***Selectman O'Connor moved to adjourn at 8:36 P.M. second by Selectman Ganiere. 5/0***

Respectfully Submitted,

Melissa Albert  
Town Clerk