

BOARD OF SELECTMEN/ASSESSORS  
Town of Berwick  
September 17<sup>th</sup>, 2012  
MINUTES

Executive Session @ 6:00 PM with Attorney Sandra Guay pursuant to 1MRSA 405 6E  
***Selectwoman Murphy moved to enter into Executive Session @6:04P.M. under 1MRSA 495 6E,  
Seconded by Selectman Ganiere. 5/0 regarding the Town of Berwick vs. Bruce Plante***

Out of Executive Session at 6:51 P.M.

***Selectman Crichton moved to enter into Executive Session at 6:52 A.M. pursuant to 1MRSA 405 6(A)  
Seconded by Selectwoman Murphy. 5/0***

Out of Executive Session at 7:05 P.M.

**ROLL CALL:** Chairman Haley, Selectwoman Murphy, Selectman Crichton, Selectman O'Connor and Selectman Ganiere in attendance.

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

**APPROVAL OF MINUTES:** ***Selectwoman Murphy moved to accept the minutes of 9/4/12 seconded by Selectman O'Connor. 5/0 with two amendments on page 4 and page 5 spelling errors.***

***Selectman O'Connor moved to accept the minutes of September 12, 2012 Special Meeting. Seconded by Selectman Crichton. 5/0***

Board discussed the motion from 9/4/12 meeting; hiring an engineering firm to go over the validity of Jon. St. Pierre plans of Diamond Hill road. Minutes of 9/4/12 reflect a motion and second no actual count of a vote. Chairman Haley will watch the meeting online to see if there was an actual vote to hire an engineer.

**PUBLIC COMMENT:** Mr. Dow, 12 Annie Street. The existing slow/children sign that was on the street went missing and wants a new placed. ***Selectman Crichton moved to have the Highway Department order and replace the sign slow/children at the corner of Annie St and Rochester St. Seconded by Selectman Ganiere. 5/0***

Chairman Haley informed the residents of Berwick that the Board has narrowed the Town Manager search down to two candidates'. The two candidates are coming in the week of the 17<sup>th</sup> and the Board will introduced the two to the department heads and show them the facilities.

Interim Town Manager James McMahan introduced his successor for Interim Town Manager Gary Stenhouse with Municipal Resources Inc. for several weeks until permanent Town Manger is hired.

***Selectman Crichton moved to appoint Gary Stenhouse as Interim Town Manager, Interim Health Officer and Interim Road Commissioner and to waive State and Town residency requirements with a term not to exceed October 30, 2012. Seconded by Selectwoman Murphy. 5/0***

Town Clerk Melissa Albert swore in Gary Stenhouse as Interim Town Manager, Interim Road Commissioner and Interim Health Officer.

**COMMUNICATIONS:**

**A. Speed bumps:**

Kelly Monroe at 12 Jordan St commented on the speed bump that is directly in front of her house she states that people are driving on her lawn so they do not have to go over the bump. This over time will ruin her lawn and also a safety concern.

Larry Rendell came to the podium and spoke about the speed bumps on Jordan and said that the Police Chief and the Public Works foreman spent a lot of time and consideration on where to place them.

*Selectman O'Connor moved to remove the speed bump at 12 Jordan Street as soon as possible for now and reevaluate next spring for the placement of speed bumps in that area. Seconded by Selectman Ganiere. 4/1 Selectwoman Murphy opposed.* Selectman O'Connor will communicate with the Public Works Director as to what speed bump to remove.

**B. Other**

Board signed a contract from Municipal Resources for Gary Stenhouse. Each of the Selectman signed and dated for his services. Town Clerk will send the original back in the mail to MRI.

Interim Town Manager reminded the Board and audience about the Growth Committee meeting on 9/19/12 at 6:30 at the Town Office.

Selectman O'Connor read an e-mail from Al Turner wanting clarification on submitting bids for Town projects and the concerns of being a part-time employee with the Fire Department. Board discussed that if part-time employees have an expertise on a scope of work than part-time employees should submit bids. Board says there is no policy part-time employees can submit proposals. Board discussed changing the personnel policy to reflect this.

**REPORTS OF COMMITTEES: NONE**

**APPROVAL OF ACCOUNTS PAYABLE WARRANTS:**

TW 1309 \$96,881.89

TW 1310 \$636,667.18

PR 1310 \$43,384.53

W 1310 \$ 4,960.01

PR1311 \$39,023.43

TW1311 \$151,063.54

*Selectwoman Murphy moved to accept the warrants, seconded by Selectman Crichton. 5/0*

**UNFINISHED BUSINESS:**

- A. Fire Department Exterior Renovations Project Manual-** Manuals were distributed to Board members and Town Clerk will keep a copy in her office for review.

- B. Authorize Signing of Agreement with Municipal Resources for F.D. study- *Selectman Crichton moved to table this item until the October 2, 2012. Seconded by Selectman Ganiere. 5/0***
- C. Town Hall Underground Fuel Tank Options- DEP gave Town a deadline to October 5, 2012 to fix problem. Last 2 years the Town Hall tank has not passed by the whistle method. Interim Town Manager gave the Board a proposal to fix problem on underground tank with a overfill dial shut-off that Portland Pump will install. *Selectwoman Murphy moved to accept proposal from Portland Pump to fix tank by October 5, 2012. Seconded by Ganiere. 5/0***
- D. CDL/Drug Alcohol Testing Policy- Interim Town talked with the National Trucker's association and this policy is a federal policy and they advised not to change it. *Selectwoman Murphy moved to accept the Alcohol and Control Substance policy as drafted for the Town of Berwick. Seconded by Selectman Ganiere. 5/0***
- E. Town Hall Front Steps Repair Proposal- Selectman Crichton read his proposal for the Front Hall steps he recommends Jim & Doug's from Kittery, ME in the amount of \$5,000.00 *Selectman Haley moved to accept Selectman Crichton recommendation to have Jim & Doug's Masonry repair the front steps of the Town Hall in the amount of \$5,000.00 as soon as possible weather permitting. Seconded by Selectman O'Connor. 5/0***
- F. Job Description Project - Interim Town Manager handed the Board 16 new job descriptions. Interim Town Manager contacted the business agent Sylvia Herbert she is aware of the revision of the job descriptions. Interim Town Manager told the Board to review.**
- G. Report on 2012 Payments made under Town Property Tax Assistance Ordinance- \$5,263 left in the account, Town Manager issued \$ 1,213.04 in refunds in local tax assistance. Town Manager had three applicants and all three applicants were approved and must meet certain criteria in the Tax Assistance Ordinance.**
- H. Recommendations Re: Restoration of certain ATM Warrant Articles- Interim Town Manager recommends that the following warrant articles should be placed on the warrant every year. Town Manager feels that this will help the Board with transparency and a blue print for the Board to follow each year. Attached to these minutes are those proposed articles with asterisk.**

Other- NONE

**NEW BUSINESS:**

- A. Update Fee Schedule in Floodplain Management Ordinance- *Selectman Crichton moved to set a fee of \$30.00 for minor construction and \$50.00 for new construction in Article IV in the Floodplain Management Ordinance. Seconded by Selectwoman Murphy. 5/0***
- B. Finalize Special Town Meeting Articles- *Selectman Crichton moved to accept the Special Town Meeting Warrant Articles as written for the November 6, 2012 election. Seconded by Selectman O'Connor. 5/0***

Board set the Date for the Public Hearing on the Warrant Articles for October 16, 2012 at their regular scheduled Selectmen's meeting. No vote was taken.

**C. Designate Voting Representative/Alternate for October 3, 2012 MMA Convention- Chair moved to have Selectman Crichton will be the representative at the MMA Annual Convention on October 3, 2012. Selectwoman Murphy will be the alternate. Seconded by Selectman O'Connor. 5/0**

**D.OTHER-** Letter from the CEO addressed to a resident that was in violation. Interim Town Manager explained it was just a warning letter to the resident.

Chairman Haley discussed that the Police Chief and Captain should be able to do Police Details within their regular hours. The Town does invoice for the independent details. Because there is no policy the Board has no issues with the Chief and Captain doing outside details. Have Police Chief attend the next meeting on 10/2/12 and discuss.

**ABATEMENTS/SUPPLEMENTALS- NONE**

**PUBLIC COMMENT**

Diane Dulgot- Annie St. Speed bump concerns. **Selectman Crichton moved to purchase two more speed bumps. Take speed bump from 12 Jordan St and place at the stop sign on Goodwin St/Annie. The 2<sup>nd</sup> bump at the 2<sup>nd</sup> stop sign on Goodwin St. The 3<sup>rd</sup> speed bump before the park at the 3<sup>rd</sup> stop sign. Seconded by Selectwoman Murphy. 5/0**

Mr. Dow- 12 Annie St. Commented on a lady that is not wanted in an apartment building. Concerned that there is no left hand sign on Rochester St. to Annie St.

Selectman O'Connor moved to adjourn at 9:48 P.M. Seconded by Selectman Crichton. 5/0

Respectfully Submitted,



Melissa Albert  
Town Clerk