

BOARD OF SELECTMEN/ASSESSORS
Town of Berwick
February 5, 2013
APPROVED MINUTES

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

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

OTHERS PRESENT: Interim Manager Stenhouse, Town Clerk, Melissa Albert, MSAD 60 Superintendent Steven Connolly, Sewer Superintendent Jay Wheeler and 12+/- members of the community.

Without objection from the other Board members Chairman Haley would like to meet and greet with Starr Glenn the new hire for the Water Department at the beginning of the meeting. She has a small child at home that she needs to go back to. No objection from the other Board members. Ms. Glenn came to the podium and introduced herself. She stated that she has worked for the Water Department for a little over a year as a part-time employee and now she filled the full-time vacancy. She lives in Town and has two children. She is very happy to be a full-time employee. Chairman Haley noted that Starr received her Level 1 certification on her own. Starr noted that she has three more levels to go. Chair noted they are happy to have her on board.

APPROVAL OF MINUTES: *Selectwoman Murphy moved to approve the minutes of January 22, 2013 as presented, second by Selectman Ganiere- 4/0 motion passed.*

PUBLIC COMMENT:

Frank Underwood- Board had asked that he and Patrick sit in on the bridge meeting. They had a meeting with Unutil and next meeting will be with CMP regarding the lights on the bridge. Mr. Underwood would like the Downtown Vision Committee to be a regular agenda item under Committee's and continue to give the Board progress reports. Would let the Manager know when the Committee would like to meet with the Board for updates. Frank also stated that he wanted to be on the February 19th agenda. The Committee is at a junction where they are going to be putting out a survey the Committee will have a draft and they (committee) would like the Board's approval to send out a mass mailing to residents. COAST, Vision Committee would like to talk with COAST and make sure they have stops throughout Town.

For use of the Town's bulk mailing, the Vision Committee will reimburse the Town for the amount of postage they use.

300th Committee should come to a meeting and give an update of the happenings with the event.

COMMUNICATIONS:

A. Discussion with School Superintendent Steven Connolly: Chair recognized Mr. Connolly, he came to the podium introduced himself to the Board and stated that he's been in his position for approximately 42 days. Mr. Connolly gave the Board a questionnaire form for them to fill out and give back to him at a later date.

Mr. Connolly gave an over view of budget he stated that he's anticipating \$578,000 shortfall between now and June 30th.

- \$200,000 of that is the Governor's initiated curtailment that has to happen in School Districts.

- \$200,000 overage cost approximately in two areas: one is Special Education (out of district placement) average cost for a student with mental illness or medically fragile child is \$43,000/yr. and the district has over 25 students
- Long-term substitute account- 9 people in Family Medical Leave Act.

The District in 2012 over spent its bottom line by \$86,000, \$14,000 in related audit cost when you have budgets with overages you usually have a contingency fund. A contingency fund in the State of Maine allows up to 3%, for the School District which is about \$1.1 million dollars. The contingency fund for the District this year is \$35,000. There is no amount of supplies that is going to make up this shortfall. To make up the shortfalls he plans to lay-off some of the staff within the District.

Right now working the numbers with lay-offs he has reduced the number to about \$378,000 short-fall. He will bring the budget in at 0% to 2% increase for next year.

Selectwoman Murphy noted that the Governor's plan is to give the teacher's retirement back to the Town's and Mr. Connolly noted that would be about \$400,000.

Chairman Haley noted that the out of placement cost for students of \$43,000 seems very high. Mr. Connolly noted that's an average some are more or less. Chairman Haley also wanted to know out of those 25 students what's the breakdown of students per district. Is there a funding formula or percentage for each community. Is amount generalized for each community. Mr. Connolly noted that it is generalized and it is not split cost for each community. Chairman Haley noted for regular students it's a split cost for each community and for special needs students it's not a split cost for each community. Is this a State rule? Mr. Connolly was not sure if this was a State rule or not. He will look at the numbers because it's a good question but, he thinks it is probably distributed fairly with each district. Chairman Haley would like to know the answer to this question for out of district students per community. Mr. Connolly will look into this to see if this is public information and provide an update to the Board in the near future.

B. FY 2013 Budget: Interim Manager distributed an update to date Town Administration budget. Administration appears by the end of the year using our projections that we might be \$32,500 over. The problem areas are full-time and part-time wages. \$55,000 was transferred out of full-time wages and put into contracted services because it is not proper accounting practice to be paying Municipal Resources the company the Board contracted with for Interim Manager from these fees. The Town was paying the Finance Director more than what was budgeted; Board had an Interim Town Manager for three months after the former Town Manager left. Interim Manager Stenhouse noted that he is interviewing two people for the Finance Director's position and they have municipal experience. In the meantime Janet is performing well. Selectwoman Murphy asked is there any way they could cut back on some things to make up the \$32,500. Interim Manager Stenhouse noted the only way to achieve that is to cut back on part-time customer service employees. Interim Manager stated even if they laid off all the part-timers by the first of March it still wouldn't make up the difference. Interim Manager noted his plan is to freeze all spending except the ones that he can't control. Selectwoman Murphy stated she doesn't want to lay any one off because she thinks we don't have anyone to lay-off. Interim Manager said he has worked in a lot of communities and Berwick has the least staff he has seen. Chairman Haley noted that the Town needs a Town Manager by law. Chairman Haley noted that \$32,000 is almost the 6% that we cut from the budget last year.

Chairman Haley also noted that this is the reason the Town needs the clause for going over budget on some line items but, not the bottom line budget amount. Town's cash position is about \$2.3 million.

C. COAST Bus Funding FY 14: Chairman Haley noted that the COAST bus service is going up about 30 % for the Town of Berwick. Because of ADA requirements that COAST bus service must meet per Federal Law.

Town Manager noted that he and Janet Canney did meet with Kennebunk Savings for the purposes of exploring moving some our business to this bank.

Town is in good shape, the Town has a good cash position for the size of the municipality, and the tax bills are going out in a couple of months.

Chairman Haley received a letter from Comcast documenting that they have complied with State Law regarding customer privacy notice and important information notice to customers regarding their operation and fees. Town Clerk will file in the Comcast folder in her office for future reference.

Chairman Haley stated that the Board had an Executive session with Leah Rachin and the Chair has the communication the Board requested from her. Chair wonders what the Board's thoughts are about at the next meeting and the other Board members have an opportunity to review the communications from her and get in the next agenda. These are a discussion the Board requested from her should it be held in public or because still have some legal ramifications needed to be discussed in non-public and then share the results of that discussion.

APPROVAL OF ACCOUNTS PAYABLE WARRANTS:

TW 1330 \$80,617.87

PR 1331 \$ 33,742.78

TW 1331\$ 76,092.81

** PR 1331 amount is included in the TW 1331

Selectwoman Murphy moved to approve the warrants as presented, second by Ganiere- 4/0 motion passed.

REPORTS OF COMMITTEES: Committee report from Vicki Stone, BCTV Committee member. BCTV would like to come to the Board quarterly to give the Board updates/reports. She believes there are people out there that don't understand what they do and they want to encourage people to get more involved. Vicki noted that BCTV is going to acknowledging some of the seniors in Town and put slides together to show on BCTV.

UNFINISHED BUSINESS:

- A. Sewer District Trustee Appointment:** Two candidates for vacancy created by the passing of Ronald Turcotte. The two candidates are Doug Provencher and Dan Doucette the Board had copies of their resumes they submitted.

The Board asked the two candidates questions as how their expertise would serve the Sewer District. After much Board consideration, *Selectwoman Murphy moved to nominate Dan Doucette to the Sewer District Board of Trustee, second by Selectman Ganiere- 4/0 motion passed.*

- B. York County Fiscal Year Conversion Assessment:**

Selectman Crichton moved to pay York County the additional funds for the additional six month payment over a five year period, second by Selectman Ganiere-4/0 motion passed. Town Manager has to inform York County Administration by Friday, February 15th, 2013 of the Board's decision.

This agenda item was discussed in some length at the January 22, 2013 meeting.

NEW BUSINESS:

- A. Collective Bargaining for the Period Beginning 7-1-2013:** Chairman stated that they have two proposals. Interim Manager noted that the Town has a gentleman that has done the collective bargaining for at least the last couple of times. Last time Keith previous Manager did the Teamsters bargaining and this gentleman did the Police Department. Selectwoman Murphy noted

that she heard that Dave Barrett with MMA does an excellent job bargaining. Interim Manager Stenhouse stated that he could do them also, as he has a business doing that type of work. *Selectwoman Murphy moved to table this agenda item until the next regular meeting, second by Selectman Ganiere- 4/0 motion passed.*

Selectwoman Murphy would like to have a copy of all the contracts for each union. Chairman Haley would like a proposal from Dave Barrett and Interim Manager Stenhouse. Town has received demand notices from both labor units, the Interim Manager has responded but by statute they have to put the Town on notice 120 days before and this would bring it to the end of February.

Other: Interim Manager noted that given the uncertainty of the Governor's budget that the Board may want to delay the Town Meeting until the first week in June. Chairman Haley felt it was a good to delay the Town Meeting a few more weeks because the Town should have a new Town Manager by then. *Selectman Ganiere moved to extend the Annual Town Meeting to the 11th and 12th of June 2013, second by Selectwoman Murphy-4/0 motion passed.*

B. Update on Hiring Town Manager: Board is in the final interview stages, Board has an executive session on 2-6-13 for last interview. Three to four weeks away from making an announcement.

C. Selectwoman Murphy would like the following reviewed:

- Fireworks Ordinance
- Disorderly Housing Ordinance(in review with Attorney Shepherd)
- Budget Committee
- Sign Ordinance

Selectwoman Murphy would like these as warrant articles. Board had discussion on Budget Committee, would the committee be elected or appointed and how many members. Put the budget committee on the agenda for the next meeting. The Sign ordinance and fireworks may have to wait for the Town Manager to be hired and if there's enough time for a warrant article. Town Clerk will make a corrected time table for the Board and Department Heads.

Selectman Crichton would like to discuss the heating for the Town Hall, he knows that this has been brought up a number of times by him but, it's a concern. There is enough money left in CIP budget of \$55,000. Agenda item for next regular meeting; HVAC engineering study for the Town Hall, Board will discuss at next meeting.

ABATEMENTS/SUPPLEMENTALS: NONE

PUBLIC COMMENT:

Mr. Stolpe said that there should be a job description for the budget committee.

ADJOURNMENT: *Selectman Ganiere motioned to adjourn at 8:41 p.m. Second by Selectman Crichton all in favor- 4/0 motion passed.*