



BOARD OF SELECTMEN/ASSESSORS

Town of Berwick

May 1, 2013

MINUTES

Call to Order:

Chair Haley called the meeting to order at 6:00 p.m.

Roll Call:

Chairman Haley, Selectwoman Murphy, Selectman O'Connor and Selectman Ganiere.

Staff Present:

Patrick Venne, Town Manager

Pledge of Allegiance:

Chair Haley led those present in the Pledge of Allegiance.

Communications

Mr. Venne discussed several communication items including the status of negotiations with the Town's two union bargaining units; the status of the Town's response to questions regarding budgets and expenditures posed by a citizen at the Board's April 16, 2013 meeting; an estimated turnaround time for finalization of the Fire Department Study commissioned by the Town and prepared by Municipal Resources Incorporated; an update on recent Freedom of Access Act-related litigation to which the Town was a party; an update on the status of vacancies and new hires in the Town's Public Works Department; an invitation from the Town's 300th Anniversary Celebration Committee to the festivities planned for June 8, 2013; and an update on a recent rezoning request addressed by the Planning Board.

During these communications a request was made through Chair Haley related to receiving further information from the Town's Attorney Sandra Guay concerning the resolution of recent FOAA litigation.

Approval of Accounts Payable Warrants:

As Presented:

TW 1342: \$60,499.52
PR 1342: \$34,535.15
TW 1343: \$93,495.59
PR 1343: \$35,487.01
W 1343: \$1,532.89
PR 1344: \$34,340.88

MOTION

Selectwoman Murphy moved:

To accept the accounts payable warrants as presented.

Second by Selectman Ganiere.

VOTED: 4-0 IN FAVOR

IN FAVOR: Chair Haley; Selectwoman Murphy, Selectman Ganiere and
Selectman O'Connor

ABSTAINED: None

OPPOSED: None

ABSENT: Selectman Crichton

Unfinished Business:

1. Non-Lapsing vs. Annual Warrant Article Related to Base Year for Failed Budgets

The Board proceeded to discuss its options with respect to inclusion of a warrant article related to raising the base budget year for municipal operating budgets which fail at Town Meeting to the Annual Town Meeting Warrant.

Mike Reed addressed the Board as a member of the public, with the Chair's permission. Mr. Reed offered his thoughts on various ways the article under discussion could be interpreted.

Tom Wright also addressed the Board with the Chair's permission. Mr. Wright indicated that it was too late to address this sort of question this year, but the Board should address it for next year.

2. Ratification of Official Action Taken on 2013-14 Town Meeting Warrant and Incorporated Referenda Questions at April 16, 2013 Board Meeting

The Board discussed amending, clarifying, and ratifying a motion it made at its April 16, 2013 meeting voting to order certain referenda questions to the Town Clerk to place on the Town Meeting Warrant and Ballot, after which it acted upon a proposed motion as follows:

MOTION

Selectman O'Connor moved:

"To reconsider his motion of April 16, 2013 to approve the revised budgets and town meeting warrant for 2012, the purpose of such reconsideration being to amend and thereby clarify the language of that motion as follows: to approve the 2013-14 Annual Town Meeting Warrant and referenda and open Town Meeting questions contained therein, as ordered to the Clerk through the Board of Selectmen's official action on April 16, 2013, hereby clarified, subject to change only if the Board later acts upon the addition of new open Town Meeting articles prior to the annual Town Meeting and within the time permitted by law, but otherwise finalized through this ratifying action of the Board's April 16, 2013 vote."

Second by Selectman Ganiere.

VOTED: 4-0 IN FAVOR

IN FAVOR: Selectwoman Murphy, Selectman Ganiere and Selectman O'Connor
ABSTAINED: Chair Haley
OPPOSED: None
ABSENT: Selectman Crichton

New Business:

1. Opening of Sealed Bids Submitted in Response to Town Request for Legal Services Proposals

The Board discussed whether this item should be tabled until the next regularly scheduled meeting date and acted as follows:

MOTION

Selectman Ganiere moved:

"To table the Board's opening of the legal services RFP responses until the next regular meeting on May 7, 2013."

Second by Selectman O'Connor.

VOTED: 4-0 IN FAVOR

IN FAVOR: Chair Haley, Selectwoman Murphy, Selectman Ganiere and Selectman O'Connor

ABSTAINED: None

OPPOSED: None

ABSENT: Selectman Crichton

Public Comment:

Mr. Reed discussed the traffic conditions in Somersworth and whether the idea of moving certain antiques from the Berwick Fire Station to enable storage of an ambulance in their place should be explored.

Dana Hall addressed the Board. Mr. Hall indicated Route 9 has a number of pot holes that are filled with soft material and gravel that quickly erodes, creating potential problems. He inquired whether a different sort of patch material could be used as a better solution to the current approach. Mr. Venne indicated he would look into the matter.

Adjournment

MOTION

Selectman O'Connor moved:

To adjourn.

Seconded by Selectman Ganiere.

VOTED: 4-0 IN FAVOR

IN FAVOR: Chair Haley, Selectwoman Murphy, Selectman Ganiere and
Selectman O'Connor

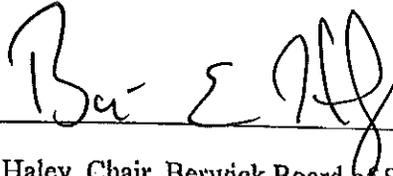
ABSTAINED: None

OPPOSED: None

ABSENT: Selectman Crichton

Signed as approved by vote at the Board's May 7, 2013 meeting.

On behalf of the Board,

A handwritten signature in black ink, appearing to read "Bart Haley", is written over a horizontal line.

Bart Haley, Chair, Berwick Board of Selectmen