



TOWN OF BERWICK  
BOARD OF SELECTMEN  
MEETING MINUTES  
MARCH 13, 2014 MEETING & BUDGET HEARINGS

Roll Call & Pledge of Allegiance

Chairman Bryan O'Connor called the roll.

*Attendance*

All Board members were present, including:

Edward Ganiere,  
Bryan O'Connor,  
Robert Crichton,  
Eleanor Murphy and  
Bart Haley.

Staff members present included:

Town Manager Patrick Venne,  
Police Chief Timothy Towne,  
Police Captain Jerry Locke,  
Police Officer Joshua Morneau,  
Fire Chief Dennis Plante,  
Fire Lieutenant Dennis Plante, and  
Finance Director Maureen Finger

Various members of the public including representatives from the Berwick Public Library and Great Works Regional Land Trust were also in attendance.

*Pledge*

Chairman O'Connor led those present in the pledge of allegiance.

Approval & Signature of Meeting Minutes

Selectwoman Murphy moved to approve the minutes of March 4, 2014 as presented.  
Selectman Ganiere seconded the motion.  
The Board voted: 5-0 to approve.

### First Public Comment

#### *Tammy Cole*

Ms. Cole, of the Berwick Budget Committee, expressed concern that the Board selectively chose causes to fund in its recent action upon the "Appropriations Department" budget request. Ms. Cole suggested that the Town place the Appropriations budget request line items on the Town Meeting warrant separately.

Selectman Haley moved to reopen the Appropriations budget for further discussion. Chairman O'Connor suggested waiting to do this until the New Business section of the agenda. Selectman Haley withdrew his motion.

#### *Selectwoman Murphy*

Seeing no further comment from the public, Selectwoman Murphy made an announcement that the Berwick Public Library would be having a book sale in the near future, where those interested may purchase as many books as they desire for the price of a donation.

### Appointments / Presentations / Other Guests

Joshua Morneau of the Berwick Police Department was introduced as the Department's newest hire. Chief Towne introduced him as an experienced patrolman with prior service to the towns of Kennebunk and, most recently, Eliot, Maine. The Board welcomed Officer Morneau.

### Communications

#### *Department Updates*

The Board and Manager referenced the list of department updates provided by the Manager, however with no specific questions those updates were not discussed.

#### *Downtown Vision Committee Meeting with State Legislators*

Chairman O'Connor announced to the public that the Downtown Vision Committee arranged a meeting on March 14, 2014 at 2:00 PM at Town Hall with State legislators regarding economic development.

### Approval of Accounts Payable Warrants

Selectwoman Murphy read the following disbursement warrants prior to moving for their approval:

Accounts Payable warrant 1436, payroll warrant 1437. & water warrant 1436.

Selectman Crichton seconded the motion.

The Board voted: 5-0 to approve the disbursements.

### Unfinished Business

#### *Board Action upon Union-Proposed Sidebar Agreement RE: Longevity*

Selectman Crichton moved to approve the requested agreement. Selectwoman Murphy seconded the request.

The following discussion occurred:

Chairman O'Connor stated he did not support the motion on the basis that it was not his personal money involved but rather that of the Town's. Selectwoman Murphy said the officer involved is well-liked and served the Town well. Chairman O'Connor and Selectman Haley agreed with Selectwoman Murphy; Selectman Haley indicated it would be bending the rules in place to allow the agreement, however. Selectman Haley also mentioned that it could set a precedent for others who fall short of the deadline by much longer to request the same benefit, which is one the Board had to his recollection agreed is outdated.

Vote: the Board voted 3-2 to approve the agreement, Haley, O'Connor opposed.

Chairman O'Connor wished Sergeant Scott good luck in future endeavors.

### New Business

#### *Appropriations Budget*

Selectman Haley moved to reopen the Board's discussion of the Appropriations Department budget request at any time the Chair believes would be appropriate.

Selectman Ganiere seconded the motion.

The following discussion ensued: Selectman Haley indicated other towns do, in fact, contribute to outside agencies, contrary to information he stated a belief the Board was presented with at a prior meeting. Selectwoman Murphy indicated that other towns give less than Berwick does. Selectman Crichton expressed a desire to review these facts, if at all, after the Board has had occasion to review the overall bottom line of the entire budget.

Vote: the Board voted 2-3 (Haley, Ganiere in favor) to oppose the motion.

### Budget Hearings

#### *Fire Department*

Chairman O'Connor asked about personal protective equipment. The Town Manager explained that the cost of five new sets and two replacement sets had been removed from the Department's

operating budget and accounted for in its capital request. He also stated that this is a higher request than would normally be made, in light of the MRI Study recommendations. Chief Plante confirmed this information.

Selectman Haley inquired about paying the Department's LOSAP benefits in the beginning of the year, as well as about paying certain benefits earned in one year in a following year. He stated a concern regarding whether this was acceptable or appropriate from an accounting perspective. Finance Director Maureen Finger indicated that there were no accounting problems because the benefit to which Selectman Haley referred was an insurance policy.

Chairman O'Connor asked about the Department's request for an administrative assistant and specifically whether it related to specialized work, or whether instead there would be a possibility of sharing such assistance with another department. Chief Plante responded that the work related to specialized fire reports.

Selectman Haley inquired if some towns which have received SAFER grants are letting their firefighters go once they become responsible for the full cost of those staff members. Chief Plante indicated he was aware of this and stated a belief that it was mostly happening in larger municipalities which hired more than 100 new staff members. He also suggested that towns in such positions are, to his knowledge, occasionally reapplying for SAFER grants to retain and/or rehire staff.

Selectman Haley next discussed the topic of regionalization as it pertains to the Fire Department. He referenced a discussion which took place at a regional meeting with the South Berwick Town Council last summer, at which the topic of consolidation of certain departments through attrition was discussed. Selectman Haley indicated he brought up the topic of the Fire Department at that meeting, and that this discussion topic emerged from his opinion that Berwick has excess firefighting capacity during the day. He then referenced a question posed to the South Berwick Town Council about whether South Berwick was interested in purchasing some of that perceived excess capacity from Berwick, and indicated this was a recommendation of the recent Study of the Berwick Fire Department completed by Municipal Resources, Inc., as well. Selectman Haley stated that the South Berwick Town Council did not at all seem interested in that, and asked if Chief Plante could explain why South Berwick or another town would not be interested in helping fund Berwick's full-time Department during the day when they lack such resources.

Chief Plante stated he could not explain that and, while he has a personal opinion on the matter, he would not comment upon it or otherwise respond to why South Berwick or North Berwick is not interested.

Selectman Haley stated the South Berwick Town Council basically seemed to think they didn't need extra capacity. He then stated that he does not believe the Town needs a fully staffed Fire Department, and opined that the Fire Department's fiscal year 2015 budget is way above what it needs to be. He said he would like to see it trimmed.

Chairman O'Connor inquired about whether the Town had heard anything about the SAFER recruitment grant released several months ago, and Chief Plante indicated he had not heard

anything yet. The Town Manager and Lieutenant Tibbetts then had a brief discussion regarding whether the Town has heard anything, but no further clarity emerged. With no further questions or discussion, the Board acted upon the budget request for Town Meeting's consideration as follows:

*Motion on Fire Department Budget*

Selectman Ganiere moved to approve the Town Manager's request and the Budget Committee's recommendation of that request, of \$569,049.00 for the Fire Department budget for fiscal year 2015. Selectwoman Murphy seconded the motion. Vote: 4-1 to approve, Haley opposed.

*Police Department*

The Town Manager introduced the budget request and provided a brief overview.

Chairman O'Connor inquired about why the Department is changing firearms this year and Chief Towne responded that it was a recommendation of the Maine Chiefs study from 2009 that the Department do this every five years. The Department is approaching the five year mark, he explained.

The Board and Chief then discussed the Town and Department's switch from a net to a gross budgeting process, which underlies the major increase in the apparent Department request. Chief Towne indicated that the School Resource Officer and sale price of used firearms would be reflected in the Town's Revenues Department budget this year, and that the overall Town expense has not increased that much, therefore.

Selectman Crichton called for a vote. No vote followed.

Chairman O'Connor inquired if the overtime line requested by Management was sufficient; Chief Towne suggested it was within \$1,000.00 of his original request and that he could make that work.

Selectman Haley inquired about the Animal Control Officer line request, in light of recent issues with feral cats the Town has experienced; Chief Towne referenced the contract with Red Barn Professional Pet Services. The Chief also said feral cat issues are unpredictable and a brief discussion of the particularities of State law regarding cats in this context followed.

*Motion on Police Department Budget*

Chairman O'Connor moved to approve the Budget Committee's recommendation of \$1,474,942.00 for the Berwick Police Department budget in fiscal year 2015.

Selectman Ganiere seconded the motion.

Vote: 5-0 to approve.

### *Transfer Station*

The Town Manager introduced the budget request and explained the Department's administrator would not be present as he had been plowing the night before.

Chairman O'Connor inquired about how fees for disposal of waste picked up at local schools are differentiated from those which relate to fees for pickup of residential waste.

The Town Manager indicated there appears to be no differentiation, meaning the Town could be paying for the whole School District.

Chairman O'Connor compared tonnage of Transfer Station waste and that for Sam Matthews Inc. and stated that the School's portion of the waste related to the collection by Matthews should not be paid for by the Town.

Selectman Haley questioned whether Matthews also picks up residential waste in other towns when traveling to and from schools in the local School District located outside of Berwick.

Ms. Cole of the Berwick Budget Committee inquired as a member of the public about the reason for a difference between the two rates charged for disposal for the Town and Sam Matthews. She also suggested that another member of the Budget Committee suggested putting this service (waste hauling and disposal) out to a bid.

### *Motion on Transfer Station Budget*

Selectman Haley moved to approve the Town Manager's request and the Budget Committee's recommendation of \$431,838.00 for the Transfer Station Department's budget in fiscal year 2015.

Selectman Ganiere seconded the motion.

Vote: 5-0 to approve.

Selectman Haley added a remark that bidding the transfer station pickup service every year would not be possible at present because the Town has a multi-year contract which he also mentioned likely has a financial benefit to it.

### *Miscellaneous Expense Budget*

The Board by consensus determined that addressing the Berwick Public Library's request for fiscal year 2015 funding in the amount of \$83,000.00 first was appropriate.

### *Berwick Public Library Line Item*

Warren Clement of the Berwick Public Library led a presentation of the organization, its recent achievements, changes in service delivery from printed to printed & electronic media, and comparisons to other towns' library funding levels. Mr. Clement discussed and explained the change in hours of operation, transition periods leading to a new librarian, and capital needs as

those which support the organization's increased request. He also detailed the variety of ways in which the Library raises funds, and spoke to the number of uses to which the Library space is put beyond those of a traditional reading space.

Mr. Clement indicated the Library projected it will finish fiscal year 2014 unfavorable by \$5,000.00.

#### *Motion on Public Library Request*

Selectman Crichton moved to approve \$83,000.00 for the Berwick Public Library's line item request within the Miscellaneous Expense budget request for fiscal year 2015. Selectwoman Murphy seconded the motion and discussion ensued.

Selectman Haley inquired about the number of patrons with library cards and the prospects for consolidation and regionalization were thereafter discussed briefly. The Library's Librarian, Melissa Saggerer, explained the organization has about 1/3 of the Town as its membership, and also explained the Library's variety of new programs.

Chairman O'Connor asked if the Library was a non-profit to which individuals in Town could make tax-deductible donations. The Library confirmed it is.

Selectman Haley indicated some people in Town state there are nearly one dozen libraries in the local area if schools are counted, to which Mr. Clement responded the need for Berwick's Public Library despite this stems from two points: the uses beyond traditional reading space to which it is put, and the fact that its collection differs markedly from the collections at local schools.

#### *Vote on Public Library Budget Request Motion*

The Board voted: 5-0 to approve the Library's request for \$83,000.00 in fiscal year 2015 as a Town Meeting warrant article.

Bryan Cincotta made a brief comment as a member of the public regarding the Library, prior to the Board addressing the next Miscellaneous Expense budget line item request, related to the Great Works Regional Land Trust.

#### *Great Works Regional Land Trust Line Item*

The Land Trust through Michael Wright presented its request for \$10,000.00 as one stemming from a desire to provide open space, trails, conservation and environmental protection in line with goals of Berwick's Comprehensive Plan. Mr. Wright explained the Trust has a purchase and sales agreement for a tract of land owned by Tuckahoe Turf Farms for \$75,000.00, to which Berwick's requested contribution would be important for the purpose of providing the additional services necessary for approval of grant funding related to that purchase (including legal title work, surveying etc.) rather than to the purchase price itself.

Selectman Haley clarified that the Land Trust already has the money to purchase the subject land, and that the additional funding from the Town, if approved, would not be segregated from the Land Trust's other funds for specific use. He also inquired about the level of taxes which would be paid on the subject property if it were forever protected as open space, which he opined could be minimal.

*Motion on Great Works Regional Land Trust Budget Request*

Selectwoman Murphy moved to accept the \$10,000.00 request by Great Works Regional Land Trust as a line item within the Miscellaneous Expense budget. Selectman Ganiere seconded the motion. The Board voted: 5-0 to approve the request as a Town Meeting article for fiscal year 2015.

*Unfunded Liability Line Item*

Following a brief introduction and background by the Town Manager, Chairman O'Connor moved to approve \$23,000.00 for a Town Meeting article related to funding unfunded liability in fiscal year 2015. Selectwoman Murphy seconded the motion. The Board voted: 5-0 to approve.

*Stormwater Line Item*

Following a brief discussion about what this request relates to and what action the Budget Committee took on it for a recommendation, Selectwoman Murphy moved to approve \$10,000.00 as the amount for a Town Meeting article regarding fiscal year 2015 funding. Selectman Ganiere seconded the motion. With no further discussion, the Board voted: 5-0 to approve.

*Emergency Management Line Item*

Following a brief explanation of what this carry-forward account relates to and how it has been used in recent years, Selectman Crichton moved to approve \$1,000.00 as the amount for a fiscal year 2015 Town Meeting article. Selectwoman Murphy seconded the motion and, with no further discussion, the Board voted: 5-0 to approve.

Selectman Haley reopened discussion regarding the Great Works Regional Land Trust request, and suggested notifying voters on the Town Meeting ballot of the net tax impact of the purchase of land at Tuckahoe Farm related to that request, as well as of the fact that the Trust already has the money to purchase the land in question.

The Board expressed consensus that the Great Works Regional Land Trust question should be on the secret ballot portion of the bifurcated Town Meeting rather than an open Town Meeting question, even though it is less than \$25,000.00.

Abatements & Supplementals

None were discussed.

Second Public Comment

No comments were received.

Other Business / Non-Agenda Items

The Town Manager provided a brief update on a meeting he had with a developer working with the party-in-interest soon to acquire title to the former Prime Tanning parcels located in the downtown and indicated a more detailed update would be forthcoming at a future meeting.

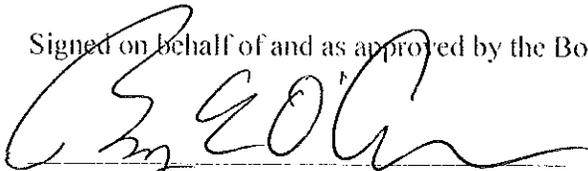
The Board discussed previous requests to provide a marquee at Town Hall and discussion also occurred about the provision of a public television in the Town Hall lobby area. Use of contingency funding was suggested as a possible means of funding both. After discussion of the different types of marquees, it was determined this subject would be discussed at a future meeting.

Adjournment

Selectman Crichton moved to adjourn.  
Selectman Ganiere seconded the motion.  
The Board voted: 5-0 to adjourn.

Respectfully Submitted,  
Patrick Venne, Town Manager

Signed on behalf of and as approved by the Board of Selectmen:



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Bryan O'Connor, Chair