



**BOARD OF SELECTMEN/BOARD OF ASSESSORS**  
**Regular Meeting**  
**March 3, 2015**  
**6:30 p.m.**

**I. ROLL CALL AND PLEDGE OF ALLEGIANCE**

**Call to Order: 6:32 p.m.**

**ROLL CALL: Chairman O'Connor, Selectman Crichton, Selectman Ganiere, Selectman Wright  
Selectman Pendergast**

**OTHERS PRESENT: Town Clerk Jo Anne Lepley, Finance Director Maureen Finger, Planner  
John Stoll, Public Works Foreman Robert Perschy**

**ABSENT: Interim Town Manager Gary Stenhouse**

**II. APPROVAL OF MINUTES**

**a. February 24, 2015 BOS Meeting Minutes**

**MOTION: It was moved by Selectman Ganiere and seconded by Selectman Pendergast to  
approve the February 24, 2015 Minutes as presented.**

**The motion carried on a vote of 4 – 0 (Chairman O'Connor was absent from that  
meeting)**

**III. FIRST PUBLIC COMMENT**

**David Dow – Mr. Dow was there to lodge a complaint regarding a school bus driver allowing fifth and  
sixth graders to look at pornography while on the bus. Chairman O'Connor stated that he would look into  
this matter.**

**IV. APPOINTMENTS/PRESENTATIONS/OTHER GUESTS**

**a. Rob Betz, MDOT Project Manager I RE: Hubbard Road Repair**

**Mr. Betz was there with further information for questions which arose at the January 21, 2015  
Public Hearing regarding the upcoming scheduled work on Hubbard Road. Mr. Betz handed the  
BOS papers that showed the cost for realigning the river (3.7 million) vs realigning the road  
(\$700,000). The 3 million dollar difference just did not justify MDOT going with the river  
realignment. There were questions and statements from the BOS regarding the difference in the  
cost. Mr. Betz stated that the construction standard used allows for approximately 20 years of use.**

**John McLane, Environmental Coordinator**

**Mr. McLane explained the newer compensation laws and rules on both the State and Federal  
levels caused the fees for the possible river realignment to be \$750,000.**

**Selectman Crichton objected to the overall cost structure the State is using for the Hubbard Road  
project.**

**Luther Yonce, Jr, Senior Property Officer**

**Mr. Yonce answered a question regarding the fuel tax money and how it is not put into the  
General Fund but goes directly into a "Roads" fund.**

**Mr. Yonce explained the process for the State to purchase parcels of land for the  
Hubbard Road work. He was waiting for the assessment to come back before going forward with**

an offer. Once an offer is made, the Town will have to move quickly. The paperwork will be forwarded on to Mr. Stenhouse and the Town's attorney Bryan Dench.

**b. Sewer District Trustee Appointments**

**Motion:** It was moved by Chairman O'Connor and seconded by Selectman Wright to appoint Daniel Doucette to the Berwick Sewer District Board of Trustees, term to expire June 2018.

**The motion carried unanimously; 5 – 0.**

**Motion:** It was moved by Chairman O'Connor and seconded by Selectman Wright to appoint Priscilla Dube to the Berwick Sewer District Board of Trustees, term to expire June 2018.

**The motion carried unanimously; 5 – 0.**

**V. REPORTS OF COMMITTEES**

**a. BCTV Committee**

**Terri Wright** – Ms. Wright stated that the BOS had just received the proposed BCTV budget and that she would be available if there were any questions.

Selectman Wright stated as a reminder that BCTV receives its funding from a percentage of the fees charged to Time Warner and none of funding is from taxes.

**b. Envision Berwick Committee (EBC)**

**Frank Underwood** – Mr. Underwood was there to ask the BOS to consider the draft warrant article he presented to them that outlines the request for \$30,000 for the EBC to specifically use for Economic Development. There was an attachment breaking the proposed expenditure of the funds attached. Ms. Finger explained that the funds would be kept and disbursed in a similar fashion as the funds that were allotted to the Downton Vision Committee.

Mr. Underwood also stated that members of the EBC have been in contact with potential developers and would like permission from the BOS to show the Prime Tanning property to developers with the assistance of Mr. Dan Labbe (Roger Clement, Fund of Jupiter (FOJ) attorney, has already approved the use of Mr. Labbe). Chairman O'Connor asked Ms. Finger if the Town's insurance would allow this and she stated that it would. Representative Beth O'Connor has started the process for "Pine Tree Zone" designation for Berwick.

Mr. Underwood stated that the EBC had been in touch with Ashley Iber and that the Workforce Housing group is moving forward.

Mr. Dupuis and the Riverfront Subcommittee will be presenting some plans to the BOS in the near future.

**VI. UNFINISHED BUSINESS**

**a. York County Appeal – Tax Map R042 Lot 8 – Paul McKenney, MRI/Assessor's Agent**

Mr. McKenney reviewed the Appeal Case and explained the reason why he was recommending that the BOS not change their original decision. Chairman O'Connor stated that he agreed with the recommendation due to the fact it is State Law.

**Motion:** It was moved by Chairman O'Connor and seconded by Selectman Wright to accept the recommendation of the Assessor

**b. Budgets**

**1. Public Works**

Chairman O'Connor stated that he had concerns with the amount budgeted for fuel due to the fact gas prices had significantly increased since the budget request was prepared.

Finance Director Maureen Finger stated that they had derived a 5 (five) year average of \$3.05 per gallon and were asking for an amount based on \$3.25. Ms. Finger also informed the

BOS that they would be placing a warrant article on the Town Warrant to address the overages in the Public Works Department and explained why the overages occurred.

Selectman Pendergast suggested that the Department use a "pre-bid" system for all of their equipment and work that is subcontracted out. Selectman Wright asked where the cleaning supplies were in the budget. Mr. Perschy stated that they were in the "operating supplies" line.

**Motion:** It was moved by Chairman O'Connor and seconded by Selectman Wright to accept the Public Works Budget as presented (\$700,199).

**The motion carried unanimously; 5 – 0.**

**2. Refuse**

The BOS brought up ways that in the future the Transfer Station could make money for the Town; for instance, scales for demolition debris.

**Motion:** It was moved by Chairman O'Connor and seconded by Selectman Ganiere to accept the Refuse Budget as presented (\$448,424).

**The motion carried unanimously; 5 – 0.**

**VII. COMMUNICATION - NONE**

**VIII. APPROVAL OF ACCOUNTS PAYABLE WARRANTS**

<b>A/P WARRANT</b>	<b>1535</b>	<b>\$71,136.43</b>
<b>WATER WARRANT</b>	<b>1536</b>	<b>\$42,983.89</b>
<b>PAYROLL WARRANT</b>	<b>1536</b>	<b>\$51,092.44</b>

**Motion:** It was moved by Chairman O'Connor and seconded by Selectman Ganiere to approve the Accounts Payable Warrants as presented.

**The motion carried unanimously; 5 – 0.**

**IX. QUITCLAIM DEEDS AND/OR INSTALLMENT CONTRACTS**

**X. ABATEMENTS/SUPPLEMENTALS**

- 1. Abatement: Tax Map R034 Lot 22-1 Hubbard Road**
- 2. Abatement: Tax Map R034 Lot 22 Hubbard Road**
- 3. Abatement: Tax Map R004 Lot 4-2 306 Long Swamp Road**
- 4. Abatement: Tax Map R068 Lot 5 10 Nursery Lane**
- 5. Supplemental Assessment: R068 Lot 5-1 16 Nursery Lane**

**Motion:** It was moved by Chairman O'Connor and seconded by Selectman Ganiere to table the Abatements and Supplementals until the regularly scheduled BOS meeting on March 17, 2015.

**The motion carried unanimously; 5 – 0.**

**XI. SECOND PUBLIC COMMENT**

**Selectman Ganiere**

1. Frank Underwood asked him to mention the Farmer's Market on Sunday, February 8<sup>th</sup>, from 10 a.m. until 1:30 p.m.
2. Kudos to the Berwick Fire and Police Departments. He was at a resident's home when emergency assistance was needed and the response and response time was phenomenal (approx. 4 minutes)

**Chairman O'Connor**

Chairman O'Connor reminded everyone that nomination papers are available at Town Hall in the Clerk's Office.

**Eleanor Murphy**

Ms. Murphy said that it had been a pleasure working on the Budget Committee and she thanked the Finance Director and the Bookkeeper Lisa Huestis for all of their assistance and hard work.

**XII. OTHER BUSINESS/NON-AGENDA ITEMS**

The Town Clerk asked for a motion directing the Town Manager and Public Works Foreman to post the roads for spring weight limits.

**Motion:** It was moved by Selectman Wright and seconded by Selectman Pendergast to allow the Town Manager and Public Works Foreman to post the roads for spring.

**The motion carried unanimously; 5 – 0.**

**XIII. POTENTIAL EXECUTIVE SESSION – None Planned**

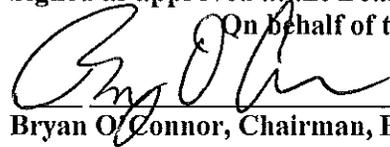
**XIV. ADJOURNMENT**

**Motion:** It was moved by Selectman Ganiere and seconded by Selectman Wright to adjourn.

**The motion carried unanimously; 5 – 0.**

**The meeting adjourned at 8:15 p.m.**

**The March 3, 2015 BOS Amended Meeting Minutes  
Signed as approved at the Board's April 2, 2015 Meeting  
On behalf of the Board**



**Bryan O'Connor, Chairman, Berwick Board of Selectmen**