



BOARD OF SELECTMEN / BOARD OF ASSESSOR
Meeting Minutes
June 21, 2016
6:30pm

Call to Order

Chair Wright called the meeting to order at 6:30pm.

I. Roll Call and Pledge of Allegiance

Board Members Present: Chair Thomas Wright, Selectman Rebecca England, Selectman Edward Ganiere, Selectman Mark Pendergast and Selectman Joshua Plante

Staff Members Present: Town Manager Stephen Eldridge, Transfer Station Supervisor Neil Hokinson and Town Clerk Patricia Murray.

II. MINUTES

a. Minutes from BOS regular meeting June 7, 2016

Motion: Selectman Ganiere moved to accept the minutes as written. Selectman Pendergast seconded the motion.

The motion carried unanimously: 5-0

III. FIRST PUBLIC COMMENT

Neil Hokinson, Transfer Station Supervisor, spoke. He researched South Berwick and how they handle disposing of antifreeze. Mr. Hokinson stated Antifreeze Technology System from Londonderry, NH was cost effective. They will be dropping off a 250 gallon tote so the transfer station can now accept antifreeze. The company will empty the tote when full. The transfer station has only accepted antifreeze on Hazardous Waste Day but will now be able to collect it on a regular basis. The Town Manager and The Public Works Foreman both approved this addition to the services offered.

Chair Tom Wright spoke. He stated the BOS signed a contract with South Berwick for dispatch service. Shortly after the contract was signed, the Town started receiving e-mails questioning whether the Board was doing things in the best interest of the town. His response is that for more than eighteen months the Board and Town officials have been talking about merging new dispatch services with Kittery, Eliot, South Berwick and Berwick. This started with Patrick Venne, then with Gary Stenhouse, Bruce Benway and now with Steve Eldridge. Town Manager Eldridge has been working on this since his first day. Chair Wright also noted that there have been recent changes in Kittery; an interim Town Manger and a new Chief of Police. During the budget process, there were many requests sent to Kittery to supply the Town with numbers, a budget and a contract for dispatch services so this could be incorporated into the 2016-2017 budget. There were many times Town Manager Eldridge got no response at all. He stated that only after the Board signed the contract with South Berwick that, the next day, Kittery sent some paperwork to Town Manger Eldridge. Chair Wright stated this was a concept and not a contract; there was no budget, a lot of wording to be decided at a later date, no equipment costs, and contained a clause that rates could change with a ninety day notice. The contract with

South Berwick is a yearlong contract. The proposed contract was not vetted. Chair Wright was told it was handled by the Kittery Fire Chief. Chair Wright noted that Berwick Department Heads are not empowered to negotiate contracts. The Berwick Board of Selectmen and the Town Attorney handles contract negotiation. The concept submitted by Kittery was not reviewed by Berwick's attorney and the Board did not have time to review it at all. Chair Wright stated he is troubled by accusations that the Board is not being transparent and being accused of not working in the best interest of the Town. He has been accused of working against the Town because of personal relationships, personalities and nepotism. He stated he has no idea where that is coming from and stated that the Board is transparent about everything. He also stated that he is very troubled because according to the emails received, a subordinate employee had more information about the proposed contract than the Town Manager or the Board of Selectmen. Chair Wright stated he fully supports what this Board approved without him being present. He stated he would vote in favor again in a heartbeat. Until a firm contract is received from Kittery or any other place, the Town will stay with the contract it has with South Berwick.

IV. PUBLIC HEARING

a. BCTV Cable Franchise Agreement

Tim Cremmen, BCTV, and Tony Vigue, City of South Portland, were present to speak to the agreement. Mr. Cremmen stated they are still gathering information. He stated that he wants to give the Board as much information as possible since the new agreement will be a ten year or longer term contract. He stated that this is the only way the Town has to hold the cable company accountable as they are not under the regulations of the PUC. Over the course of the ten year contract, twenty million dollars will be leaving the Town of Berwick through cable fees. They want to be sure ComCast is providing what the Town needs as well. The current franchise has allowed BCTV to cover the Selectmen's Meetings, Annual Town Meetings, and Town events.

Mr. Vigue reiterated how important this contract is for the Town; not only the monies leaving the Town but also cable companies do not provide local employment and do not set roots in the community. The cable company use the Town's rights of way and the only way for the Town to recover any money for that use is by charging a franchise fee as defined in the State law as a rental fee. He stated Berwick is currently charging 2.5% of gross revenue and he recommends charging 5% which is the limit. He said there are other benefits that can be negotiated from the cable company that have not been taken advantage of to date. He stated he would advise the Board if they want to look at those. He stated he is here as a resource to the Town. Working with Town Manger Eldridge they have already sent one letter to ComCast requesting information. They will be sending another letter shortly and are putting a package together for the Board of Selectmen.

Selectman Pendergast stated he has been unhappy with Comcast; he has a business on Route 4 and there is still no high speed internet service in that area after many years of promises. He stated the service after Comcast bought out Time Warner, was very poor. There is a lack of service and response. He asked if the Town has to sign a ten year contract.

Mr. Vigue replied that the franchise agreement only covers cable TV. It does not cover telephone or internet service. Discussion ensued regarding cable, phone and internet services. Mr. Vigue suggested googling "Stop the Cap" for more information on data caps and usage based billing.

Mr. Vigue stated the next step is to gather more information from Comcast.

V. REPORTS OF COMMITTEES

a. BCTV Committee

None.

b. Envision Berwick Committee (EBC)

Mr. Frank Underwood was present. He thanked the townspeople for coming to the polls to support the warrant articles. The open launch at the river was successful. Plum Island Kayak supplied free use of kayaks; they supplied 25 kayaks and all were taken out on the river. A total of 92 people participated during the event. He

reported that June 27th is the kick-off date for the demolition at the Prime site. EBC is working with Robert Perschey, Public Works Department Foreman, to get the welcome sign hung. EBC continues to seek a grocery store to commit to the site. Selectman Plante is working with the committee on this. The beer ad, and a feature article on Berwick's search for a brewery to be housed at the Prime site, for the Beer Journal is completed and will be published and distributed for the Fourth of July weekend. Prior to the regularly scheduled EBC meeting on June 23, the Committee will be meeting with AARP for the Age Friendly Community kick off meeting. This is scheduled for 4pm on June 23. There is still a need for committee members for the Age Friendly Community Committee. Mr. Underwood also stated there is interest in the Estabrook School from the Housing Partnership of Portsmouth which was discussed at an EBC meeting. They will be present at the June 23 EBC meeting to further discuss their interest and plans. Mr. Underwood reported that a private developer, Dick Anagnost, from Manchester, NH will be meeting on June 28 about the Prime site. Mr. Anagnost has vast experience with brownfields and is willing to share his knowledge and experience. Mr. Underwood reported that Berwick was awarded the largest EPA grant at 1.2 million dollars. He congratulated Town Planner John Stoll and Rick Vandenberg for their efforts. Mr. Underwood stated EBC was going to start assigning projects with sub-committees. They will start with the PSNH parcel project and the Estabrook School project.

Town Manager Eldridge added that the EPA agreed that the Town would not have to go back out to bid for an engineering firm or a demolition team.

VI. APPOINTMENTS/PRESENTATIONS/OTHER GUESTS

- a. Envision Berwick Committee 2 year term
 - James Bellissimo, Chair
 - Pat Boisvert
 - Paul Boisvert, Treasurer
 - Niles Schore
 - Rick Vandenberg
- b. Envision Berwick Committee 1 year term
 - Dave Andreesen
 - Ruth Bleau
 - Debra Briggs, Secretary
 - Tom Briggs
 - Scott Richardson
 - Frank Underwood, Vice Chair
 - Tom Wright

Motion: Selectman Plante made a motion to accept James Bellissimo, Pat Boisvert, Paul Boisvert, Niles Schore and Rick Vandenberg as Members of the Envision Berwick Committee for two-year terms. Selectmen Pendergast seconded the motion.

The motion carried unanimously: 5 – 0.

Motion: Selectman Plante made a motion to accept Dave Andreesen, Ruth Bleau, Debra Briggs, Tom Briggs, Scott Richardson, Frank Underwood and Tom Wright as Members of the Envision Berwick Committee for one-year terms. Selectmen Pendergast seconded the motion.

The motion carried unanimously: 5 – 0.

- c. Sewer District Trustee
 - Lisa Huestis or Lynn Rendell

Chair Wright noted a resignation letter from current trustee Dave Stolpe which opens one position on the Board of Trustees.

Ms. Lisa Huestis stated she is seeking a position on the Sewer Board and has a little over 10 years' experience working for the Town of Berwick in the Finance Department. She also spends time communicating with the Sewer District when there are questions. She stated she has a good working relationship with them. She noted that the Sewer District is looking into a usage based rate system and she has been involved with that. She stated

she could be an asset in that area. She stated she could be an asset to the Sewer Board and a communicator between the Sewer Board and the Town. She also supports the Sewer District getting to full capacity. Selectman Pendergast asked Ms. Huestis how she works with them in billing. Ms. Huestis replied that she does the water billing and has been working with the Sewer District to see if they can simplify their billing. Discussion ensued with Mr. Jay Wheeler, Sewer District, regarding a flat rate billing versus a usage based billing.

Mr. Lynn Rendell stated he is seeking a position on the Sewer Board. He stated he is on the sewer line and is the last house on the line before the plant. He has worked with Morris Butler and his predecessor. He heard of the opening through word of mouth. He stated his only qualification is that he is retired and looking for something to do. Mr. Rendell is a retired firefighter and ex-military. He has an interest in looking out for the citizens of Berwick. Selectman Pendergast asked Mr. Rendell if he had any ideas for more efficiencies or transparency. Mr. Rendell replied that he has attended meetings at which a handful of people voted on multi-million dollar projects because nobody had an interest in voting. He stated that he is not privy as to how the District operates now but would learn if appointed.

Mr. Wheeler stated that the District is a public entity and everything that is done is public information. They are currently working on a revised website that will offer a lot of information.

Selectman Ganiere asked if there was any conflict of interest with this appointment and Ms. Huestis' position with the Town. Town Manager Eldridge stated the District's budget is totally separate from the Town's budget and there is no conflict of interest. Mr. Wheeler concurred and stated the only conflict of interest is Selectmen being on certain Boards. Discussion ensued regarding billing.

Selectman Ganiere asked Ms. Huestis if she was on the sewer system. Ms. Huestis stated she is not. The Board encouraged Mr. Rendell to apply for the next upcoming opening. Chair Wright stated he has known both applicants for many years and he stated that all of Berwick pays for the Sewer District and doesn't see that being or not being on the sewer line is a detriment.

Motion: Selectman Ganiere made a motion to accept Lisa Huestis as a Sewer District Trustee. Selectman England seconded the motion.

The motion carried unanimously: 5 – 0.

VII. UNFINISHED BUSINESS

a. Pay as You Throw Program/Recycling Committee

Town Manger Eldridge reported that the Committee will be meeting in August. He continues to collect data and talking to people about recycling and taking some of our waste. He has spoken to the Transfer Station staff and is looking at the layout of the station to be more efficient. Discussion ensued regarding wood chipping.

VIII. COMMUNICATIONS

a. Thank you note from Caitlynn Bryant to BOS

Chair Wright read a thank you note from Caitlynn Bryant who was a recipient of the Noble High School Memorial Scholarship.

b. Spirit of America Foundation

The Board will read the materials and will reply via e-mail.

IX. APPROVAL OF WARRANTS

06/09/2016	A/P Warrant #1650	\$ 83,105.91
06/09/2016	Water Warrant #0650	\$ 409.62
06/16/2016	Payroll Warrant 1651	\$ 45,449.40
06/16/2016	A/P Warrant #1651	\$ 57,825.52
06/16/2016	Water Warrant #0651	\$ 3,538.42
06/23/2016	Payroll Warrant #1652	\$ 50,397.84

Motion: Chair Wright made a motion to accept the Accounts Payable Warrants as presented. Selectman Ganiere seconded the motion.

The motion carried unanimously: 5 – 0.

X. NEW BUSINESS

a. Town Meeting Election Results

Chair Wright reported that all articles passed.

b. Election of Board of Selectmen Chair and Vice Chair

Motion: Selectman Ganiere made a motion to elect Tom Wright as Chair of the Board of Selectmen. Selectman Pendergast seconded the motion.

The motion carried unanimously: 5 – 0.

Motion: Selectman Pendergast made a motion to elect Ganiere as Vice Chair of the Board of Selectmen. Selectman England seconded the motion.

The motion carried unanimously: 5 – 0.

XI. QUITCLAIM DEEDS AND/OR INSTALLMENT CONTRACTS

a. Map R051 Lot 008-000-000. This property was under a Land Purchase Installment Contract that has been completed.

Motion: Selectman Ganiere made a motion to accept the quitclaim deed for Map R051 Lot 008-000-000. Selectman Plante seconded the motion.

The motion carried unanimously: 5 – 0.

XII. ABATEMENTS/SUPPLEMENTS

None

XIII. SECOND PUBLIC COMMENT

None

XIV. EXECUTIVE SESSION

None

XV. OTHER BUSINESS/NON-AGENDA ITEMS

Town Manager Eldridge stated that work on Diamond Hill is progressing and is looking good. Reclaiming will begin in July.

Town Manager Eldridge stated he presented Kelly Bridge, a Noble High School student, with the Gold Award which is the highest award in Girl Scouting for her work at the Transfer Station's Second Chance Shop on Saturday.

Town Manager Eldridge announced that the new hours for Town Hall begin June 27. Hours are Monday and Thursday 8:30 – 6:00, Tuesday and Wednesday 8:30 – 5:00 and Friday 8:30 – 11:00.

XVI. ADJOURNMENT

The Meeting adjourned at 7:49pm

Respectfully submitted,

Patricia Murray
Town Clerk

The June 21, 2016 BOS Meeting Minutes – Signed as approved at the Board of Selectmen’s July 5, 2016 Meeting.

On behalf of the Board
