

# Town of Berwick



## BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

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Tuesday, March 21, 2017

6:30pm

Selectmen's Room  
11 Sullivan Street  
Berwick, ME 03901

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### **1. Call to Order**

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

### **2. Roll Call**

Board Members Present: Chair Thomas Wright, Vice Chair Edward Ganiere, Selectman Rebecca England (8:36pm), Selectman Mark Pendergast and Selectman Joshua Plante.

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

### **3. Pledge of Allegiance**

Chair Wright led the Pledge of Allegiance.

### **4. Approval of Meeting Minutes**

- March 7, 2017

Tabled.

### **5. First Public Comment**

Chair Wright opened the first public comment.

Mr. Jim Shearer, School St, spoke. He supplied a handout. The handout indicated locations of three schools and a medical marijuana facility. He is not happy that a medical marijuana facility is near schools. He stated he measured the distance from the school to the facility and it is less than 4/10 of a mile from the entrance to the Knowlton School. He asked the Board to look into this situation. Selectman Pendergast noted that the proposed changes to the Land Use Ordinance, which is being voted on in May, addresses medical marijuana production facilities and dispensaries locations.

There being no further comments, Chair Wright closed the first public comment.

## **6. Public Hearing**

None.

## **7. Reports of Committees**

- **BCTV Committee**

Chair Wright stated that the proposed contract from Comcast was received. Town Manager Eldridge stated it was delivered on Monday. BCTV Committee will meet to compare a franchise agreement and Comcast. Brian Christenson of Comcast confirmed that the proposal was received by the Town.

- **Envision Berwick**

James Bellissimo, chair, spoke. The committee is meeting again Thursday to work on design standards for the village overlay. A concept diagram was developed for comparisons and Mr. Bellissimo will email a copy to Mr. Eldridge. The importance of the concept plan is to show how everything is connected. The sketch will be digitized. This will help to shape ordinance changes slated for November. They are looking at parking lot requirements in the Land Use ordinance. Other standards they are looking into include how wide Main Street and sidewalks should be and lighting standards. Age Friendly Berwick has a 9am meeting scheduled Wednesday. AARP has mailed postcards to every member in the area. Two new people are joining the committee. There is an upcoming sticker campaign to help spread the word about the Committee. An action plan is being created. Some of the goals include a handyman group, adopting a senior volunteer at town hall (State program), creating a town newsletter, and advocating for improvements on Main Street. Recreation Master Plan Committee is planning a summit on May 14th.

## **8. Appointments/Presentations/Other Guests**

- **Waste Management presentation**

Pete Lachapelle, Waste Management was present. Mr. Lachapelle supplied a handout on acceptable recycling materials. He explained “blended value” which is the basic formula used to determine the values of recyclable products. This amount fluctuates monthly depending on commodities market. This will be evaluated quarterly.

Town Manager Eldridge stated the Board just received the bids and will be holding a workshop on Tuesday, March 28, 2017 to review.

Chair Wright noted that Waste Management currently services the Berwick Transfer Station and asked if there were any major changes planned. Mr. Lachapelle replied that space is an issue at the Transfer Station and separating recyclables may reduce processing fees but is less accepted by consumers. He stated he kept to the bid specifications. Discussion regarding shingles and drywall ensued.

Mr. Neil Hokinson, Transfer Station Supervisor, spoke. He asked if the compactors would be replaced as they are old and parts are difficult to find. Mr. Lachapelle replied that he could look into upgrading.

## **9. Unfinished Business**

- **Pay as You Throw Program/Recycle Committee**

Town Manager Eldridge noted that all the bids are in for the waste management contract. A spreadsheet comparing the bids was distributed. A workshop is scheduled for next Tuesday at 6:30.

- **Bad Debt Policy**

Ms. Maureen Finger, Finance Director, presented. She referred to a memo in the Board’s packet which outlines the collection procedures of the Thomas Agency which the Board questioned at the March 7<sup>th</sup>

meeting. She has not received sample collection letters. She also included the most recent client debtor listing so the Board can see what has been collected since this process was started in 2015. Also included is the potential listing of accounts to write off because they have been with the agency more than 18 months. If money is collected it would go into miscellaneous revenue at that point. The Personal Property accounts on the list total \$6700 and one water account equals \$11000. If the Bad Debt Policy is approved she would bring those accounts back to the Board.

Ms. Finger stated, to address the issue of doing this in-house, that she is not in favor of it and has indicated that in her memo. If that is the Board's consensus, the Board would have to talk with the Town Manager to figure out who on staff would do this. She stated she does not have a background in collections and does not know the law and feels her workload cannot take that on.

Selectman Plante asked how the money was collected pre-2015. Ms. Finger replied that she would send bills and letters; if no response then turned over. Selectman Pendergast asked if a lien could be placed. Ms. Finger replied that a UCC lien is a lot of work. Some of the accounts go back to 2006. She stated the change in assessing personal property to over \$10,000 will help eliminate these small accounts in the future. There are six businesses currently on the list.

Discussion ensued regarding using a collections agency and fees.

**Motion:** Selectman Plante made a motion to not accept the Bad Debt Policy as presented. Selectman Pendergast seconded the motion.

**The motion carried unanimously: 3-1.**

#### **10. Town Manager Report**

- The four new clocks are installed in the tower. The trim and electrical work will be completed in the next few weeks.
- Town Manager Eldridge thanked the Public Works, Police and Fire Departments for their work during the blizzard. He noted Berwick roads are some of the best plowed in the area and commended the staff at Public Works.
- The Town's sidewalk plow is not working and a skid-steer loader was rented to plow the sidewalks.

#### **11. Selectmen Communications**

Chair Wright reported that he resigned as a member of the Envision Berwick Committee. He stated if any Board member was interested in filling the seat they could do so.

#### **12. Approval of Warrants**

<b>03-09-2017</b>	<b>A/P Warrant #1736</b>	<b>\$ 60,929.93</b>
<b>03-09-2017</b>	<b>Water Warrant #0736</b>	<b>\$ 349.68</b>
<b>03-16-2017</b>	<b>Payroll Warrant #1737</b>	<b>\$ 48,759.20</b>
<b>03-16-2017</b>	<b>A/P Warrant #1737</b>	<b>\$ 190,399.53</b>
<b>03-16-2017</b>	<b>Water Warrant #0737</b>	<b>\$ 2,482.58</b>
<b>03-23-2017</b>	<b>Payroll Warrant #1738</b>	<b>\$ 54,063.98</b>

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

**The motion carried unanimously: 4-0.**

#### **13. New Business**

- **Stormann Marijuana Farm Proposal, Matt and Bobbie Stormann**

Town Manager Eldridge stated the Stormanns presented their business proposal to him and John Stoll, Planner. The Town Manager did reply to the Stormanns that the Board had put all decisions on hold until the State decides regulation.

Bobbie and Matthew Stormann were present. They gave a brief background about themselves and stated their vision is to own and operate a mid-sized marijuana farm. They are very community-minded, well-educated and their plan is to produce other high yield crops such as lavender and garlic. This will be a family business and will contribute to the local tax base and provide jobs. They would erect industrial greenhouses. They are looking to obtain a municipal sponsorship. They are hoping to acquire a State license in the first round and receive municipal support prior to the issuance of the State license. Phase 2 in November is to erect a 6000 square foot commercial greenhouse. In August 2018 Phase 3 would include another 6000 square foot greenhouse and retail store. The phases are flexible. They are the only investors in the company. They will use a commercial greenhouse approach which uses 60% less energy. They will use proven odor control systems which are used in the hog and chicken industries. The facility will be guarded 24/7. Products include a boutique or craft strain of recreational use marijuana. They will focus on CBD strains of herbal remedies. Ms. Stormann stated they feel they are the right sized partner for Berwick; just big enough to offer jobs and increase tax base.

Selectman Pendergast asked how the product would be distributed. Ms. Stormann replied that a license is necessary. They are applying for a cultivation license. The State will monitor sales and have a seed to sale tracking system. Cultivation licenses are very competitive.

Selectman Ganiere asked about the 24 hour armed security. Ms. Stormann replied that her mother is a licensed judicial Marshall and would head security for the business.

Town Manager Eldridge noted he is attending a workshop Friday regarding the legalization of marijuana.

- **Draft Annual Town Meeting Warrant Acceptance**

Chair Wright read the Warrant (see attached).

Articles 1 – 2 passed unanimously: 4–0

Article 3 passed 3:1 with Selectman Plante opposing

Articles 4 – 20 passed unanimously: 4–0

Article 21: Shall the Town vote to raise and appropriate the sum of **\$36,578** to the Berwick Sewer District for Fiscal Year 2017/18, which begins July 1, 2017? **NOTE:** The District indicates that their focus for the funds at this time is on assisting in repayment of the District's debt service as a result of repairing both pump stations.

Initial vote 2-2

At the 128:22 minute mark Selectman England entered into attendance. Selectman England requested to re-open Article 21. Selectman Plante motioned to re-open Article 21. Chair Wright seconded. The motion passed unanimously. Discussion ensued. Chair Wright motioned to approve Article 21.

Selectman Plante seconded the motion. The motion did not pass with Selectmen England, Ganiere and Pendergast opposing. Final vote 2-3.

Articles 22 – 37 passed unanimously: 4–0

Article 38: Shall the Town vote to raise and appropriate the sum of **\$94,000** as a contribution to the Berwick Library Association for Fiscal Year 2017/18, which begins on July 1, 2017?

Initial vote 4-0 in favor at \$94,000.00

At the 104.:22 minute mark of the meeting, Eleanor Murphy spoke to Article 38 requesting an additional \$5,000.00 bringing the total sum to \$99,000.00. Discussion ensued until the 114 minute mark at which time the regular agenda items resumed. At the 119:29 minute mark, Chair Wright motioned to re-open the vote on Article 38. Selectman Plante seconded the motion. The motion passed unanimously. Chair Wright motioned to change the article to: Shall the Town vote to raise and appropriate the sum of **\$99,000** as a contribution to the Berwick Library Association for Fiscal Year 2017/18, which begins on July 1, 2017? Discussion ensued. Selectman Ganiere called for a vote at the 125:45 minute mark. The revised article passed 3-1 with Selectman Plante opposing.

Articles 39 – 46 passed unanimously: 4–0

**14. Quitclaim Deeds and/or Installment Contracts**

- Land Purchase Installment Contract Map/Lot U004-070

**Motion:** Selectman Ganiere made a motion to accept the Land Purchase Installment Contract Map/Lot U004-070 as presented. Selectman Plante seconded the motion.

**The motion carried unanimously: 4-0.**

**15. Abatements/Supplements**

None.

**16. Second Public Comment**

Chair Wright opened the second public comment. There being no comments, Chair Wright closed the second public comment.

**17. Executive Session**

None.

**18. Other Business/Non-Agenda Items**

Selectman Pendergast asked about the 2.5% Comcast return on the proposal. Town Manager Eldridge reiterated that the Town requested a 5% return and negotiations are still underway.

**19. Adjournment**

The meeting adjourned at 8:48 pm.

**Respectfully submitted,**

**Patricia Murray**  
Town Clerk

**The March 21, 2017 BOS Meeting Minutes – Signed as approved at the Board of Selectmen’s April 4, 2017 Meeting.**

**On behalf of the Board**