

Town of Berwick



BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

Tuesday, August 15, 2017

6:30pm

Selectmen's Room
11 Sullivan Street
Berwick, ME 03901

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 Mark Pendergast and Selectman Joshua Plante.

Absent: Selectman Rebecca England

Staff Members Present: Town Manager Stephen Eldridge, Finance Director Maureen Finger, Fire Chief Dennis Plante, Firefighter Jeff Libby, Planning Tech James Bellissimo, Transfer Station Supervisor Neil Hokinson, and Town Clerk Patricia Murray.

Guests: Mike Lassel, Lassel Architects and Kathy Connor, Southern Maine Planning.

3. Pledge of Allegiance

Chair Wright led the Pledge of Allegiance.

4. Approval of Meeting Minutes

- August 1, 2017

Motion: Selectman Ganiere moved to accept the August 1, 2017 minutes as written. Selectman Pendergast seconded the motion.

The motion carried unanimously: 4:0

5. First Public Comment

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

6. Public Hearing

None.

7. Reports of Committees

- **BCTV Committee**

Town Manager Eldridge reported that BCTV will broadcast a live streaming of the eclipse on Monday, August 21st.

- **Envision Berwick**

James Bellissimo was present. The next meeting is scheduled for September 14th. The committee is full with 14 members. They are working on ideas for the Prime brick reuse; possibly a walkway memorial. Mr. Bellissimo reported on the foot bridge project which will cost approximately \$60,000; the committee is looking into grants and fundraisers in collaboration with Somersworth. The project name is Bridges to Prosperity.

8. Appointments/Presentations/Other Guests

None.

9. Unfinished Business

None.

10. Town Manager Report

- Tomorrow is the last meeting with Prime. The oil spill clean-up is scheduled this week. They will be focusing on punch list items and moving the fences back. The sidewalk will be repaired also. Selectman Plante asked if the removal of the buildings would create a negative TIF. Town Manager Eldridge replied it would not create a negative TIF. Per the assessor the removal of buildings would not negatively affect the valuation.
- Fire Department property and hazard insurance was discussed.
- Road work will commence on Ally Pond Road, Haley Road and Diamond Hill the week of August 28th. Berwick Road is being reclaimed today.

11. Selectmen Communications

- Chair Wright read a letter from FEMA regarding the updated Flood Insurance Rate Map. Meeting august 23rd.

12. Approval of Warrants

08-03-2017	A/P Warrant #1805	\$721,860.58
08-03-2017	Water Warrant #0805	\$ 2,313.36
08-10-2017	Payroll Warrant #1806	\$ 53,677.01
08-10-2017	A/P Warrant #1806	\$414,228.34
08-10-2017	Water Warrant #0806	\$ 412.65
08-17-2017	Payroll Warrant #1807	\$ 54,704.36

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

- Tax Rate Calculation Form

Finance Director Maureen Finger presented the 2018 Tax Rate Calculation. The Town's net total taxable valuation base increased approximately 1.4% from the 2016-17 tax year and there was roughly a six million increase in homestead exemption amounts due to new rates. Compared to 2016-17, the County tax appropriations increased roughly 1.09%, Municipal appropriations increased 3.62% and School/education appropriations increased 4.36%. Total appropriations have increased 3.95%, while State and other revenues are expected to increase 6.2%. Subsequently the net tax dollars to be raised by the local property tax rate has increased by about 3.4%. The assessor is recommending a tax rate of \$17.15, which is a 2% increase from last year and has an overlay amount of approximately \$62,000.

Motion: Chair Wright moved to accept the Tax Rate Calculation Form and to set the 2017-18 tax rate at \$17.15 as presented. Selectman Pendergast seconded the motion.

The motion carried unanimously: 4:0

- Village Overlay District Form Based Code/New Design Standards presentation

Mike Lassel presented a slideshow on the proposed changes to the LUO (Land Use Ordinance) and the introduction of a Form Based Code.

The Village Overlay District was created to:

Ensure future development reflects the vision presented in the Comprehensive Plan.

Reinforce the community's goals to create a walkable town center and main street reflecting regional historic development patterns.

The proposed amendments are a hybrid of traditional zoning and Form-Based Code.

These standards have been created to ensure future development reflects Berwick's Vision. The key components are:

Transformation: From former tannery to Village Center.

Mixed-Use: A seamless integration of commercial and residential uses.

Vibrancy: Fostering a Village Center that is economically and culturally vibrant with public commons and outdoor spaces.

Public hearings are scheduled for August 17th at the Planning Board meeting and on October 17th at the Board of Selectmen meeting.

- Elimination of Firefighter position from Fire Department

Town Manager Eldridge reported that there is no longer a need for the firefighter position. In 2008 the department's goal was to have all staff certified as EMTs. Chief Plante is requesting the elimination of the Firefighter position and to re-open the position of Firefighter/EMT.

Motion: Selectman Pendergast made a motion to eliminate the Firefighter position from the Fire Department. Vice Chair Ganiere seconded the motion.

The motion carried: 3-1 with Selectman Plante opposing.

- Truck Bids

Town Manager Eldridge reported five bids were received. Robert Perschy, Public Works Supervisor, went over the bids with the Town Manager. They are requesting the bid be awarded to Daigle and Houghton who proposed an HP Plow and Western Star Truck body at a cost of \$190,991.00. The joystick option is also requested at an additional cost of \$6,800.00.

Motion: Vice Chair Ganiere made a motion to accept the Plow Bid from Daigle and Houghton with the joystick option totaling \$197,791.00 as presented. Selectman Pendergast seconded the motion.

The motion carried unanimously: 4-0.

14. Quitclaim Deeds and/or Installment Contracts

None.

15. Abatements/Supplements

None.

16. Second Public Comment

Chair Wright opened the second public comment.

Neil Hokinson, Transfer Station Supervisor, announced that the Hazardous Waste Day is scheduled for Saturday, September 9, 2017 from 9am to 1pm at the South Berwick maintenance facility. Flyers are forthcoming. Information is currently available on BCTV

Selectman Joshua Plante, 39 Old Route 4, Apartment 6, spoke. He asked if the BCTV Coordinator position had been filled. Town Manager Eldridge confirmed and also confirmed Terri Wright was the interview committee's top choice. Selectman Plante asked what lead to the decision to hire Ms. Wright. Town Manager Eldridge replied that there were three applicants; one withdrew prior to an interview, and Ms. Wright was chosen based on her connection to the community and her ability to perform the job. Selectman Plante asked to see the resumes of the applicants. Town Manager Eldridge replied he could see Ms. Wright's because she is an employee but the others are protected under privacy laws. Selectman Plante noted that eight weeks ago the BOS voted 3:1 to alter the then existing nepotism policy to create a policy with a waiver. He continues to question if it was the right thing to do. He questioned the need for the waiver at the time of the vote and he had asked if there was ever a time a waiver was needed in the past for hiring. He was told there was not a time the waiver would have been utilized in the past. He stated the first time an opportunity to hire came up after the revised policy was enforced, the waiver was used. Town Manager Eldridge stated the replaced nepotism policy was poorly written and needed revising. He used other towns' policies to revise Berwick's policy. Selectman Pendergast reiterated that the nepotism policy was in need of adjustment for several years according to the prior Town Manager. Mr. Plante stated the timing of the revised policy and Ms. Wright's employment is not coincidental. A discussion about proper channels for personnel matters ensued. Selectman Plante stated he has spoken to people who worked for the Town who have expressed concerns about a hostile work environment if they did not follow a certain direction. Selectman Plante spoke to the disrespectful level of conduct of the BOS and apologized to the residents for seeing the behaviors at recent meetings. He stated it is unbecoming, unprofessional and shows a discord that no one wants to get involved with and deters people from wanting to come to Berwick. He stated he will continue to work on his investigation and will be going public with his concerns. He stated that multiple people have approached him that have direct issues with working with the Town Manager; most have left employment with the Town and some remain but are fearful of retribution. He again apologized to the public and stated he will continue to work on these issues.

Selectman Mark Pendergast, 320 Blackberry Hill Road, spoke. He is on his second term as Selectman. He is a small business owner in the community. He stated that everyone in the room has donated many hours to the Town. He noted some people sit back and use social media as their means of communication. He doesn't think people going around town researching people is right. He stated there isn't a more honest board or Town Manager than those in place in Berwick. He stated Selectman Plante is only a mouthpiece for a certain group in Town.

Selectman Plante responded to a side comment from Selectman Pendergast regarding his renter status and not paying property taxes. Selectman Plante replied that he does pay rent which includes costs of property taxes.

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

17. Executive Session

Executive Session

- Title 1 §405(6)(A) - Discussion of Personnel

Chair Wright announced the Board did not need to enter into Executive Session.

18. Other Business/Non-Agenda Items

None.

19. Adjournment

The meeting adjourned at 7:57pm.

Respectfully submitted,

Patricia Murray
Town Clerk

**The August 15, 2017 BOS Meeting Minutes – Signed as approved at the Board of Selectmen’s
September 5, 2017 Meeting.**

On behalf of the Board
