



Town of Berwick

BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

Wednesday, November 8, 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 Rebecca England, Selectman Mark Pendergast and Selectman Joshua Plante.

Board Members Absent: None

Staff Members Present: Town Manager Stephen Eldridge, Assessor Paul McKenney and Town Clerk Patricia Murray.

3. Pledge of Allegiance

Chair Wright led the Pledge of Allegiance.

4. Approval of Meeting Minutes

- October 17, 2017

Motion: Vice Chair Ganiere moved to accept the October 17, 2017 minutes as written. Chair Wright seconded the motion.

The motion carried: 3:0 with Selectmen England and Pendergast abstaining.

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**

Chair Wright reported BCTV is in the process of purchasing a projector for use in the Board of Selectmen Room. A projector for use in the auditorium is also being researched. Ms. Terri Wright, BCTV Coordinator, along with Chair Wright, attended the Northeast Conference of Community Media. Chair Wright noted the conference was very informative and well attended. A few subjects covered were lighting and drone use.

Town Manager Eldridge stated Comcast negotiations are on-going and we are waiting to hear from Comcast.

BCTV will not be broadcasting this weekend due to electrical work being done at Town Hall.

- **Envision Berwick**

No report.

8. Appointments/Presentations/Other Guests

- **Bernstein, Shur Law Firm**

Attorneys Linda McGill, Shoshana Cook Mueller, and Philip Saucier were present to introduce themselves to the Board. Bernstein Shur Law Firm is the Town's new legal firm. Attorney McGill specializes in labor and employment and municipal and governmental services. Attorney Cook Mueller specializes in commercial and governmental finance, energy, land use and environmental, municipal and governmental services. Attorney Saucier specializes in health care, land use and environmental, municipal and governmental services.

- **Appointment of Board of Selectmen member to Envision Berwick Committee**

Chair Wright stated that he was the representative to the Envision Berwick Committee and has stepped down. No other Board members expressed interest. Chair Wright noted he would remain involved unofficially.

9. Unfinished Business

- **Supplement (Second) to Agreement for Rehabilitation and Sale of Real Estate**

Town Manager Eldridge presented a document for the Board's signature. The Supplement is for the Prime Tanning Site and is related to the second grant approved by Southern Maine Planning and Development Commission. Mr. Mark Kehaya, Fund of Jupiter, has signed the Supplement and will provide matching funding once the Board signs. The final Supplement which is for the oil spill clean up should be available at the next Board meeting. SMPD approved a maximum of \$93,005.00 50/50 match which Mr. Kehaya has agreed to match.

Motion: Chair Wright moved to accept the Supplement (Second) to Agreement for Rehabilitation and Sale of Real Estate as presented. Vice Chair Ganiere seconded the motion.

The motion carried unanimously: 5:0

- **Tax Acquired Property Bid; 0 Jewell Lane, Map R054 Lot 008-B-002**

Town Manager Eldridge stated this property was originally put out to bid and one bid came in at \$5,000.00 from Mr. Joseph Patenaude. This bid was denied by the Board since the minimum bid was \$12,500.00. Mr. Patenaude has agreed to pay the minimum bid.

Motion: Chair Wright moved to accept the bid from Joseph Patenaude for property at 0 Jewell Lane, Map R054 Lot 008-B-002 in the amount that is equal to the minimum bid amount at time of purchase. Vice Chair Ganiere seconded the motion.

The motion carried unanimously: 5:0

10. Town Manager Report

- The work on the outfalls has begun. Work should be completed by the end of this week. An additional cost for removal of a rusted pipe was added to the project.
- The Fire Station Committee has met and did site visits with the architects. The architects recommend the Cemetery Road parcel.
- The Transfer Station had issues with a compactor. The motor has been replaced.
- Selectman England spoke about the Second Chance Shop. She noted that the station gets congested because of people at the Second Chance Shop. She suggested designating certain hours for drop off and shopping. Town Manager Eldridge will discuss with Neil Hokinson, Transfer Station Supervisor and Robert Pershey, Public Works Foreman.
- The Transfer Station will be closed on Saturday, November 11 in observance of Veterans Day.

11. Selectmen Communications

None.

12. Approval of Warrants

10-19-2017	A/P Warrant #1816	\$170,557.38
10-19-2017	Water A/P Warrant #0816	\$ 2,616.35
10-26-2017	Payroll Warrant #1817	\$ 49,991.44
10-26-2017	A/P Warrant #1817	\$ 63,390.86
10-26-2017	Water Warrant #0817	\$ 9,305.77
11-02-2017	Payroll Warrant #1818	\$ 45,615.00
11-02-2017	A/P Warrant #1818	\$769,019.55
11-02-2017	Water A/P Warrant #0818	\$ 12,634.10
11-09-2017	Payroll Warrant #1819	\$ 49,608.17

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

The motion carried unanimously: 5:0.

13. New Business

- 71 Sullivan Street Demolition Bid

The following bids were received:

BIDDER	TOTAL COST	NOTES
Cross Excavation	\$63,700.00	
William Renaud Trucking	\$62,350.00	Protested by Cross Excavation; no bid bond included in packet; official protest emailed to Town Manager

Town Manger Eldridge stated there is only roughly \$40,000.00 left after the purchase of 71 Sullivan Street. He asked the Board for direction. Discussion ensued regarding the \$45,000.00 original demolition estimate that determined the amount requested in the warrant article. Town Manager Eldridge stated he does not recommend going into any funding accounts to cover the difference. Chair Wright noted there are a few issues that need to be addressed including the water line leading into the building that feeds both structures. Chair Wright suggested contacting salvage companies regarding the woodwork and lighting in the buildings. Town Manager Eldridge stated Portland Salvage was interested in looking at the materials. Pictures have been sent and he will contact them for a site visit. Continued discussion regarding the original estimate ensued.

Motion: Vice Chair Ganiere made a motion to reject the bids received from Cross Excavation and William Renaud Trucking for the demolition of 71 Sullivan Street and to give Town Manager Eldridge permission to negotiate pricing with the two contractors. Selectman England seconded the motion.

The motion carried unanimously: 5:0.

- 2017 Municipal Valuation Return

Mr. Paul McKenney, Assessor, was present. Mr. McKenney explained the valuation is similar to last year's return. There was an increase in the State Homestead Exemption and the TIF District was also considered which contributed to value changes. The form submitted needs Select Board signatures and was due to the State on November 1, 2017. Mr. McKenney already submitted the form and is requesting Board signatures.

Motion: Chair Wright made a motion to accept the 2017 Municipal Valuation Return as presented. Vice Chair Ganiere seconded the motion.

The motion carried unanimously: 5:0.

- Award of Audit Services Bid for FYs 2018, 2019, 2020

Town Manager Eldridge reported that six bid requests were sent out and three were returned.

AUDIT FIRM	THREE YEAR TOTAL			SINGLE AUDIT	SINGLE AUDIT	SINGLE AUDIT
	TOWN	WATER	PUC REPORT	FY18	FY19	FY20
RHR Smith	25,800	4,200	1,500	3,000	3,000	3,000
Ron Beaulieu & Co	32,940	3,000	1,560	1,000	1,000	1,000
Runyon Kersteen Ouellette	34,160	6,070	2,470	2,000	2,050	2,100

He and Finance Director, Maureen Finger, recommend rewarding RHR Smith with the Audit Services. RHR Smith has been conducting the Town's audit for the last three years. Discussion ensued regarding changing audit firms every three to five years. Town Manager Eldridge stated the bid should go out every three years. RHR Smith will be present at the December 19th BOS meeting to present the FY17 audit.

Motion: Selectman England made a motion to table the Award of Audit Services Bid for FYs 2018, 2019, 2020. Vice Chair Ganiere seconded the motion.

The motion carried: 4:1 with Selectman Plante opposing.

- Write off of remaining \$2,747.33 property tax: 71 Sullivan Street Map U003 Lot 011
Town Manager Eldridge stated this is the remaining balance of the second half of property tax due for 71 Sullivan Street. The Town is the property owner for the period this tax covers. Selectman Plante asked for clarification of the time period this write off would cover. It was confirmed to be January 2018 through June 2018.

Motion: Vice Chair Ganiere made a motion to write off the remaining \$2,747.33 property tax for 71 Sullivan Street Map U003 Lot 011. Selectman Pendergast seconded the motion.

The motion carried unanimously: 5:0.

14. Quitclaim Deeds and/or Installment Contracts

- Quitclaim Deed: Map U004, Lot 053-000-000, 17 Rochester Street
Chair Wright reported that this parcel was under payment agreement with the owner of record and has been paid off.

Motion: Vice Chair Ganiere made a motion to accept the quitclaim deed for Map U004, Lot 053-000-000, 17 Rochester Street as presented. Chair Wright seconded the motion.

The motion carried unanimously: 5:0.

15. Abatements/Supplements

- Abatement: Map 036 Lot 4-46, 46 Pine Hill MH Park
Assessor McKenney explained mobile homes are transferred by bill of sale and not deed. This previous owner brought in the bill of sale after tax bills were mailed. This abatement is for the seller.

Motion: Vice Chair Ganiere made a motion to accept the abatement for Map 036 Lot 4-46, 46 Pine Hill MH Park as presented. Selectman England seconded the motion.

The motion carried unanimously: 5:0.

- Supplement: Map 036 Lot 4-46, 46 Pine Hill MH Park
Assessor McKenney explained mobile homes are transferred by bill of sale and not deed. This previous owner brought in the bill of sale after tax bills were mailed. This supplement is for the buyer.

Motion: Vice Chair Ganiere made a motion to accept the supplement for Map 036 Lot 4-46, 46 Pine Hill MH Park as presented. Chair Wright seconded the motion.

The motion carried unanimously: 5:0.

- Abatement: Map R005 Lot 4-3, 318 Long Swamp Road
Assessor McKenney explained this was a voluntary merger of three lots into one lot which was not completed prior to the tax commitment. The two properties which are now merged with the mother lot need abatements while the mother lot, which now consists of all three lots for a total of 27.6 acres, needs a supplement.

Motion: Vice Chair Ganiere made a motion to accept the abatement for Map R005 Lot 4-3, 318 Long Swamp Road in the amount of \$677.43 as presented. Selectman England seconded the motion.

The motion carried unanimously: 5:0.

- Abatement: Map R004 Lot 4-C, 318 Long Swamp Road

Assessor McKenney explained this was a voluntary merger of three lots into one lot which was not completed prior to the tax commitment. The two properties which are now merged with the mother lot need abatements while the mother lot which now consists of all three lots needs a supplement.

Motion: Chair Wright made a motion to accept the abatement for Map R004 Lot 4-C, 318 Long Swamp Road in the amount of \$1,099.32 as presented. Vice Chair Ganiere seconded the motion.

The motion carried unanimously: 5:0.

- Supplement: Map R004 Lot 4A, 318 Long Swamp Road

Assessor McKenney explained this was a voluntary merger of three lots into one lot which was not completed prior to the tax commitment. The two properties which are now merged with the mother lot need abatements while the mother lot which now consists of all three lots needs a supplement.

Motion: Vice Chair Ganiere made a motion to accept the supplement for Map R004 Lot 4A, 318 Long Swamp Road in the amount of \$720.30 as presented. Selectman England seconded the motion.

The motion carried unanimously: 5:0.

16. Second Public Comment

Chair Wright opened the second public comment.

Ms. Eleanor Murphy, Rochester Street, spoke. She stated the Board decided in 2014 to change audit firms every three years. She is not sure if this is a policy. Town Manager Eldridge will check.

Chair Wright thanked Town Clerk Murray and all election workers for the smooth running of the November 7th election. There was an unexpected large turnout of voters.

Chair Wright also thanked the Fire, Police and Public Works Departments for their work during the storm.

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

17. Executive Session

None.

18. Other Business/Non-Agenda Items

None.

19. Adjournment

The meeting adjourned at 7:33pm.

Respectfully submitted,

**Patricia Murray
Town Clerk**

**The November 8, 2017 BOS Meeting Minutes – Signed as approved at the Board of Selectmen’s
November 21, 2017 Meeting.**

On behalf of the Board
