



Town of Berwick

BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

Tuesday, June 5, 2018

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, and Selectman Rebecca England and Selectman Mark Pendergast (excused at 7:57pm).

Board Members Absent: Selectman Joshua Plante

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

Guests: Superintendent Steven Connolly and Assistant Superintendent Susan Austin.

3. Pledge of Allegiance

Chair Wright led the Pledge of Allegiance.

4. Approval of Meeting Minutes

- May 15, 2018

Motion: Vice Chair Ganiere moved to accept the May 15, 2018 minutes as written. Selectman England seconded the motion.

The motion carried: 3:0 with Selectman Pendergast abstaining.

5. First Public Comment

Chair Wright opened the first public comment.

Mr. Neil Hokinson, Transfer Station Supervisor, spoke. He stated the arrangement of bins was changed at the transfer station to help traffic flow. He has received good feedback on this change. Town Manager Eldridge stated many complaints are being received regarding closing the Swap Shop on the weekends. The Town will stripe the area to delineate the flow.

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

6. Public Hearing

None.

7. Reports of Committees

- **BCTV Committee**

No report.

Town Manager Eldridge noted that BCTV videotaped two public presentations at the Police Department addressing the opioid epidemic.

- **Envision Berwick**

- Meetings will be held on the 2nd and 4th Tuesdays of each month at 6pm.
- The Great Falls Park kick-off meeting was a success. Maps are available on the Envision Berwick Facebook page. The next meeting is June 14th.
- A Prime clean-up day to cut brush will be scheduled soon.
- A few Prime stack bricks were shipped to Bow, NH for an engraving evaluation.
- Volunteers are needed for the ice rink.

8. Appointments/Presentations/Other Guests

- Steven Connolly, Superintendent MSAD 60

Mr. Connolly presented the 2018-19 budget which was approved at the budget hearing held on May 21, 2018. The budget referendum will be voted on at the June 12th election. Budget presentations to the School Board can be seen on BCTV. Minutes are available at MSAD60.org. The annual report was mailed to residents and is available online. The total budget is \$41,390,414.00. Mr. Connolly explained the increases and changes by department. Discussion regarding growth control and impact fees ensued.

9. Unfinished Business

- Nominations for MMA Legislative Policy Committee

Nominations are due June 13, 2018.

- Town Manager's Contract

The Board voted on the Town Manager's contract. Human Resources suggested the following changes: salary increases will be based on CPI or 2% annually, whichever is higher; termination: the employee shall receive compensation and benefits as described in the agreement for a period of six month to the date. The employee can remain in the position for three months after resolution.

Motion: Chair Wright made a motion to accept and sign the Town Manager's contract with the changes. Vice Chair Ganiere seconded the motion.

The motion carried unanimously: 4:0

10. Town Manager Report

Town Manager Eldridge reported the following:

- The Sewer District Board of Directors has two openings. Interested parties can contact the Town Manager or Jay Wheeler, Sewer District.
- State, School and Town elections are Tuesday June 12, 2018. Polls are open from 8am to 8pm.

- MDOT is working on Route 236.
- MDOT is working on the culvert on Route 9.
- The Memorandum of Understanding is finalized with Comcast. Work on Diamond Hill and Little River will be scheduled.
- The Prime closing is set for June 21, 2018.
- A meeting with Planning Board and Board of Selectmen is scheduled for June 26, 2018.

11. Selectmen Communications

Chair Wright reported the following:

- The public hearing for the York County budget is scheduled for June 13, 2018 at 6:30pm at the York County Government Building.
- Notice was received from a bio digesting firm that treats sewage and distributes it on farmland as fertilizer under DEP guidelines. A berwick field has applied for this service. Chair Wright asked Town Manager Eldridge to request a public hearing.

12. Approval of Warrants

05-17-2018	A/P Warrant #1846	\$ 67,013.03
05-17-2018	Water A/P Warrant #0846	\$ 2,486.00
05-24-2018	Payroll Warrant #1847	\$ 53,294.78
05-24-2018	A/P Warrant #1847	\$ 116,241.35
05-24-2018	Water A/P Warrant #0847	\$ 5,008.09
05-31-2018	Payroll Warrant #1848	\$ 50,919.82
05-31-2018	A/P Warrant #1848	\$ 5,092.73
05-31-2018	Water A/P Warrant #0848	\$ 1,184.74
06-07-2018	Payroll Warrant #1849	\$ 60,900.28

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

The motion carried unanimously: 3:0

13. New Business

- Year End Appropriation Transfers

INTEROFFICE MEMORANDUM

TO: STEPHEN ELDRIDGE, TOWN MANAGER
FROM: MAUREEN FINGER, FINANCE DIRECTOR *mf*
SUBJECT: YEAR-END APPROPRIATION TRANSFERS
DATE: MAY 31, 2018

As I have been pointing out in the monthly financial reports, the General Expense budget is anticipated to exceed its bottom line appropriation figure of \$267,690 due to higher than anticipated legal fees. As of May 31, 2018, the legal expense budget is over by \$14,034. The Town still has to pay for the May and June legal services. And with the potential closing to turn the former Prime Tanning site back to the Fund of Jupiter in June, the budget is anticipated to go over by as much as \$22,000.

The Town Hall building maintenance account is overbudget by \$8,664 as of May 31, 2018 and with the Board requesting the Town Manager to consider installing cameras in the Town Hall lobby, which is anticipated to cost just under \$5,000, this will bring the overage to more than \$13,000.

The Public Works salt account is overbudget by \$38,829.

Given the impact of these higher than normal expenditures in the three departmental budgets identified above, I am requesting that you go to the Board of Selectmen at their first meeting in June and request the following internal transfers be done to cover the anticipated overages identified. The proposed internal transfers are listed below.

<u>From Accounts</u>			<u>To Accounts</u>		
Account #	Description	Amount	Account #	Description	Amount
200-09-20-50	Planning – Health Ins	\$17,000	200-01-40-10	Legal	\$10,000
200-09-20-30	Planning - Retirement	\$4,000	200-19-50-20	Town Hall – Bldg. Maint.	\$13,000
200-09-10-90	Planning – FT Wages	\$2,000			
500-07-55-20	Transfer Sta – Hauling	\$15,000	500-01-30-36	DPW – Salt	\$35,000
500-07-55-30	Transfer Sta - MSW	\$20,000			
Total to be Transferred:		\$58,000			\$58,000

If you or the Board should require additional information, please let me know. Otherwise, I would like to have this addressed at the Board’s June 5, 2018 meeting.

NOTE: The May 12, 2015 Town Meeting Warrant Article 29, which was approved by the voters, authorizes the Town Manager, with Board of Selectmen approval, to balance the budget, if necessary, by transferring unencumbered appropriations from one account to another within the budget.

Motion: Vice Chair Ganiere made a motion to accept the Year End Appropriation Transfer as presented. Selectman England seconded the motion.
The motion carried unanimously: 3:0

- Paving Bid

Line Item	Libby Scott Inc.	Pike Industries
9.5 mm machine placed asphalt	\$69.50 / ton	\$80.50 / ton
9.5 asphalt shim	\$69.50 / ton	\$80.50 / ton
Shoulder aggregate	\$15.50 / ton	\$15.00 / ton
Tack Coat	\$7.40 / gallon	might be included above
Example: Diamond Hill Road		Libby Scott
14,098 lf = 3,102	tons of asphalt	\$215,589.00
1,383	gallons of tack coat*	\$10,234.00
	Totals	\$225,823.00
*at 0.10 gallons per SY		\$249,711.00
		difference of \$23,888.00

Note: due to the similarity in unit cost, shoulder work was not included in comparison.

Motion: Vice Chair Ganiere made a motion to award the paving bid to Libby Scott with an amount not to exceed \$340,000.00 as presented. Selectman England seconded the motion.
The motion carried unanimously: 3:0

- Agreement: Berwick Town Hall and Our Theatre Company

Agreement Berwick Town Hall and Our Theatre Company (OTC)

This agreement takes effect the date it is signed through December 2018. In November, this agreement will be reviewed annually (in November) for any adjustments, additions, etc. Any changes deemed necessary will be negotiated, documented in writing, and signed by both parties before December 1st. This agreement does not commit either party to a permanent agreement. This agreement is not transferable to any other theater company, organization or persons. The breaking of any items under the Town of Berwick Auditorium Policy, this Agreement and/or any amendments to this agreement will warrant the cancellation of all reserved space and privileges and the removal of all OTC material and belongings within 30 days. Anything remaining after the 30 days will become the property of the Town of Berwick.

Our Theater Company will fall under the Berwick Town Hall Auditorium Policy with the following additions:

SPACE:

- OTC will have usage of the stage area less the 2 landings and the locked storage area.
- There will be no building of structures or attachments to the Town Hall structure without written pre-approval.
- Painting, renovations, wall attachments are not allowed without written pre-approval.
- Chairs and tables within the auditorium may be utilized and remain up until the final show (any emergency or unexpected town usage causing the need to break down the space will be discussed with both parties to find an agreed solution).
- The Town of Berwick does not at this time provide stage lights nor sound system.
- OTC will maintain the following: regular neatness and tidiness of the space as they use it including picking up trash and accidental spills. Trash can liners will be in receptacles. It will be the responsibility of OTC to take any overflow trash with them. No trash is to be left outside of the receptacles in or out of trash bags.
- The Town contracts with a custodial service who clean and polishes the floor on an as needed basis. It is understood that outside groups utilizing the space around OTC rehearsals may warrant the necessity to clean the floor. If so, that process will be done before the performances begin. Due to the age and condition of the floor only the contracted service is allowed to clean the floor.
- The bathrooms are cleaned weekly and stocked as needed, and the lobbies are cleaned as needed by Town Hall designated personnel.
- Walkways are cleared by the Public Works Department as soon as possible. Special attention will be given to the space on performance nights, but should additional cleaning be required shovels are available inside the main Town Hall door and salt (seasonal) and scoop are located in the metal drum along the walkway to be utilized as needed.
- Any heat that is adjusted during usage must be returned to its starting position when leaving the building.

DATES:

- All dates must be reviewed and approved as early as possible to ensure availability. Town business continues within the Town Hall and often on a first-come basis.
- Snow dates must be requested and put on the calendar during the “date setting meeting” to ensure that all are recorded. Additional dates may be requested once the performance has started for an extra show, etc., but these would need to be negotiated and availability may be limited.
- Each show will need to have dates scheduled prior to usage, but no earlier than 1 year in advance.

COSTS:

- Once dates are confirmed a \$100 charge is required to hold the dates.
- This agreement includes 8 days before the first performance date for rehearsals/tech week, loading in day. These dates need to work around municipal dates.
- A charge of \$50 per performance date will be charged. This is intended to collect more as there is more usage and increased cleaning time during and after the show closes. So, 6 performances will cost \$300.00.
- OTC will not be financially responsible for costs incurred due to accidental triggering of alarm system.

Motion: Vice Chair Ganiere made a motion to accept the Contract between the Town of Berwick and Our Theatre Company with the addition of an out clause. Selectman England seconded the motion.

The motion carried unanimously: 3:0

- Agreement Between City of Sanford and Town of Berwick for Dispatch Service

Motion: Vice Chair Ganiere made a motion to accept the Agreement between City of Sanford and Town of Berwick for Dispatch Service as presented. Selectman England seconded the motion.

The motion carried unanimously: 3:0

14. Quitclaim Deeds and/or Installment Contracts

- Quitclaim Deed: Map R068 Lot 026-022, 22 Sunrise Hill MHP

The installment contract has been fulfilled and the Town will convey the property back to the previous owner.

Motion: Chair Wright made a motion to accept the Quitclaim Deed for Map R068 Lot 026-022, 22 Sunrise Hill MHP as presented. Vice Chair Ganiere seconded the motion.

The motion carried unanimously: 3:0.

- Quitclaim Deed: Map R040 Lot 007, 33 Durant Road

The installment contract has been fulfilled and the Town will convey the property back to the previous owner.

Motion: Chair Wright made a motion to accept the Installment Contract for Map R040 Lot 007, 33 Durant Road as presented. Vice Chair Ganiere seconded the motion.

The motion carried unanimously: 3:0.

15. Abatements/Supplements

None.

16. Second Public Comment

Chair Wright opened the second public comment.

Mr. Bruce Flaherty, Spirit of America, spoke. Mr. Flaherty asked the Board to nominate a resident for the Spirit of America Volunteer Program which annually recognizes citizens for outstanding community service. Several surrounding communities have selected nominees. The deadline is June 30 for submissions.

Mr. Tony Cincotta spoke. The 2018 annual car show had over 130 participants. The event was very successful.

Chair Wright recognized Vice Chair Ganiere for his service to the Board of Selectmen.

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 regular meeting adjourned at 8:24pm.

Respectfully submitted,

**Patricia Murray
Town Clerk**

The June 5, 2018 BOS Meeting Minutes – Signed as approved at the Board of Selectmen’s June 19, 2018 Meeting.

On behalf of the Board
