



# Town of Berwick

## BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

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Tuesday, March 26, 2019

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 Ed Ganiere, and Selectman Kenneth Manning, Jr.

Board Members Absent: Selectman Rebecca England and Selectman Mark Pendergast

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

### 3. Pledge of Allegiance

Chair Wright led the Pledge of Allegiance.

### 4. Approval of Meeting Minutes

- March 12, 2019

**Motion:** Vice Chair Ganiere moved to accept the March 12, 2019 minutes as written. Selectman Manning seconded the motion.

**The motion carried: 3:0**

### 5. First Public Comment

Chair Wright opened the first public comment.

Ms. Melanie Olio, Love Brook Road, spoke. She is present for the motion of paving Love Brook Road. The road is a half mile from the mailboxes to the non-maintained portion of Love Brook Road. There are only three dirt roads left in the Town of Berwick and Love Brook is one of them. The traffic can be heavy at times with eleven homes on the road. Three school buses travel Love Brook four times a day. Resurfacing would be another option if graded properly. The culverts need to be replaced with larger ones and drainage ditches need to be cleaned properly. Questions for Town Manager Eldridge: How

much road repair funds have been spent on Love Brook in the past two or three years, does the Town have a road grader or will one be borrowed, has any consideration be given to hire an outside engineer to access the drainage and culverts, what is standard minimum weight limit for a Town road, are there funds to pave Love Brook in the FY20 budget.

Town Manager Eldridge replied with the following:

- According to Public Works Foreman Robert Pershey, Love Brook Road has not had ditching done for over twelve years. Mr. Pershey will go out to Love Brook in the coming weeks to take care of that.
- He was not aware of the culvert issues so that will need to be addressed.
- The materials on the road are not good and there is clay underneath it. The clay needs to be removed.
- Love Brook Road needs a lot of work and will cost a lot of money.
- The Town does not own a grader and there is no plan to purchase one. All monies will be going towards roads in lieu of equipment for the next five years.
- Worster Road will be rebuilt this year as it's need is the greatest.
- There are roads posted with a 23,000-pound limit from March until the end of April.
- Mr. Eldridge believes the Town can rebuild the road without the use of engineers.
- Pine Hill will be worked on this year.
- Mr. Eldridge could consult with an engineer in South Berwick that he has used in the past.
- He is concerned that Love Brook has not been worked on in a long time and plans to use a grader to pack the materials.
- His recommendation would be to replace the culverts this year, clean out and maintain the ditches on a regular basis and do section work to replace the road materials. Paving could commence next year after replacement materials have settled.

Discussion of tax revenue disbursement ensued. Chair Wright stated this is a policy issue which should be discussed during the regular agenda.

Terry Sullivan, Love Brook Road, spoke. He added that Love Brook is a safety issues for emergency vehicles. School buses have to go very slowly to navigate the potholes. The school bus turnaround before the bridge is a spot for questionable activities. Mr. Sullivan's son found a hypodermic needle there. Paving the road will allow for patrols from the Police Department. He also mentioned the wear and tear to vehicles that travel the road regularly. He suggested using milling from another road. Chair Wright explained that typically any milling from a road is used on that road.

Mr. Jon Desisto, Love Brook Road, spoke. He reiterated all the concerns. He asked about the culvert process. Town Manager Eldridge stated he will go out and inspect the culverts and follow up on that.

Mr. Christopher Olio, Love Brook Road, spoke. He has witnessed a lot of repairs and thanked the Town for sending the road crew out. He is concerned that any work done is not being done with a grader.

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

## **6. Public Hearing**

None.

## **7. Reports of Committees**

- **BCTV Committee**

No report.

- **Envision Berwick**

No report.

**Department Reports**

- Rick Vandenberg, Recreation Master Plan

Mr. Vandenberg, Chair, reported that the committee is continuing to work on the Master Plan and will plan to include it on the November warrant. He will continue to update the BOS.

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

- Appointments:
  - Natalie Gould; Reappointment to Recreation Commission – 3 Year Term

**Motion:** Vice Chair Ganiere moved to reappoint Natalie Gould as Member of the Recreation Commission for a three-year term. Selectman Manning seconded the motion.

**The motion carried: 3:0**

- Marnie Thibault; Reappointment to Recreation Commission – 1 Year Term

**Motion:** Vice Chair Ganiere moved to reappoint Marnie Thibault as Member of the Recreation Commission for a one-year term. Selectman Manning seconded the motion.

**The motion carried: 3:0**

**9. Unfinished Business**

None.

**10. Town Manager Report**

Town Manager Eldridge reported the following:

- The tri-town meeting is tentatively scheduled for April 11<sup>th</sup>.
- Teamsters Union negotiations will resume next week with wages on the agenda.
- A conference call with Mark Kehaya, Fund of Jupiter, was conducted and another is scheduled for next Wednesday.
- FY20 Budget highlights: increase in Fire Department to enable 24/7 coverage using part-time people, increase in use of the Lena Clark Trust for auditorium floor varnishing and phase three of electrical work to replace fuses with breakers, road work will be biggest expense.

**11. Selectmen Communications**

Chair Wright reported the following:

- Kevin Gray submitted a letter of interest in serving on the Sewer Board of Trustees.
- Chari Wright attended the appropriations committee session in Augusta. Governor Mills proposed a 2.5% revenue sharing for the upcoming fiscal year. Statute mandates a 5% share.

**12. Approval of Warrants**

03-14-2019	A/P Warrant #1937	\$ 134,926.51
03-14-2019	Water A/P Warrant #0937	\$ 437.65

03-21-2019	A/P Warrant #1938	\$ 80,495.61
03-21-2019	Water A/P Warrant #0938	\$ 1,980.40
03-21-2019	Payroll Warrant #1938	\$ 51,253.52
03-28-2019	Payroll Warrant #1939	\$ 55,689.91

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

**The motion carried: 3:0**

### 13. New Business

Bond Bank Issue and Approval for the design, construction and improvements of a new fire station and the design, construction and improvements for a police department building renovation including all other reasonable costs related thereto (together, the "Project"); (2) appropriate a sum not to exceed \$6,000,000 for the costs of the Project; (3) to fund this appropriation, authorize the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of Berwick, Maine, including temporary notes in anticipation of the sale thereof and refunding obligations, in an aggregate principal amount not to exceed \$6,000,000 as approved by voters at the November 6, 2018 election.

Vice Chair Ganiere motioned

(1) That, pursuant to the approval by the Town Meeting of Article 5 of the 2018 Town Meeting Warrant which approved a project consisting of the design, construction and improvements of a new fire station and the design, construction and improvements for a police department building renovation (the "Project"), the Board of Selectmen is utilizing its authority to issue general obligation securities of the Town of Berwick, Maine for the Project.

(2) That the Treasurer and Chairman of the Select Board be authorized to issue a general obligation bond or bonds to the Maine Municipal Bond Bank in an amount not to exceed \$6,000,000, for the purpose of funding the project.

(3) That the Treasurer and Chairman be further authorized to fix the dates, maturities, denominations, interest rate, place of payment, form and other details of said securities, including the execution, sale and delivery of said securities against payment therefore.

(4) That the Treasurer and Chairman be further authorized to execute a Loan Agreement with the Maine Municipal Bond Bank in such form as the Bank may require; that the Clerk is directed to affix the corporate seal thereto and attest the signatures of the Treasurer and Chairman, and to file a copy of said Loan Agreement, when signed, with the records of this meeting, although the attesting and affixing of the corporate seal thereto shall not be deemed essential to the validity of the Loan Agreement; and that the bonds are hereby sold to the Maine Municipal Bond Bank at par.

(5) That the Board of Selectmen hereby confirms its determination that the term of the Bond does not exceed 120% of the economic life of the Project.

(6) That the bonds are designated "qualified tax-exempt obligations" of the Town under the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

(7) That the Treasurer and Chairman of the Board of Selectmen are hereby authorized to execute and deliver any and all documents and certificates, and to take any and all actions, including affixing the

seal of the Town, as may be necessary or convenient to carry out the full purpose and intent of the foregoing vote.

Selectman Manning seconded the motion.

**The motion carried: 3:0**

- 2019 Tax Ratio Declaration and Reimbursement Application

This is the annual application which is required by the State and filed by the Assessing Department.

**Motion:** Vice Chair Ganiere moved to reappoint Marnie Thibault as Member of the Recreation Commission for a one-year term. Selectman Manning seconded the motion.

**The motion carried: 3:0**

- June 11, 2019 Town Election; Board to vote on warrant articles

The Board of Selection voted yes on all articles 3:0

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

None.

#### **15. Abatements/Supplements**

- Tree Growth Penalty and Tree Growth Application

New owners are submitting a Tree Growth Application and Forest Management Plan for 270 Little River Road, Map R016 Lot 14. They have chosen to take 4 acres out of Tree Growth which results in a penalty of \$1,347.05.

**Motion:** Vice Chair Ganiere made a motion to accept the Tree Growth Penalty and Application for 270 Little River Road, Map R016 Lot 14 as presented. Selectman Manning seconded the motion.

**The motion carried: 3:0.**

#### **16. Second Public Comment**

Chair Wright opened the second public comment.

Mr. Ken Rains spoke. He asked what the tax rate will be. Town Manager Eldridge replied that taxes will be committed in August and the tax rate will be known then.

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 7:43pm.

**Respectfully submitted,**

**Patricia Murray**  
**Town Clerk**

**The March 26, 2019 BOS Meeting Minutes – Signed as approved at the Board of Selectmen’s, April 9, 2019 Meeting.**

**On behalf of the Board**

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