

SOUTH BERWICK TOWN COUNCIL

September 14, 2009

Chairman Jean Demetracopoulos called the meeting to order at 6:30pm. Those present included Councilors Michelle Kareckas, David Burke, and Gerald W. MacPherson, Sr. Town Manager John B. Schempf was also in attendance.

APPROVAL OF MINUTES

1. Public Hearing (HD Ord) 8-24-09: On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to adopt the minutes as written.
2. Town Council 8-24-09: On a motion by Mr. MacPherson, seconded by Mrs. Kareckas, it was unanimously voted to adopt the minutes as written.
3. Special Council 8-25-09: On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to adopt the minutes as written.
4. Special Council 9-3-09: On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to adopt the minutes as written. Mr. Burke abstained.
5. Special Council 9-8-09: On a motion by Mr. MacPherson, seconded by Mrs. Kareckas, it was unanimously voted to adopt the minutes as written.

SIGNING OF TREASURER'S WARRANT – September 14, 2009

On a motion by Mr. MacPherson, seconded by Mr. Burke, it was unanimously voted to sign the warrant.

REPORTS & CORRESPONDENCE

1. John Spezia, Scout Troop 338, presented the Council with his proposed Eagle Scout project. The proposal would be for work in the Town Forest; encompassing trail and marsh crossing improvements. The Council was impressed with Mr. Spezia's presentation.

On a motion by Mr. MacPherson, seconded by Mr. Burke, it was unanimously voted to act on item 1A of new business out of order.

New Business 1A: On a motion by Mrs. Kareckas, seconded by Mr. Burke, it was unanimously voted to approve John Spezia's Eagle Scout project in the Town Forest.

2. Anne Stephenson & Jennifer Andrews presented the Council with the results of the energy inventory (Greenhouse Gas Emissions Inventory). It was explained that this was the first step toward being able to apply for grant monies. The inventory shows where the Town may be able to make changes to decrease emissions and save money. Streetlights had the lowest emissions at about 9%, town buildings accounted for 35-45%, and town vehicles were the highest at over 50%. Recommendations included free walk-through audits for facilities from CMP, investment-grade energy audits of facilities, and interviewing building users to determine potential behavioral changes that could affect energy usage. The use of LED streetlights and bio-diesel for PWD vehicles was also briefly discussed.

3. Karen Eger, correspondence regarding the development of a parcel on Belle Marsh Road. Letter is attached. No discussion.

COUNCIL MEMBER COMMENTS

1. Mr. Burke:

- Thanked those responsible for getting the flags out for Patriot Day (9/11).
- Thanked the Donatello's of Eliot for being proactive and bringing the Pumpkin man Triathlon to the area. He added that these kinds of activities bring people to our businesses.

2. Mrs. Kareckas:

- Asked that there be no comments taken at the end of the meeting.
- Thanked those responsible for putting up the engine brake signs.

3. Mrs. Demetracopoulos:

- Stated that there are bridge work signs up on Route 236. The Town has not received official notification.
- Regional Efficiency Grant: SMRPC is putting together a listing of service offerings and their costs. This will allow towns to decide whether it is feasible to share services or jobs.
- FEMA has announced a 90-day appeal period for modifications they have made to floodplain areas. The area of South Berwick affected by the changes is along Driscoll Brook around Railroad Avenue
- Calendar
 - Tues is the Historic District Register Project presentation.
 - Wed is the tribute to South Berwick's oldest resident and a welcoming ceremony at the Navy Yard for the USS Helena.
 - Thurs is a ZBA appeal hearing.

TOWN MANAGER'S REPORT

- A number of organizations/businesses are being organized to develop projects to work on with the crew of the USS Helena.
- The Council held a workshop with the Energy Efficiency Advisory Committee. The Committee is currently working with other communities on a Seacoast Energy Initiative. The group is trying to develop a revolving loan fund to support energy efficient improvements for businesses and homeowners. The Committee is also looking at developing a website to highlight available resources and success stories. They are also looking to organize a weatherization forum/fair.
- Comcast: The Council voted on September 3rd to call the \$100,000 performance bond for the build-out. On September 8th the Council voted to serve Notice of Default.

PUBLIC COMMENT

1. Virginia Jennings, Earls Rd, thanked those responsible for putting out the flags on 9/11.
2. Ruth Boston, Emery's Bridge Rd, asked for the status of the Balancing Rock. Mr. Schempf stated that we should be receiving something from the Land Trust this week.
3. Eric Pelchat, Front St, questioned why item 3 under Reports was not mentioned. Mrs. Demetracopoulos stated that the letter was included and will be addressed at a later date. Mr. Pelchat asked why comments are not taken at the end of the meeting, especially if time is available. Mrs. Demetracopoulos stated that it is discretionary and would prefer that people speak during this portion of the meeting.
4. Pat Robinson, Brattle St, thanked the Council for approving John Spezia's Eagle Scout project.
5. Norma Tutelian, Butler St, asked why department heads were asked to be involved in the Manager's evaluation. Mrs. Demetracopoulos stated that it was felt that input from staff could be a helpful tool, however it is not being done.
6. Audrey Fortier, Rodier Rd, questioned the Energy Inventory. She stated that she expected to hear about miles per gallon or kilowatt hours not green house gas emissions. Mr. Schempf explained that this was an inventory not an audit.
7. Molly Colman, York Woods Rd, thanked the Council for their work on the Comcast issue.

UNFINISHED BUSINESS

1A. On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to adopt the amendments (*sections 1C, 3B, 3C, 4B, 8A3, 8A4, 8B, 8C, 10A, 11A, 11B7, & 11B9*) to the Historic District Ordinance.

1B. The Council discussed the newly proposed Shoreland Zoning Ordinance and the associated changes to the Zoning and Subdivision Ordinances. Council comments were that the map was confusing, the definitions need work, and the language contained inconsistencies.

The Council also discussed the pending application with the Planning Board that would be affected by the Ordinance and that they are looking for a recommendation from the Conservation Commission.

On a motion by Mr. Burke, seconded by Mrs. Kareckas, it was unanimously voted to postpone action until after the Planning Board decision on the Robert's application is made and the Conservation Commission has time to meet and form a recommendation.

On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to authorize the Manager to submit the proposed ordinance to Southern Maine Regional Planning for review.

1C. The Council discussed the draft charges to the Community Development Committee, Recreation Committee and the Master Plan Vision Committee. General consensus was support for the new committees and proposed charges. Mrs. Kareckas suggested including members of the crew of the USS Helena on the committees. Council consensus was to move forward.

1D. On a motion by Mr. MacPherson, seconded by Mrs. Kareckas, it was unanimously voted to accept the Energy Inventory report.

1E. Mrs. Demetracopoulos explained that the Council had received the Salmon Falls Region Greenbelt Plan a week or so ago. The Plan is referenced in the Zoning Ordinance and is part of the Stormwater Management Plan. Pat Robinson, Conservation Commission thanked Dolores Leonard for her hard work on putting the Plan together. On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to accept the Salmon Falls Region Greenbelt Plan.

NEW BUSINESS

1A. See reports and correspondence item 1.

1B. On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to accept Brian Dowd's resignation from the Library Advisory Board.

1C. On a motion by Mrs. Kareckas, seconded by Mr. Burke, it was unanimously voted to appoint John B. Schempf as the voting delegate and Gerald W. MacPherson, Sr. as the alternate for the MMA Annual Business meeting.

ADJOURNMENT

On a motion by Mr. Burke, seconded by Mr. MacPherson, it was unanimously voted to adjourn the meeting at 8:52pm.

Attest:

Barbara Bennett, CCM

**SOUTH BERWICK TOWN COUNCIL
SPECIAL MEETING
SEPTEMBER 21, 2009**

The following was reported to the Clerk by the Town Manager:

Chairman Jean Demetracopoulos called the meeting to order at 6:30pm. Councilors present included Michelle Kareckas, David Burke, and Gerald W. MacPherson, Sr. Town Manager John Schempf and Assistant Town Manager Roberta Orsini were also present.

NEW BUSINESS

1. On a motion by Mr. MacPherson, seconded by Mr. Burke, it was unanimously voted to enter executive session at 6:31pm pursuant to 1MRSA §405.6A to hold interviews for prospective board and committee members.

On a motion by Mr. MacPherson, seconded by Mrs. Kareckas, it was unanimously voted to end the executive session at 8:10pm.

ADJOURNMENT

On a motion by Mr. MacPherson, seconded by Mrs. Kareckas, it was unanimously voted to adjourn the meeting at 8:11pm.

Attest:

Barbara Bennett, CCM

**SOUTH BERWICK TOWN COUNCIL
SPECIAL MEETING
SEPTEMBER 23, 2009**

The following was reported to the Clerk by the Assistant Town Manager:

Chairman Jean Demetracopoulos called the meeting to order at 6:00pm. Councilors present included Michelle Kareckas, David Burke, and Gerald W. MacPherson, Sr. Town Manager John Schempf, Assistant Town Manager Roberta Orsini, and Recreation Director Sharon Brassard were also present.

NEW BUSINESS

1. On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to enter executive session at 6:01pm pursuant to 1MRSA §405.6A to hold interviews for prospective board and committee members.

On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to end the executive session at 6:45pm.

ADJOURNMENT

On a motion by Mrs. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to adjourn the meeting at 6:46pm.

Attest:

Barbara Bennett, CCM

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	-----Account-----	Date Paid	Amount
00050364	133050 TREAS,STATE OF MAINE/IV-D	09/28/2009	70.00
00050365	132500 SECRETARY OF STATE M/V	09/28/2009	20,066.76
00050366	209999 TAX REFUNDS	09/28/2009	73.23
00050367	133050 TREAS,STATE OF MAINE/IV-D	09/28/2009	70.00
00050368	189999 REFUNDS	09/28/2009	200.00
00050369	010300 AETNA	09/28/2009	450.00
00050370	010301 AETNA	09/28/2009	14,130.00
00050371	011422 KERA ASHLINE	09/28/2009	71.91
00050372	020225 BAKER & TAYLOR	09/28/2009	47.48
00050373	021200 BERGERON PROTECTIVE CLOTHING	09/28/2009	618.00
00050374	021300 BERNSTEIN SHUR	09/28/2009	5,054.72
00050375	021615 BLACK DOG CARWASH	09/28/2009	187.50
00050376	030500 CENTRAL MAINE POWER/CREDIT,COLL	09/28/2009	205.00
00050377	030510 CENTRAL MAINE POWER	09/28/2009	4,222.35
00050378	193300 CITIZENS BANK	09/28/2009	198.00
00050379	030725 CITIZENS BANK (CHG)	09/28/2009	445.00
00050380	030920 CLEAN-O-RAMA	09/28/2009	277.58
00050381	031430 COMCAST	09/28/2009	95.00
00050382	032002 CTC/ONE COMMUNICATIONS	09/28/2009	1,096.93
00050385	032030 CUMMINS NORTHEAST INC	09/28/2009	26.56
00050386	060260 FASTENAL COMPANY	09/28/2009	85.33
00050387	060300 FAVORITE FOODS INC	09/28/2009	926.15
00050388	060715 FIREPROGRAMS	09/28/2009	555.00
00050389	060790 JAMES FISK	09/28/2009	72.05
00050390	061220 FOLLETT SOFTWARE COMPANY	09/28/2009	395.00
00050391	010525 G&K SERVICES	09/28/2009	718.90
00050392	070200 P GAGNON & SON INC	09/28/2009	1,864.06
00050393	070600 GEORGE GORMAN	09/28/2009	346.38
00050394	070800 W.W.GRAINGER INC.	09/28/2009	1,500.44
00050395	071086 GREAT WORKS FAMILY PRACTICE	09/28/2009	230.00
00050396	071107 GREENWOOD EMERGENCY VEHICLES	09/28/2009	735.00
00050397	071307 GULF/FLEET FUNDING	09/28/2009	573.14
00050398	080239 HANNAFORD'S PRINTING	09/28/2009	139.00
00050399	080248 HANSCOM'S TRUCK STOP INC	09/28/2009	2,646.25
00050400	080500 BEVERLY HASTY	09/28/2009	9.02
00050401	090120 INLAND FISHERIES & WILDLIFE	09/28/2009	249.75
00050402	090580 IRVING OIL	09/28/2009	48.95
00050403	100870 KENNEBUNK SAVINGS BANK	09/28/2009	33,398.97
00050404	120350 NORMAND LAUZE	09/28/2009	338.00
00050405	120970 LIBBY SCOTT INC.	09/28/2009	5,340.31
00050406	122210 THE LUNCH BOX	09/28/2009	81.35
00050407	133375 MAINE ENERGY RECOVERY CO.	09/28/2009	3,902.58
00050408	130670 MAINE RESOURCE/RECOVERY	09/28/2009	680.94
00050409	133195 MAINE TURNPIKE AUTHORITY	09/28/2009	57.96
00050410	134300 MAINE MUNICIPAL EMPLOYEES	09/28/2009	4,021.16
00050411	134601 EXXON/MOBIL	09/28/2009	263.77
00050412	140600 NEPTUNE INC	09/28/2009	642.50
00050413	141080 NEXTEL	09/28/2009	195.69
00050414	141215 MAMIE ANTHOINE NEY	09/28/2009	25.00
00050415	141300 NO.BERWICK LUMBER & HARDWARE	09/28/2009	192.33
00050416	141368 NORTHEAST EMER APPARATUS	09/28/2009	1,418.00
00050417	141400 NORTHERN DATA SYSTEMS INC	09/28/2009	375.00
00050418	141426 NORTRAX/POWERPLAN	09/28/2009	246.27
00050419	160230 PERMA-LINE CORP	09/28/2009	2,295.52
00050420	160250 PHILBRICKS SPORTS CENTER	09/28/2009	97.54
00050421	180125 RANSOM ENVIRONMENTAL INC	09/28/2009	403.75

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00050422	181490 ROSC	09/28/2009	12.00
00050423	190535 SUSIE SCOTT	09/28/2009	27.50
00050424	132500 SECRETARY OF STATE M/V	09/28/2009	14,144.82
00050425	191320 SHERWIN-WILLIAMS	09/28/2009	30.90
00050426	191753 FOREST SMITH	09/28/2009	306.00
00050427	191900 SO BERWICK EMERGENCY RESCUE	09/28/2009	6,321.07
00050428	192650 SO BERWICK SEWER DISTRICT	09/28/2009	79.44
00050429	191885 SO BERWICK COMMUNITY PANTRY	09/28/2009	14,265.37
00050430	193639 STANTEC CONSULTING SERV INC	09/28/2009	2,860.00
00050431	193640 STAPLES	09/28/2009	638.94
00050432	193725 ANNE STEPHENSON	09/28/2009	2,500.00
00050433	194570 SWAN ISLAND PRESS	09/28/2009	720.00
00050434	200450 TDL ENTERTAINMENT	09/28/2009	175.00
00050435	200920 DANA TOBEY'S HEATING	09/28/2009	130.00
00050436	201140 MEREDITH TOWNE	09/28/2009	707.25
00050437	040495 TREAS, STATE OF ME/BIS	09/28/2009	85.01
00050438	133113 TREASURER OF STATE/ATV	09/28/2009	437.03
00050439	133115 TREASURER,STATE OF ME/LIC	09/28/2009	240.00
00050440	201300 TWO-WAY COMMUNICATION SERV INC	09/28/2009	1,095.84
00050441	210750 VACUUM VILLAGE	09/28/2009	47.93
00050442	211500 VERIZON WIRELESS	09/28/2009	598.43
00050443	230300 WALMART COMMUNITY BRC	09/28/2009	14.56
00050444	230850 WHEELS & WAVES	09/28/2009	560.00
00050445	240900 YORK COUNTY REGISTRY OF DEEDS	09/28/2009	138.48
Total Not Prepaid			138,332.66
Total Prepaid			20,479.99
Grand Total			158,812.65

WARRANT NUMBER _____ \$ 158,812.65 DATE 09/24/2009

* * * TREASURER'S WARRANT * * *

THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED
 ABOVE THE SUM SET AGAINST EACH NAME AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES
 NAMED IN THIS SCHEDULE.

TOWN COUNCIL:

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 28, 2009	Item # UB 1A
Agenda Item: Amendment to the Zoning Ordinance	
Town Manager's Recommendation	
The Board of Appeals is established in the Zoning Ordinance. The attached amendment is presented to update the Zoning Ordinance to reflect the Council vote of 7/27/09 to reduce this Board's membership to 5 members with 2 alternates.	
Requested Action	
Motion to Schedule a Public Hearing to hear comments on the proposed Zoning Ordinance amendment. Suggested date: October 26, 2009 at 6:30 pm.	
Vote	

Chapter 140-76 Board of Appeals; appeal

A. Board of Appeals.

(1) Establishment. A Board of Appeals is hereby established in accordance with 30-A M.R.S.A. § 2691 and the provisions of this chapter.

(2) Appointment and composition.

(a) The Board of Appeals shall be appointed by the municipal officers and shall consist of ~~five members and two alternate members~~, all of whom shall be legal residents of the municipality, serving staggered terms of at least three years and not more than five years. Neither a municipal officer nor his spouse may be a member of the Board. ~~Alternate members may attend all meetings and participate in proceedings of the Board of Appeals, but may vote only when designated by the Chairman to act for a member who is unable to act because of interest, physical incapacity, absence from the state or any other reason satisfactory to the Chairman.~~ The Board shall elect annually Chairman, Vice Chairman and Secretary from its membership.

Deleted: seven

(b) The Chairman shall call meetings of the Board as required. The Chairman shall also call meetings of the Board when requested to do so by a majority of the members or by the municipal officers. A quorum of the Board necessary to conduct any official Board business shall be ~~three~~ members. The Chairman shall preside at all meetings of the Board and be the official spokesman of the Board.

Deleted: four

(c) The Secretary shall maintain a permanent record of all Board meetings and all correspondence of the Board. The Secretary shall be responsible for maintaining those records which are required as part of the various proceedings which may be brought before the Board. All records to be maintained or prepared by the Secretary are deemed to be public, shall be filed in the Municipal Clerk's office and may be inspected at reasonable times.

(d) Any questions of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon shall be decided by a majority vote of the members, excluding the member who is being challenged.

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 28, 2009	Item # NB 1A
Agenda Item: Request authorization to purchase police cruiser.	
Department Head Recommendation: Dana Lajoie	
We have obtained three quotes for a new police vehicle purchase. Request authorization to purchase the 2010 Ford Explorer from Irwin Motors or Laconia, NH.	
Town Manager's Recommendation	
Within budget, recommend authorize.	
Requested Action	
Motion to authorize	
Vote	

To: Town Manager, John Schempf

From: Chief Dana P. Lajoie 

Date: September 23, 2009

Subject: Cruiser Acquisition

I am asking permission to order a 2010 Ford Explorer from Irwin Motors of Laconia, NH. Three quotes submitted and received were from:

- Irwin Motors - \$25,224
- Quirk Ford - \$25,629
- Rowe Ford - \$25,422

The vehicle turnaround time is 8 to 10 weeks after accepting the bid. Any questions, please feel free to inquire.

South. Berwick

04/13/09

2010 EXPLORER (4-DOOR) XLT
STANDARD EQUIPMENT

PROPRIETARY

The following items are std. 2010MY EXPLORER (4-DOOR) XLT vehicle:

MECHANICAL

- Alternator - 130 Amp
- Axle Ratio - 3.55, Non-Limited Slip
- Battery - maintenance free (72 AH)
- Engine - 4.0L 2V V6
- Suspension - independent front & rear
- Transmission - 5-speed automatic

EXTERIOR

- Antenna, fender-mounted, whip style
- Bumpers - painted body color, front & rear
- Door Handles - full-grip ergonomic, painted body color
- Fog Lamps
- Frame Hider (NA w/ Running Boards or Step Bars)
- Glass - enhanced appearance Privacy glass
- Grille - chrome 4-bar
- Mirrors - Molded in color (Black), power with puddle lamps
- Roof Side Rails w/ Crossbars - black w/ black end caps
- Tires - P235/70R18 A/S OWL
- Wheel Lip Molding - painted body color
- Wheels - 16" painted aluminum

INTERIOR / COMFORT

- Cargo Management System
- Cargo Shade (5 Passenger units only)
- Center dome w/map lights, 1st row
- Climate Control - Manual, CFC-free rotary controls
- Coat hooks - (4) color-keyed
- Console
 - Floor - mid series w/ floor shift handle
 - Overhead Console
- Floor mats, color-keyed, carpeted, front & rear
- Glove box, illuminated
- Grab Handles - (1) at passenger seat, (2) in 2nd row
- Load Floor Tie-Down Hooks (4)
- Mirror - manual rearview day/night
- Power Points - (3) 12-volt, 1st & 2nd row
- Rear Dome/Map Light, 2nd row
- Seats
 - 2nd row - 60/40 split folding bench (includes recline function when 3rd row is optional)
 - Front - cloth, low-back sport buckets, 6-way power driver with manual lumbar and recline, 2-way adjustable head restraints

INTERIOR / COMFORT (Continued)

- Steering Wheel - color-keyed, leather-wrapped with tilt column, & audio/cruise controls
- Sun visors, illuminated - color-keyed, single blade covered vanity mirrors
- Windows, one-touch down drivers

S. FETY/SECURITY

- Adaptive energy-absorbing steering column
- Advance Trac® w/RSC (Roll Stability Control®)
- Air bags, 2nd generation driver & front passenger, side seat
- Battery saver feature
- Belt-Minder®
- Front Passenger Sensing System
- Illuminated entry
- Keyless Entry Remote (2)
- LATCH (Lower Anchors and Tethers for Children) system on rear outboard seat locations
- S.O.S. Post Crash Alert System
- Safety Canopy™
- Seat Belts, Pretensioner/Energy Management System w/adjustable height in 1st row
- Security - SecurLock® Passive Anti-Theft System (PATS)
- Tire Pressure Monitoring System (TPMS)

FUNCTIONAL

- Audio - single CD, MP3 Capable, AM/FM radio w/audio input jack (80 watts)
- Cruise Control
- Easy Fuel™ Capless Fuel Filler
- Liftgate - one-piece w/flip-open rear window
- Message Center - 2-line with outside temperature display
- One-touch Integrated Start ignition switch
- Trailer Tow Prep Package - Class II, w/ 4-pin wire harness, Trailer Sway Control
- Wipers - intermittent, front & rear with speed sensitive front

with Trailer Tow pkg
and step bars

\$ 25,224



Date 9/21/2009

So. Berwick Police Dept
Chief Lajoie

2010 Ford Explorer 4 wheel drive

4.0 V6 Engine	Fog Lamps
5 Speed Automatic Trans	Air Conditioning
Floor Mats	Console Shifter
Heated Mirrors	P235/70 R 16 OWL
Trailer Tow Package II	Power Windows
Advance Trac System	Power Locks
Cruises Control	Remote Mirrors L R
Privacy Glass	130 Amp Alternator
Liftgate flip up Glass	Skid Shields
SPECIAL SERVICE PACKAGE	WHITE
	\$25,629.00

Yours Truly
Quirk Ford Of Augusta
Leo Chicoine
Fleet Sales Mgr
430-1621 Desk Phone

BANGOR
P.O. Box 1386
Bangor, ME 04402-1386
207.945.9401
1.800.542.4389

AUGUSTA
P.O. Box 055
Augusta, ME 04332-1055
207.622.851
1.600.342.5757

PORTLAND
P.O. Box 3564
Portland, ME 04104-3564
207.774.5971
1.800.486.2678

www.quirkauto.com

ROWE FORD TRUCK CENTER

South Berwick Police Department
180 Main Street
South Berwick, ME 03908

September 23, 2009

To whom it may concern,

Rowe Forde Sales is pleased to submit the following quote.

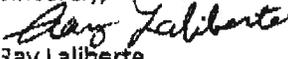
One (1) 2010 Ford Explorer 4-Door 4x4 XLT
Oxford White
Charcoal Cloth Bucket Seats
P235/70R16 All-Season Tires
3.73 Regular Rear Axle
Skid Plates (51E)
Trailer Towing Package (53G)
Frame Mounted Trailer Hitch (5205 Towing Capacity w/ .0 V6)
Courtesy Lamps Inoperative
650 CCA, 72 Amp Battery
Shop Manuals

RADIO NOISE SUPPRESSION NOT AVAILABLE
ROOF WIRING PREP NOT AVAILABLE
OFF ROAD PACKAGE NOT AVAILABLE
FRONT TOW HOOKS NOT AVAILABLE

Government Price: \$25,422.00

Thank you for the Opportunity to provide you with this quote.

Sincerely,


Ray Laliberte
Commercial/Fleet Sales

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 28, 2009	Item # NB 2B, C &D
Agenda Item: Appointments to Committees	
Town Manager's Recommendation	
<p>On September 21st and 23rd interviews were held with several candidates for numerous board openings. All of the candidates were very enthusiastic about serving the community. I have contacted each of the applicants and make the following suggestions for appointments.</p> <p>Recreation Committee: Tracy LaPointe, term to expire June 2010 Michael Anderson, term to expire June 2011 Bill Page, term to expire June 2011 Len Bogh, term to expire June 2012 Gina Brackett, term to expire June 2012</p> <p>Community Development Committee: Virginia Jennings, term to expire June 2011 Brian Kunkel, term to expire June 2011 Tony Lemmo, term to expire June 2012 Paul Schumacher, term to expire June 2012 Smilie G. Rogers, term to expire June 2013</p> <p>Conservation: John Klossner, term to expire 2011</p> <p>ZBA: John Klossner, Alternate, term to expire June 2012</p> <p>BOAR: Smilie G. Rogers, Alternate, term to expire June 2012</p>	
Requested Action: Motion to appoint Board/Committee members.	
Vote	



**TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION**
Committee desired: Recreation

PERSONAL INFORMATION

Name: Tracy Ann S. LaPointe Date: 9/12/09
 Address: 18 Tamarack Drive
South Berwick, ME 03908
 Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND
(You may attach a resume if you prefer, please be specific)

Bates College, 1980-1984, Bachelor's Degree in English
Springfield College, 1988-1990, Master's Degree in Therapeutic Recreation Management
English teacher, Marshwood High School, 1984-1988; 1990 to present
Portsmouth Recreation Department, 1988-2006, playground instructor, lifeguard
North Church Youth Leader, 2001-2003

Swim Instructo

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE
(In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
<u>North Church Parish Life Board (Portsmouth)</u>	<u>1998</u>	<u>2001</u>
_____	_____	_____

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER

Family trips to Boston, Portland, NYC.
Outdoor activities such as hiking, kayaking, surfing for all ages
Activities for people with special needs. Swim lessons.

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

I have eighteen years of experience and education in the field of recreation. I am a parent of two children who are very active in S.B. Recreation Department's programs. I work with high school students.

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years? yes

Number of hours you are able to commit to this committee/board per week: 2-5

Tracy Ann S. LaPointe
Applicant's signature

group who needs to be better served



TOWN OF SOUTH BERWICK BOARD/COMMITTEE APPLICATION

RECEIVED
8-11-09

7:10

Committee desired: Recreation

PERSONAL INFORMATION

Name: Michael Anderson Date: 8-4-09
 Address: 16 Lord's Lane email: _____
South Berwick ME 03908
 Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND (You may attach a resume if you prefer, please be specific)

Retired from Portsmouth Naval Shipyard, was an inside machine shop planning office supervisor.

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE (In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
<u>Board of Directors odd/fellows Rebekah Hane of Maine</u>	<u>OCT. 2006</u>	<u>OCT. 2011</u>
<u>Board of Directors South Berwick Rod & Gun</u>	<u>JAN 2003</u>	<u>JAN 2010</u>

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER.

1. Provide a basic map reading/compass class (APP. 2 hrs) for people going afield and a more comprehensive one for orienteering.
2. Make available maps of land trails open to the public

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

I have been a volunteer outdoor education instructor for Maine I, F & W since 1988

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years? Yes
 Number of hours you are able to commit to this committee/board per week: 8

Michael P. Anderson
 Applicant's signature



7.7.09
Town Manager's Office

**TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION**
Committee desired: Economic Development

PERSONAL INFORMATION

Name: Bill Page Date: July 7, 2009
Address: 119 Wild Rose Lane email _____
South Berwick
Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND
(You may attach a resume if you prefer, please be specific)

Please see attached

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE
(In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
<u>Please see attached</u>	_____	_____
_____	_____	_____

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER

Grow existing town assets & events. Generate additional business for current businesses, fill downtown storefronts & keep them full.

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE

Enjoy Marketing and creating excitement to promote aspects of our town that are underutilized.

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years? yes
Number of hours you are able to commit to this committee/board per week: will vary based on need.

Bill Page
Applicant's signature



RECEIVED

9.8.09

Town Manager's Office

TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION

Committee desired: Recreation Committee

PERSONAL INFORMATION

Name: Len Bogn Date: 7 September 09
Address: 26 Butter Street email:
South Berwick, Me 03908
Telephone: (home) 1 (work) - (cell) -

BUSINESS/EDUCATIONAL BACKGROUND

(You may attach a resume if you prefer, please be specific)

owner, Great Northern Carpentry - 2002 - present
Director of Tripping and Transportation - summers 2007-08
Fernwood Cove Summer Camp for Girls, Harrison, Me.
B.A.s in English and History, Montana State University 1993
Graduate of Marshwood High School 1987

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE

(In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
<u>Recreation Committee,</u> <u>Grafton, Mass.</u>	<u>2002</u>	<u>2004 (moved)</u>

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER

1. Enhanced youth/adult rec opportunities (running/bike clubs, races, etc.)
2. Facility usage development (pickup soccer, skating rink in winter)
3. Possible rental/loaner program (snowshoes, canoes, backpacks/tents)

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

I have over 7 years' experience organizing youth adventure programs, have served on a rec. committee in the past, and can build/organize facility developments (dugouts, concession stands, etc.)

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years? yes

Number of hours you are able to commit to this committee/board per week:

3-5 on a regular basis
more on a short term basis as needed

Len Bogn
Applicant's signature



RECEIVED SEP 15 2008

TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION
Committee desired: Recreation

PERSONAL INFORMATION

Name: Gina Brackett Date: 9/13/09
Address: 3 Back Acres Ln. email: _____
South Berwick
Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND

(You may attach a resume if you prefer, please be specific)

- Bucknell Univ. - B.S. in Elem. Education, Fall '95 - Spring '99
- S.U.N.Y Stony Brook - M.A. L.S - Master's Degree, June 2002
- A.F.A.A. Certified Personal Trainer - Fall 2008

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE

(In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
_____	_____	_____
_____	_____	_____

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER

- Teen fit Club - Creating workout programs
- Boot Camp - cardio. & strength training
- Healthy Eating & Healthy Habits - Youth Awareness

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

I am in my 11th yr. of teaching elementary school students. Also, I am a certified Personal Trainer. I love to teach & motivate people of

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years?

all ages! ☺

Yes

Number of hours you are able to commit to this committee/board per week:

N.B.D.

Gina Brackett

Applicant's signature



RECEIVED

6.30.09

Town Manager's Office

TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION

Committee desired: (1) Economic Development
(2) Historic District
(3) Library Advisory
(4) Recreation Committee

PERSONAL INFORMATION

Name: VIRGINIA JENNINGS

Date: 6/29/2009

Address: 59 EARLS ROAD
SOUTH BERWICK

Telephone: (home) 207-384-3276 (work) _____

(cell) _____

BUSINESS/EDUCATIONAL BACKGROUND

(You may attach a resume if you prefer, please be specific)

BS Education USM & minor in American History &
American Literature

PSIA Master Teacher Certification

Owned and operated The Candlelight Inn, York Beach
for 20 years

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE

(In South Berwick or elsewhere)

Board/Committee

Appointment Date

Term Expiration

Board of Directors - Elected Position

& Treasurer of BOD - Member of Board (appt.)

York Chamber of Commerce (3 years)

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER.

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

Background in business; training in history &
literature of area.

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years?

Yes

Number of hours you are able to commit to this committee/board per week:

4-6

Virginia Jennings
Applicant's signature



TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION

Committee desired: Economic Development

PERSONAL INFORMATION

Name: Brian Kunkel Date: 1/12/09
Address: 27 Tamarack Drive email:
South Berwick, ME 03906
Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND
(You may attach a resume if you prefer, please be specific)

Please see attached resume

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE
(In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
<u>Member of the Housing Partnership</u>	<u>9/08</u>	<u>N/A</u>
<u>Asset Management Committee</u> <u>in Portsmouth, NH.</u>	_____	_____

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER

Assist in attracting new, socially-conscious businesses to the community who
will contribute tax dollars and give back to the community in the form
of charity, community involvement and jobs.

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

Please see attached resume

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years?

Yes

Number of hours you are able to commit to this committee/board per week:

10

Brian Kunkel
Applicant's signature



RECEIVED
8.25.08
Town Manager's Office

TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION
Committee desired: Economic Development Committee

PERSONAL INFORMATION

Name: ANTHONY LEMMO Date: 8/19/08

Address: 2 RAILROAD AVE. # 306 email: _____
S. BERWICK, ME 03908

Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND
(You may attach a resume if you prefer, please be specific)

See ATTACHED

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE
(In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
<u>NAPLES FL ART EXPO</u>	<u>2000</u>	<u>2002</u>
_____	_____	_____

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER

"S. BERWICK BUSINESS AWARENESS DAY" (MANY LOCAL IN HOME BUSINESS EXPOSURE)

BUSINESS FOCUS GROUP.

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

PRESIDENT OF "SOUTH BERWICK NETWORKING"

ALREADY HAVE 40 LOCAL BUSINESS OWNERS IN NETWORKING

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years?

Number of hours you are able to commit to this committee/board per week: 2

Anthony Lemmo
Applicant's signature



TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION

Committee desired: Community Development

PERSONAL INFORMATION

Name: Paul Schumacher Date: 8/18/09
 Address: 179 Belle Marsh Rd email: _____
 Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND
 (You may attach a resume if you prefer, please be specific)

Director, S.M.B.P.L. 1996-2009
Planner, S. Berwick + Berwick, 87-96
B.A. - U.N.H.
Masters in Planning / Tufts

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE
 (In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
<u>E.P.C.</u>	<u>2007</u>	_____
<u>Building Committee</u>	<u>2007 ??</u>	_____
<u>Library</u>	<u>2007 ??</u>	_____

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER.

Downtown Improvements
Broad band access Townwide
Business Visitation Program

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

Planning Community Development
Experience

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years? Yes
 Number of hours you are able to commit to this committee/board per week: 3

Paul Schumacher
 Applicant's signature



RECEIVED
9-7-09

TOWN OF SOUTH BERWICK
BOARD/COMMITTEE APPLICATION

Committee desired: RECREATION, BOARD, ZBA

PERSONAL INFORMATION

Name: JOHN KLOSSNER Date: SEPT 1, 2009
Address: 37 HIGHLAND AVENUE email:
S. BERWICK
Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND
(You may attach a resume if you prefer, please be specific)

- SELF-EMPLOYED, 20+ YEARS AS FREELANCE
CARTOONIST & ILLUSTRATOR

- EDUCATION: B.A. 1982 SUNY COLLEGE @ BUFFALO

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE

(In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
_____	_____	_____
_____	_____	_____

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER

I WOULD NOT PROPOSE ANY IDEAS UNTIL MORE
FAMILIAR WITH THE WORKINGS AND GOALS OF
THE COMMITTEE

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE

10 YEAR S.B. RESIDENT / COACHED & ASSISTED IN SOCCER
BASKETBALL & BASEBALL YOUTH LEAGUES -
POWDERHOUSE HILL VOLUNTEER

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years?

YES

Number of hours you are able to commit to this committee/board per week:

4+

JOHN KLOSSNER
Applicant's signature



TOWN OF SOUTH BERWICK BOARD/COMMITTEE APPLICATION

Committee desired: Economic Dev. Committee + Conservation Commission

PERSONAL INFORMATION

Name: Smilie G. Rogers Date: 7/1/09

Address: 46 High St. email: _____
S. Berwick, ME 03908

Telephone: (home) _____ (work) _____ (cell) _____

BUSINESS/EDUCATIONAL BACKGROUND
(You may attach a resume if you prefer, please be specific)

See attached

MUNICIPAL OFFICES HELD or PREVIOUS BOARD EXPERIENCE
(In South Berwick or elsewhere)

Board/Committee	Appointment Date	Term Expiration
<u>ZBA</u>	<u>2008</u>	<u>2010</u>
_____	_____	_____

PLEASE LIST TWO OR THREE NEW IDEAS YOU WOULD LIKE THIS COMMITTEE TO CONSIDER

None at this time.

PLEASE INDICATE ANY SPECIAL QUALIFICATIONS OR EXPERIENCE THAT YOU THINK MAY BE HELPFUL TO THIS COMMITTEE.

Legal/business background/knowledge.

COMMITMENT LEVEL

Are you available to commit to this committee for a minimum of three years? Yes

Number of hours you are able to commit to this committee/board per week: Varies

Smilie G. Rogers
Applicant's signature

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 28, 2009	Item # NB 2E
Agenda Item: Amended Junkyard Permits	
Town Manager's Recommendation	
<p>Upon review of the Maine Statutes concerning junkyards and the Town's zoning ordinance with the Code Enforcement Officer, we discovered our previous permitting process was not current. (Please see attached)</p> <p>Junkyard permits are issued for a period of 5 years. Following the initial permit a public hearing may be held but is not required. The State's fee schedule is \$250/5 years plus the fees for posting the hearing. We usually add \$50 for posting. Does the Council wish to make this motion pending the receipt of an additional \$200?</p> <p>We have attached amended permits for Emery's and Lynch's Junkyards to reflect the 5 year requirement.</p> <p>At the next Council meeting I will provide a policy to insure the appropriate steps are taken moving forward.</p>	
Requested Action	
<p>Motion to amend the permit for Emery's junkyard to expire September 30, 2013 pending the receipt of the additional fee required.</p> <p>Motion to amend the permit for Lynch's junkyard to expire September 30, 2013 pending the receipt of the additional fee required.</p>	
Vote	

SOUTH BERWICK, MAINE

YORK COUNTY

PERMIT TO BE DISPLAYED ON PREMISES

Permit #2013-02

Fee:

Date Paid:

PERMIT

To establish, operate, or maintain an automobile graveyard or junkyard. Subject to existing rules, regulations, and any amendments that may be made thereto, under the provisions of Title 30A, Chapter 183, Sections 3751 to 3760.

This permit is hereby granted upon condition that the automobile graveyard or junkyard does not violate any of the above sections of Title 30A.

Owner's Name: Kim Emery
Business Name: Emery's Junkyard
Physical Address: 263 Emery's Bridge Road
Mailing Address 261 Emery's Bridge Road
Town, State, Zip: South Berwick, ME 03908

This permit expires September 30, 2013 unless sooner revoked by the Municipal Officers.

Dated at South Berwick this 28th day of September 2009.

Municipal Officers:

Jean Demetracopoulos

Michelle Kareckas

David Burke

Gerald W. MacPherson, Sr.

Attested:

Town Clerk

SOUTH BERWICK, MAINE

YORK COUNTY

PERMIT TO BE DISPLAYED ON PREMISES

Permit #2013-01

Fee:

Date Paid:

PERMIT

To establish, operate, or maintain an automobile graveyard or junkyard. Subject to existing rules, regulations, and any amendments that may be made thereto, under the provisions of Title 30A, Chapter 183, Sections 3751 to 3760.

This permit is hereby granted upon condition that the automobile graveyard or junkyard does not violate any of the above sections of Title 30A.

Owner's Name: Charles Lynch
Business Name: Lynch's Junkyard
Physical Address: 199 Route 236
Mailing Address 1 Pocahontas Road
Town, State, Zip: Kittery Point, ME 03905

This permit expires September 30, 2013 unless sooner revoked by the Municipal Officers.

Dated at South Berwick this 28th day of September 2009.

Municipal Officers:

Jean Demetracopoulos

Michelle Kareckas

David Burke

Gerald W. MacPherson, Sr.

Attested:

Town Clerk

Maine Revised Statutes

[§3753 PDF](#)**§3752****Title 30-A:****§3754**[§3753WORD/RTF](#)

**MUNICIPALITIES AND COUNTIES HEADING: PL
1987, C. 737, PT. A, §2 (NEW)**

[STATUTE SEARCH](#)

**Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737, PT. A,
§2 (NEW)**

[CH. 183 CONTENTS](#)

**Subpart 6: REGULATION, LICENSES AND PERMITS
HEADING: PL 1987, C. 737, PT. A, §2 (NEW)**

[TITLE 30-A](#)

**Chapter 183: ECONOMIC REGULATION HEADING: PL 1987,
C. 737, PT. A, §2 (NEW)**

[CONTENTS](#)

Subchapter 1: JUNKYARDS AND AUTOMOBILE

[LIST OF TITLES](#)

GRAVEYARDS HEADING: PL 1991, C. 548, PT. B, §4 (RPR)

[DISCLAIMER](#)[MAINE LAW](#)[REVISOR'S OFFICE](#)[MAINE](#)[LEGISLATURE](#)

§3753. Permit required

A person may not establish, operate or maintain an automobile graveyard, automobile recycling business or junkyard without first obtaining a nontransferable permit from the municipal officers of the municipality in which the automobile graveyard, automobile recycling business or junkyard is to be located, or from the county commissioners of the county of any unorganized territory in which the automobile graveyard, automobile recycling business or junkyard is to be located. Permits issued to an automobile graveyard or junkyard under this section are valid until the first day of the following year, except that, beginning in calendar year 2004, permits issued to an automobile graveyard or junkyard under this section are valid until the first day of October of the following year. Permits issued to an automobile recycling business under this section are valid for 5 years from the date of issuance and are renewable provided that the permit holder furnishes a sworn statement, annually, on the anniversary date of the granting of the permit, that the facility complies with the standards of operation applicable at the time of issuance of the permit. A person operating a business that involves the recycling of automobiles may operate under a permit for an automobile graveyard or a permit for an automobile recycling business. [2003, c. 312, §7 (AMD).]

SECTION HISTORY

1987, c. 737, §2A, C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §8, 10 (AMD). 1993, c. 173, §4 (AMD). 2003, c. 312, §7 (AMD).

Data for this page extracted on 05/13/2009 10:22:39.

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Maine law to the public.**

If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes

7 State House Station

State House Room 108

Augusta, Maine 04333-0007

Maine Revised Statutes

[§3755-A PDF](#)[§3755](#)[Title 30-A:](#)[§3756](#)[§3755-
A WORD/RTF](#)

**MUNICIPALITIES AND COUNTIES HEADING: PL
1987, C. 737, PT. A, §2 (NEW)**

[STATUTE SEARCH](#)

**Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737, PT. A,
§2 (NEW)**

[CH. 183 CONTENTS](#)

**Subpart 6: REGULATION, LICENSES AND PERMITS
HEADING: PL 1987, C. 737, PT. A, §2 (NEW)**

[TITLE 30-A
CONTENTS](#)

**Chapter 183: ECONOMIC REGULATION HEADING: PL 1987,
C. 737, PT. A, §2 (NEW)**

[LIST OF TITLES](#)

Subchapter 1: JUNKYARDS AND AUTOMOBILE

[DISCLAIMER](#)

GRAVEYARDS HEADING: PL 1991, C. 548, PT. B, §4 (RPR)

[MAINE LAW](#)[REVISOR'S OFFICE](#)[MAINE](#)[LEGISLATURE](#)

§3755-A. Automobile recycling business permits; operation standards

1. Application. An application for an automobile recycling business permit must include the following information:

A. The name and address of the property owner; [1993, c. 173, §6 (NEW) .]

B. The name and address of the person or entity who will operate the site; and [1993, c. 173, §6 (NEW) .]

C. A site plan, including:

(1) Property boundary lines;

(2) A description of the soils on the property;

(3) The location of any sand and gravel aquifer recharge areas;

(4) The location of any residence or school within 500 feet of where the cars will be stored;

(5) The location of any body of water on the property or within 200 feet of the property lines;

(6) The boundaries of the 100-year flood plain;

(7) The location of all roads within 1,000 feet of the site;

(8) A plan for containment of fluids, containment and disposal of batteries and storage or disposal of tires; and

(9) The location within the property boundary lines where vehicles are drained, dismantled or stored. [1993, c. 173, §6 (NEW) .]

[1993, c. 173, §6 (NEW) .]

2. Standards for permit. The municipality may issue a permit to an automobile recycling business if the business demonstrates that the business meets the operation standards set forth in subsection 3.

[1993, c. 173, §6 (NEW) .]

3. Operation standards. An automobile recycling business licensed under this section must meet the following standards.

A. The site of the yard must be enclosed by a visual screen that complies with the screening requirements of section 3754-A. [2003, c. 312, §11 (AMD).]

B. A vehicle containing fluids may not be stored within 100 feet of any body of water or freshwater wetland, as defined by Title 38, section 436-A, subsection 5. [2003, c. 312, §11 (AMD).]

C. A vehicle may not be dismantled or stored within 500 feet of a school, church, cemetery or public playground or park that existed on the date the permit was issued. [1993, c. 173, §6 (NEW).]

D. A vehicle may not be dismantled or stored over a sand and gravel aquifer or aquifer recharge area. [1993, c. 173, §6 (NEW).]

E. A vehicle containing fluids may not be dismantled or stored within the 100-year flood plain. [1993, c. 173, §6 (NEW).]

F. Except as provided in subsection 3754-A, subsection 4, a vehicle may not be dismantled or stored within 300 feet of a well that serves as a public or private water supply, excluding a private well that serves only the automobile recycling business or the owner or operator's abutting residence. [2003, c. 312, §11 (AMD).]

G. A vehicle may not be located or dismantled closer than 20 feet from any lot line, unless the operator has notarized written permission from the abutting property owner. [1993, c. 173, §6 (NEW).]

H. Dismantling of a vehicle must be performed in accordance with the following standards.

(1) Batteries must be removed.

(2) All fluids, including but not limited to engine lubricant, transmission fluid, brake fluid, power steering fluid, hydraulic fluid, engine coolant, gasoline, diesel fuel and oil, must be drained into watertight, covered containers and must be recycled or disposed of in accordance with applicable federal and state laws, rules and regulations.

(3) Fluids from a vehicle may not be permitted to flow or be discharged into or onto the ground.

(4) Storage, recycling or disposal of all fluids, refrigerant, batteries and mercury switches must comply with all applicable federal and state laws, rules and regulations.

(5) A log must be maintained of all motor vehicles handled that includes the date each vehicle was acquired, a copy of the vehicle's title or bill of sale and the date or dates upon which all fluids, refrigerant, batteries and mercury switches were removed.

(6) All fluids, refrigerant, batteries and mercury switches must be removed from motor vehicles that lack engines or other parts that render the vehicles incapable of being driven under their own motor power or that are otherwise incapable of being driven under their own

motor power within 180 days of acquisition. Motor vehicles acquired by and on the premises of an automobile recycling business prior to October 1, 2005 must have all fluids, refrigerant, batteries and mercury switches removed by January 1, 2007. Fluids required to be removed under this subparagraph must be removed to the greatest extent practicable.

(7) All fluids, refrigerant, batteries and mercury switches must be removed from vehicles before crushing or shredding. Fluids required to be removed under this subparagraph must be removed to the greatest extent practicable. [2005, c. 683, Pt. A, §52 (AMD).]

[2005, c. 683, Pt. A, §52 (AMD) .]

4. Revocation or suspension of permit. For purposes of section 3758-A, subsection 5, each of the standards set forth in this section are conditions of a permit.

[RR 2003, c. 1, §32 (COR) .]

5. Relationship to automobile graveyard permit. A person who recycles automobiles but does not qualify for, or loses, an automobile recycling business permit may apply for an automobile graveyard permit.

[1993, c. 173, §6 (NEW) .]

SECTION HISTORY

1993, c. 173, §6 (NEW). 2003, c. 312, §11 (AMD). RR 2003, c. 1, §32 (COR). 2005, c. 247, §5 (AMD). 2005, c. 683, §A52 (AMD). 2005, c. 247, §7 (AFF).

Data for this page extracted on 05/13/2009 10:22:39.

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If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes

**7 State House Station
State House Room 108
Augusta, Maine 04333-0007**

Maine Revised Statutes

[§3756 PDF](#)[§3756 WORD/RTF](#)[STATUTE SEARCH](#)[CH. 183 CONTENTS](#)[TITLE 30-A](#)[CONTENTS](#)[LIST OF TITLES](#)[DISCLAIMER](#)[MAINE LAW](#)[REVISOR'S OFFICE](#)[MAINE](#)[LEGISLATURE](#)[§3755-A](#)

Title 30-A: MUNICIPALITIES

[§3757](#)

**AND COUNTIES HEADING: PL 1987, C. 737, PT. A, §2
(NEW)**

**Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737, PT. A, §2
(NEW)**

**Subpart 6: REGULATION, LICENSES AND PERMITS HEADING: PL
1987, C. 737, PT. A, §2 (NEW)**

**Chapter 183: ECONOMIC REGULATION HEADING: PL 1987, C.
737, PT. A, §2 (NEW)**

**Subchapter 1: JUNKYARDS AND AUTOMOBILE GRAVEYARDS
HEADING: PL 1991, C. 548, PT. B, §4 (RPR)**

§3756. Permit fees

The municipal officers or county commissioners shall collect, in advance from the applicant for a permit, a fee in accordance with the following schedule: [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

1. Graveyard or junkyard. Fifty dollars for each application for an automobile graveyard or junkyard plus the cost of posting and publishing the notice under section 3754;

[2005, c. 424, §7 (AMD) .]

2. Graveyard or junkyard within 100 feet from highway.

[2003, c. 312, §12 (RP) .]

3. Recycling business. Two hundred fifty dollars for a 5-year permit for an automobile recycling business plus the cost of posting and publishing the notice under section 3754; or

[2003, c. 312, §12 (AMD) .]

4. Fee. A fee as otherwise established by municipal ordinance or rule.

[2003, c. 312, §12 (NEW) .]

SECTION HISTORY

1987, c. 737, SSA2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, SSC8,10 (AMD). 1993, c. 173, §7 (AMD). 2003, c. 312, §12 (AMD). 2005, c. 424, §7 (AMD).

Data for this page extracted on 05/13/2009 10:22:39.

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.

If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes

7 State House Station

State House Room 108

Augusta, Maine 04333-0007

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: September 28, 2009	Agenda Item # UB NB
Subject: Warrant for SAD #35 Referendum Election	
Information:	
Warrant attached	
Staff Comments/Recommendation:	
Requested Action:	
Motion to sign warrant.	
Vote:	

**WARRANT & NOTICE OF ELECTION CALLING REGIONAL SCHOOL UNIT REFERENDUM
(20-A MRSA §§1501-1504)**

To: Randy Stewart, a resident of Maine School Administrative District #35 composed of the Towns of Eliot and South Berwick, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within the Maine School Administrative District #35, namely the Towns of Eliot and South Berwick, an attested copy of this warrant and notice of election. Service shall be in had within three days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers, who shall post the following warrant and notice of election:

**TOWN OF SOUTH BERWICK
REGION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

York ss.

State of Maine

To: Joseph Rousselle, resident of South Berwick, you are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

To the voters of South Berwick: You are hereby notified that a Region Referendum election will be held at South Berwick Town Hall, 180 Main Street in the Town South Berwick at 6:00am on November 3, 2009 for the purpose of determining the following referendum question:

Question 1: Shall the School Board of MSAD #35 be authorized to issue bonds, notes or lease purchase agreements in the name of the District for minor capital project purposes in an amount not to exceed \$3,175,585 for energy conservation, indoor air quality and heating renovations and improvements to District schools (collectively, "the Project"), which Project includes the following:

1. Marshwood Middle School. Indoor air quality, ventilation and heating system improvements and replacement of gymnasium windows to improve energy savings;
2. Great Works School. Indoor air quality, ventilation and heating system improvements;
3. Central Elementary School. Indoor air quality, ventilation and heating system improvements;
4. Eliot Elementary School. Indoor air quality, ventilation and heating system improvements.
5. The School Board may modify or reduce the scope of the Project to ensure that the Project remains within budget.

The polls must be opened at 6:00am and closed at 8:00pm.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, September 16, 2009 at South Berwick, Maine.

s/ Ralph Stevens _____

s/ Ellen Breed _____

s/ Tom Flanigan _____

s/ Laura Leber _____

s/ Helene S. Cass _____

A majority of the Board of Directors of Maine School Administrative District #35

A true copy of the Warrant and Notice of Election,

Attest: s/ Randy Stewart _____
Resident of Maine School Administrative District #35

Countersigned this 28th day of September, 2009 at South Berwick, Maine.

Jean Demetrapoulos

Gerald W. MacPherson, Sr.

Michelle Kareckas

David Burke

A majority of the municipal officers of the Town of South Berwick

A true copy pf the Warrant and Notice of Election:

Attest: _____
Barbara Bennett, Clerk
Town of South Berwick