

## **SOUTH BERWICK TOWN COUNCIL DECEMBER 8, 2009**

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

### **APPROVAL OF MINUTES**

1. Public Hearing 11-23-09: On a motion by Mr. MacPherson, seconded by Mrs. Kareckas, it was unanimously voted to adopt the minutes as written.
2. Town Council 11-24-09: On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the minutes as written.

### **SIGNING OF TREASURER'S WARRANT** – December 8, 2009

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

### **PUBLIC COMMENT**

1. Eric Pelchat, Front St, commented on the Council's having set an effective date for the charter amendments. He stated that the reference made at the prior meeting to section 8 only sets the effective date of the ordinance allowing the ballot questions; it did not set the effective date of the amendments. He then asked if MMA had been contacted. No.
2. Brad Christo, Oldfields Rd, commented on the building on Academy Street that fell down. He questioned if there was negligence involved. He went on to ask if the requirements of the permit are being fulfilled and whether additional planning board review is necessary.
3. Audrey Fortier, Rodier Rd, asked for the status of insurances on municipal properties. Mr. Schempf explained that it is still being investigated. The issues at the Youth Center are further along than Powderhouse Hill.

### **TOWN MANAGER'S REPORT**

- An appeal has been filed regarding the Dixon (Waterside Lane) permit. The Zoning Board of Appeals hearing is scheduled for next Thursday. Mr. Schempf stated that legal counsel would be sending a memo to the ZBA that the decision cannot be overturned because it was court ordered.
- Made note of the conflict between the Great Works Regional Land Trust and the Tonk's family property manager in regard to the location of the right-of-way.
- Commented that he, 2 councilors and a representative from MMA inspected the Day property. The MMA rep indicated that there should be no problem with showing the property to prospective buyers.
- Informed everyone that the property owner at 51 Main Street has decided to board up the property and will decide what she will do with it in the spring.
- Continuing efforts are being made with Dunkin' Donuts, the school, and Berwick Academy in regard to mitigating the traffic issues, especially those concerning Academy Street.
- Construction on the pathway between Central School and the Young Street property has begun.
- We are close to a final version of the police union contract.

### **UNFINISHED BUSINESS**

1A. The Council briefly discussed the request for discontinuance from Pat Durkin on Brattle Street. Mr. Schempf explained that tonight's action will show the Council's good faith and willingness to move forward. Mr. Webster received confirmation that Mrs. Durkin is willing to pay the legal fees. Mrs. Kareckas asked if we would be able to add covenants. Yes. Mrs. Demetracopoulos expressed her concerns with the possibility of someone coming forward in the future claiming damages if the discontinuance is granted.

On a motion by Mrs. Kareckas, seconded by Mr. Webster, it was unanimously voted to approve further legal work to facilitate the approval of Mrs. Durkin's discontinuance request.

1B. The Manager suggested holding budget discussions at each meeting. Part of this budget will include a list of departments and the grants they have been awarded. We will also refine the difference between a capital budget and a maintenance budget.

Mrs. Demetracopoulos asked if revenues could be shown differently to reflect how they offset the budget; perhaps in a summary format. Cliff Cleary asked that the true cost of each department be shown, especially in regard to benefits. Mr. Schempf stated that the warrant article will remain the same for accounting purposes, but the total cost of a department will be made available.

## **NEW BUSINESS**

1A. On a motion by Mrs. Demetracopoulos, seconded by Mrs. Kareckas, it was unanimously voted to accept the Justice Assistance Council Grant in the amount of \$2380 for police equipment. Mr. Schempf stated that there is no match.

2A. On a motion by Mr. MacPherson, seconded by Mrs. Demetracopoulos, it was unanimously voted to renew the liquor license for Fogarty's Restaurant.

2B. The Council discussed the request from the County Commissioners for input on the establishment of a County Charter Commission. Note was made that one of the reasons for the change would be to better delineate between elected and appointed officials. Mr. Webster expressed his concerns with representation on the Commission.

On a motion by Mrs. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to accept the suggestion of a York County Charter Commission.

2C. The Council discussed the environmental concerns at the Young Street property. Several members of the public commented and expressed concerns with costs. Mrs. Kareckas stated that they knew there was a mold problem and it had to be remedied. She suggested that funds could be taken from the undesignated fund or the Vaughan Fund to cover the mold mitigation. She added that those funds should then be repaid through the bonding process. Mrs. Demetracopoulos stated that she would prefer to go to town meeting than use the Vaughan Fund. She questioned whether our remediation would help toward future funding and grant opportunities. Mrs. Demetracopoulos added that it needs to be looked at as part of the whole.

2D. Mr. Schempf recommended that the second meeting in December be cancelled; there being no pressing business. Mrs. Demetracopoulos mentioned that the volunteers for Powderhouse Hill need to be appointed before they open the hill. Mr. Schempf stated that the volunteer list was basically meaningless in regard to insurance issues. Mr. MacPherson stated that the Council would still have to come in to sign the Treasurer's Warrant. It was agreed to hold the meeting on December 22nd.

## **COUNCIL MEMBER COMMENTS**

1. Mrs. Kareckas:

- Mentioned the Southeast Watershed Alliance meeting in NH on December 14th.
- Stated that additional engine brake signs are needed on Route 4 heading toward the Counting House and on Route 236 entering town from both Berwick and Eliot.
- She asked how much had been collected from solid waste hauler fees; and added that there are no funds in the account.
- Stated that departments are currently within budget. She questioned whether unplanned vehicle maintenance should be paid from the capital budget.
- Commented that a notation needs to be made in the Codebook regarding the Shoreland Zoning Ordinance.

2. Mrs. Demetracopoulos:

- Asked if a workshop with the Planning Board is in order to discuss their work plan.
- Asked that a workshop be scheduled to discuss the transfer station, prior to any action on their fees. She also suggested revisiting single-stream.
- Informed everyone that the school district has set it's budget timeline. Public input can be made at their meetings on January 6th and 20th.
- Home for the Holidays went very well. It's one of the things that make South Berwick a nice place.

3. Mr. Webster:

- Suggested looking at the cost of the PAYT bags. Revenues are much higher than anticipated which would dictate a reduction in the cost of bags.
- Asked about the Comcast drop-dead date to respond. Mr. Schempf stated it is December 10th, and oddly enough, Comcast has asked for a meeting on that date.
- Stated that it was nice to see the entire Council attend the Community Chorus concert.

4. Mr. MacPherson:

- Recognized the generous \$500 donation made to the food pantry by the South Berwick Police Association.
- The Community Chorus was very enjoyable and well attended.
- Commented on the recent & numerous power outages. He added that CMP has crews out trimming.

5. Mr. Burke:

- Asked for input for his meeting with the Chairs of the SAD and Eliot Boards.
- Stated that a realtor has viewed the Day property and should be forthcoming with a market analysis.
- The Community Chorus and Home for the Holidays were both spectacular.

**ADJOURNMENT**

On a motion by Mrs. Demetracopoulos, seconded by Mrs. Kareckas, it was unanimously voted to adjourn the meeting at 8:20pm.

Attest:

Barbara Bennett, CCM



TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	-----Account-----	Date Paid	Amount
00050863	160810 PORTLAND GLASS	12/22/2009	-231.00
00050888	133050 TREAS,STATE OF MAINE/IV-D	12/22/2009	70.00
00050889	132500 SECRETARY OF STATE M/V	12/22/2009	18,970.76
00050890	132500 SECRETARY OF STATE M/V	12/22/2009	5,525.75
00050891	133050 TREAS,STATE OF MAINE/IV-D	12/22/2009	70.00
00050892	189999 REFUNDS	12/22/2009	68.00
00050893	010320 AFFILIATED HEALTHCARE SYS	12/22/2009	150.00
00050894	010336 AGGREGATE RECYCLING CORP	12/22/2009	2,809.17
00050895	011422 KERA ASHLINE	12/22/2009	19.96
00050896	020220 CATALINA BAKAS	12/22/2009	31.41
00050897	020225 BAKER & TAYLOR	12/22/2009	257.42
00050898	021103 DOUG BENNINGTON	12/22/2009	66.12
00050899	021300 BERNSTEIN SHUR	12/22/2009	2,045.04
00050900	022850 BUSINESS EQUIPMENT UNLIMITED	12/22/2009	637.00
00050901	021580 BIT O'GREEN LANDSCAPING LLC	12/22/2009	280.00
00050902	030120 STEPHEN CAMANDA	12/22/2009	795.00
00050903	030285 MEAGHAN CAVANAUGH	12/22/2009	32.63
00050904	030300 CENTER FOR EDU & EMPLOY LAW	12/22/2009	124.95
00050905	030510 CENTRAL MAINE POWER	12/22/2009	3,775.29
00050906	030552 CHASE & HAMLIN INC.	12/22/2009	1,344.00
00050907	030725 CITIZENS BANK (CHG)	12/22/2009	942.50
00050908	030870 ANDREW CLARK	12/22/2009	34.00
00050909	030900 SANDRA CLARK	12/22/2009	43.00
00050910	030920 CLEAN-O-RAMA	12/22/2009	343.64
00050911	031430 COMCAST	12/22/2009	95.00
00050912	031440 COMFORT INN	12/22/2009	70.00
00050913	032002 ONE COMMUNICATIONS	12/22/2009	1,086.19
00050915	040105 DAYTON SAND & GRAVEL	12/22/2009	575.20
00050916	060100 HOWARD P FAIRFIELD INC	12/22/2009	241.90
00050917	141000 FAIR POINT COMM	12/22/2009	129.39
00050918	060300 FAVORITE FOODS INC	12/22/2009	1,010.86
00050919	060790 JAMES FISK	12/22/2009	243.10
00050920	061660 FUEL SOLUTIONS	12/22/2009	1,448.20
00050921	010525 G&K SERVICES	12/22/2009	738.62
00050922	070200 P GAGNON & SON INC	12/22/2009	2,713.00
00050923	070208 GALETON GLOVES	12/22/2009	83.55
00050924	070210 GALL'S INC	12/22/2009	220.85
00050925	070600 GEORGE GORMAN	12/22/2009	35.01
00050926	070730 PETER GRACE	12/22/2009	710.00
00050927	071103 GREATER SOMERSWORTH CHAMBER	12/22/2009	275.00
00050928	071307 GULF/FLEET FUNDING	12/22/2009	18.64
00050929	191330 HANNAFORD'S	12/22/2009	187.11
00050930	080248 HANSCOM'S TRUCK STOP INC	12/22/2009	5,789.51
00050931	080775 J R HILTON INC	12/22/2009	1,895.36
00050932	080998 HOME DEPOT	12/22/2009	5.11
00050933	081055 FERN HOULIARES	12/22/2009	43.00
00050934	090120 INLAND FISHERIES & WILDLIFE	12/22/2009	984.00
00050935	090330 INTERNATIONAL CODE COUNCIL	12/22/2009	100.00
00050936	100150 JANETOS MARKET	12/22/2009	10.00
00050937	100162 JCJ ARCHITECTURE	12/22/2009	7,500.00
00050938	100185 JENSEN BAIRD GARDNER & HENRY	12/22/2009	803.77
00050939	100007 J.E.T.C.C.	12/22/2009	70.00
00050940	141367 KONE INC	12/22/2009	175.50
00050941	140500 LABORATORY CORP/AMERICA HOLDIN	12/22/2009	60.10
00050942	120510 LAWSON PRODUCTS INC.	12/22/2009	235.16
00050943	122300 LYONS COFFEE SERVICE	12/22/2009	477.00

TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00050944	127000 CORRINE J MAHONY	12/22/2009	800.00
00050945	132245 MAINE INFONET DOWNLOAD LIBRARY	12/22/2009	500.00
00050946	130626 MAINE OXY/SPEC AIR GASES	12/22/2009	262.32
00050947	131700 MAINE CHIEFS OF POLICE ASSOC.	12/22/2009	150.00
00050948	133375 MAINE ENERGY RECOVERY CO.	12/22/2009	3,207.29
00050949	132328 MAINE STATE POLICE	12/22/2009	177.00
00050950	133195 MAINE TURNPIKE AUTHORITY	12/22/2009	21.15
00050951	133300 MARSHALL CAVENDISH	12/22/2009	117.52
00050952	133358 W.B.MASON	12/22/2009	299.90
00050953	133378 MB HOUSING PARTNERSHIP	12/22/2009	127.00
00050954	133380 PAMELA HAYNES MCCARTHY	12/22/2009	200.00
00050955	133800 MICK CONSTRUCTION CORP	12/22/2009	105.00
00050956	134665 MONTROSE-SANFORD HYDRAULICS	12/22/2009	583.65
00050957	134900 MORTON SALT	12/22/2009	10,529.72
00050958	141215 MAMIE ANTHOINE NEY	12/22/2009	71.51
00050959	141127 NH E-Z PASS	12/22/2009	2.75
00050960	141300 NO.BERWICK LUMBER & HARDWARE	12/22/2009	241.71
00050961	150157 OFFICE MAX	12/22/2009	282.47
00050962	150785 PARIS FARMERS UNION	12/22/2009	5,328.40
00050963	150795 PARKER FORESTRY ASSO	12/22/2009	1,235.50
00050964	160230 PERMA-LINE CORP	12/22/2009	61.70
00050965	200700 PIKE INDUSTRIES INC	12/22/2009	541.59
00050966	160400 PITNEY BOWES	12/22/2009	219.98
00050967	160692 POLAND SPRING	12/22/2009	96.97
00050968	170000 QUILL CORPORATION	12/22/2009	233.47
00050969	180117 RAELYNN RAND	12/22/2009	69.00
00050970	180125 RANSOM ENVIRONMENTAL INC	12/22/2009	1,636.25
00050971	180185 RCP LLC	12/22/2009	775.00
00050972	180400 RED'S SHOE BARN INC	12/22/2009	63.90
00050973	180477 RICE'S AUTOMOTIVE CENTER	12/22/2009	65.00
00050974	180601 JUSTIN RIPLEY	12/22/2009	44.00
00050975	190094 SANEL AUTO PARTS CO	12/22/2009	1,088.20
00050976	190105 SANFORD RADIATOR	12/22/2009	1,050.00
00050977	190528 JOHN SCHEMPF	12/22/2009	138.60
00050978	190535 SUSIE SCOTT	12/22/2009	22.00
00050979	190680 SEACOAST REDICARE	12/22/2009	30.00
00050980	191530 SIRCHIE FINGER PRINT LAB INC	12/22/2009	56.54
00050981	191533 CRAIG SKELTON	12/22/2009	129.25
00050982	191753 FOREST SMITH	12/22/2009	251.00
00050983	192400 SO BERWICK PETTY CASH ACCOUNT	12/22/2009	85.85
00050984	191900 SO BERWICK EMERGENCY RESCUE	12/22/2009	6,322.79
00050985	192650 SO BERWICK SEWER DISTRICT	12/22/2009	76.68
00050986	193410 SO MAINE REGIONAL PLANNING CM	12/22/2009	3,831.43
00050987	193605 SOUTHWORTH-MILTON, INC	12/22/2009	510.27
00050988	193622 SPRINGER ELECTRICAL SERV INC	12/22/2009	156.44
00050989	193640 STAPLES	12/22/2009	190.45
00050990	193745 STICKMAN SPORTS INC	12/22/2009	189.45
00050991	133020 TREASURER/STATE OF MAINE	12/22/2009	500.00
00050992	133113 TREASURER OF STATE/ATV	12/22/2009	2,513.00
00050993	201300 TWO-WAY COMMUNICATION SERV INC	12/22/2009	764.40
00050994	210500 UNITED STATES POST OFFICE	12/22/2009	72.00
00050995	211500 VERIZON WIRELESS	12/22/2009	549.21
00050996	230300 WALMART COMMUNITY BRC	12/22/2009	535.71
00050997	230915 WHITED TRUCK CENTERS	12/22/2009	59.86
00050998	241255 XEROX CORPORATION	12/22/2009	185.67

12/18/2009

TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00050999	240900 YORK COUNTY REGISTRY OF DEEDS	12/22/2009	169.00
Total Not Prepaid			89,288.81
Total Prepaid			24,473.51
Grand Total			113,762.32

WARRANT NUMBER \_\_\_\_\_ \$ 113,762.32 DATE 12/18/2009  
 \_\_\_\_\_

\* \* \* 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***

<b>Meeting Date: December 22, 2009</b>	<b>Item # UB 1A</b>
<b>Agenda Item: Approve Brownfields Grant Application</b>	
<b>Town Manager's Recommendation</b>	
<p>The Building Committee has met and reviewed the terms of the application to the EPA via SMRPC's Brownfields Steering Committee. The Building Committee is unanimous in its support for this application. A successful outcome will allow the Town to complete not only the asbestos mitigation but also mold mitigation and correct the drainage to control the problem for the long term. A successful application will require a 20% match which can be funded through in-kind services i.e., town employee labor.</p> <p>I strongly urge the Council to approve this application. While this application is still in draft form, the monies available are on a first-come first-served basis. We have been encouraged to apply as soon as possible and waiting until the Council's next meeting is not in our best interest.</p>	
<b>Requested Action</b>	
Motion to approve the York/Oxford Counties Brownfields Cleanup Subgrant Program in the amount of \$200,000; 20% matching funds to come from in-kind services.	
<b>Vote</b>	

**Roberta Orsini**

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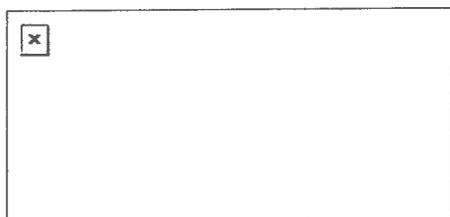
**From:** Tom Harmon  
**Sent:** Friday, December 18, 2009 11:22 AM  
**To:** Roberta Orsini  
**Subject:** St Michaels EPA Grant

Dear Roberta-

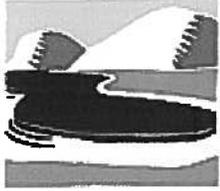
In response to your question regarding the building committee's position on EPA grant application for asbestos and mold removal the committee is in unanimous support of applying for the grant. We have been briefed by the Town Manager and feel the grant should be pursued as expeditiously as possible.

Should you or the council have questions please feel free to contact us.

Tom Harmon



12/18/2009



Acton  
Alfred  
Arundel  
Baldwin  
Berwick  
Biddeford  
Brownfield  
Buxton  
Cornish  
Dayton  
Denmark  
Eliot  
Fryeburg  
Hiram  
Hollis  
Kennebunk  
Kennebunkport  
Kittery  
Lebanon  
Limerick  
Limington  
Lovell  
Lyman  
Newfield  
North Berwick  
Ogunquit  
Old Orchard Beach  
Parsonsfield  
Porter  
Saco  
Sanford  
Shapleigh  
South Berwick  
Stoneham  
Stow  
Sweden  
Waterboro  
Wells  
York

**Application - Long Form (BRLF-B) for the  
York and southern Oxford Counties  
Brownfields Cleanup Revolving Loan Fund  
and Brownfields Cleanup SubGrants**

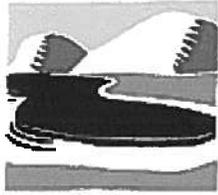
The York and southern Oxford Counties Brownfields Cleanup Revolving Loan Fund provides below market rate loans to facilitate cleanup of contaminated properties (brownfields) in the towns of the Southern Maine Regional Planning Commission (SMRPC) service area. The purpose of this program is to assist in the revitalization of these properties to promote jobs and a cleaner environment for the communities in the SMRPC Region. Loan funds are available to public, private and nonprofit owners who comply with the eligibility requirements of the Environmental Protection Agency; subgrants are available to eligible municipalities and nonprofit owners of brownfield properties.

This is a two-part application process. Please first submit:

- One signed and complete **Eligibility Application (Form BRLF-A)**

When eligibility has been approved by the Environmental Protection Agency (EPA), you will be notified. At that time, please submit the following:

- \_\_\_\_\_ One signed and complete **Application Long Form (Form BRLF-B)**



# SOUTHERN MAINE REGIONAL PLANNING COMMISSION

The Council of Governments  
Serving the Municipalities of  
Southwestern Maine

Acton  
Alfred  
Arundel  
Baldwin  
Berwick  
Biddeford  
Brownfield  
Buxton  
Cornish  
Dayton  
Denmark  
Eliot  
Fryeburg  
Hiram  
Hollis  
Kennebunk  
Kennebunkport  
Kittery  
Lebanon  
Limerick  
Limington  
Lovell  
Lyman  
Newfield  
North Berwick  
Ogunquit  
Old Orchard Beach  
Parsonsfield  
Porter  
Saco  
Sanford  
Shapleigh  
South Berwick  
Stoneham  
Stow  
Sweden  
Waterboro  
Wells  
York

**NOTE: Where information requested in the long form or in the checklist below may be found in an executive summaries of environmental reports and/or applications for other sources of funds, please attach these documents and make a note of alternative sources of information. The Brownfields Steering Committee will make a determination whether alternative information is sufficient, or whether additional materials are needed.**

- \_\_\_\_\_ Supporting information (all previous reports including ASTM Phase I or equivalent and any other site assessment documents that were completed without EPA funding from SMRPC)
- \_\_\_\_\_ Voluntary Response Action Program, and state letter stating that VRAP has been approved (if available)
- \_\_\_\_\_ Community Relations Plan (we can provide a sample)
- \_\_\_\_\_ Development Plan for the site
- \_\_\_\_\_ A brief summary of the company/organization, its products and history.
- \_\_\_\_\_ A profile/resume of the owner and senior management.
- \_\_\_\_\_ Three years of financial statements and/or tax returns (for private firms)  
OR audits for the last three fiscal years (for nonprofits and municipalities)
- \_\_\_\_\_ If the year-end statements are over 90 days old, the most recent internally prepared financial statements.
- \_\_\_\_\_ The most recent accounts payable and accounts receivable aging.
- \_\_\_\_\_ If it's a sole proprietorship, a personal financial statement along with three years of personal tax returns.

**Roberta Orsini**

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**From:** John B. Schempf  
**Sent:** Thursday, December 17, 2009 8:55 AM  
**To:** Roberta Orsini  
**Subject:** FW: Draft SMRPC Brownfields RLF Subgrant Application  
**Attachments:** SMRPC Full Application Page 1 (Instructions).doc; St. Michaels\_SMRPC RLF Full Application.doc

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**From:** Peter J. Sherr [mailto:peter.sherr@ransomenv.com]  
**Sent:** Tuesday, December 15, 2009 4:58 PM  
**To:** John B. Schempf  
**Cc:** Tom Harmon; Kristin D. Gill  
**Subject:** Draft SMRPC Brownfields RLF Subgrant Application

Hi John,

Enclosed for your review is the draft SMRPC Brownfields Revolving Loan Fund/Subgrant Application for St. Michaels Church in Berwick, Maine. Also attached for your reference are SMRPC basic instructions for completing the application.

We've updated the draft application with the recent information on the mold abatement (per 11/21/09 email from Tom Harmon). We understand that additional cost estimates ("ballpark" at a minimum) still need to be completed in order to complete the application (e.g., Young Street stormdrain improvements and proposed renovation/development cost estimates). At your convenience, please review and modify/supplement the application with the required/missing information from the Town, as appropriate.

Outstanding info for RLF application includes:

1. Tax ID #
2. Date of Incorporation
3. Additional details regarding redevelopment plans (planned renovations, demolition activities, etc.)?
4. Number of full-time and part-time jobs that will be created, if known or anticipated?
5. Is park area or greenspace included in the redevelopment plans? Will the project be integrated into any existing/new trail/path systems (adjacent to the school pedestrian/bike path)?
6. Rehab/Construction Costs, itemized.
7. What efforts have been made for securing financing from other private and/or public sources?

The following is required to be submitted w/ the application:

1. Past 3 years of financial statements, audits, or annual Town reports (we can check with SMRPC to see what they actually need here)
2. If the year-end statements are over 90 days old, the most recent internally prepared financial statements.

Please contact us to discuss any of the details, cost estimates, or if you have any questions regarding the application. We look forward to continuing to work with you, the Town, Civil Consultants, and SMRPC on this important project.

Thank you,

Peter

Peter J. Sherr, P.E.  
 Senior Project Manager  
**RANSOM ENVIRONMENTAL CONSULTANTS, INC.**  
 400 Commercial Street, Suite 404  
 Portland, ME 04101  
 tel. (207) 772-2891  
 fax (207) 772-3248

12/17/2009

**Directions: Information may be typed into this form electronically, entered by hand, or included on attached sheets.**

**I. APPLICATION TYPE (check both loan and grant if applying for both)**

Applying for a  Loan  Grant  
In the amount of: \$ \_\_\_\_\_ \$ 200,000

**II. APPLICANT/BORROWER**

Applicant (Owner)'s Name: John Schempf, Town Manager, Town of South Berwick  
Mailing Address: 180 Main Street  
City: South Berwick State: Maine Zip: 03908  
Phone #: 207-384-3300 x115 Fax: 207-384-3303 Email: [jbschempf@sbmaine.us](mailto:jbschempf@sbmaine.us)

Form of Ownership:  Corporation  Limited Liability Corp.  Partnership  
 Proprietor  Private  
 Nonprofit  Municipality

Tax ID Number: 01-6000372 Date of Incorporation: 2/12/1814  
Type of Business: General Purpose Unit of Local Government (Municipality)

Purpose of Redevelopment:

The St. Michael's Church site currently consists of a former church building with an associated rectory and garage. The site is currently vacant and is situated in downtown South Berwick. The St. Michael's Church property has been assessed (Phase I, HMI, and Phase II) through the SMRPC Brownfields Program and is planned to be redeveloped into a public library and community center.

Describe the applicant's capacity to develop and manage the proposed redevelopment project, including planned use of consultants. If the applicant is a developer, describe the real estate and management experience as it relates to the proposed project:

This project will be completed under the direction of the Town Manager, John Schempf, who also has staff dedicated to the management of the proposed Brownfields Cleanup Subgrant. In addition, the Town plans to work closely with SMRPC on the management of the subgrant for remediation and redevelopment of the St. Michael's Church site, including management of project funds, remediation and redevelopment planning, and cleanup oversight. The Town also plans to contract for professional services for site and redevelopment planning, permitting, civil engineering, and other redevelopment tasks.

**III. ENVIRONMENTAL REMEDIATION**

Briefly summarize your cleanup plan for the site and proposed time frame. Attach a copy of the Voluntary Response Action Program (VRAP)\* and letter from the Maine Department of Environmental Protection (DEP) stating that the VRAP has been approved by a DEP Site Manager.

Asbestos-containing building materials, lead-based paint, universal wastes, and mold were identified at the St. Michael's Church site during environmental investigations conducted in 2009. The cleanup plan consists of the following components:

- Proper abatement of asbestos-containing building materials;

- Lead-based paint abatement (specific remedial action is dependent on proposed reuse plan);
- Removal and proper off-site disposal of universal wastes; and
- Cleanup and abatement of mold-impacted surfaces, demolition of mold-affected structures, and mold sources.
- Remediate site drainage issues.

Each remediation task above can be implemented in a relatively short time frame using standard construction techniques. A Cleanup Alternatives Analysis and a Community Relations Plan are currently being drafted. A VRAP application was previously submitted to the MEDEP on September 9, 2009. The VRAP No Further Action Assurance Letter is currently being drafted and will be completed prior to initiation of the proposed cleanup actions and will be forwarded upon receipt from the MEDEP.

\* The VRAP must include the following:

- An analysis of brownfields cleanup alternatives which will include information about the site and contamination issues (i.e., exposure pathways, identification of contaminant sources, etc.); cleanup standards; applicable laws; alternatives considered; and the proposed cleanup.
- The effectiveness, implementability, and the cost of the response proposed. The evaluation will include an analysis of reasonable alternatives including no action.

Has a Quality Assurance Project Plan (QAPP) been developed to accompany the VRAP?  Yes  No

If not, when do you expect to have one completed? Prior to the initiation of the proposed cleanup actions.

#### **IV. PROPOSED REVITALIZATION PROJECT**

Location of the proposed project:

The St. Michael's Church site is located at 29 Young Street in South Berwick, York County, Maine 03908.

Size and physical characteristics of the site:

The St. Michael's Church site consists of one irregular-shaped parcel of land encompassing approximately 2.1 acres located in a mixed commercial and residential area in the Town of South Berwick. The site is improved with three vacant buildings that occupy the northwestern portion of the site, including the Church Building, the Rectory Building, and a garage. A large asphalt parking lot occupies the central portion of the site, and the southeastern portion of the site remains as undeveloped wooded land.

The Church Building is a wood-framed two-story building with a vaulted ceiling and full basement. The second story consists of a balcony located at the western end of the Church Building. The basement includes a large meeting hall equipped with a kitchen, multiple storage rooms, a boiler room, and a separate room in which two 275-gallon above ground fuel oil storage tanks are located.

The Rectory Building is a three-story wood framed building with a full basement that appears to have been historically utilized primarily for residential purposes. A first-floor room on the eastern side of the building appears to have recently been used as office space for the Parish.

The garage is a single-story wood framed structure with a loft, constructed on a concrete slab-on-grade foundation.

Please describe the zoning district in which the site is located and whether redevelopment plans are anticipated to comply with local regulations:

The site is located within the Town of South Berwick's Central Commercial District (zone B1). Redevelopment plans are anticipated to comply with local regulations.

Have all other state permits been obtained for this project (Act 250, storm water, waste management, access, etc.)?  Yes  No

If No, please explain: Permits will be obtained prior to implementation of remediation and redevelopment activities, as necessary.

### **Project Description**

Please provide a narrative description of the development concept, including the number of buildings and square footage, the anticipated building occupants, the terms of the leases, and anticipated tenant improvement costs (attach plans and addendum if needed).

The concept of the St. Michael's Church redevelopment project is to convert the historic and underutilized church property into a public library and community center. The existing site structures are planned to be remediated and reused. This redevelopment project will be a direct benefit to the residents and visitors of South Berwick. The public library and community center will be operated by the Town and open to the general public.

### **Business Plan**

Please provide a description of the business goals, strategies and action plans for the revitalization project. Attach a copy of the plan, if applicable.

The Town's business goal for this project is to provide a public library and community center for the residents, workers, and visitors in South Berwick.

### **Economic and Physical Impact**

Please describe other economic/physical revitalization that your project will encourage as well as any community benefits:

The St. Michael's Church site is currently a vacant property located within South Berwick's Central Commercial District. The downtown location of the site is a prime location for a public library and community center. This redevelopment project will assist in the Town's overall goals of our Brownfields Program by revitalizing a portion of our downtown area. The completion of this project will also set an excellent example and encourage further Brownfields remediation and reuse in our Town.

Remediation of the St. Michael's Church site will reduce or eliminate the potential for human exposure to asbestos-containing building materials, lead-based paint, mold, and universal wastes.

The creation of a public library and community center is also a direct benefit to the local families, visitors, and workers in our Town, making South Berwick a more enjoyable and welcoming location to live, work, and visit.

How many new jobs will be created as a result of this project?

Approximately one or two part-time jobs will be created as a result of this project. In addition, approximately five (?) part-time construction jobs will be required as part of the remediation and redevelopment activities planned for the site.

### **Public Benefit**

Describe the extent the grant/loan will meet the needs of a community that has the inability to draw on other sources of funding for environmental remediation and subsequent redevelopment in the area in which the site is located because of small population or low income economy:

A subgrant will allow the Town to complete the remediation and redevelopment project of the St. Michael's Church site, which otherwise would not have been possible at this time. With the unstable economy and associated budget limitations and reductions, the Town has no funding available for this type of environmental remediation and redevelopment project.

Describe the extent the grant/loan will facilitate the use of existing infrastructure:

The planned remediation and redevelopment project for the St. Michael's Church site involves reusing the existing church building, rectory building, and garage currently located on the site. The subgrant will facilitate the remediation and redevelopment of the site's existing infrastructure.

Describe the extent the grant/loan will facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, or other property used for nonprofit purposes:

The subgrant will facilitate the creation of a public library and community center, which will be a nonprofit entity operated by the Town. The public library and community center will be open to the general public and may include the addition of a park area or open greenspace surrounding the buildings as well.

Will the project be integrated into any existing or new trail/path systems (adjacent school and pedestrian/bike paths)? Yes; a new path connecting the property to the elementary school has already been constructed.

## **V. FINANCIAL INFORMATION**

**Pleas submit the following (or similar information submitted for other grant/loan applications):**

- \_\_\_\_\_ Three years of financial statements and/or tax returns for the company (if private), or audits (if public or nonprofit).
- \_\_\_\_\_ If the year-end statements are over 90 days old, the most recent internally prepared financial statements.
- \_\_\_\_\_ The most recent accounts payable and accounts receivable aging.
- \_\_\_\_\_ If it's a sole proprietorship, a personal financial statement along with three years of personal tax returns.

Per Chuck Morgan, SMRCP, annual Town reports are being submitted with this application.

Describe any contingent liabilities, suits, or disciplinary actions, etc.

None

Indicate whether applicant/owner or any occupant has ever filed for bankruptcy or protection against creditors. If yes, please give an explanation:

None to our knowledge

**VI. TOTAL PROJECT COSTS**

Indicate the estimated total project costs below or on a separate page. Please be sure to indicate all terms directly attributable to the cost of the project and attach a breakdown itemizing these costs where noted. An itemized budget will be required prior to project approval. See Attachment A for eligible and non-eligible costs.

Environmental Remediation (eligible for EPA funding)

Asbestos – Abatement of Church & Rectory	\$ 70,000
Asbestos – Air Testing & Consulting	\$ 5,000
Lead-Based Paint	\$ 15,000 (Estimate, dependent on proposed reuse)
Universal Wastes	\$ 3,500
Mold- Cleanup & Demolition of Affected Areas	\$ 12,220
Mold- Temporary Gas-Fired Hot Air Furnace	\$ 5,500
Mold- Underdrain/Stormdrain Improvements	\$ 147,400
Remediation Oversight	\$ 10,000
Engineering	\$ 15,000
20% Contingency	\$ 56,724

**Total Remediation Costs** \$ 340,344

Rehabilitation/Construction (**not** eligible for EPA funding)

Demolition \$ ?

Residing (Weather-Tight after Asbestos Abatement)	\$ 50,000
Construction	\$ ?
Rehabilitation	\$ ?
Landscaping	\$ ?
Soft costs	\$ ?
(i.e. legal, financing fees, permits, etc.)	
Other _____ ? _____	\$ ? _____
<b>Total Rehab/Construction:</b>	<b>\$ ???? _____</b>

**VII. PROJECT FINANCING**

To be eligible for loan or grant funds, a project must show that sufficient financing is not available from other sources without financing from the SWCBRLF. Please describe your efforts to secure financing from other private and/or public sources and summarize the reasons why participation in the SWCBRLF program is necessary (attach pages as necessary).

Funding from the SMRPC and its York and Southern Oxford Counties Brownfields Cleanup Revolving Loan Fund and Brownfields Cleanup Subgrants program is vital to the remediation and redevelopment of the St. Michael's Church site. The Town does not have the funding available to complete the remediation activities that are necessary to allow for the reuse of the historic church property. [Describe efforts for securing financing from other private and/or public sources.]

**Matching Funds**

At least 20% of funds used for eligible site remediation activities must come from other sources. Please describe source(s) of matching funds:

Total Remediation Costs:	\$ 340,344
EPA Grant funds requested:	\$ 200,000
EPA Loan funds requested:	\$ 0
 Total Matching funds	 \$ 140,344
Sources:	
Engineering Services	\$ ?
Town Labor/Equipment	\$ ?
Planning	\$ ?
Public Outreach/Meetings	\$ ?
_____	\$ ?

**IMPORTANT NOTICE REGARDING LEGAL FEES**

The RPC will be represented by legal counsel in the review of the terms of transaction documents and in any related legal matters arising prior to the issuance of a loan or grant. All incurred legal fees for said representation shall be the responsibility of the undersigned even if the financing shall fail to close.

**CERTIFICATION**

The undersigned hereby represents and certifies to the best of his/her knowledge and belief that the information contained in the forgoing statement and exhibits and attachments hereto is true and complete and accurately describes the proposed project. The undersigned further agrees to promptly inform the RPC of any changes in the proposed project which may occur. The undersigned agrees that acceptance of any form of financial assistance from the RPC constitutes agreement to include the RPC in any public relations events or materials related to the project, and to cooperate with and permit the RPC to publicize its involvement for marketing and public relation purposes including, but not limited to: signage, press releases, public events, and promotional materials.

To the best of my knowledge, the data and information which I have submitted to obtain YOCBRLF financing from the Southern Maine Regional Planning Commission are true and correct.

Borrower/Applicant

Signature

\_\_\_\_\_  
John B. Schempf, Town Manager

Date:

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No liability is incurred by the Southern Maine Regional Planning Commission by reason of any approval for YOCBRLF funding. Approval by the Loan Servicing Agent and Site Manager under contract with the RPC is based on information supplied by the applicants. Applications may be rejected with or without cause, and SMRPC shall incur no liability costs associated with the preparation of this application. No guarantee is intended or implied by reason of any advice given by the RPC or its staff.

**TOWN COUNCIL**  
***Agenda Information Sheet***

<b>Meeting Date: December 22, 2009</b>	<b>Item # UB 1B</b>
<b>Agenda Item: Schedule Public Hearing to review Comcast Franchise</b>	
<b>Town Manager's Recommendation</b>	
In accordance with the terms outlined in the Franchise Agreement, the 90 day period for Comcast to respond to the Town on the notice of default has passed. The next step is for the Town Council to schedule a public hearing to afford the Franchisee (Comcast) to offer evidence, question witnesses and be heard at the public hearing.	
<b>Requested Action</b>	
Motion to schedule a public hearing on the Comcast Franchise for Tuesday January 12 <sup>th</sup> at 6:30 pm. Please read the procedural order (attached) into the record.	
<b>Vote</b>	

PROPOSED  
TOWN OF SOUTH BERWICK  
COUNCIL ORDER

Re: To schedule a Public Hearing

Ordered that the South Berwick Town Council hold a Public Hearing on January 12, 2010, pursuant to Section 9.8 of the Cable Television Franchise Agreement dated September 8, 2008 between the Town of South Berwick, Maine and Comcast of Maine/New Hampshire, Inc. to determine whether Comcast has cured its default in failing to build-out certain local areas as required within Article 3 of said Franchise Agreement within twelve (12) months of the September 8, 2008 date and/or has taken reasonable steps to cure said default and is diligently continuing to do so, as stipulated by sub-section (b) of said Section 9.8 of said Franchise Agreement.

**TOWN COUNCIL**  
***Agenda Information Sheet***

<b>Meeting Date: November 22, 2009</b>	<b>Item # NB 1A</b>
<b>Agenda Item: Discuss/take action as a result of Powderhouse Workshop on 11/21.</b>	
<b>Town Manager's Recommendation</b>	
This item has been added to the agenda in the event any Town Council action is necessary as a result of the discussion held Monday, December 21st with the members of Powderhouse Ski Club.	
<b>Requested Action</b>	
Council wishes	
<b>Vote</b>	



**TOWN COUNCIL**  
***Agenda Information Sheet***

<b>Meeting Date: November 22, 2009</b>	<b>Item # NB 1B</b>
<b>Agenda Item: Accept Powderhouse Ski Club Members for 2010 season.</b>	
<b>Town Manager's Recommendation</b>	
The list of volunteers for the Ski Club is attached. These volunteers will be covered under the Town's accident rider only, for the 2010 season.	
<b>Requested Action</b>	
Motion to accept the volunteer list for Powderhouse Ski Club and request the members be added to the accident policy with Maine Municipal Risk Pool.	
<b>Vote</b>	

**Powder House Ski Club Membership List**  
2009-2010 Season

Revised 12-1-2009

Crew Chief	Name	Street Address	Town	Phone	Primary e-mail
1	*	Adams, Gary	9 Vine St.	South Berwick, ME 03908	207 384-5175 <a href="mailto:adamsons@comcast.net">adamsons@comcast.net</a>
2		Barlow, Richard & Stacey	18 Academy St	South Berwick, ME 03908	207-384-1989 <a href="mailto:stacey@barlow.net">stacey@barlow.net</a>
3		Burke, David & Hovan, Tracy	128 Knights Pond Rd.	South Berwick, ME 03908	207 384-4277 <a href="mailto:TBurkekids@comcast.net">TBurkekids@comcast.net</a>
4	*	Cooke, Rich	30 Springtree Ln.	South Berwick, ME 03908	207 384-8152 <a href="mailto:rgcooke1@comcast.net">rgcooke1@comcast.net</a>
5	*	Flinkstrom, Eric & Marcia	898 Academy Street	South Berwick, ME 03908	207 384-5041 <a href="mailto:eflink@comcast.net">eflink@comcast.net</a>
6		Grabowski, Stephen	44 Arundel Rd	Arundel, ME 04046	207-967-1944 <a href="mailto:stephen@ma-llc.net">stephen@ma-llc.net</a>
7	*	Gray, Kevin & Alexandria (Treasurer)	3 Frost Hill Circle	Eliot, ME 03903	207-439-4295 <a href="mailto:graysfrommaine@msn.com">graysfrommaine@msn.com</a>
8	*	Kareckas, Jack & Mitch	15 Parent St.	South Berwick, ME 03908	207 384-2584 <a href="mailto:kareckas@ghi.net">kareckas@ghi.net</a>
9		Kevin Carlson, Anne Milne	40 Agamenticus Rd	South Berwick, ME 03908	207-384-5427 <a href="mailto:kvnclsn@gmail.com">kvnclsn@gmail.com</a>
10	*	Liberty, Susan & Brian	14 Hill Drive	South Berwick, ME 03908	207 384-2375 <a href="mailto:minerliberty@comcast.net">minerliberty@comcast.net</a>
11	*	White, Marshall	173 Portland st	South Berwick, ME 03908	207-384-2336 <a href="mailto:marshallwhite@gmail.com">marshallwhite@gmail.com</a>
12	*	Martin, Brad & Rachel (Secretary)	30 Wadleigh Lane	South Berwick, ME 03908	207 384-4541 <a href="mailto:BandRMartin@comcast.net">BandRMartin@comcast.net</a>
13	*	Martin, Bruce & Renie	64 Earles Rd.	South Berwick, ME 03908	207 384-4253 <a href="mailto:bmartin009@comcast.net">bmartin009@comcast.net</a>
14	*	Martin, Luke & Tammy	32 Carraige Hill Lane	South Berwick, ME 03908	207 384-4742 <a href="mailto:tam.luke@yahoo.com">tam.luke@yahoo.com</a>
15	*	Mundell, Eric & Barbara (President)	116 Knights Pond Rd.	South Berwick, ME 03908	207 384-4878 <a href="mailto:bemundell@comcast.net">bemundell@comcast.net</a>
16	*	Page, Bill & Susan (VP)	119 Wild Rose Lane	South Berwick, ME 03908	207-384-2586 <a href="mailto:haverhillman@comcast.net">haverhillman@comcast.net</a>
17		Stailey, Mark & Sally	22 Whitehouse Rd	Rochester, NH 03867	603 335-5292 <a href="mailto:staileymark@hotmail.com">staileymark@hotmail.com</a>
18		Laura Detwiler & Doug Keene	62 Young St	South Berwick, ME 03908	207 384 2384 <a href="mailto:rhodeska@yahoo.com">rhodeska@yahoo.com</a>
19		Amy Miller & John Klosner	37 Highland Ave	South Berwick, ME 03908	207 384-2082 <a href="mailto:sobobooks@earthlink.net">sobobooks@earthlink.net</a>
20		Debbie and Mark Arenberg	5 Spring Street	South Berwick, ME 03908	207.384.3388 <a href="mailto:arenberg@comcast.net">arenberg@comcast.net</a>
21		Sean and Mary Condon	89 Old South Road	South Berwick, ME 03908	207-384-4202 <a href="mailto:scondon8@yahoo.com">scondon8@yahoo.com</a>
22		Gail and Chris Dimmerling	37 Roe Fields Drive	South Berwick, ME 03908	207-384-0165 <a href="mailto:gdimmerling@comcast.net">gdimmerling@comcast.net</a>
23		Ted & Sarah Hebert	73 Lindsay Lane	South Berwick, ME 03908	207-384-3366 <a href="mailto:hebertsh@comcast.net">hebertsh@comcast.net</a>
24		Dave & Lynn Dube	11 Old Goat Lane	South Berwick, ME 03908	207-384-4741 <a href="mailto:dave.dube@hotmail.com">dave.dube@hotmail.com</a>
25		Nicole & Conrad St.Pierre	Greatworks Drive	South Berwick, ME 03908	207-384-2248 <a href="mailto:making.pies@yahoo.com">making.pies@yahoo.com</a>
26		Chris and Holly Goodell	11 Lexington St.	Dover, NH 03820	603-343-2708 <a href="mailto:chgoodell@comcast.net">chgoodell@comcast.net</a>
27		Scott Leighton	25 Drake Lane	Eliot, ME 03903	207-703-0141 <a href="mailto:scott@medicusmedia.com">scott@medicusmedia.com</a>
28		Chris & Pam Davis	14 Locust Lane	South Berwick, ME 03908	207-384-7091 <a href="mailto:crdpam@comcast.net">crdpam@comcast.net</a>
29		Gary & Sharon Trull	64 Goodwin St,	South Berwick, Maine 03908	(207) 384-4762 <a href="mailto:sctrull@comcast.net">sctrull@comcast.net</a>
30		Joshua & Kathleen Allen	245 Emery's Bridge Rd	South Berwick, Maine 03908	207-384-4878 <a href="mailto:jkzhp@comcast.net">jkzhp@comcast.net</a>
31		Joshua & Susan Volger	54 Witchtrot Road	South Berwick, Maine 03908	207-337-0018 <a href="mailto:volger@comcast.net">volger@comcast.net</a>
32		Tom Doyle	11 Hickory lane	South Berwick, Maine 03908	207-384-5977 <a href="mailto:tdkd3@comcast.net">tdkd3@comcast.net</a>
33		Travis & Nicole Derr	28 Hickory Lane	South Berwick, Maine 03908	207-251-5191 <a href="mailto:emailderr@yahoo.com">emailderr@yahoo.com</a>
34		Jack & Lenaye Hudock	71a Paul St	South Berwick, Maine 03908	781-883-9198 <a href="mailto:jhudock@maine.rr.com">jhudock@maine.rr.com</a>
35		John Tullgren / Mara Flynn	36 Main Street	South Berwick, Maine 03908	207-571-8103 <a href="mailto:marajade37@comcast.net">marajade37@comcast.net</a>

**TOWN COUNCIL**  
***Agenda Information Sheet***

<b>Meeting Date: December 22, 2009</b>	<b>Item # NB 1C</b>
<b>Agenda Item: Monetary Gift Donation</b>	
<b>Department Head Recommendation: Fern Houliares</b>	
<p>The Town has received an anonymous donation of \$1,000, specifically for the building fund of the Library. Upon acceptance, the funds would be deposited into the Library Reserve CIP Account.</p> <p>The Library Director will forward a “thank you” note on behalf of the Town.</p>	
<b>Town Manager’s Recommendation</b>	
Accept donation.	
<b>Requested Action</b>	
Accept funds; deposit into Library Reserve CIP Account.	
<b>Vote</b>	