



Comcast Cable
54 Regional Drive
Concord, NH 03301
www.comcast.com

May 5, 2010

Town Council
Town of South Berwick
180 Main Street
South Berwick, ME 03908

SENT BY UNITED STATES POSTAL SERVICE – CERTIFIED MAIL

Dear Chairman and Members of the Council:

I am writing as a follow up to an e-mail to Assistant Town Manager, Roberta Orsini on Friday, April 30, 2010 in which we notified the Town of South Berwick that Comcast is in compliance with Section 3.1 (b) of the Renewal Cable Television Franchise Agreement.

Construction of cable plant on all streets listed in Section 3.1 (b) of the Cable Television Renewal Franchise Agreement has been completed and residents living in those areas now have Comcast services available to them.

If there is anything else I can do regarding this or any other matter please feels free to contact me.

Sincerely,

Bryan Christiansen
Comcast
Sr. Manager of Government and Community Relation

C.c. John B. Schempf, Town Manager, South Berwick
Roberta Orsini, Assistant Town Manager, South Berwick
Jeffrey Jacobs, Comcast Cable, Law Department
Rob Travers, Comcast Division Government Affairs
Bob Carr, Comcast Director of Government Relations





May 17, 2010

Comcast Cable
54 Regional Drive
Concord, NH 03301
www.comcast.com

John B. Schempf, Town Manager
Town of South Berwick
180 Main Street
South Berwick, ME 03908

Dear Mr. Schempf:

As requested, I am following up on our letter dated December 21, 2009 in which we discussed the status of our construction efforts to comply with the franchise obligation to build out certain areas of South Berwick and the Town's actions concerning the collection of the Performance Bond. As previously stated, Comcast disagrees with the Town's attempt to collect on the Bond. With the completion and activation on April 30, 2010 of the line extensions required under the Franchise Agreement, we are in compliance with the Agreement.

We do however acknowledge the delays involved in the construction and the inconvenience this may have caused to those residents desiring service. As a result we reiterate the offer memorialized in the previous letter.

As a demonstration of our good faith efforts and to fully resolve the pending dispute over the performance bond, Comcast is willing to construct and activate a video return line from Town Hall and activate a PEG Access channel in the Town of South Berwick. Although Section 6.1 of the Franchising Agreement states that the Town of South Berwick would be responsible for the cost of that video return line, Comcast would agree to construct and activate it at no cost to the subscriber or the Town, a value of approximately \$20,000.

The video return line will provide the Town the capability to connect their playback equipment or video cameras/microphones into a modulator provided by Comcast as part of this construction. The video and audio output of this modulator will be transported to Comcast's headend, processed and returned to Comcast subscribers in South Berwick on their appropriate PEG Access Channel. The return line will be built by November 1, 2010 if the Town accepts this offer in the next thirty (30) days.

This offer is made with the understanding that upon completion of the video return line, the Town shall agree that all issues regarding its claims on the performance bond and alleged non-compliance with regards to the construction of the Line Extensions have been resolved and the Town agrees to withdraw its claim against the bond upon acceptance of this offer.

I look forward to your response to the offer outlined above.

Sincerely,

Bryan Christiansen

Sr. Manger of Government and Community Relations

C.c. Kenneth M. Cole, III, Esq.

Jeffrey A. Jacobs, Esq., Assistant General Counsel, Comcast
Comcast Divisional & Regional Government Affairs

SOUTH BERWICK TOWN COUNCIL MAY 11, 2010

Chairman David Burke called the meeting to order at 6:30pm. Those present included Councilors Jean Demetracopoulos, Gerald W. MacPherson, Sr., and David H. Webster. Town Manager John B. Schempf was also in attendance. Councilor Michelle Kareckas was not present.

APPROVAL OF MINUTES

1. Town Council 4-27-10: 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 – May 11, 2010

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

PUBLIC COMMENT

1. Eric Pelchat, Front St, asked if there had been an increase in usage of the improved path between Central School and the old **St. Michael's parking lot**. **Mr. Schempf stated that the path is being used, however there are no hard & fast numbers.** Mr. Pelchat also asked about the situation on Bennett Road. Mr. Burke stated that Ms. Dornsife had been contacted by phone and in writing; and has been invited to attend workshops this summer.

2. **Ruth Boston, Emery's Bridge Rd, asked how much more money was going to be spent on the Young Street property.** She added that it is a waste of tax money.

3. Virginia Jennings, Earls Rd, asked for info regarding the potential bond for the library. It was pointed out that discussion would take place under unfinished business item #1.

4. Richard Clough, Academy St, asked about the Recreation Committee Report presented at the last meeting. Mr. Burke stated that it is not on the agenda because workshops are planned **for the summer.** **Mr. Clough also commented that now that the old St. Michael's Church is a Town owned building the religious symbols should be removed.**

5. Albert Roberge, Butler St, asked for the status of the Day property. Mr. Burke stated that the market analysis came in lower than expected so there is no rush to sell the property until the market improves.

6. Amy Bevans, Academy St, informed the Council of the potential safety issue at Central School regarding the path connecting the school to the Young Street property parking lot. On the school side there is no signage and children exiting the path have to walk into the driveway. She also mentioned that bushes are creating a visibility issue. Mr. MacPherson added that vehicles are parking along the grass in the driveway creating additional safety issues for exiting the path on the school side.

TOWN MANAGER'S REPORT

-The Town will be reimbursed from FEMA for the recent storm related damages. Unfortunately, there are no individuals that qualify for assistance.

-Comcast has completed the build-out. Individual hook-ups are in progress. An unforeseen issue has been raised however. Residents with North Berwick exchange phone numbers, due to current FCC rules, will not be able to get digital phone service. Comcast is looking into the issue with the FCC.

UNFINISHED BUSINESS

1. The Council discussed the actions necessary to proceed with the remediation, transfer and bonding of the Young Street property for the Library.

-On a motion by Mrs. Demetracopoulos, seconded by Mr. MacPherson, it was unanimously voted to authorize the Manager to execute the agreement with the Friends of the Library outlining the terms of the conveyance for the purpose of the Brownfields cleanup.

-On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to **approve the division of the Young Street parcel as shown on the plan entitled "Plan Showing a Proposed Division of Land of the Municipality of South Berwick (formerly St. Michael's Roman Catholic Church)" by Civil Consultants, dated April 29, 2010, with the division to occur at the time of transfer of the church building to the Friends of the South Berwick Library.**

-On a motion by Mr. MacPherson, seconded by Mrs. Demetracopoulos, it was unanimously voted to authorize staff preparation of the Bond application for One Million Dollars in order to preserve a placeholder & associated conditions are reviewed by Council before any action.

-On a motion by Mrs. Demetracopoulos, seconded by Mr. MacPherson, it was unanimously voted to affirm the proposed schedule for the library project. (See attachment). It was acknowledged that changes to the schedule will be made as priorities and projects dictate.

NEW BUSINESS

1. On a motion by Mrs. Demetracopoulos, seconded by Mr. MacPherson, it was unanimously voted to amend the meeting schedule for June to two regular meetings; one on June 15th and one on June 29th, both beginning at 6:30pm, unless otherwise posted.

2. The Council discussed the zoning violations at 25 Witchtrot Road. Joe Rousselle, CEO, was present to explain that the resident was given 6 months to remove the trailer once the occupancy permit for the new house was issued. The trailer has subsequently been demolished and debris is scattered about the property and spreading throughout the neighborhood. The CEO has sent numerous letters to the resident over the last 2+ years with little to no action being taken. Mr. Rousselle recommended taking action by authorizing the clean-up and placing a lien on the property.

Mr. Webster expressed his displeasure that this is the first time that the Council has been made aware of the situation.

On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to give the resident 2 weeks to clean-up the debris or the Town will hire a contractor to do the work and a lien would be filed on the property. It was agreed that the project should be put out to bid.

3. The Council briefly discussed the necessity of having legal counsel present for the scheduled professional union unit hearing considering the estimated cost of \$3200-\$3600. Mr. Burke stated that generally this issue would be discussed in executive session, but felt it necessary to be an agenda item so that direction could be given to the Manager. Each of the Councilors present was reluctant to spend the additional funds; and stated that they were comfortable with Chairman Burke representing South Berwick at the hearing. No action was taken. Chairman Burke stated that he would attend the hearing.

4. Florence Wentworth Fund: Mrs. Demetracopoulos stated that we should be looking at growing the fund. Mr. Schempf cautioned that because the funds were left to the Town, they are municipal funds; Municipal funds must be invested **conservatively. The Town's annual audit is affected by how funds are invested.** Mr. Burke asked if anyone was interested in researching if and how the funds can be invested to help them grow. Fire Chief George **Gorman stated that he would ask the lawyer that handles the Association's business for direction.** Mr. Burke asked the Manager and Mrs. Demetracopoulos to work with the bookkeeper on the issue.

5. Balancing Rock: Mrs. Demetracopoulos recused herself from the discussion and any potential vote.

Mr. MacPherson recommended that a warrant article be placed on the next special town meeting warrant to ask the voters if they want to unencumber the \$35,000 set aside for the Great Works Regional Land Trust to buy the property. He added that it has been 4 years since the initial vote and a clear deed to the property is still not available. Mr. Webster stated that the Town Meeting vote to set aside the money did not have any deed stipulation; a Council vote taken a year later established the necessity of a clear deed.

At this point in the discussion Mrs. Demetracopoulos left the room.

Mr. Webster made a motion to table the issue. No second.

Mr. MacPherson made a motion to place an article on the next town meeting or special town meeting warrant asking the voters if they want to unencumber the funds for the purchase of the Balancing Rock property. Mr. Burke seconded. Mr. MacPherson and Mr. Burke voted in favor, Mr. Webster opposed. The Manager made a point of order stating that the Council must act by a majority vote and 2-1 is not a majority vote; making the vote moot.

Mrs. Demetracopoulos returned to the meeting.

6. On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to sign the warrant calling for the SAD #35 Budget Validation Referendum on June 8th.

COUNCIL MEMBER COMMENTS

1. Mr. Webster:

-Asked if the Comcast build-out contract stated that it was for every house. Yes, it was by house not by street.

-Mentioned that the bike path along many of the roads is not being cleared. He added that to encourage healthy activities and for personal safety the bike path should be kept clear of debris.

2. Mr. Burke:

-Asked the other Councilors to think about whether the Town should consider pursuing the Comcast performance bond. He stated that he would like to discuss it at the next meeting.

-Expressed his continued frustration with the inability to meet in executive session to discuss Councilor interaction when no State statute allows it. He added that if done in public it would get counterproductive.

-Asked if one of the councilors would be willing to nominate him to the Maine Municipal Association Legislative Policy Committee. He stated that he would like to serve in order to pursue changes in numerous areas including executive session law and unfunded mandates.

-Met with the School Board Chair Helene Cass. She informed him that the assessment to South Berwick will be lower than last year. He stated that they also discussed holding a joint workshop to include both towns and the school board to go over the funding formula.

-**Thanked the Manager for compiling the information on St. Michael's Church. He also thanked Patti Mitchem (Friends of the Library) for their efforts in moving forward with making the Brownfield grant workable.**

3. Mrs. Demetracopoulos:

-**Stated (in response to Mr. Burke's comments) that according to the Freedom of Information Act Manual she has, the law does not require legal counsel be present during an executive session. She added that the issue at hand could be discussed in executive session because the law does allow such discussion in executive session if such discussion could damage reputation or violate rights of privacy. She added 'I believe we can moderate ourselves and make sure the discussion stays on topic, and that would be within the law'.**

-Thanked Bruce Whitney for organizing the Old Fields Burial Grounds clean-up. She also thanked Jay Redimarker for his help with removing debris.

-Thanked Al Whitaker for his thoughtful questions regarding the library. She added that these types of questions are very helpful.

-Stated that when money is appropriated from the undesignated fund it is not handled differently in its investment just because it is earmarked. There is no reduction in income to the Town until it is actually expended.

ADJOURNMENT

On a motion by Mr. Webster, seconded by Mr. MacPherson, it was unanimously voted to adjourn the meeting at 8:33pm.

Attest:

Barbara Bennett, CCM

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	-----Account-----	Date Paid	Amount
00051680	071086 GREAT WORKS FAMILY PRACTICE	05/25/2010	-50.00
00051804	140532 NCO FINANCIAL SYSTEMS INC	05/25/2010	32.85
00051805	132500 SECRETARY OF STATE M/V	05/25/2010	13,775.02
00051806	140532 NCO FINANCIAL SYSTEMS INC	05/25/2010	26.02
00051807	132500 SECRETARY OF STATE M/V	05/25/2010	14,721.44
00051808	189999 REFUNDS	05/25/2010	68.00
00051809	189999 REFUNDS	05/25/2010	20.00
00051810	189999 REFUNDS	05/25/2010	200.00
00051811	189999 REFUNDS	05/25/2010	25.00
00051812	189999 REFUNDS	05/25/2010	200.00
00051814	010336 AGGREGATE RECYCLING CORP	05/25/2010	2,577.87
00051815	010490 ALGONQUIN PRODUCTS CO	05/25/2010	225.89
00051816	010585 AMAZON	05/25/2010	256.45
00051817	020790 APPLIED INDUSTRIAL TECH	05/25/2010	14.87
00051818	020225 BAKER & TAYLOR	05/25/2010	493.05
00051819	021300 BERNSTEIN SHUR	05/25/2010	9,427.88
00051820	021572 BIO CASCADE INC	05/25/2010	3,270.00
00051821	021580 BIT O'GREEN LANDSCAPING LLC	05/25/2010	275.00
00051822	021668 BLOW BROS	05/25/2010	55.72
00051823	022150 BOSTON CO.	05/25/2010	1,500.00
00051824	022503 SHARON BRASSARD	05/25/2010	33.00
00051825	030552 CHASE & HAMLYN INC.	05/25/2010	1,461.00
00051826	030725 CITIZENS BANK (CHG)	05/25/2010	719.81
00051827	030920 CLEAN-O-RAMA	05/25/2010	495.11
00051828	031430 COMCAST	05/25/2010	95.00
00051829	031440 COMFORT INN	05/25/2010	280.00
00051830	031998 CRT PROCESSING/UNIV RECYCLING	05/25/2010	396.60
00051831	032002 ONE COMMUNICATIONS	05/25/2010	1,137.84
00051833	032030 CUMMINS NORTHEAST INC	05/25/2010	7.79
00051834	040105 DAYTON SAND & GRAVEL	05/25/2010	942.40
00051835	040500 VICTORIA DESILETS	05/25/2010	197.94
00051836	040520 DIGITAL INK PRINTING	05/25/2010	424.13
00051837	041305 G MITCHELL DUGAN	05/25/2010	137.50
00051838	050815 EMPLOYEE HEALTH & BENEFITS	05/25/2010	756.11
00051839	060260 FASTENAL COMPANY	05/25/2010	211.55
00051840	061500 FOSTER'S DAILY DEMOCRAT	05/25/2010	80.50
00051841	061525 FREIGHTLINER OF MAINE INC	05/25/2010	74.76
00051842	010525 G&K SERVICES	05/25/2010	1,071.12
00051843	070200 P GAGNON & SON INC	05/25/2010	385.64
00051844	070385 WIB GOINS	05/25/2010	38.91
00051845	070730 PETER GRACE	05/25/2010	289.00
00051846	191330 HANNAFORD'S	05/25/2010	401.46
00051847	080248 HANSCOM'S TRUCK STOP INC	05/25/2010	9,393.62
00051848	080500 BEVERLY HASTY	05/25/2010	70.48
00051849	081350 HUBCAP HEAVEN	05/25/2010	125.00
00051850	090120 INLAND FISHERIES & WILDLIFE	05/25/2010	463.00
00051851	090580 IRVING OIL	05/25/2010	49.04
00051852	100150 JANETOS MARKET	05/25/2010	114.65
00051853	100870 KENNEBUNK SAVINGS BANK	05/25/2010	32,000.00
00051854	141367 KONE INC	05/25/2010	625.50
00051855	127000 CORRINE J MAHONY	05/25/2010	1,100.00
00051856	131700 MAINE CHIEFS OF POLICE ASSOC.	05/25/2010	25.00
00051857	133375 MAINE ENERGY RECOVERY CO.	05/25/2010	2,699.30
00051858	133195 MAINE TURNPIKE AUTHORITY	05/25/2010	5.45
00051859	133358 W.B.MASON	05/25/2010	239.90
00051860	133925 MINUTEMAN TRUCKS INC	05/25/2010	473.12

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	-----Account-----	Date Paid	Amount
00051861	134200 MAINE MUNICIPAL ASSO (INS)	05/25/2010	2,043.00
00051862	134300 MAINE MUNICIPAL EMPLOYEES	05/25/2010	4,126.73
00051863	134601 EXXON/MOBIL	05/25/2010	397.92
00051864	134665 MONTROSE-SANFORD HYDRAULICS	05/25/2010	77.35
00051865	134754 MORIN STEEL INC	05/25/2010	470.00
00051866	140105 NAPA OF SOMERSWORTH	05/25/2010	62.53
00051867	141394 NATIONAL TELEPHONE/TECH	05/25/2010	320.50
00051868	140825 NE FIRE EQUIP & APPARATUS CORP	05/25/2010	430.21
00051869	141060 NEW PIG CORP	05/25/2010	141.90
00051870	141080 NEXTEL	05/25/2010	4.55
00051871	140300 NATIONAL FIRE PROTECTION	05/25/2010	127.75
00051872	141300 NO.BERWICK LUMBER & HARDWARE	05/25/2010	138.53
00051873	141384 NORTHEAST PAGING/UCOM	05/25/2010	24.16
00051874	200700 PIKE INDUSTRIES INC	05/25/2010	170.39
00051875	160692 POLAND SPRING	05/25/2010	131.94
00051876	160810 PORTLAND GLASS	05/25/2010	85.30
00051877	161265 PORTSMOUTH FORD	05/25/2010	1,242.09
00051878	170000 QUILL CORPORATION	05/25/2010	378.81
00051879	180185 RCP LLC	05/25/2010	387.50
00051880	181668 DAVID S RUGER	05/25/2010	4.00
00051881	191060 SEXUAL ASSAULT SUPPORT SERVICE	05/25/2010	100.00
00051882	191900 SO BERWICK EMERGENCY RESCUE	05/25/2010	6,161.71
00051883	192900 SO BERWICK WATER DISTRICT	05/25/2010	121.09
00051884	192650 SO BERWICK SEWER DISTRICT	05/25/2010	1,450.24
00051885	193605 SOUTHWORTH-MILTON, INC	05/25/2010	71.14
00051886	193622 SPRINGER ELECTRICAL SERV INC	05/25/2010	2,825.94
00051887	193640 STAPLES	05/25/2010	300.11
00051888	080239 SUNRISE PRINTING	05/25/2010	315.00
00051889	180250 SYSCO:NORTHERN NEW ENGLAND	05/25/2010	482.00
00051890	200545 TERMINIX INTERNATIONAL	05/25/2010	95.00
00051891	201150 ANNMARIE TOWNSEND	05/25/2010	137.00
00051892	133113 TREASURER OF STATE/ATV	05/25/2010	2,492.55
00051893	133115 TREASURER,STATE OF ME/LIC	05/25/2010	80.00
00051894	133107 TREAS,STATE OF MAINE/DEP	05/25/2010	132.00
00051895	201300 TWO-WAY COMMUNICATION SERV INC	05/25/2010	554.82
00051896	210070 ULTRAMAX	05/25/2010	984.00
00051897	211500 VERIZON WIRELESS	05/25/2010	565.54
00051898	220100 VIKING PROPERTIES	05/25/2010	375.00
00051899	230300 WALMART COMMUNITY BRC	05/25/2010	58.37
00051900	238000 XPRESS OF MAINE	05/25/2010	2,883.00
00051901	241109 YORK POLICE DEPARTMENT	05/25/2010	6,927.99
00051902	240900 YORK COUNTY REGISTRY OF DEEDS	05/25/2010	74.15
Total Not Prepaid			113,069.77
Total Prepaid			29,018.33
Grand Total			142,088.10

RECEIVED

5.18.10

Town Manager's Office



Town of South Berwick

180 MAIN STREET
SOUTH BERWICK, MAINE 03908-1535
TEL. 207-384-3300
FAX: 207-384-3303

South Berwick Town Council
David Burke, Chairperson
180 Main Street
South Berwick, ME 03908

May 14, 2010

Chairman,

At their May 4, 2010 meeting, the Planning Board voted unanimously to forward a letter to the Town Council in regards to the direction of the Board. We as a board feel that communication with the Council has been limited if non existent in regards to decisions made recently, such as the necessity of the planning position, the direction that the board is headed in, and who will be assisting prospective applicants and the board with future applications.

The board has not received any official or unofficial correspondence to date in regards to the elimination of the planning position. We are at odds as to how such an important determination could be made without the input of the board as we interact with the person filling this position on a regular basis. We believe that some notice as to how we are to proceed from here is warranted.

We would appreciate the opportunity to reserve time to pursue these questions. The cost of non action could be high. Future applicants could be held in limbo waiting for submittals to be reviewed and forwarded to the board. Decisions on said applications may be difficult due to possible questions that may arise on said projects with no one designated to research the answers.

If you have any further concerns or questions, please contact either me or the Planning Office at 384-3300.

Sincerely,

Cheryl H. Bionne
Chairperson
South Berwick Planning Board

CC: John Schempf, Town Manager

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: 5/25/10	Item # NB 1
Agenda Item: Equipment replacement request	
Department Head Recommendation: Terry Oliver	
<p>The Town currently owns a 21 year old zero turn Toro mower that is used to mow around the Community Center, the Day property, the slope around the teen center, the highway garage etc. The hydraulic motors are worn and it will no longer operate on an incline. The cost to replace the two hydraulic motors is \$3800.00 plus labor. Our options are: A) fix it; B) replace it; C) have the mowing contractor mow it. We have shopped prices and the best buy we can find for a replacement is \$5,399.95 with the municipal discount, for a 61” cut, 28 horsepower Husquavarna zero turn mower. I would recommend replacement with this unit.</p>	
Town Manager’s Recommendation	
<p>I recommend replacement through capital funds. However, this item was not previously printed in the capital plan. We are submitting it here for Council review as previously requested. The mower listed above will be purchased providing it is still available following Council action.</p>	
Requested Action	
<p>Motion to authorize the purchase of a new law mower, funds to come from account # 0861.</p>	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: 5/25/10	Item # NB 2
Agenda Item: Road Acceptance	
Department Head Recommendation: Terry Oliver for Public Works Roberta Orsini for Planning	
Please see attached memo from Terry Oliver Please see attached email from Jim Fisk to Terry Oliver All three conditions in the email have been met. The streetlight is installed and the sign has been ordered but has not yet placed by the PWD. All the homes are built.	
Town Manager's Recommendation	
The applicant has completed the necessary steps to convey Schoolhouse Lane to the Town. Previous Town Council's have requested the deed not be recorded until after the Council's acceptance of the street. This approach is in conflict with the ordinance, however it is presented here in accordance with recent past practice.	
Requested Action	
Motion to accept Schoolhouse Lane as a Town Road.	
Vote	

Schoolhouse Meadow, LLC

755 Central Avenue
Dover, NH 03820

Telephone: 603-742-8107
Facsimile: 603-742-3830

May 17, 2010

Mr. Terry Oliver, Director of Public Works
Town of South Berwick
180 Main Street
South Berwick, ME 03908

Subject: *Schoolhouse Lane Road Acceptance*
South Berwick, Maine
Job No. 05170

Dear Mr. Oliver:

Please accept our petition to the Town of South Berwick for the acceptance of Schoolhouse Lane.

As prescribed in the Charter, Chapter 119-4, we have a plan of said street recorded in the York County Registry of Deeds, Plan Book 312 Page 48. Accompanying please find a deed description of the roadway. We also have a file at the Town of South Berwick Roadway Plan and Profile. Please investigate the roadway and if your finding is that the roadway complies with Article VII of the South Berwick Subdivision Ordinance, please report to the Town Council so the petition may be placed on the next available Town Council Meeting.

Please advise should you have any questions.

Very truly yours

SCHOOLHOUSE MEADOW, LLC



Robert J. Stowell
Manager

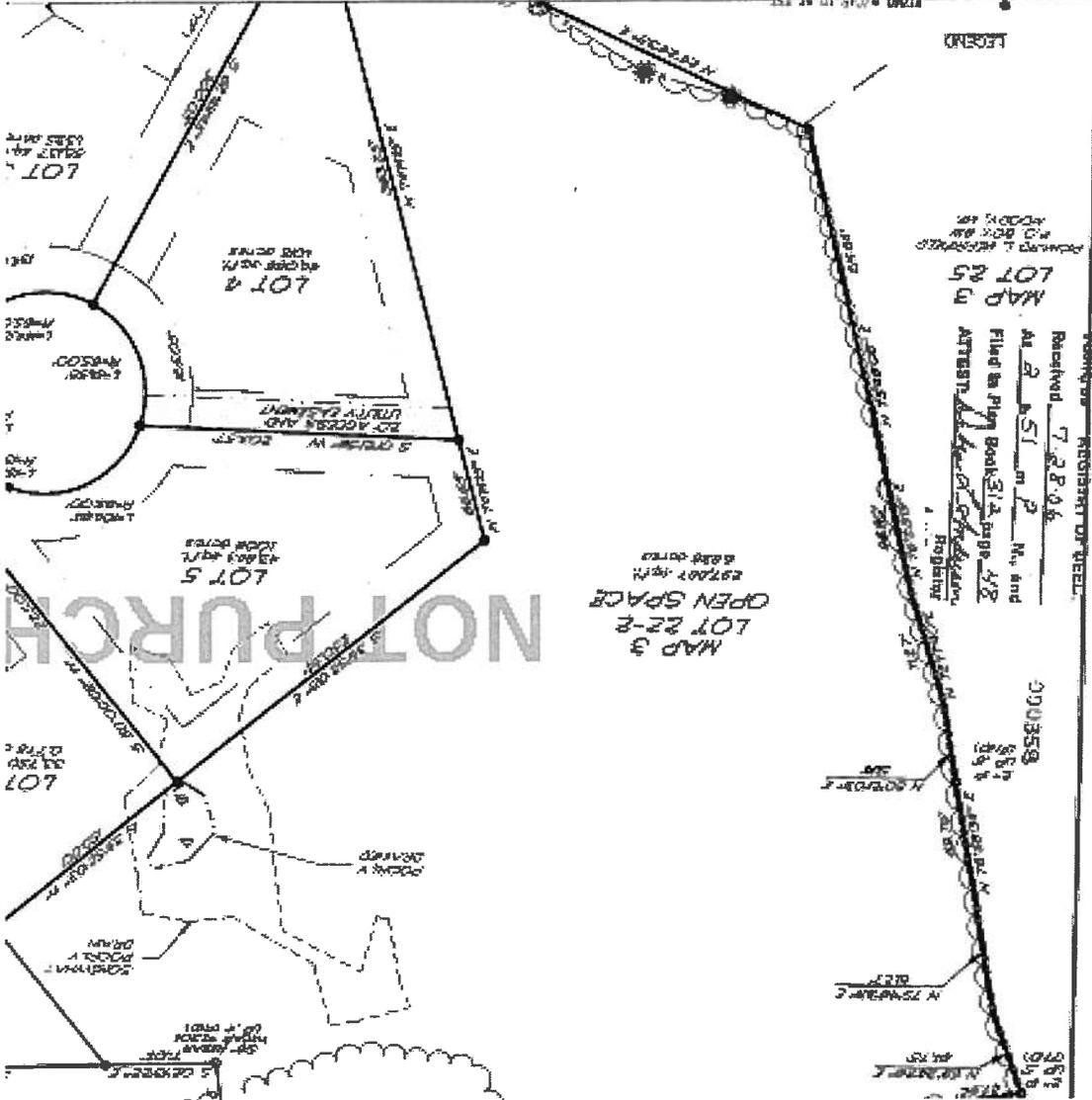
RJS/nas

cc: Roberta Olivia, Assistant City Manager
Barbara Bennett, Town Clerk

A certain tract or parcel of land being the 50 foot wide Wild Rose Lane Right-of-Way, in the Town of South Berwick, County of York, and the State of Maine, being shown on plan entitled "Subdivision Plan, Owners of Record, Jerome Fronczak, Nancy C. Griffiee, 120 Wild Rose Lane, South Berwick, Maine", dated February 27, 2006, prepared by Trittech Engineering Corporation, to be recorded at the York County Registry of Deeds; being more particularly bounded and described as follows:

Beginning on the northerly sideline of Wild Rose Lane at a granite bound set; thence running along the northerly sideline of Wild Rose Lane, South $76^{\circ} 07' 17''$ West, a distance of 79.91 feet to a rebar found; thence turning and running along a curve to the left having a radius of 15.00 feet, a distance of 23.47 feet to a granite bound set; thence turning and running, North $13^{\circ} 52' 43''$ West, a distance of 250.95 feet to a granite bound set; thence turning and running along a curve to the left having a radius of 200.00 feet, a distance of 90.72 feet to a granite bound set; thence turning and running, North $39^{\circ} 52' 03''$ West, a distance of 196.66 feet to a granite bound set; thence turning and running along a curve to the left having a radius of 15.00 feet, a distance of 15.71 feet to a granite bound set; thence turning and running along a curve to the right having a radius of 65.00 feet, a distance of 340.34 feet to a granite bound set; thence turning and running along a curve to the left having a radius of 15.00 feet, a distance of 15.71 feet to a granite bound set; thence turning and running, South $39^{\circ} 52' 03''$ East, a distance of 196.66 feet to a granite bound set; thence turning and running along a curve to the right having a radius of 250.00 feet, a distance of 113.40 feet to a granite bound set; thence turning and running, South $13^{\circ} 52' 43''$ East, a distance of 250.95 feet to a granite bound set; thence turning and running along a curve to the left having a radius of 15.00 feet, a distance of 23.56 feet to a granite bound set on the northerly sideline of Wild Rose Lane, said granite bound being the point of beginning.

The above described 50' wide Wild Rose Lane Right-of-Way contains 41,927 square feet or 0.963 acres. Meaning and intending to describe and convey a portion of the premises described in the deed of Jerome Fronczak and Nancy C. Griffiee to this grantor dated July 13, 2006 and recorded at the York County Registry of Deeds in Book 14911, Page 243 and the deed of Nancy C. Griffiee to this grantor dated September 8, 2006 and recorded at the York County Registry of Deeds in Book 14979, Page 345.



RECEIVED 7-28-06
 MAP 3
 LOT 25
 ATTEST: *[Signature]*
 Notary Public
 State of Oregon

MAP 3
 LOT 22-2
 OPEN SPACE

NOT PURCH

OWN: 20 FEET SIDE: 20 FEET
 REAR: 20 FEET FRONT: 20 FEET

BEARING STANDARD BOUNDARY SURVEY
 FOR JEROME FRONCZAK
 MILD ROSE LANE
 SOUTH BERRYCK, MAINE
 FRANK EMERY, M. P. L. S.
 JUNE 2003

UNDISTURBED CORNER OF OLD BERRYCK POINT TRANSMIT WAS
 1700.000 AND WAS ACCOMPLISHED USING A LEICA TSP33 TOTAL
 STATION THE MORN'G OF JANUARY, 2006.

PLAN REFERENCE: STANDARD BOUNDARY SURVEY
 FOR JEROME FRONCZAK
 MILD ROSE LANE
 SOUTH BERRYCK, MAINE
 FRANK EMERY, M. P. L. S.
 JUNE 2003

BY THE STATE ENGINEER LEONARD STONE OF MAINE, REGISTERED
 2211, CONDUCTED AN ON SITE DELINEATION OF THE SUBJECT
 ELEVATION, STAKE AND FEDERAL APPROPRIATION
 FIELD BASED ON THE TOWNSHIP OF BERRYCK, BERRYCK
 & MAINE, (DEPT. OF THE ARMY 1837), EXCEPT IN SPECIAL
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 CREAT A WETLAND.

1. DIVISION OF LAND	ACRES	ACRES
A	712.728	18.89
AREA	57.575	1.54
POORLY DRAINAGE	1.083	0.03
NEARBY POORLY DRAINAGE	10.824	0.25
SL AREA	64.3574	14.77
SETBACKS BY 50.000 50.000	-	-
21 OF 1095	0.0	0.0

OF THE DWELLING SHALL BE ORIENTED FACING SOUTHWEST
 AND DEVELOPE SPECIFIED TO ENSURE APPROPRIATE REGULAR
 PLACEMENT.

I HAVE NO RIGHT OF ACCESS ACROSS THE 15' WIDE PLANTING
 QUANT.

OF APPROVAL

2.7 SECTION 121-1114 - 10% REPRESENTATIVE FOR 100' R/W
 2.78 SECTION 121-4414 - LENGTH OF 200' TO BE 70'
 2.78 SECTION 121-4411 - TOTAL GROSS AREA TO BE 1000' TO
 2.78 SECTION 121-4407 - 10% REPRESENTATIVE TO BE 100' R/W TO FRONT
 2.78 SECTION 121-4407 - 10% REPRESENTATIVE TO BE 100' R/W TO FRONT

LAMP SHALL BE PROVIDED BY OWNER (LAMP) IN CASE OF THE
 OWNER AND 20-FOOT WIDE WINDOW HORIZONTAL PROTECTION FOR
 STORM WATER DRAINAGE AND RELATED STORM WATER STRUCTURES. THE TOWN
 OF BERRYCK AND MAINE ASSOCIATION SHALL BE RESPONSIBLE FOR THE
 DESIGN AND CONSTRUCTION OF STORM WATER STRUCTURES. THE TOWN
 OF BERRYCK AND MAINE ASSOCIATION SHALL BE RESPONSIBLE FOR THE
 DESIGN AND CONSTRUCTION OF STORM WATER STRUCTURES. THE TOWN
 OF BERRYCK AND MAINE ASSOCIATION SHALL BE RESPONSIBLE FOR THE
 DESIGN AND CONSTRUCTION OF STORM WATER STRUCTURES.

APPROVED AND THE COMMISSION HAS NO MORE WILL BEING SENT.
 SET BY APPROVED OF THE TOWN OF BERRYCK, MAINE, SUBJECT TO BE PLACE.
 EACH ACTION IS REQUIRED AT THE TOWN COUNTY OFFICE OF BERRYCK.

SHALL BE MAINTAIN.
 PART OF THE PROPERTY SHALL CONSTRUCT A SYSTEM TO THE PLAN
 AND APPROVE FOR THE TOWN OF BERRYCK, MAINE, SUBJECT TO THE
 TOWN OF BERRYCK AND MAINE ASSOCIATION. THE TOWN OF BERRYCK
 AND MAINE ASSOCIATION SHALL BE RESPONSIBLE FOR THE DESIGN, APPROVAL
 AND CONSTRUCTION OF THE SYSTEM.

SHALL BE REMOVED FROM THE SITE OTHER THAN THE DESIGN REQUIRED
 UNDER CONSTRUCTION.
 20% COMMON LAND IS BERRYCK TOWN AND TO BE RETURNED BY
 THE TOWN OF BERRYCK AND MAINE ASSOCIATION.

SHEET NO. 1
 OF 1



NOT PURCHASABLE

SUBDIVISION PLAN
 OWNERS OF RECORD
JEROME FRONCZAK
NANCY C. GRIFFEE
 120 MILD ROSE LANE
 SOUTH BERRYCK, MAINE
 FEBRUARY 27, 2006 JOB NO. 05770
 SCALE: 1" = 80'

S-1

MEMO

TO: John Schempf

FROM: Terry

COMPANY: _____

AT: _____

SUBJECT: Schoolhouse Lane

DATE: 5/20/10

John,

The above referenced street in the Schoolhouse Meadow Subdivision has been inspected during and after construction and is constructed in a manner consistent with planning board approval. Schoolhouse Lane meets the requirements of our subdivision ordinance with regard to street construction.

Regards,



Terry Oliver

Roberta Orsini

From: Jim Fisk
Sent: Tuesday, December 15, 2009 11:39 AM
To: Terry Oliver
Cc: Roberta Orsini; Cheryl Dionne; Susie Scott; Douglas J. LaRosa
Subject: Schoolhouse Meadow Subdivision

Terry~

This is a follow up to the meeting we just concluded with the Schoolhouse Meadow development and design team, Jim Wolcott, realtor, Bob Stowell, P.E., and Doug LaRosa, E.I.T. regarding the completion of the required improvements prior to submitting a request to the Council for acceptance of the road. The remaining items discussed were the:

1. Installation of Street sign
2. Location and Installation of specified Architectural area light
3. Final inspection of road (drainage issues were discussed).

I know that the developers are anxious to complete project and get in front of the Council with their request to accept the road.

James L. Fisk, RLA
Director of Planning and Economic Development
Town of South Berwick
180 Main Street
South Berwick, Maine 03908
207-384-3300 ext. 118
207-384-3303 fax
jfisk@sbmaine.us
<http://www.southberwickmaine.org/>

5/20/2010

Chapter 119 Streets and Sidewalks

ARTICLE II. Acceptance of Streets

[Adopted 7-26-1982]

§ 119-2. Title.

This article shall be known and may be cited as the "Street Acceptance Ordinance of the Town of South Berwick, Maine."

§ 119-3. Compliance required.

No street or way shall be laid out and accepted as a public street or way by the Town of South Berwick, Maine, except in accordance with the provisions of this article. All other ordinances or parts thereof in conflict with the provisions of this article are hereby repealed.

§ 119-4. Conditions of acceptance.

A street or way constructed on private lands by the owner(s) thereof and not dedicated for public travel prior to January 12, 1974, shall be laid out and accepted as a public street or way by the Town Council only upon the following conditions:

- A. The owner(s) shall give the Town a deed to the property within the boundaries of the street at the time of its acceptance by the Town.
- B. A plan of said street or way shall be recorded in the York County Registry of Deeds at the time of its acceptance.
- C. A petition for the laying out and acceptance of said street or way shall be submitted to the Town Council upon a form to be prescribed by the Road Commissioner. Said petition shall be accompanied by a plan, plot plan, profile or cross section of said street or way conforming to the requirements in Article VII of the South Berwick Subdivision Ordinance. *Editor's Note: See Ch. [121](#), Subdivision of Land.*

§ 119-5. Authority to lay out or accept streets.

Notwithstanding the provisions of any other section hereof, the Town may, at any time, lay out and accept any street or way in the Town of South Berwick, Maine, as a public street or way of said town whenever the general public interest so requires. The cost of said street or way may be borne by said town.

§ 119-6. Report required prior to acceptance.

[Amended 8-26-1991]

No street or way shall be laid out and accepted by the Town Council until the Planning Board and the Road Commissioner shall have made a careful investigation thereof and shall have reported to the Town Council their recommendations with respect thereto.

§ 119-7. Variances.

[Amended 8-26-1991]

A variation in the strict application of the construction specifications of this article may be permitted when, in the opinion of the Planning Board and/or Town Council, topography or other conditions peculiar to the location warrant such variation, provided that the public convenience, safety, health and welfare will not be affected adversely. In all cases, the convenience of or cost to the property owner shall not be a basis for consideration for a variation. The application and burden of proof for a variation shall be the responsibility of the property owner, and application for variation shall be requested, in writing, to the Planning Board, when a part of a subdivision plan, or the Town Council, when not a part of the subdivision, specifying the reasons therefor and shall be answered in written form by said Planning Board or Town Council within 20 days from the date of receipt. Such variations shall additionally be granted only after Planning Board consultation with and receipt of written approval of the Police, Fire and Public Works Departments.

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: 5/25/2010	Item # NB 3
Agenda Item: Fire Dept. Grant Request	
Department Head Recommendation: George Gorman	
Request permission to apply for a grant to replace Engine # 2. This grant application request is for 95% of the cost of the new engine. The Town Match as presented is: \$19,750, funding available from the Fire Department's Capital Account (current approximate balance \$49,000). We expect the grant offering will be awarded either this fall or early next year.	
Town Manager's Recommendation	
I strongly support this grant application. Given the current economic situation it is incumbent upon us to explore every grant opportunity available.	
Requested Action	
Motion to authorize the grant application for a replacement of Engine 2.	
Vote	

South Berwick Fire Department Grant Draft

PROJECT DESCRIPTION:

The South Berwick Maine Fire Department respectfully submits its request to purchase a 1500 GPM. Pumper. This apparatus will meet all requirements mandated by the National Fire Protection Association (NFPA) Standard 1901 latest edition.

DETAILED DESCRIPTION OF PLANNED USES:

This apparatus will allow the Town of South Berwick to better protect the citizens and the firefighters from the hazards encountered when responding to and at the scene of all emergencies.

The apparatus will be the first responding emergency vehicle for all reported structure fires and other emergency calls. It will be designed to accommodate a six person firefighting crew in an enclosed cab. Four of the seats will have self contained breathing apparatus (SCBA) mounted and secured within the seats. All seats within the vehicle will have a three point seat belt system installed for firefighter safety. The seatbelts will be connected to a visual warning display system mounted in the front cab area of the apparatus. This system will allow the fire officer to verify that all firefighters have secured their individual seatbelts prior to the fire apparatus starting and responding to an emergency call. The apparatus will also have an additional speedometer mounted in the cab adjacent to the fire officer's seat for his/her use to monitor the speed of the vehicle and ensure its safe operation at all times.

The apparatus will carry 1000 gallons of water to fight fires in the rural areas of the town that are not protected by fire hydrants. It will also carry 25 gallons of foam for use when responding to hazardous material and motor vehicle accidents. It will employ a remote controlled deluge gun mounted on the top of the vehicle. This will eliminate the need for a firefighter to climb onto the top of an apparatus and remove the potential for slipping and falling injuries.

The crew compartment will have a high output heater and air conditioner to be used as a re-hab area for firefighters during periods of high and low temperatures. The engine will be equipped with an eight thousand kilowatt hydraulic generator which will power a five thousand watt remote controlled light tower and (four), 500 watt scene lights. This capability will provide increased visibility and added safety for firefighters operating at an incident scene during night time emergencies. The engine will also be equipped with a camera system that will show three positions when backing up, one on each side and one in the rear of the truck. The camera on the right side will also come on when the right directional turn signal is used. This will help the driver to see objects or people that may not be seen in the mirror.

NEEDS:

We are requesting this grant to replace our oldest engine that is twenty two years old. This engine has been our lead engine since it was purchased in 1988. The engine has responded to over four thousand calls in the last twenty two years. The costs for repairs on this vehicle are increasing due to the age of the engine and the amount of response calls

If we receive the grant for a new pumper this will allow the town time to put money into our capital improvement plan to have the money on hand to replace the next engine in fourteen years.

South Berwick Fire Department Grant Draft

FINANCIAL NEEDS STATEMENT:

The South Berwick Fire Department is a paid call fire department with a combined total of thirty four (34) officers and firefighters and four (4) junior firefighters operating out of one station that covers thirty-three (33) square miles.

Seventy five percent (75%) of our annual budget allocation is directed toward salary and wages for the personnel. The remaining twenty five percent (25%) is utilized toward expenditures associated with fire department operations.

Capital equipment purchases for the fire department such as vehicles and air-packs are funded through the Towns Capital Improvement plan. Money is put into our account each year for the future purchase of this equipment.

The fire department has requested that money be put into our (CIP) account to replace the current 1988 engine. Because of budget constraints at the town level and those mandated by the State of Maine (LD-1) and the bad economic times the town has not been able to fund this account to allow for the purchase of a new engine.

With all the budget constraints that we now have it will be four or more years before the town can afford to purchase a new pumper. This will make our first run pumper twenty six (26) years old.

COST / BENEFITS ANALYSIS:

The cost of this project will be \$390,000. We are requesting ninety- five percent (95%) of this amount with the towns portion for this project being (5%), \$19,750.

All of the requested funding will go toward the purchase of the Pumper and the equipment identified in this grant application.

Funds requested from this grant will not be used to fund indirect or administrative costs.

TOWN BACKGROUND:

The Town of South Berwick is a small “Village” style town that refuses to look like it is growing into a larger town with over 7,320 current residents. Settled in 1631 and incorporated in 1814, South Berwick covers 33 square miles, only has two small industries and is noted for being a “bedroom community”, which attracts people from all over southern New England. The town is located in the southwest corner of southern Maine only 20 minutes from the ocean and one hour from the White Mountains of New Hampshire We are on the border of New Hampshire and only 30 miles from the border of Massachusetts. This makes the town attractive to people fleeing the rapidly expanding towns and cities of Massachusetts, with virtually no industry, small village atmosphere and one of the best private schools in New England.

Berwick Academy, founded in 1791 is an independent co-educational school, grades K-12, serving 530 students from the seacoast area of Southern Maine and New Hampshire. With their growing campus, Berwick Academy has added five large buildings over the last ten years. With an income of over eight million dollars, Berwick Academy provides no financial help to the Town of South Berwick. They do however assist in civic activities that help the town in preserving our history which is greatly appreciated by the citizens of South Berwick.

South Berwick Fire Department Grant Draft

History is very important to the Town of South Berwick, noted for the "First Waterpower Site in America" this allowed the settlers to use the waterwheel to generate power for woodworking and textile equipment. The town possesses numerous historical places of interest that must be preserved, one being the Fogg building located at Berwick Academy and the Museum of a lifelong resident of South Berwick, Sara Orne Jewett, a well-known author. Other buildings that have emerged in the past fifteen years are a new high school in 2000, a new fire station/community center in 1996, middle school addition in 1998 and the renovation of an old 5-story shoe factory which was transformed into 48 apartment in 2001.

There are approximately 2,700 students attending class in the Town of South Berwick each day when school is in session. Every aspect of the town has grown in the past twenty years and the trend is projected to continue in the future. There are no industries within the Town of South Berwick, just very small businesses.

In the 1980's, our town started to see the impact of rapid development with several housing projects that sprang up. Our population has more than doubled since the eighties, and has grown by almost one thousand people in the past six years. In the past six years the number of building permits issued one hundred and forty four which averages out to approximately 24 per year. In previous years the number has averaged around 20 per year.

Traffic in our town has grown to 20,000 vehicles a day since our last traffic study which was conducted in January 2010. There are two major routes these vehicles use to get to New Hampshire and Massachusetts. Both of these major routes meet in the center of our town. In 2004, the Town of South Berwick had 164 accidents and in 2005 that number rose to 313 accidents. In 2006, 231 accidents were reported. For the last four years the accidents rate has been around 250 per year.

The Town of South Berwick is considered the Gateways to Maine for rail services. This includes passenger and freight service. The Amtrak Down Easter runs through our town carrying hundreds of passengers each day. Our department will respond to over 10 miles of railroad tracks in our mutual aid system. The pumper will be the first responding apparatus and will carry rescue tools for rail disasters. Passenger and freight trains go through our town between 16-18 times per day. Our mutual aid agreements are with ten cities and towns, covering over 150,000 citizens that would benefit from the use of this new pumper.

The South Berwick Fire Department responded to 435 calls in 2007, 377 calls in 2008 and 327 calls in 2009. Despite continued town growth and increased call volume the fire department apparatus has remained the same size since 2003 with 2 pumpers, 1 Quint, 1 tank truck, two forestry vehicles, one suburban and one small boat.

The fire department has an aggressive driver training program which far exceeds State of Maine requirements and ensures safe operation of all fire department vehicles. All fire department drivers must possess a Class B commercial driver's license with endorsements for tank and air brakes. Drivers must be 21 years old, completed Emergency Vehicle Operations Course (EVOC) and Pump Operations I & II. Our driver training program is set up according to NFPA standard 1002. The procedure to be certified as a driver/pump operator for the fire department takes over a year of training. The Department utilizes a Standard Operating Procedure for all personnel on seat belt usage, adherence to traffic signals, signs and laws.

There are two natural gas pipe lines that run seven (7) miles through our town. One is an eight inch distribution main that operates at 400 PSI. The other main is a thirty inch high pressure line that operates at 1300 PSI. Both of these lines run within six hundred feet of our High School that has over eight hundred students. Additionally, the pipelines run parallel for approximately 4 miles next to a major roadway, (Route 236) that leads in and out of South Berwick. Furthermore, the pipeline runs through a major housing complex consisting of 100 housing units which holds approximately 300 tenants

Within one mile of the High School there is a Propane distribution facility with sixty thousand gallons of Propane gas stored in two large tanks and hundreds of smaller tanks. At Berwick Academy there is a thirty

South Berwick Fire Department Grant Draft

thousand gallon Propane tank that supplies gas to all the buildings on campus for heat. This tank sits in the middle of the campus with five buildings that are considered as sever exposure problems should the tank ever be on fire. Within a half mile of the Fire Station there is a storage facility for home heating oil that holds sixty thousand gallons of different fuels.

This new Pumper will help to protect the exposures during a gas fire and use its foam system for any fires at the oil storage facility.

SUMMARY OF BENEFITS:

Firefighter safety will be increased while responding to emergency calls in an enclosed cab with three point safety restraint devices. The crew compartment will have a high output heater and air conditioner to be used as a re-hab area for firefighters during periods of high and low temperatures.

It will improve the fire departments ability to respond with a substantial water supply to all calls outside the hydrant district. The remote controlled deluge gun will eliminate the need for a firefighter to climb onto the top of the apparatus which will eliminate the potential for slipping and falling injuries.

A modern lighting system which can be deployed and operational within 3 minutes of the fire apparatus arriving on scene to provide increased visibility, virtually turning night into day, decreasing the safety hazards for firefighters operating at an incident scene during nighttime emergencies.

The pumper will be the first responding apparatus in our town and within our mutual aid area. Our mutual aid agreements are with ten cities and towns, covering over 150,000 citizens that would benefit from the use of this new pumper. We have automatic response to the towns of North Berwick and Berwick Maine. We receive automatic response to our town from North Berwick and Ogunquit Maine. These two Departments cover parts of our town that are over eight miles from our Fire station.

Increase in general public safety awareness with the use of NFPA compliant emergency lights and reflective striping on the apparatus making it extremely visible when responding to emergency calls.

The addition of a new apparatus will benefit all citizens in our town and those in our mutual aid response area.

The department has a total of seven vehicles. Four of these vehicles are used vehicles which were purchased From other Fire Departments or from used car/truck dealer.

TOWN COUNCIL
Agenda Information Sheet

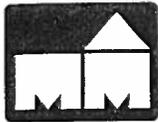
Meeting Date: May 25, 2010	Item # NB 4
Agenda Item: Appointment to Library Advisory Board	
Town Manager's Recommendation	
We are in receipt of an application from Al Whitaker for the open position on the Library Advisory Board.	
Requested Action	
Motion to appoint Al Whitaker to the Library Advisory Board with a term to expire June 2011.	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: May 25, 2010	Item # NB 5
Agenda Item: Resignation from Community Development Committee	
Town Manager's Recommendation	
Smilie Rogers has submitted his resignation from the Community Development Committee.	
Requested Action	
Motion to accept Smilie Roger's resignation with regret and thanks for his work on the committee.	
Vote	

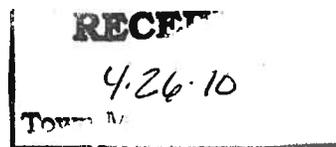
TOWN COUNCIL
Agenda Information Sheet

Meeting Date: 5/25/10	Item # NB 6
Agenda Item: Legislative Policy Committee Nomination	
Town Manager's Recommendation	
David Burke has expressed interest in being nominated to the LPC. I have attached the information here for your review.	
Requested Action	
Council wishes	
Vote	



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org



CC:TC

TO: MMA's Key Municipal Officials
FROM: John Sylvester, President, Maine Municipal Association
DATE: April 23, 2010
RE: Nominations to MMA's Legislative Policy Committee

The election season is about to get fully underway and competitive claims for bold new visions of state government are beginning to fill the air. When the next legislative session begins in January 2011, a newly-elected Legislature will inhabit the State House and a new Governor will reside in the Blaine House.

How are Maine's towns and cities going to be treated by the new Administration and Legislature? How will we characterize the intergovernmental relationship in Maine two years from now? Four years from now?

To put those questions into some context, this outgoing Legislature has overseen:

- o a significant retreat on the goal of paying for 55% of public school funding with broad-based tax revenues;
- o unprecedented raids on municipal revenue sharing;
- o a serious weakening of the Homestead property tax exemption enacted 12 years ago; and
- o deep cuts to the Tree Growth reimbursements that are so important to some of Maine's most rural communities.

So how is the new Governor going to propose dealing with a structural biennial budget deficit that some people believe will approach \$1 billion?

The Maine Municipal Association takes its direction on all questions regarding the goings-on at the State House in Maine from 70 elected and appointed municipal officials serving in towns and cities throughout the state who are chosen by their peers to serve on the Association's Legislative Policy Committee (LPC). The first task of the new LPC after it is elected will be to develop the legislative changes Maine's municipal officials believe should be submitted to the 125th Legislature. Now is the time for all the municipalities in Maine to nominate their candidates to serve on this diverse policy committee which is so vitally important to the Association.

Enclosed is a **Nomination Form** for the July 2010 – June 2012 term of the Legislative Policy Committee. The purpose of the LPC is to define municipal interests and to maximize those interests through effective participation in the legislative process.

(over)

Any elected or appointed municipal official holding office in any MMA member community is eligible to serve on the Committee. There are two seats on the LPC for each State Senate District. Members serve two-year terms, representing their own community and the other municipalities in their Senate District.

LPC activities require a minimum time commitment of approximately ten hours a month during legislative sessions, which includes attendance at the monthly meeting and contacts with other communities and legislators in the district as issues arise. MMA's strength as a municipal advocate depends on the active help of a dedicated LPC.

More information about MMA's Legislative Policy Committee and the Association's entire advocacy program can be found at MMA's website (www.memun.org) under the "Legislative/Advocacy" link. In particular, the *LPC Handbook* describes the Association's overall policy development process and procedures in more detail.

Nomination Process

Your municipality is entitled to nominate a representative to the LPC.

- The nominee may be either elected or appointed, but must be serving currently as a municipal official.
- You may nominate any municipal official from a town or city within your Senate/LPC District; you do not have to nominate someone from your municipality.
- The names of all municipal officials properly nominated will appear on the LPC ballot, which will be distributed on June 4th.

Nominee Profile

Because the municipal officers may not be familiar with a nominee from another municipality, a brief description of each nominee who completes the enclosed **Nominee Profile Sheet** will be provided with the ballots that are distributed in early June. Please make sure that the person you nominate has a chance to complete the Nominee Profile Sheet and that it is returned to MMA with the Nomination Form.

Deadline for Submitting Nomination



The Chairman of your Board of Selectman, Council or Assessors (the "nominator") *and the nominee* must sign the nomination form for it to be valid.



The form must be returned to MMA by **5:00 p.m. on June 3, 2010**, to be counted. Ballots will be mailed out immediately after the nomination process closes, so make sure you return the nomination form before the deadline. Please return the nomination form to **Laura Veilleux** at MMA either by mail (60 Community Drive, Augusta, Maine, 04330) or by FAX (624-0129).

If you have any questions, please call MMA's State and Federal Relations staff at 1-800-452-8786 or 623-8428.

NOMINATION FORM

Maine Municipal Association's
Legislative Policy Committee
July 2010 to June 2012

Senate District 1

Eliot
Kittery

Ogunquit
South Berwick

York

The municipal officers of _____ hereby nominate:
Print name of your municipality

Nominee: _____ 
Print name of Nominee

Nominee's municipality: _____ Position: _____

Date: _____

Signature of Nominator 

Print name of Nominator

Consent

I agree to accept the nomination and to serve if elected to the MMA Legislative Policy Committee:

Date: _____

Signature of Nominee 

Please return Nomination Form by 5:00 p.m. on June 3, 2010, to:
Laura Veilleux - Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Nominations Received After 5:00 p.m. on June 3, 2010, Will Not Be Counted