

November 2, 2010 ballot question:

Question 1:

To see if the Town will vote to approve a capital improvement project consisting of library improvements for a sum not to exceed \$1,500,000; to fund the capital improvement project, to authorize the Treasurer and the Chairman of the Town Council to issue general obligation securities of the Town of South Berwick (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$1,500,000 for a term not to exceed 25 years with an interest rate not to exceed 4% per annum for this project, singly or in combination with a bond or bonds for other projects; and to delegate to the Treasurer and the Chairman of the Town Council the discretion to fix the date(s), maturity(ies), interest rate(s), denomination(s), place(s) of payment, form and other detail of said securities, including execution and delivery of said security(ies) and to provide the sale thereof.

FINANCIAL STATEMENT

1. Total Town indebtedness

a. Bonds outstanding as of June 30, 2010	\$ 1,074,986.85
b. Bonds authorized and unissued	\$ 960,000.00
c. Bonds to be issued if this vote is approved	<u>\$ 1,500,000.00</u>
Total	\$ 3,534,986.85

2. Costs

At an estimated interest rate of 4%, with a term not to exceed 25 years, the estimated costs of this bond issue will be:

Principal	\$ 1,500,000.00
Interest	<u>\$ 900,448.60</u>
Total debt service	\$ 2,400,448.60

3. Validity

The validity of the bond and of the voters' ratification of the bond may not be affected by any errors in the above estimates. If the actual amount of the total debt service of the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Roberta L. Orsini
Treasurer, Town of South Berwick

**SOUTH BERWICK TOWN COUNCIL
PUBLIC HEARING
Shoreland Zoning, Chapter 110
AUGUST 24, 2010**

Chairman David Burke opened the hearing at 6:30pm. Councilors present included Michelle Kareckas, Jean Demetracopoulos, Gerald W. MacPherson, Sr., and David H. Webster. Planning Board members present included Bill Straub and Mimi Demers. Interim Town Manager Roberta L. Orsini was also in attendance.

The purpose of the hearing was to receive public comment on the proposed Shoreland Zoning Ordinance. *[Adoption of Chapter 110, Shoreland Zoning also requires the repeal of §140-48 and Table C of the Zoning Ordinance]*

Mr. Straub explained that the Planning Board has been working on the Shoreland Zoning issue for 1½ years. The State passed a law requiring that shoreland zoning meet certain minimum requirements. The Town has had shoreland zoning (as part of the Zoning Ordinance) since the early 1990's. He added that the Planning Board's objectives were to meet the requirements of the law and make as few changes as possible; neither making the new ordinance more or less restrictive than the current.

-Richard Clough, Academy St, stated that he did not own any property affected by the ordinance and has no problem with the ordinance as a whole. Mr. Clough expressed his concerns with how some changes were made after the Planning Board had submitted their recommendation. He also asked if there were overlay maps available. Mrs. Orsini stated that the map is available and here tonight. Mrs. Demetracopoulos explained that set back requirements are designated on the map.

-Paul Hussey, Agamenticus Rd, expressed his concern that he wasn't notified as a property owner. Mrs. Demetracopoulos explained that the existing resource protection districts did not change. Areas now designated as inland wading bird & waterfowl habitat now have limitations on developed lots. Mr. Straub stated that only a few properties were affected by the new addition (required by the new law) and notifications were sent some time ago. Note was made that Mr. Hussey's property is not in the designated area.

-Eric Pelchat, Front St, asked where the notice was posted for the hearing. The Clerk stated that the notice was posted in the paper, Town Hall, Community Center, Library, Post Office, and Reo's Barbershop.

-Richard Clough expressed his concerns with various changes in language. Mrs. Demetracopoulos stated that some language was re-worded or added for clarification purposes. Mr. Clough stated that he feels the Limited Residential Shoreland District is significantly more restrictive. Mr. Straub explained that the designation of LRSD's was an allowed relief from the state to minimize the impact of the inland wading bird and waterfowl habitat requirements on residents in those Districts. Mr. Burke stated that every attempt was made to notify anyone affected by this new District. In response to a question by Eric Pelchat, Mrs. Orsini stated that 6 additional residents were notified.

-Joe Burns and Clint Schoff, Old South Rd, stated that they were not notified. Code Enforcement Officer Joe Roussele stated that neither the Burns' nor Schoff's were affected by the new District.

-Paul Roberts, landowner, commented that his property is affected. He commented about the impact on timber harvesting. Mrs. Demetracopoulos stated that her understanding is that cutting timber for a house lot is regulated differently than cutting for forestry purposes.

-Audrey Fortier, Rodier Rd, gave the Council a couple of handouts with questions and answers and expressed her concerns with how and why some of the changes are being made.

Mrs. Fortier stated that the new ordinance is more restrictive and specifically noted the definitions of Normal High Water Line, Tributary Streams, and Forested Wetland. Mrs. Demetracopoulos stated that the language in the new ordinance was taken verbatim from the existing Zoning Ordinance, so there is no change. Mrs. Kareckas stated that she has **compared the new ordinance with existing ordinances and the "gist" is to comply with state requirements.**

-Eric Pelchat asked where the language for the new ordinance came from. Mrs. Demetracopoulos explained that shoreland zoning requirements already exist in our Zoning Ordinance; and the language was taken from the existing Zoning Ordinance.

-John Kareckas, Parent St, spoke in favor of the ordinance. He commented that the genesis of creating the new ordinance was to comply with the new law **and the State's model.** He added that the ordinance does take some reading, but can be followed.

-Richard Clough and Audrey Fortier both questioned the definition of Tributary Streams in the new ordinance. Mr. Clough stated that tributary streams are unique to our ordinance and not recognized by the State. Mrs. Demetracopoulos stated that there are minimum standards that cannot be reduced. Mr. Straub stated that although the ordinance includes a definition for tributary streams they are not regulated by the ordinance.

-Richard Clough questioned why the definition for Wetlands Associated with Great Ponds & Rivers was put back into the ordinance after the State recommended it be deleted. Mrs. Demetracopoulos responded that the Town can be, and has been more restrictive than the **State. The language doesn't need to be deleted if we are maintaining** the no more and no less restrictive than the current requirements.

-John Kareckas commented that the circular arguments taking place are getting the process nowhere. He added that if the existing language from the Zoning Ordinance is being used in the new Shoreland Zoning, the new ordinance is no more or less restrictive. He also stated that Mr. Clough is referring to an older draft. References and criticisms are being made on various documents and drafts and are meaningless. Additionally, Mr. Kareckas **stated that one of the Town's functions is to protect our water supply; which this ordinance helps do.**

-Mrs. Kareckas stated that we have to do what's best for the most. She added that the **areas being discussed serve as "recharging" areas for our water;** and we need to preserve the water quality.

-Richard Clough recommended reviewing Table C; stating that it was in conflict with the **language.** Mrs. Demetracopoulos explained it is confusing, but the 250' in the text defines the land use regulation area, **the 100' in the table is the setback for a structure in the land use regulation area.**

-Richard Clough asked if the Council will be holding a workshop to finalize the ordinance **after tonight's discussion.** Mr. Burke stated "Maybe".

-Cliff Cleary, Spillane's Hill, expressed his frustration with the fact that we are more restrictive than the State.

-Brad Christo, Oldfields Rd, stated that the existing language from Chapter 140 (Zoning) is **being used in the new Chapter 110 (Shoreland Zoning); and didn't change.** He explained that there may be sections more or less stringent than State law, but the only change to the **Town's ordinance was to include the addition** of the State mandated requirements for inland wading bird and waterfowl habitat.

The hearing was closed at 8:27pm.

Attest:

Barbara Bennett, CCM

SOUTH BERWICK TOWN COUNCIL AUGUST 24, 2010

Chairman David Burke called the meeting to order at 8:27pm. Those present included Councilors Michelle Kareckas, Jean Demetracopoulos, Gerald W. MacPherson, Sr., and David H. Webster. Assistant Town Manager Roberta Orsini was also in attendance.

APPROVAL OF MINUTES

1. Public Hearing – TIF District 8-10-10: On a motion by Mrs. Demetracopoulos, seconded by Mrs. Kareckas, it was unanimously voted to adopt the minutes as written. Mr. Webster abstained.
2. Board of Assessors 8-10-10: On a motion by Mrs. Demetracopoulos, seconded by Mrs. Kareckas, it was unanimously voted to adopt the minutes as written. Mr. Webster abstained.
3. Town Council 8-10-10: On a motion by Mrs. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the minutes after clarifying **Mrs. Orsini's statement under Public Comment #1** by changing "**South Berwick no longer has anyone certified to perform the work**" to "**South Berwick doesn't have anyone certified to perform the work**". Mr. Webster abstained.
4. Special Council 8-19-10: On a motion by Mrs. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the minutes as written.

SIGNING OF TREASURER'S WARRANT – Sept 14, 2010

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

PUBLIC COMMENT

1. Eric Pelchat, Front St, expressed his displeasure that the Council set the tax rate at a level higher than necessary to help build the undesignated fund. He added that the approved rate combined with the change in the Homestead Exemption caused his taxes to go up slightly.
2. Richard Clough, Academy St, asked if the roadside mowing has been scheduled. Mrs. Orsini stated that the mowing has begun, but **it's been an issue keeping the equipment working**. Mr. Clough also asked if the people affected by the new Shoreland Zoning Ordinance will have their property values adjusted. Mr. Clough stated that putting the sign on the Town Hall front lawn could be shared amongst him and the 3 male **councilors; the sign isn't very heavy**.
3. Fred Wildnauer, Witchtrot Rd, asked about the paving status of Witchtrot Road. Mrs. Orsini stated that the work at the bottom of the hill is to correct the drainage issue and the roadway will be repaved.

On behalf of Patti Mitchem, Friend's of the Library, Mr. Wildnauer invited the Council to the fund raising kick-off on August 30th.

4. Pat Robinson, Brattle St, made note that the kiosk sign at the Town Forest is missing.
5. Audrey Fortier, Rodier Rd, commented on the public notification for the Shoreland Zoning Public Hearing. She stated that it could have been made more apparent on the website.

REPORTS & CORRESPONDENCE

1. Building Committee members David Stansfield, Brad Christo, and Fred Wildnauer presented **the Committee's recommended plan of action for** investigating the development of the Young Street property. Consensus was to have the Building Committee proceed with the process.
2. Pat Robinson, Conservation, and Kelly Goland, Environmental Defense Fund, asked the Council to consider allowing the development of a 5 acre New England Cottontail habitat in the Town Forest. The N. E. Cottontail is an endangered species and the Group's goal is to increase habitat areas in and around the Town Forest.

Mr. Webster questioned what affect the habitat area would have on the trails. Mrs. Kareckas questioned the funding for the work. Mrs. Demetracopoulos asked about long term management. It was agreed to hold a workshop to discuss the merits of the project.

TOWN MANAGER'S REPORT

-FEMA has disallowed 2 items for reimbursement from the spring storms because the Town does not own the property involved (Vine St).

-Doing our best to get the roadside mowing complete; however there have been several issues with equipment breakdowns.

-Ditching work on Emery's Bridge Road should begin after Labor Day.

-The Case backhoe is out of service and not repairable. The transfer station and PWD are now sharing the CAT backhoe.

-The abatement bid openings were held on Monday; 5 bids were received and are being reviewed. The low bid was \$54,000; well below the budgeted \$97,000.

-Corrected her comment from the Board of Assessors meeting of August 10th: when quoting numbers for the tax rate, she was referencing a home valued at \$180,000 without a homestead exemption.

-Thanked the Council for allowing her to attend the Manager's Interchange. Have some great ideas to bring forward to the staff.

-Confirmed that there will be a workshop in Berwick on the 31st at 6:30pm to discuss the possibility of sharing a public works director.

NEW BUSINESS

1. On a motion by Mrs. Demetracopoulos, seconded by Mrs. Kareckas, it was unanimously voted to **accept Dolores Leonard's resignation from the Conservation Commission.**

Chairman Burke asked the Council if they wanted to proceed with taking action on the Shoreland Zoning Ordinance. On a motion by Mrs. Demetracopoulos, seconded by Mrs. Kareckas, it was unanimously voted to suspend the rules and continue. The state deadline of September 1st was given consideration.

Consensus was to hold a special meeting on Tuesday, August 31st at 5:30pm.

2. **The Council discussed the Efficiency Maine Template Grant to review the Town's fleet of vehicles.** There is a required match which will be covered by in-kind services. On a motion by Mr. MacPherson, seconded by Mrs. Kareckas, it was unanimously voted to accept the ARRA Grant Contract #20100721*0046 and authorize the Interim Town Manager to sign the agreement with Efficiency Maine Trust.

3. On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to accept the Strawberry Festival Grant of \$600 for picnic tables at the Community Center.

4. On a motion by Mr. Webster, seconded by Mr. MacPherson, it was unanimously voted to accept the Strategic Underage Drinking Enforcement Grant in the amount of \$9,966.45. There is no match required for this grant.

5. The Council briefly discussed the proposal for a Dog Park, brought forth by resident Linda Andrews. Several concerns including location and liability were discussed. Consensus was to hold a workshop at a later date.

6. The Council discussed the proposal (brought forth by Pat Robinson) for a parking lot at the Town Forest. Mike Gallo is willing to donate a small parcel of land for use as a parking lot with the stipulation that motorized vehicles not have access to the Forest. Mr. Gallo also intends to donate 140 acres of land to the Great Works Regional Land Trust with the same stipulations.

Consensus was to hold a workshop to discuss the issue.

At 9:27pm Mr. MacPherson made a motion to suspend the rules and continue the meeting after 9:30pm. Mr. Webster seconded the motion. The motion passed unanimously.

7. The Council took action on the recommitment of **prior years' taxes because of the change in** Town Manager.

On a motion by Mrs. Demetracopoulos, seconded by Mr. MacPherson, it was unanimously voted to recommit the following taxes to Roberta L. Orsini and discharge from further liability John B. Schempf: 2006/2007 \$474.32, 2007/2008 \$1002.60, 2008/2009 \$1171.14, and 2009/2010 \$1136.56.

COUNCIL MEMBER COMMENTS

1. Mr. Webster:

- Asked about the mold remediation at the church. Mrs. Orsini explained that the current process is working on clearing the air. The remediation will take care of the mold on surfaces.
- Happy to help with putting the sign out for meetings. He suggested taking turns monthly.

2. Mrs. Kareckas:

- Asked if any repairs were made to the vehicles recently sold by bid. She verified that the money received for the vehicles is deposited into the appropriate capital accounts.
- Asked that rude and insulting comments made from the public or board members not be included in the minutes unless they have a direct bearing on Town business. Mr. Burke suggested that he speak with the Chairs of the various committees.
- Commented that tonight 2 hours was spent on the public hearing and only 15 minutes to do **the Town's business.**

3. Mrs. Demetracopoulos:

- Asked if the Air Quality Report was sent to Ransom; and what are we looking at for a **response time. Mrs. Orsini stated that Ransom's recommendation will not be made until the** remediation is complete. Mrs. Demetracopoulos expressed her concerns that some of the information may not be available prior to the public hearing on September 14th.

4. Mr. Burke:

- Stated that "South Berwick is on the cusp somewhere between being a small town and becoming a city type place"**. As a result, heated discussions will continue on various issues; and it is important to allow the input. However, rude and insulting comments are not appropriate.

ADJOURNMENT

On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to adjourn the meeting at 9:43pm.

Attest:

Barbara Bennett, CCM

**SOUTH BERWICK TOWN COUNCIL
SPECIAL MEETING
AUGUST 31, 2010**

Chairman David Burke called the meeting to order at 5:30pm. Those present included Councilors Michelle Kareckas, Jean Demetracopoulos, Gerald W. MacPherson, Sr. and David H. Webster. Interim Town Manager Roberta L. Orsini was also in attendance.

NEW BUSINESS

1. Shoreland Zoning Ordinance:

-Mr. Burke announced that due to the lengthy discussion at the public hearing he would allow only 15 minutes of public comment. Mr. MacPherson called a point of order stating that during the last Council meeting discussion was brought back to the Council and additional public input should not be allowed. Public comment was not accepted. (There were 3 people in the public audience).

-Mrs. Kareckas stated **that she accepts the Code Enforcement Officer's recommendation to adopt.**

-Mr. MacPherson stated that he had no additional comments.

-Mrs. Demetracopoulos stated that the Council tried to answer citizen concerns and believes the ordinance is ready for adoption.

-Mr. Webster stated that the ordinance meets the Planning Board's goals and answers the State's objections.

-Mr. Burke stated that he believes this ordinance is no more restrictive than the existing language. He stated that he is convinced there will be some impact in the future and there is an administrative appeal process.

The impact and cost of development vs. the benefits was also discussed.

On a motion by Mr. MacPherson, seconded by Mrs. Kareckas, it was unanimously voted to adopt Chapter 110, Shoreland Zoning, as presented.

On a motion by Mrs. Kareckas, seconded by Mrs. Demetracopoulos it was unanimously voted to repeal all Shoreland zoning language from Chapter 140 Zoning that was moved to the new Chapter 110, Shoreland Zoning.

ADJOURNMENT

On a motion by Mrs. Demetracopoulos, seconded by Mrs. Kareckas, it was unanimously voted to adjourn the meeting at 5:48pm.

Attest:

Barbara Bennett, CCM

Check Number	Account	Date Paid	Amount
00051040	071086 GREAT WORKS FAMILY PRACTICE	09/14/2010	-84.00
00052472	140090 N.A.D.A. APPRAISAL GUIDES	09/14/2010	-90.00
00052502	140532 NCO FINANCIAL SYSTEMS INC	09/14/2010	15.59
00052503	132400 MAINE SAD #35	09/14/2010	5,154.26
00052504	132500 SECRETARY OF STATE M/V	09/14/2010	19,214.42
00052505	140532 NCO FINANCIAL SYSTEMS INC	09/14/2010	15.58
00052506	140532 NCO FINANCIAL SYSTEMS INC	09/14/2010	26.01
00052507	189999 REFUNDS	09/14/2010	200.00
00052508	161330 PRIZES	09/14/2010	50.00
00052509	011250 TREASURER,STATE OF MAINE	09/14/2010	50.00
00052510	209999 TAX REFUNDS	09/14/2010	30.90
00052511	010300 AETNA	09/14/2010	150.00
00052512	010336 AGGREGATE RECYCLING CORP	09/14/2010	2,984.73
00052513	011250 TREASURER,STATE OF MAINE	09/14/2010	3.00
00052514	011330 AQUABOGGAN WATERPARK	09/14/2010	673.00
00052515	011422 KERA ASHLINE	09/14/2010	57.37
00052516	020225 BAKER & TAYLOR	09/14/2010	543.02
00052517	022850 BUSINESS EQUIPMENT UNLIMITED	09/14/2010	694.00
00052518	021580 BIT O'GREEN LANDSCAPING LLC	09/14/2010	3,070.00
00052519	021668 BLOW BROS	09/14/2010	53.48
00052520	022300 BOWS AND BALLOONS BY BRINA	09/14/2010	60.00
00052521	022503 SHARON BRASSARD	09/14/2010	24.50
00052522	030530 CENTRAL TIRE CO INC	09/14/2010	1,128.96
00052523	030510 CENTRAL MAINE POWER	09/14/2010	4,418.92
00052524	193300 CITIZENS BANK	09/14/2010	35.00
00052525	030920 CLEAN-O-RAMA	09/14/2010	407.85
00052526	031000 CMLD	09/14/2010	30.00
00052527	031425 COLONIAL LIFE & ACCIDENT INS.	09/14/2010	1,651.63
00052528	031430 COMCAST	09/14/2010	95.00
00052529	031440 COMFORT INN	09/14/2010	70.00
00052530	031510 COMPLIANCE POSTER COMPANY	09/14/2010	80.84
00052531	031579 CONSTELLATION NEW ENERGY	09/14/2010	3,061.09
00052532	032030 CUMMINS NORTHEAST INC	09/14/2010	1,392.14
00052533	040300 DEMCO	09/14/2010	128.10
00052534	040500 VICTORIA DESILETS	09/14/2010	175.00
00052535	041165 DOWN EAST MAGAZINE	09/14/2010	66.00
00052536	041317 DUNN FARM	09/14/2010	75.00
00052537	050798 ELIOT SMALL ENGINE REPAIR INC	09/14/2010	95.58
00052538	050815 EMPLOYEE HEALTH & BENEFITS	09/14/2010	613.19
00052539	060100 HOWARD P FAIRFIELD INC	09/14/2010	109.73
00052540	141000 FAIR POINT COMM	09/14/2010	138.18
00052541	060190 KEVIN FARLEY	09/14/2010	125.00
00052542	060300 FAVORITE FOODS INC	09/14/2010	398.92
00052543	060715 FIREPROGRAMS	09/14/2010	595.00
00052544	061380 KRISTINE FONTAINE	09/14/2010	71.00
00052545	061500 FOSTER'S DAILY DEMOCRAT	09/14/2010	40.25
00052546	070200 P GAGNON & SON INC	09/14/2010	8.49
00052547	180478 RICHARD GENEST INC	09/14/2010	1,825.00
00052548	070385 WIB GOINS	09/14/2010	82.90
00052549	070565 GORHAM LEASING GROUP	09/14/2010	96.56
00052550	071090 GREAT WORKS REGIONAL LND TRUST	09/14/2010	175.00
00052551	071050 GREAT FALLS CLEANERS	09/14/2010	232.85
00052552	071180 GROUP DYNAMIC INC	09/14/2010	165.00
00052553	071307 GULF/FLEET FUNDING	09/14/2010	12.00
00052554	080248 HANSCOM'S TRUCK STOP INC	09/14/2010	2,986.23
00052555	080330 A H HARRIS & SONS	09/14/2010	1,038.48

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00052556	080450 HARVARD PILGRIM HEALTH CARE	09/14/2010	20,189.53
00052557	080501 BRUCE HASTY'S PLUMB/HEATNG	09/14/2010	189.99
00052558	080500 BEVERLY HASTY	09/14/2010	16.40
00052559	081340 HUB INTERNATIONAL	09/14/2010	70.00
00052560	090120 INLAND FISHERIES & WILDLIFE	09/14/2010	748.25
00052561	090580 IRVING OIL	09/14/2010	26.49
00052562	100150 JANETOS MARKET	09/14/2010	293.14
00052563	100162 JCJ ARCHITECTURE	09/14/2010	2,000.00
00052564	100200 JEWETT/EASTMAN MEMORIAL COM	09/14/2010	239.00
00052565	120510 LAWSON PRODUCTS INC.	09/14/2010	301.10
00052566	120970 LIBBY SCOTT INC.	09/14/2010	2,219.13
00052567	121110 JERRY LIBRITZ	09/14/2010	194.98
00052568	127000 CORRINE J MAHONY	09/14/2010	1,200.00
00052569	132400 MAINE SAD #35	09/14/2010	506,747.81
00052570	131700 MAINE CHIEFS OF POLICE ASSOC.	09/14/2010	50.00
00052571	133375 MAINE ENERGY RECOVERY CO.	09/14/2010	5,774.03
00052572	130670 MAINE RESOURCE/RECOVERY	09/14/2010	672.00
00052573	133358 W.B.MASON	09/14/2010	198.97
00052574	133795 MICK BODYWORKS	09/14/2010	190.87
00052575	133925 MINUTEMAN TRUCKS INC	09/14/2010	1,287.63
00052576	134400 MAINE MUNICIPAL ASSOCIATION	09/14/2010	41.50
00052577	134754 MORIN STEEL INC	09/14/2010	100.00
00052578	133194 MAINE TOWN/CITY MGMT ASSN	09/14/2010	201.00
00052579	135970 MYRON CORP	09/14/2010	332.80
00052580	140105 NAPA OF SOMERSWORTH	09/14/2010	192.94
00052581	140531 NATIONAL PEN CORPORATION	09/14/2010	73.00
00052582	140797 NATURE'S WAY MARKET	09/14/2010	90.00
00052583	140600 NEPTUNE INC	09/14/2010	1,690.75
00052584	140875 NEW ENGLAND RUNNER	09/14/2010	19.97
00052585	141080 NEXTEL	09/14/2010	156.24
00052586	141300 NO.BERWICK LUMBER & HARDWARE	09/14/2010	236.15
00052587	141410 NORTHERN NURSERIES	09/14/2010	514.80
00052588	141400 NORTHERN DATA SYSTEMS INC	09/14/2010	2,913.50
00052589	200700 PIKE INDUSTRIES INC	09/14/2010	870.33
00052590	160650 ROBERT KING	09/14/2010	14,517.80
00052591	160930 PORTLAND PRESS HERALD	09/14/2010	277.72
00052592	160900 PORTLAND NORTH TRUCK CENTER	09/14/2010	17.89
00052593	161265 PORTSMOUTH FORD	09/14/2010	17.18
00052594	161280 THE PORTSMOUTH HERALD	09/14/2010	176.00
00052595	170000 QUILL CORPORATION	09/14/2010	109.94
00052596	180125 RANSOM ENVIRONMENTAL INC	09/14/2010	786.25
00052597	180185 RCP LLC	09/14/2010	387.50
00052598	180435 WM RENAUD JR TRUCKING INC	09/14/2010	300.00
00052599	210420 RESERVE ACCOUNT	09/14/2010	750.00
00052600	190094 SANEL AUTO PARTS CO	09/14/2010	323.16
00052601	191324 SHIRTS N' THINGS	09/14/2010	179.25
00052602	191950 SO BERWICK HOUSE OF PIZZA	09/14/2010	95.15
00052603	192900 SO BERWICK WATER DISTRICT	09/14/2010	66.44
00052604	192650 SO BERWICK SEWER DISTRICT	09/14/2010	120.32
00052605	193410 SO MAINE REGIONAL PLANNING CM	09/14/2010	1,140.05
00052606	193605 SOUTHWORTH-MILTON, INC	09/14/2010	190.69
00052607	193622 SPRINGER ELECTRICAL SERV INC	09/14/2010	672.84
00052608	193640 STAPLES	09/14/2010	68.79
00052609	200545 TERMINIX INTERNATIONAL	09/14/2010	68.00
00052610	133105 TREASURER OF STATE/C.WPNS	09/14/2010	80.00

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00052611	133150 TREAS:STATE OF ME:SAFETY	09/14/2010	26.00
00052612	133113 TREASURER OF STATE/ATV	09/14/2010	983.00
00052613	201300 TWO-WAY COMMUNICATION SERV INC	09/14/2010	1,065.08
00052614	210595 URBAN TREE SERVICE	09/14/2010	930.00
00052615	210500 UNITED STATES POST OFFICE	09/14/2010	220.00
00052616	210750 VACUUM VILLAGE	09/14/2010	306.00
00052617	230300 WALMART COMMUNITY BRC	09/14/2010	544.43
00052618	160278 WASTE ZERO	09/14/2010	11,138.50
00052619	230555 F.W.WEBB COMPANY	09/14/2010	490.43
00052620	230915 WHITED TRUCK CENTERS	09/14/2010	1,091.65
00052621	240900 YORK COUNTY REGISTRY OF DEEDS	09/14/2010	146.65
Total Not Prepaid			617,267.00
Total Prepaid			24,582.76
Grand Total			641,849.76

WARRANT NUMBER _____ \$ 641,849.76 DATE 09/09/2010

* * * TREASURER'S WARRANT * * *

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

TOWN COUNCIL:

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 14, 2010	Item # NB 1
Agenda Item: Approve Non-Resident Library Card Fee	
Interim Town Manager's Recommendation	
<p>The Library Director in conjunction with the Library Advisory Board presents this recommendation for a new Non-Resident Library Card Fee.</p> <p>Given the information presented I agree the timing is right to initiate this fee. These funds will be handled in the same manner as the fines/lost book fees and will be deposited into a general revenue account.</p>	
Requested Action	
Motion to approve the establishment of a Non-Resident Library Card fee.	
Vote	

Non-Resident Library Card Fee Proposal

Earlier this year, the libraries of the three Berwicks entered into a reciprocal borrowing agreement that lets the residents of the three towns obtain library cards at each of the libraries for no annual fee. As we have had inquiries from residents of other neighboring towns about becoming members of the South Berwick Public Library, it is recommended that a non-resident fee be adopted.

The Library Director in consultation with the Library Advisory Board recommends a fee of \$20. This approximates the annual average South Berwick household cost for the library with a cushion to allow for growth without having to increase the fee each year. Also, other local libraries were surveyed about their non-resident fees. They ranged from \$10 to \$200 per year. It appears that most charge in the \$20-\$25 dollar range.

This fee would go into effect as of October 1, 2010, and would apply to all new and existing non-resident patrons. Currently our largest non-resident group is from Rollinsford which now has its own library. Some Rollinsford residents who use our library have been approached about the fee and they understand the necessity of it. While we have approximately 150 Rollinsford members only about two dozen have used the Library in the last year.

We are also mindful that when the new library is built that there will be an increased demand for new library cards from non-residents, as that has been the experience of other libraries that have either expanded or built new buildings. Therefore, it is prudent to put this fee in place now.

Mamie Anthoine Ney
Library Director

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 14, 2010	Item # NB 2
Agenda Item: Accept Strawberry Festival Grant Award	
Interim Town Manager's Recommendation	
The Recreation Department applied to the Strawberry Festival Committee for program and camp scholarship funding. This request has been granted by the Committee.	
Requested Action	
Motion to accept the Strawberry Festival Grant(s) in the amount of \$2,450 for Recreation programming and camp scholarships.	
Vote	

South Berwick Strawberry Festival Committee

P.O. Box 371
South Berwick, ME 03908

August 14, 2010

Sharon Brassard
South Berwick Recreation
180 Main Street
South Berwick, ME 03908

Dear Sharon,

The Strawberry Festival Committee is pleased to grant you **\$1,570 for 5 Sessions of Wildlife Encounters and \$880 for 8 Camper Scholarships**. We had a an overwhelming amount of requests this year and a limited amount of funds. The Committee felt that these programs were worthy of our financial support even if it was cut in half.

Enclosed is the Terms of Award Information sheet, which explains the conditions and requirements of the grant. Please review this document carefully, sign and return in the enclosed envelope. Once we receive this signed document we will forward your check for the project.

Please note that you must spend the entire amount of your award on the project you submitted. We do not co-sponsor projects. If the amount of this award does not fund the entire project, please let me know as soon as possible.

The Festival Committee requires that when your organization mentions this project, the Strawberry Festival Committee is listed as the sponsor.

If you have any questions about the grant or the terms of the award please contact me at 384-2113.

Sincerely,



Terry Poulin
Chairperson
Strawberry Festival Committee

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 14, 2010	Item # NB 3
Agenda Item: Approve contract with search consultant	
Interim Town Manager's Recommendation	
This item has been added to the agenda at the Chairman's request.	
Requested Action	
Council wishes.	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 14, 2010	Item # NB 4
Agenda Item: Approve contract for shared Public Works Director/Engineer	
Interim Town Manager's Recommendation	
<p>At the Council's request, the Berwick Town Manager and I are pleased to present the attached contract for your approval. This contract mimics our shared Assessing contract and has been reviewed by finance and personnel staff to insure we are complying with State and Federal law.</p>	
Requested Action	
<p>Motion to authorize the Council Chairman to sign the agreement for shared Public Works Director/Engineer services with the Town of Berwick effective September 15, 2010.</p>	
Vote	

**AGREEMENT BETWEEN
THE
THE TOWN OF BERWICK, MAINE AND THE TOWN OF SOUTH BERWICK, MAINE
REGARDING THE EMPLOYMENT OF A DIRECTOR OF PUBLIC WORKS/ENGINEER**

WHEREAS, the municipalities wish to share the services of a qualified person to coordinate functions related to Director of Public Works/Engineering.

WHEREAS, the municipalities wish to set forth the terms of their agreement to share the services related to Director of Public Works/Engineering.

WHEREAS, the municipalities do not consider the Agreement to fall within the provisions or requirements of 30-A M.R.S.A. 2201. (Interlocal Cooperation)

NOW THEREFORE, the municipalities do hereby agree as follows:

Section 1. Salary & Benefits The following costs shall be considered a part of these provisions.

WAGES
F.I.C.A.
MEDICARE
WORKERS COMP

HEALTH
RETIREMENT
LONGEVITY

Starting annual salary for this shared position will be \$80,000 for an eight month period to determine if the relationship is compatible. If after eight months it is agreed that the shared position is compatible to both parties the annual salary will be increase to \$86,000.

It is expected the shared Director of Public Works/Engineer will work on average 50% of his time in each community. It is understood there will be variances on a weekly basis. The Director of Public Works/Engineer will endeavor to balance these variances over time.

Section 2. Allocation of costs (a) Salary & Benefits as mention in Section 1 will be shared equally 50/50. (b) Costs associated with Professional Development/Training, Membership and Dues in professional organizations will be shared 50/50.

Section 3. Reimbursement of Costs: The Town of South Berwick will promptly reimburse the Town of Berwick of the allocated costs as stated in monthly invoices provided to South Berwick by Berwick.

Section 4. Vehicle Use. The Town of South Berwick will make available for an eight month period a vehicle for use by the Director of Public Works/Engineer. The operating costs for this vehicle will be shared equally 50/50 by the municipalities. Use shall be determined by the mileage at the beginning of this agreement and will be reported monthly to the finance department in South Berwick by the Director of Public Works/Engineer. The fees will be computed at the prevailing IRS rate for reimbursement. All repair costs for the operation of the vehicle will be kept by the Director of Public Works/Engineer. It will be his/her responsibility to identify these costs and either party may owe the other 1/2 of these costs based on the circumstances and the report generated. It is anticipated most repair work will be scheduled at

the Regional Maintenance Facility in Berwick. It is also anticipated the vehicle will be used for Town related business only.

After the eight month trial period if both municipalities agree to continue this relationship a new 4x4 extended cab pickup will be purchased. The cost for purchase and any future costs associated with this vehicle will be shared equally 50/50 between the parties.

In the event this agreement is terminated by appropriate notice, either party may purchase the other parties interest in the vehicle less depreciation. In the event neither party wishes to purchase vehicle the vehicle will be put out to bid and the parties will share equally in the price received at bid.

Section 5. Allocation of office space and associated equipment. Both parties are responsible to provide adequate office space in each municipality for use by the Director of Public Works/Engineer. Cost associated for these spaces are the exclusive responsibility of the respective municipalities.

Section 6. Termination of the agreement: Either municipality may terminate this agreement by notifying the other in writing sixty (60) days before it becomes effective. The employee considered in the agreement is currently an employee of the Town of Berwick. In the event this agreement is terminated, his status as an employee of the Town of Berwick will remain.

Section 7. Employee of the Town of Berwick. The Director of Public Works/Engineer shall be an employee of the Town of Berwick for administrative purposes and shall comply with the provisions contained in the Town of Berwick's Personnel Policy. If there is a conflict between the Berwick Personnel Policy and this agreement, this agreement shall take precedence. Nothing in the agreement shall be construed to limit the authority of the Town of South Berwick to supervise and direct the actions of the Director of Public Works/Engineer through their Town Manager with respect to any South Berwick Matter. The Town of Berwick accepts all responsibilities for IRS reporting.

IN WITNESS WHEREOF, the undersign municipalities have agreed to this agreement by the placement of the signature of the Selectmen/Council Chairman of each respective municipality.



Witness

DATE: 9/8/10

TOWN OF BERWICK



Chair, Board of Selectmen

TOWN OF SOUTH BERWICK

Witness

Chair, Town Council

DATE: _____

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: September 14, 2010	Item # NB 5
Agenda Item: Approve pole permit requests from CMP	
Interim Town Manager's Recommendation	
The highway foreman has reviewed both locations and gives his approval.	
Requested Action	
Motion to approve the pole permit applications for Agamenticus Road and Old County Road.	
Vote	

TOWN

Auto Fill Form for:
4501 - 4502 - 4503

Notification: <input type="text" value="100514949"/> Work Order: <input type="text" value="1000355233"/> Field Planner Name: <input type="text" value="Elaine Titherington"/> Field Planner Phone #: <input type="text" value="207-490-3042"/> Date: <input type="text" value="08/25/2010"/>	<input checked="" type="checkbox"/> Not Published <input type="checkbox"/> Public Notice of this application has been given by publishing the text of the same In: <input type="text"/> On: <input type="text"/>
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City / Town

To the: City
 Town

County of: , Maine

CMP applying for: Overhead URD

- Starting Point:
- Road (State & CMP):
- Direction:
- Distance: feet
- Number of Poles:

TEL CO: <input type="text" value="FairPoint New England (MAINE)"/>	Refer To Field Planner Web Page for selecting the appropriate Tel Co.: Home Page > Field Planner Resources > Telco Information
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If you only need 1 copy of the 4502 Form, just click "Print Form" A print dialogue will open, click print to print all 3 forms.

If you need multiple copies of the 4502 Form, click "Print Form" A print dialogue will open, again, click print to print all. After you print all, click "Print Form" again, but this time select print range page "3" only and select the number of copies you need

Notification: 100514949

Work Order: 1000355233

CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: South Berwick, Maine

To the: [] City
[X] Town
[X] County of: York, Maine

- [X] Central Maine Power hereby applies for permission to:
[X] Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.
[] Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

[X] Central Maine Power Company and FairPoint New England (MAINE) jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

- 1. Starting Point: 37
2. Road (State & CMP): Agamenticus Road
3. Direction: Easterly
4. Distance: 25' feet
5. Number of Poles: 1

- [X] Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.
[] Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

[] Public Notice of this application has been given by publishing the text of the same [X] Not Published

In:
On:

CENTRAL MAINE POWER COMPANY

FairPoint New England (MAINE)

By: Elaine Titherington Date: 08/25/2010

By: Steve Polyst Date: 8/31/10

LOCATION PERMIT

Upon the Application of Center Maine Power Company and FairPoint New England (MAINE), dated 08/25/2010, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the Town of South Berwick, approximately

located as follows:

- 1. Starting Point: 37
2. Road (State & CMP): Agamenticus Road
3. Direction: Easterly
4. Distance: 25' feet
5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By:
By:
By:
By:
By:
Municipal Officers

Office of the

Received and Recorded in Book, Page

Attest:
Clerk

Town

Auto Fill Form for:
4501 - 4502 - 4503

Notification: <input type="text" value="300729734"/> Work Order: <input type="text" value="1000351032"/> Field Planner Name: <input type="text" value="Elaine Titherington"/> Field Planner Phone #: <input type="text" value="207-490-3042"/> Date: <input type="text" value="08/03/2010"/>	<input checked="" type="checkbox"/> Not Published <input type="checkbox"/> Public Notice of this application has been given by publishing the text of the same In: <input type="text"/> On: <input type="text"/>
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City / Town

To the: City
 Town
 County of: , Maine

CMP applying for: Overhead URD

- Starting Point:
- Road (State & CMP):
- Direction:
- Distance: feet
- Number of Poles:

TEL CO: <input type="text" value="FairPoint New England"/>	Refer To Field Planner Web Page for selecting the appropriate Tel Co.: Home Page > Field Planner Resources > Telco Information
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If you only need 1 copy of the 4502 Form, just click "Print Form" A print dialogue will open, click print to print all 3 forms.

If you need multiple copies of the 4502 Form, click "Print Form" A print dialogue will open, again, click print to print all. After you print all, click "Print Form" again, but this time select print range page "3" only and select the number of copies you need

Notification: 300729734

Work Order: 1000351032

CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: South Berwick, Maine

To the: [] City
[X] Town

[] County of: York, Maine

[X] Central Maine Power hereby applies for permission to:

[X] Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

[] Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

[X] Central Maine Power Company and FairPoint New England

jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

- 1. Starting Point: 12
2. Road (State & CMP): Old County Rd
3. Direction: Southwesterly
4. Distance: 36' feet
5. Number of Poles: 1

[X] Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.

[] Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

[] Public Notice of this application has been given by publishing the text of the same [X] Not Published

In:
On:

CENTRAL MAINE POWER COMPANY

FairPoint New England

By: Elaine Titherington

Date: 08/03/2010

By: Steve Polwitz

Date: 8/19/10

LOCATION PERMIT

Upon the Application of Center Maine Power Company and FairPoint New England,

dated 08/03/2010, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances

over, under, along or across certain highways and public roads in the location described in said application,

permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location,

said facilities and appurtenances in the Town of South Berwick, approximately

located as follows:

- 1. Starting Point: 12
- 2. Road (State & CMP): Old County Rd
- 3. Direction: Southwesterly
- 4. Distance: 36' feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the Town Clerk

Received and Recorded in Book P, Page 35

Attest: _____

Clerk

