

## **SOUTH BERWICK TOWN COUNCIL JANUARY 11, 2011**

The Chair reported the following to the Clerk:

Chairman David Burke called the meeting to order at 6:00pm. Those present included Councilors Jean Demetracopoulos, Gerald W. MacPherson, Sr., David H. Webster, and John C. Kareckas. Interim Town Manager Roberta Orsini was also in attendance.

### **EXECUTIVE SESSION**

1. On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to enter executive session at 6:00pm pursuant to 1MRSA §405.6A to conduct interviews for prospective board/committee members.

On a motion by Mrs. Demetracopoulos, seconded by Mr. MacPherson, it was unanimously voted to end the executive session at 6:31pm.

The regular session commenced at 6:34pm with the Clerk present.

### **APPROVAL OF MINUTES**

1. Town Council 12-13-10: On a motion by Mrs. Demetracopoulos, seconded by Mr. Kareckas, it was unanimously voted to adopt the minutes as written.

2. Town Council 12-14-10: On a motion by Mr. Webster, seconded by Mr. Kareckas, it was unanimously voted to adopt the minutes after including the statutory authority reference in the motion to appoint the new town manager.

3. Town Council 12-21-10: On a motion by Mr. MacPherson, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the minutes as written.

### **SIGNING OF TREASURER'S WARRANT** – Jan 11, 2011

1. On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to ratify the Treasurer's Warrant of December 28, 2010.

2. On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to sign the warrant of January 11, 2011.

### **PUBLIC COMMENT**

1. Ruth Boston, Emery's Bridge Rd, asked for the status on the By-Pass and Balancing Rock. Mr. Burke stated that there haven't been any recent discussions regarding a By-Pass. Mr. Kareckas stated that the Land Trust is still working with abutters to finalize boundary line agreements for the Balancing Rock property.

2. Pat Mitchem, Witchtrot Rd & Friends' of the Library, congratulated the Council for moving forward with the library project. She invited everyone to the Spaghetti supper fundraiser on January 22<sup>nd</sup> at the Masonic Hall. Ms. Mitchem also stated that the library capital campaign committee will be reporting to the Council at the next meeting.

3. Richard Clough, Academy St, asked if there were any budget workshops scheduled. Not yet. Mr. Clough stated that he hoped the Council would be diligent with the budget considering the increase that will be created by the library and loss of stimulus revenue to the school. He asked the Council to approach the school to work closely on keeping their budget down also. Mr. Clough also commented that the City of Portsmouth seems to be realizing higher revenues due to its recent change to single stream recycling.

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

-Mrs. Orsini stated that the library bond had been sold at terms that met the requirements of the November Referendum. The first payment is due in fiscal year 2012. The estimated interest savings of \$422,000 is substantial over original figures (for a longer term); however the first several years require higher payments.

-Mrs. Orsini stated that we have received the new cost figures for health insurance; they have increased by 6%.

## **NEW BUSINESS**

1. On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to renew the Solid Waste Hauler License for Jayco Disposal until January 31, 2012.
2. On a motion by Mrs. Demetracopoulos, seconded by Mr. MacPherson, it was unanimously voted to renew the Solid Waste Hauler License for Oceanside Rubbish until January 31, 2012.
3. On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to appoint Marilyn Ladner to the Conservation Commission with a term to expire June 30, 2013, and to appoint Stephen Bayse to the Conservation Commission with a term to expire June 30, 2012. Mr. Burke thanked the candidates for stepping up.
4. On a motion by Mr. Kareckas, seconded by Mr. MacPherson, it was unanimously voted to re-appoint Barbara Bennett as the Registrar of Voters with a term to expire December 31, 2012.

## **COUNCIL MEMBER COMMENTS**

1. Mr. Kareckas:

- Moved to send a letter of thanks to Chris Vaniotis of Bernstein Shur for his many years of service. Mr. Burke stated that it would be taken care of.
- Commented that the Maine Development Foundation has a new planning option (other than the Main Street Program) that may be a better fit for South Berwick. He stated that he would investigate the Maine Downtown Network to see if it may be more suitable for us.
- Thanked the Chair for drafting a letter to the South Berwick Community Chorus for the work they do in town.

2. Mr. MacPherson:

- Commented that the biggest issue with forward movement on a By-Pass is the lack of money.
- Commented that the Portsmouth Herald (through Seacoast Online) has restricted online access. You need to register to get limited access or subscribe for a fee for full access.

3. Mrs. Demetracopoulos:

- Made note that the library bond had been sold and prior to spending any money, she would like to have a plan for the rectory with its associated costs, meet with the Building Committee and architect to be sure everyone understands the construction plan for the library, and a clear path for decision making that will avoid change orders.
- Proposed using the Vaughan Fund to purchase the 'Day' property to help defray the cost of the library.** She asked if the Vaughan Fund Trustees would be able to apply for a Brownfields Grant to cover the cost of removing the asbestos siding and removal of the oil tank. She also questioned the insurance costs.

4. Mr. Burke:

- Commented that due to the shorter term, the library bond payments will be higher than anticipated, but over the long term the Town will be saving money on the interest.
- Stated that he believed the transition to the new manager has been going smoothly due to the efforts of Roberta Orsini. He thanked Mrs. Orsini for her hard work.

## **ADJOURNMENT**

On a motion by Mr. Kareckas, seconded by Mr. Webster, it was unanimously voted to adjourn the meeting at 7:05pm.

Attest:

Barbara Bennett, CCM

TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00027581	010150 ABBOTT'S POWER EQUIPMENT	01/25/2011	187.30
00027582	010336 AGGREGATE RECYCLING CORP	01/25/2011	1,397.85
00027583	020225 BAKER & TAYLOR	01/25/2011	120.75
00027584	021300 BERNSTEIN SHUR	01/25/2011	3,954.00
00027585	022300 BOWS AND BALLOONS BY BRINA	01/25/2011	405.00
00027586	022503 SHARON BRASSARD	01/25/2011	56.81
00027587	030500 CENTRAL MAINE POWER/CREDIT, COLL	01/25/2011	266.00
00027588	030510 CENTRAL MAINE POWER	01/25/2011	3,890.49
00027589	030725 CITIZENS BANK (CHG)	01/25/2011	120.00
00027590	030920 CLEAN-O-RAMA	01/25/2011	719.36
00027591	031430 COMCAST	01/25/2011	95.00
00027592	031850 COUNSELING SERVICES INC	01/25/2011	95.00
00027593	031915 CRANMORE MOUNTAIN RESORT	01/25/2011	575.00
00027595	032002 ONE COMMUNICATIONS	01/25/2011	1,072.62
00027596	032030 CUMMINS NORTHEAST INC	01/25/2011	523.00
00027597	040500 VICTORIA DESILETS	01/25/2011	75.40
00027598	040520 DIGITAL INK PRINTING	01/25/2011	35.45
00027599	032710 D.J.'S MUNICIPAL SUPPLY	01/25/2011	283.95
00027600	040800 DOUCETTE EXCAVATING	01/25/2011	770.00
00027601	041100 DOWLING CORPORATION	01/25/2011	181.60
00027602	050204 EASTERN SALT CO INC	01/25/2011	20,544.75
00027603	050798 ELIOT SMALL ENGINE REPAIR INC	01/25/2011	21.44
00027604	050813 EMERY'S PORTABLE WELDING	01/25/2011	900.00
00027605	050815 EMPLOYEE HEALTH & BENEFITS	01/25/2011	890.24
00027606	050965 ESRI	01/25/2011	400.00
00027607	060100 HOWARD P FAIRFIELD INC	01/25/2011	1,833.92
00027608	060750 FIRE TECH & SAFETY	01/25/2011	317.63
00027609	010525 G&K SERVICES	01/25/2011	1,193.79
00027610	070200 P GAGNON & SON INC	01/25/2011	4,855.76
00027611	070600 GEORGE GORMAN	01/25/2011	46.83
00027612	071500 GUNSTOCK GROUP SALES	01/25/2011	900.00
00027613	191330 HANNAFORD'S	01/25/2011	422.84
00027614	080248 HANSCOM'S TRUCK STOP INC	01/25/2011	8,557.47
00027615	080501 BRUCE HASTY'S PLUMB/HEATNG	01/25/2011	362.60
00027616	080500 BEVERLY HASTY	01/25/2011	16.73
00027617	080998 HOME DEPOT	01/25/2011	48.29
00027618	081305 HSE GOULD	01/25/2011	162.28
00027619	090120 INLAND FISHERIES & WILDLIFE	01/25/2011	766.00
00027620	090580 IRVING OIL	01/25/2011	77.28
00027621	100150 JANETOS MARKET	01/25/2011	274.14
00027622	100820 FRED KEEN	01/25/2011	75.00
00027623	141367 KONE INC	01/25/2011	183.77
00027624	140500 LABORATORY CORP/AMERICA HOLDIN	01/25/2011	181.35
00027625	120510 LAWSON PRODUCTS INC.	01/25/2011	238.43
00027626	133375 MAINE ENERGY RECOVERY CO.	01/25/2011	3,564.22
00027627	130670 MAINE RESOURCE/RECOVERY	01/25/2011	577.50
00027628	133195 MAINE TURNPIKE AUTHORITY	01/25/2011	19.00
00027629	133795 MICK BODYWORKS	01/25/2011	89.95
00027630	133818 MILLENNIUM ROADS LLC	01/25/2011	2,797.84
00027631	134200 MAINE MUNICIPAL ASSO (INS)	01/25/2011	32,441.00
00027632	134400 MAINE MUNICIPAL ASSOCIATION	01/25/2011	5,686.00
00027633	134601 EXXON/MOBIL	01/25/2011	340.67
00027634	134680 MOODY'S INVESTORS SERVICE	01/25/2011	6,200.00
00027635	134720 MOORS & CABOT INC	01/25/2011	8,109.00
00027636	134754 MORIN STEEL INC	01/25/2011	298.54
00027637	133000 MAINE PERS	01/25/2011	1.87

Check Number	Account	Date Paid	Amount
00027638	133194 MAINE TOWN/CITY MGMT ASSN	01/25/2011	80.00
00027639	140105 NAPA OF SOMERSWORTH	01/25/2011	355.70
00027640	140600 NEPTUNE INC	01/25/2011	146.50
00027641	141080 NEXTEL	01/25/2011	18.99
00027642	141215 MAMIE ANTHOINE NEY	01/25/2011	29.95
00027643	141400 NORTHERN DATA SYSTEMS INC	01/25/2011	266.81
00027644	160275 PHOENIX MANAGEMENT	01/25/2011	354.00
00027645	200700 PIKE INDUSTRIES INC	01/25/2011	575.85
00027646	160341 PINNACLE IT	01/25/2011	247.50
00027647	160692 POLAND SPRING	01/25/2011	87.14
00027648	161265 PORTSMOUTH FORD	01/25/2011	1,987.36
00027649	170000 QUILL CORPORATION	01/25/2011	146.69
00027650	180125 RANSOM ENVIRONMENTAL INC	01/25/2011	1,485.00
00027651	180185 RCP LLC	01/25/2011	387.50
00027652	191916 SO BERWICK FIREFIGHTERS ASSOC	01/25/2011	41.96
00027653	191900 SO BERWICK EMERGENCY RESCUE	01/25/2011	6,800.39
00027654	192900 SO BERWICK WATER DISTRICT	01/25/2011	77,979.47
00027655	193640 STAPLES	01/25/2011	476.15
00027656	194010 LARRY STRAFFIN	01/25/2011	300.00
00027657	180250 SYSCO:NORTHERN NEW ENGLAND	01/25/2011	261.58
00027658	200100 TARASON ENTERPRISES INC	01/25/2011	300.00
00027659	200545 TERMINIX INTERNATIONAL	01/25/2011	68.00
00027660	200660 THOMSON WEST	01/25/2011	518.00
00027661	200875 TMDE CALIBRATION LAB INC	01/25/2011	375.00
00027662	201100 TOWER PUBLISHING	01/25/2011	92.00
00027663	133113 TREASURER OF STATE/ATV	01/25/2011	2,430.85
00027664	201300 TWO-WAY COMMUNICATION SERV INC	01/25/2011	1,150.02
00027665	210070 ULTRAMAX	01/25/2011	984.00
00027666	210540 UNIVERSAL RECYCLING TECH, LLC	01/25/2011	31.31
00027667	210500 UNITED STATES POST OFFICE	01/25/2011	220.00
00027668	230300 WALMART COMMUNITY BRC	01/25/2011	119.23
00027669	230915 WHITED TRUCK CENTERS	01/25/2011	1,071.84
00027670	231320 WINDWARD PETROLEUM	01/25/2011	1,458.94
00027671	240900 YORK COUNTY REGISTRY OF DEEDS	01/25/2011	40.48
00053252	134400 MAINE MUNICIPAL ASSOCIATION	01/25/2011	-155.00
00053296	132500 SECRETARY OF STATE M/V	01/25/2011	17,803.54
00053297	140532 NCO FINANCIAL SYSTEMS INC	01/25/2011	15.58
00053379	189999 REFUNDS	01/25/2011	100.00
00053380	132500 SECRETARY OF STATE M/V	01/25/2011	9,142.18
00053381	140532 NCO FINANCIAL SYSTEMS INC	01/25/2011	19.00
00053383	090151 UNITED STATES TREASURY	01/25/2011	223.60
00053384	132500 SECRETARY OF STATE M/V	01/25/2011	9,140.55
00053385	140532 NCO FINANCIAL SYSTEMS INC	01/25/2011	14.25
00053386	189999 REFUNDS	01/25/2011	25.00
Total Not Prepaid			219,108.92
Total Prepaid			36,328.70
Grand Total			255,437.62

TOWN COUNCIL

*Agenda Information Sheet*

<b>Meeting Date: January 25, 2011</b>	<b>Agenda Item NB # 1</b>
<b>Subject: Relish liquor license</b>	
<b>Information:</b>	
Relish's current liquor license expires Feb 26th.	
<b>Staff Comments/Recommendation:</b>	
Chief Lajoie's comment: "I have checked our records and have no issues or concerns!"	
<b>Requested Action:</b>	
Motion to approve the renewal of Relish's liquor license.	
<b>Vote:</b>	



**Department of Public Safety  
Division**



**Liquor Licensing & Inspection**

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

<b>BUREAU USE ONLY</b>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

**PRESENT LICENSE EXPIRES** 2/26/11

**INDICATE TYPE OF PRIVILEGE:**  MALT  SPIRITUOUS  VINOUS

**INDICATE TYPE OF LICENSE:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)       |
| <input type="checkbox"/> HOTEL-OPTINONAL FOOD (Class I-A)          | <input type="checkbox"/> HOTEL (Class I,II,III,IV)          |
| <input type="checkbox"/> CLASS A LOUNGE (Class X)                  | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V)                            | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)      |
| <input type="checkbox"/> TAVERN (Class IV)                         | <input type="checkbox"/> OTHER: _____                       |

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

1. APPLICANT(S) (Sole Proprietor, Corporation, Limited Liability Co., etc.)	2. Business Name (D/B/A)
DOB:	
<u>Big Night Productions</u> DOB:	<u>Relish.</u>
DOB:	
DOB:	
Address	Location (Street Address) <u>404 Main St</u>
	City/Town State Zip Code <u>S Berwick Me 03908</u>
<u>404 Main St.</u>	Mailing Address <u>404 Main St</u>
City/Town State Zip Code <u>S. Berwick Me 03908</u>	City/Town State Zip Code <u>S Berwick Me 03908</u>
Telephone Number Fax Number <u>207 384 8249</u>	Business Telephone Number Fax Number <u>207 384 8249 SAME</u>
Federal I.D. # <u>020498902</u>	Seller Certificate # <u>1094739</u>

3. If premises are a hotel, indicate number of rooms available for transient guests: \_\_\_\_\_
4. State amount of gross income from period of last license: ROOMS \$ 0 FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_
5. Is applicant a corporation, limited liability company or limited partnership? YES  NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES  NO
7. If manager is to be employed, give name: Linda Robinson
8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_  
Requested inspection date: \_\_\_\_\_ Business hours: \_\_\_\_\_
9. Business records are located at: 404 Main St S Berwick Me 03908
10. Is/are applicants(s) citizens of the United States? YES  NO

11. Is/are applicant(s) residents of the State of Maine? YES  NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Christine Prunier		
Linda Robinson		

Residence address on all of the above for previous 5 years (Limit answer to city & state)  
404 Main St S Berwick Me

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES  NO

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_  
Offense: \_\_\_\_\_ Location: \_\_\_\_\_  
Disposition: \_\_\_\_\_

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes  No  If Yes, give name: \_\_\_\_\_

15. Has/have applicant(s) formerly held a Maine liquor license? YES  NO

16. Does/do applicant(s) own the premises? Yes  No  If No give name and address of owner: \_\_\_\_\_  
Christine Prunier 404 Main St. Berwick Me

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) \_\_\_\_\_  
~~XXXXXX~~ - attached

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES  NO  Applied for: \_\_\_\_\_

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1000' Which of the above is nearest? church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES  NO   
If YES, give details: \_\_\_\_\_

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Berwick Me on Jan 02, 20 11  
Town/City, State Date

Christine Prunier Pres.  
Signature of Applicant or Corporate Officer(s)  
CHRISTINE J PRUNIER PRES.

Please sign in blue ink  
\_\_\_\_\_  
Signature of Applicant or Corporate Officer(s)

STATE OF MAINE

Dated at: \_\_\_\_\_, Maine \_\_\_\_\_ SS  
City/Town (County)

On: \_\_\_\_\_  
Date

The undersigned being:  Municipal Officers  County Commissioners of the  
 City  Town  Plantation  Unincorporated Place of: \_\_\_\_\_, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE - SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]

2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c.45, Pt.A§4 (new).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]

C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]

E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c.730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c.730, §27 (rp).]

4. **No license to person who moved to obtain a license. (REPEALED)**

5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

STATE OF MAINE  
**Liquor Licensing & Inspection Unit**  
 164 State House Station  
 Augusta, Maine 04333-0164  
 Tel: (207) 624-7220 Fax: (207) 287-3424

**SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS**

1. Exact Corporate Name: Big Night Productions Inc.  
 Business D/B/A Name: Retish
2. Date of Incorporation: 3/26/98
3. State in which you are incorporated: NH
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:  
2/26/03
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Christine Pruner	5 Berwick Me		100	Pres
Linda Robinson	5 Berwick Me		0	VP

6. What is the amount of authorized stock? 100 Outstanding Stock? none
7. Is any principal officer of the corporation a law enforcement official? ( ) YES  NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? ( ) YES  NO.
9. If yes, please complete the following: Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_ Offense: \_\_\_\_\_

Location: \_\_\_\_\_ Disposition: \_\_\_\_\_

Dated at: Sachs Berwick Me On: 1/2/11  
City/Town Date

Christine Pruner Pres Date: 1/2/11  
 Signature of Duly Authorized Officer

CHRISTINE J PRUNER  
 Print Name of Duly Authorized Officer

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

<b>Meeting Date: January 25, 2011</b>	<b>Item NB 2</b>
<b>Agenda Item: Schedule Public Hearing: Chapter 140: Zoning</b>	
<b>Town Manager's Recommendation</b>	
<p>In accordance with legal counsel's advice, the Planning Board held a Public Hearing (12/15/10) on the proposed amendment to Chapter 140. This amendment is required to bring the Town's Zoning Ordinance into compliance with the Maine Uniform Building and Energy Code. The Planning Board recommends adoption of this amendment.</p> <p>In accordance with the South Berwick Ordinances and Charter, the Town Council must hold a Public Hearing on these same amendments.</p> <p>Chapter 140: Article I, § 140-6:</p> <p>B. An amendment to this chapter may be adopted by:</p> <p>(1) The Town Council following the provisions of the Town Charter, Article <u>II</u>, Section 3, Subsection VI, if the amendment is initiated by the Town Council, the Planning Board or an application approved by the Planning Board.</p> <p>(2) A Special Town Meeting following the provisions of the Town Charter, Article VIII, Section 2, if the amendment was initiated by a written petition in accordance with Subsection <u>A(1)</u> above.</p> <p>(3) In either case, the Town Council shall hold a public hearing on the proposed amendment as required by Article VII, Section 2, or by Article <u>II</u>, Section 11, of the Town Charter. The Planning Board shall report its recommendation regarding the proposed amendment at the public hearing.</p> <p>Charter: Article II</p> <p><b>Sec. 11. Public hearings on ordinances.</b> At least one public hearing, notice of which shall be given at least 7 days in advance by publication in a newspaper having circulation in said town, shall be held by the council before an ordinance shall be passed, but nothing contained herein shall be deemed to require publication of the ordinance itself. Any such ordinance shall not be effective until 30 days after such passage. The town council may, by vote of 4 of its members, pass emergency ordinances to take effect at the time indicated therein. Such emergency ordinances shall contain a section in which the emergency is set forth and defined. The declaration of such emergency by the town council shall be conclusive.</p>	
<b>Requested Action</b>	
Motion to schedule a Public Hearing on the proposed Zoning Amendments on February 8 <sup>th</sup> at 6:30 pm.	
<b>Vote</b>	



# Memo

**To:** South Berwick Town Council  
**From:** Kate Pelletier and South Berwick Planning Board  
**CC:** Roberta Orsini  
**Date:** 1/10/2011  
**Re:** Amendments to Chapter 140 (Zoning)

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On behalf of the Planning Board, please find attached the final draft of amendments to Chapter 140, applying the Maine Uniform Building and Energy Code (MUBEC). The Planning Board held their public hearing on the proposed changes on December 15<sup>th</sup>, 2010 and request that the Council take action on the proposed amendment at their earliest convenience.

- Kate

**AMENDMENTS TO  
CHAPTER 140 OF THE TOWN OF SOUTH BERWICK CODE OF ORDINANCES  
APPLYING THE MAINE UNIFORM BUILDING & ENERGY CODE**

Be it hereby ordained, by the Town Council of the Town of South Berwick, Maine, in Town Council assembled, that Chapter 140, **ZONING**, of the South Berwick Code of Ordinances is amended as follows.

Be it further ordained: Because the Maine Uniform Building and Energy Code (M.U.B.E.C.) must be applied and enforced on December 1, 2010 in South Berwick which is in less than 30 days, and the Council finds and declares that such circumstances constitute an emergency within the meaning of Article II, section 11 of the Charter, these amendments shall take effect on December 1, 2010.

Section 140-70, **Building Permits**, is amended by adding the following **underscored language to subsection E (12), as shown below:**

(12) ~~All new residential structures must meet the requirements of the Maine Energy Building Standards. Log homes with a wall thickness of eight inches or more are exempted from the wall standards only.~~ All new structures must comply with the Maine Uniform Building and Energy Code as such components may be revised from time to time by the Technical Building Codes and Standards Board.

Section 140-73, **Duties of enforcement officer**, is amended by adding the following **underscored language to subsection D., as shown below:**

- D. The Code Enforcement Officer shall conduct on-site inspections to ensure compliance with all applicable laws and conditions attached to approval. It shall be the duty of the permit holder or their agent to notify the Code Enforcement Officer that such work is ready for inspection. The request for an inspection shall be made at least 24 hours prior to the desired time of the inspection. The Code Enforcement Officer, in the performance of his duties, shall have freedom of access at reasonable hours for inspection purposes, with the consent of the owner, to all parts of any building or structure regulated by this chapter. When necessary, the Code Enforcement Officer may obtain an administrative warrant from the District Court.

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

<b>Meeting Date: 1/25/2011</b>	<b>Agenda Item NB 3</b>
<b>Subject</b>	
Release Deed for the Estate of Marilyn A. Fowler.	
<b>Information</b>	
Bruce Whitney did not find a discharge for a lien recorded in 1971. He has requested the Council to execute a Release deed to clear the title for this property. The town's records only go back ten (10) years, therefore, I could not produce him with the original discharge for this lien. <u>This would be proper procedure in this case.</u> There is no expense to the Town. Mr. Whitney will cover the expense of the recording.	
<b>Staff Comments/Recommendation</b>	
Deputy Tax Collector recommends request of Release Deed.	
<b>Requested Action</b>	
Order the prepared release deed signed and forward to Mr. Whitney for recording.	
<b>Vote</b>	



**BRUCE A. WHITNEY**

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SOUTH BERWICK, MAINE 03908-0187

TELEPHONE (207) 384-2051

FAX (207) 384-4011

bwhitney@gwi.net

January 13, 2011

Beverly Hasty  
Town of South Berwick  
180 Main Street  
South Berwick, ME 03908

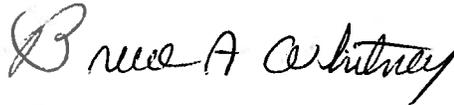
Dear Beverly:

Last week I checked the title of real estate owned by Marilyn Fowler. The property is located at 68 Vine Street, tax map 22 lot 5. The property was formerly owned by Marilyn and her husband Ralph (he died back in April of 2000).

In checking the title I found a South Berwick tax lien certificate recorded at the York County Registry of Deeds in Book 1904, Page 312 on May 18, 1971. I could not find a release of this tax lien.

Could you please check your records on this. If a release needs to be prepared could it please be issued to the Estate of Marilyn Fowler. Thanks.

Very truly yours,



Bruce A. Whitney

Baw

Return to:  
Bruce A. Whitney, Esq.  
PO Box 187  
South Berwick, ME 03908

**TOWN OF SOUTH BERWICK  
RELEASE DEED**

The Town of South Berwick, a Municipal Corporation, located at 180 Main Street, South Berwick, Maine, release to Johanna Fowler of 68 Vine Street, South Berwick, ME acting in her capacity as personal representative of the estate of Marilyn A. Fowler:

All of its right, title, and interest in and to the property acquired by Tax Lien Certificate dated May 14, 1971 and recorded in the York County Registry of Deeds in Book 1904 Page 312 on May 18, 1971 being Map 22 Lot 5 and located at 68 Vine Street, South Berwick Maine. Said property being assessed to Ralph C. Fowler, Jr. & Marilyn A. Fowler.

IN WITNESS WHEREOF, the Town of South Berwick has caused this instrument to be executed by David Burke, Jean Demetracopoulos, Gerald W. MacPherson, Sr, David E. Webster and John Kareckas, its Town Council, thereunto duly authorized, the 25th day of January, 2011.

TOWN OF SOUTH BERWICK

BY:

\_\_\_\_\_  
Witness to All

\_\_\_\_\_  
David Burke

\_\_\_\_\_  
Jean Demetracopoulos

\_\_\_\_\_  
Gerald W. MacPherson, Sr.

\_\_\_\_\_  
David W. Webster

\_\_\_\_\_  
John Kareckas

STATE OF MAINE  
YORK, SS

January 25, 2011

PERSONALLY APPEARED the above named David Burke, Jean Demetracopoulos, Gerald W. MacPherson, Sr., David E. Webster and John Kareckas, and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of said Municipal Corporation, before me:

\_\_\_\_\_  
Barbara Bennett – Notary Public