

SOUTH BERWICK TOWN COUNCIL
APRIL 26, 2011

Chairman David Burke called the meeting to order at 7:32pm. Those present included Councilors Jean Demetracopoulos, Gerald W. MacPherson, Sr., David H. Webster, and John C. Kareckas. Town Manager Perry Ellsworth was also in attendance.

APPROVAL OF MINUTES

1. Public Hearing budget 4-12-11: On a motion by Mr. Webster, seconded by Mr. MacPherson, it was unanimously voted to adopt the minutes as written. Mrs. Demetracopoulos abstained.
2. Town Council 4-12-11: On a motion by Mr. MacPherson, seconded by Mr. Webster, it was unanimously voted to adopt the minutes as written. Mrs. Demetracopoulos abstained

SIGNING OF TREASURER'S WARRANT – April 26, 2011

On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to sign the warrant in the amount of \$180,236.79.

PUBLIC COMMENT

1. Eric Pelchat, Front St, asked for an update on the skating rink. Mr. Ellsworth responded that there aren't any solutions yet. An appropriate location is still being sought and a plan will need to be developed by fall.

Mr. Pelchat also asked if all tax revenue from the school and county go into the general fund. Yes.

2. Richard Clough, Academy St, questioned the status of the Day property. Mr. Ellsworth stated that selling may not be the best answer at this time. Use for fire training is being considered because the property may be worth more without the house. Eric Pelchat commented that the property evaluation showed that the property was worth more with the house on it. Mr. MacPherson commented that the property market analysis was done over a year ago.

3. Suzanne Roberge, Berwick Rd, expressed her concern with who will be in charge of overseeing the repair work at the Youth Center Barn in light of the \$19,650 grant from the Vaughan Fund. Mr. Ellsworth stated that Sharon Brassard the Recreation Director would report to him.

4. Richard Young, Tamarack Dr, asked if the Council would consider reversing the order of items 1 & 2 under New Business because of the Balancing Rock issue.

REPORTS & CORRESPONDENCE

1. Item removed at the citizen's request.

The Council agreed to take a brief recess at 7:43pm. The meeting reconvened at 7:46pm.

TOWN MANAGER'S REPORT

- Informed the Council that the sweeper is broken and may be past its useable life.
- Attended training on personnel policies. Commented that the policy should be reviewed a minimum of every 2 years; some sections more often. He also stated that personnel policies are not contracts; they are guidelines.

NEW BUSINESS

1. Mr. Ellsworth commented that at this time there is no plan to use the undesignated fund toward the proposed budget.

A brief discussion ensued regarding the Balancing Rock. Mrs. Demetracopoulos stated that she is no longer involved with the Great Works Regional Land Trust and will participate in any discussions on the subject.

Mrs. Demetracopoulos stated she listened to the budget public hearing and is not in favor of using the undesignated fund to help offset a tax rate increase. A Fund Balance Policy was adopted in December to help with the Town's bond rating and nothing should be done to undermine that.

On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the Manager's Budget for fiscal year 2012 and sign the warrant for the Town Meeting on June 7th.

2. The Council discussed the status of funds for the Balancing Rock. Mr. Burke explained that a town meeting vote would be required to make a change in the status of funding the purchase.

Mr. Kareckas stated for transparency, that he is a member of the Land Trust but did not feel that it was necessary to recuse himself from participating in the discussion or any action. The Chair agreed.

Mrs. Demetracopoulos explained the process by which the Land Trust has tried to meet the intent of the Town Meeting vote allocating the \$35,000 for the purchase of the land. She added that the original vote did not set any time limitations. She also stated that the Town is not losing anything and the Land Trust had improved the trails and made the property more accessible.

On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was voted 3-2 (Mr. Burke and Mr. MacPherson opposed) to maintain the current status of the Balancing Rock and to not send the issue to a town meeting vote.

3. No action. The item was withdrawn by the requestor.

4. Communication Tower: The Manager gave a brief overview of the proposed lease agreement; \$300/month with a \$100/month maintenance fee. John Leach, Water District, stated that the Town's Zoning Ordinance states that only the Water District and other governmental agencies can use the tower.

On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to authorize the Town Manager to sign the License Agreement with the South Berwick Water District effective July 1, 2011 for the installation of the Public Safety Communications Repeater on Water District property.

5. The Council discussed the information provided by the Manager regarding the sale of several Town vehicles and equipment. Items for disposition include 2000 Case Backhoe, 1963 Caterpillar Generator, 2003 Ford F550, Wisconsin Engine, and a 2000 Ford Ranger. Mr. Kareckas questioned whether the Wisconsin Engine could be used at Powderhouse Hill.

Mr. Ellsworth stated that he has worked with Jon St. Pierre, PWD, to establish values and put together bid materials.

6. The Council discussed the disposition of the Rectory building on Young Street. On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to authorize the Manager to move forward with the disposal of the Rectory and to execute all agreements necessary to finalize this work.

7. On a motion by Mr. Kareckas, seconded by Mr. Webster, it was unanimously voted to authorize the Manager to enter into an agreement with JCJ Architecture for the purpose of creating Construction Documents in the amount of \$40,000 (for the new library).

8. Mr. Burke explained that the Planning Board Bylaws are being amended as a result of the change in meeting day. Mr. Kareckas pointed out that the Council does not have authority; the Administrative Code §3-53 states that the Planning Board may adopt its own bylaws.

No Council action taken.

COUNCIL MEMBER COMMENTS

1. Mrs. Demetracopoulos:

-Questioned what the proposal was regarding the citizen request for a communication committee. She added that the Town still has a legal issue on the table with Comcast.

2. Mr. Webster:

-Commented on a memo from the Manager regarding student representation/participation in Town government. He stated that he would like to investigate the issue.

3. Mr. Kareckas:

-Questioned whether the wood boiler (on Locust Ln) is compliant with accessory building setbacks and asked the Manager to look into it. Mr. Ellsworth stated that there have been numerous inspections and there is nothing to be done.

-Made note that the shingles are completely missing from the ell on the 'Day' house.

-Asked that his proposed amendments to the TIF Development Plan be revisited. Mr. Ellsworth recommended holding a workshop.

4. Mr. Burke:

Thanked the following people for their hard work and dedication: Jean Demetracopoulos for her 'gardening' at the islands, Jerry MacPherson for his involvement in the Rideshare Program at the Community Center, David H. Webster for his involvement with the Community Chorus, Jack Kareckas for his involvement with the Boy Scouts, Eric Pelchat for his podcasts of meetings, and Audrey Fortier for her help in putting out the Flags on holidays.

ADJOURNMENT

On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to adjourn the meeting at 9:13pm.

Attest:

Barbara Bennett, CCM

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00028237	132500 SECRETARY OF STATE M/V	05/10/2011	13,180.66
00028238	133050 TREAS.STATE OF MAINE/IV-D	05/10/2011	58.69
00028239	090151 UNITED STATES TREASURY	05/10/2011	87.50
00028240	140532 NCO FINANCIAL SYSTEMS INC	05/10/2011	17.85
00028241	189999 REFUNDS	05/10/2011	200.00
00028242	010230 ACORN RECORDING SOLUTIONS	05/10/2011	1,195.00
00028243	011250 TREASURER,STATE OF MAINE	05/10/2011	43.00
00028244	020220 CATALINA BAKAS	05/10/2011	29.97
00028245	020225 BAKER & TAYLOR	05/10/2011	271.64
00028246	021095 BARBARA BENNETT	05/10/2011	20.91
00028247	022850 BUSINESS EQUIPMENT UNLIMITED	05/10/2011	319.31
00028248	021800 BOB'S TROPHIES & AWARDS	05/10/2011	114.00
00028249	030510 CENTRAL MAINE POWER	05/10/2011	1,546.88
00028250	030552 CHASE & HAMLYN INC.	05/10/2011	210.00
00028251	030725 CITIZENS BANK (CHG)	05/10/2011	150.00
00028252	030920 CLEAN-O-RAMA	05/10/2011	360.64
00028253	030950 ARNOLD T CLEMENT CO	05/10/2011	247.60
00028254	031425 COLONIAL LIFE & ACCIDENT INS.	05/10/2011	1,674.12
00028255	031430 COMCAST	05/10/2011	99.95
00028256	031579 CONSTELLATION NEW ENERGY	05/10/2011	1,857.46
00028257	040800 DOUCETTE EXCAVATING	05/10/2011	330.00
00028258	050815 EMPLOYEE HEALTH & BENEFITS	05/10/2011	595.09
00028259	060300 FAVORITE FOODS INC	05/10/2011	469.70
00028260	070200 P GAGNON & SON INC	05/10/2011	1,917.54
00028261	070565 GORHAM LEASING GROUP	05/10/2011	96.56
00028262	071086 GREAT WORKS FAMILY PRACTICE	05/10/2011	100.00
00028263	191330 HANNAFORD'S	05/10/2011	209.09
00028264	080248 HANSCOM'S TRUCK STOP INC	05/10/2011	16,426.46
00028265	080500 BEVERLY HASTY	05/10/2011	20.91
00028266	080518 HAYDEE'S PEST FREE MGMT	05/10/2011	45.00
00028267	080998 HOME DEPOT	05/10/2011	24.38
00028268	081305 HSE GOULD	05/10/2011	106.74
00028269	087001 IAAO/MAINE CHAPTER	05/10/2011	35.00
00028270	090120 INLAND FISHERIES & WILDLIFE	05/10/2011	1,876.25
00028271	100150 JANETOS MARKET	05/10/2011	93.53
00028272	100162 JCJ ARCHITECTURE	05/10/2011	40,000.00
00028273	100200 JEWETT/EASTMAN MEMORIAL COM	05/10/2011	239.00
00028274	100380 JOHN DEERE LANDSCAPES	05/10/2011	325.96
00028275	100820 FRED KEEN	05/10/2011	75.00
00028276	120510 LAWSON PRODUCTS INC.	05/10/2011	366.94
00028277	127000 CORRINE J MAHONY	05/10/2011	1,612.50
00028278	132400 MAINE SAD #35	05/10/2011	506,747.81
00028279	133375 MAINE ENERGY RECOVERY CO.	05/10/2011	5,034.86
00028280	130670 MAINE RESOURCE/RECOVERY	05/10/2011	1,616.75
00028281	133195 MAINE TURNPIKE AUTHORITY	05/10/2011	8.30
00028282	133270 MARDEN'S	05/10/2011	109.78
00028283	133358 W.B.MASON	05/10/2011	91.98
00028284	132200 MAINE FIRE CHIEFS ASSOC.	05/10/2011	100.00
00028285	134400 MAINE MUNICIPAL ASSOCIATION	05/10/2011	68.00
00028286	135130 MTCCA/MMA	05/10/2011	50.00
00028287	140105 NAPA OF SOMERSWORTH	05/10/2011	10.99
00028288	140600 NEPTUNE INC	05/10/2011	28.90
00028289	141080 NEXTEL	05/10/2011	218.15
00028290	141300 NO.BERWICK LUMBER & HARDWARE	05/10/2011	11.58
00028291	141420 NORTHERN SAFETY CO INC	05/10/2011	160.83
00028292	150025 OAKWOODS LUMBER INC	05/10/2011	448.00

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: May 10, 2011	Agenda Item UB # 1
Subject: Solid Waste Hauler License for Waste Management of NH	
Information:	
The Town has received a request to renew Waste Management of NH's Solid Waste Hauler License. Waste Management has provided a copy of a check for \$550 from February 2010. This check was processed by Public Works toward recycling and was not forwarded to the Council to take action on a hauler license.	
Staff Comments/Recommendation:	
Recommend that a Solid Waste Hauler License be issued to expire January 31, 2012.	
Requested Action:	
Council wishes	
Vote:	

Town of South Berwick
Solid Waste Haulers License Application

Name of Hauler Waste Management of NH
Hauler's Address 90 Rochester Neck RD P.O. Box 7065
Email address: jwelch@wm.com
Telephone 603-330-2172

Vehicle Information:

Plate #	Make	Model	Color	VIN Number	Vehicle Weight
<u>72301AR</u>	<u>Mack</u>	<u>Refuse</u>	<u>Green</u>	<u>1M2K195E37M034333</u>	<u>64,000</u>
<u>43981AR</u>	<u>Mack</u>	<u>Refuse</u>	<u>Green</u>	<u>1M2K195C13M022157</u>	<u>64,000</u>
<u>AR7067</u>	<u>Mack</u>	<u>Recycle</u>	<u>Green</u>	<u>1M2AC07E32M006809</u>	<u>55,000</u>
<u>AR8012</u>	<u>Mack</u>	<u>Recycle</u>	<u>Green</u>	<u>1M2AC07E22M006725</u>	<u>55,000</u>
<u>AR6984</u>	<u>Mack</u>	<u>Refuse</u>	<u>Green</u>	<u>1M2K195C91M018841</u>	<u>64,000</u>
<u>AR3197</u>	<u>Mack</u>	<u>Refuse</u>	<u>Green</u>	<u>1M2K195C6XM015209</u>	<u>55,000</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
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Prepared by (please print) James Welch
Signature: [Handwritten Signature]

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: May 10, 2011	Item # NB 1
Agenda Item: Energy Committee Appointment	
Town Manager's Recommendation	
<p>Paul Arnold has applied for the open position on the Energy Efficiency Advisory Committee. There is one open seat on this committee with a term to expire in June of 2012.</p>	
Requested Action	
<p>Motion to appoint Paul Arnold to the Energy Efficiency Advisory Committee, term to expire June 2012.</p>	
Vote	

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: May 10, 2011	Agenda Item NB 2
Subject: Links at Outlook Golf Club liquor license & special amusement permit	
Information:	
Application attached.	
Staff Comments/Recommendation:	
Requested Action:	
Motion to approve the renewal of the Link's liquor license & special amusement permit.	
Vote:	

**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.

BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES 6-16-11

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|---|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTIONAL 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 checked="" 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)	
Great Woods Properties		The links at Outlook G.C.	
Outlook Farm Golf Club		DOB:	
DOB:		Location (Street Address)	
Address		310 Route 4	
City/Town		State	
So. Berwick		ME	
Zip Code		Zip Code	
03908		03908	
Mailing Address		P.O. Box 385	
City/Town		State	
So. Berwick		ME	
Zip Code		Zip Code	
03908		03908	
Telephone Number		Business Telephone Number	
207-384-2109		207-384-8263	
Fax Number		Fax Number	
207-384-8263			
Federal I.D. #		Seller Certificate #	
01-0477433		1052044	

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 \$ _____ 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: John Flynn / Jeff Maldonis
8. If business is NEW or under new ownership, indicate starting date: _____
- Requested inspection date: _____ Business hours: _____
9. Business records are located at: On Site
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
John Flynn		
Timothy Flynn III		
Jeff Malden		

Residence address on all of the above for previous 5 years (Limit answer to city & state)

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: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Grille Room Patio Tent Pavillion Function Facility

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? 3 miles Which of the above is nearest? School

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: South Berwick Maine on _____, 20____
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

John Flynn

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	
FILING FEE	\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ SS

On: _____ (County)
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).]
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.

MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE
Liquor Licensing & Inspection Division
164 State House Station
Augusta ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 287-3424



SUPPLEMENTARY QUESTIONNAIRE FOR Auxiliary Mobile Golf Cart License

1. Exact Name Of Golf Course: The Links at Orlow Golf Course

2. Name, birth date and telephone number of each person authorized to operate and sell from mobile golf cart. (All operators of the mobile service bar must be 21 years of age and have successfully completed alcohol server education)

NAME	DATE OF BIRTH	TELEPHONE	T.I.P.S. I.D. number
Audrey Roy	9-6-89	603-312-3265	
Kately Waterman	4-19-89	207-752-2836	
Darcy Lovejoy	3-8-82	603-974-0079	
Amy Branger	6-5-84	603-973-9361	

3. Are all operators of the mobile service bar employees of the golf course? Yes

4. DOES THE OPERATOR OF THE MOBILE SERVICE BAR HAVE MEANS TO MAKE IMMEDIATE CONTACT WITH AN EMPLOYEE AT THE LICENSED ON-PREMISE LOCATION AT THE COURSE? YES NO

Describe. All Have Cell phones

5. How many additional security employees will be on the course to ensure adherence to the laws and rules applying to the selling, serving and consumption of alcohol? Two or Three Course Rangers

6. Do you have signs on cart stating legal age for service and consumption? Yes

7. Are signs posted stating that patrons may not bring alcoholic beverages on to the golf course or licensed premise? Yes How Many? 4

Location. 1st Tee Box (2) Grille Room Entrance & Exit (3) On Beverage Cart (4) Entrance to Pro-Shop

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: Great Works Properties Inc / Outlook Farm Golf Club LI
 Business D/B/A Name: The Links at Outlook Golf Course / The Red Barn
2. Date of Incorporation: 1992
3. State in which you are incorporated: Maine
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: _____
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
Timothy J. Flynn II	25 Grant St. S Berwick			
Ruth S. Flynn	"			
John Flynn	21 Academy St. ^{South} Berwick			

6. What is the amount of authorized stock? NA Outstanding Stock? NA
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: _____ City/Town On: _____ Date

[Signature] Date: _____
 Signature of Duly Authorized Officer

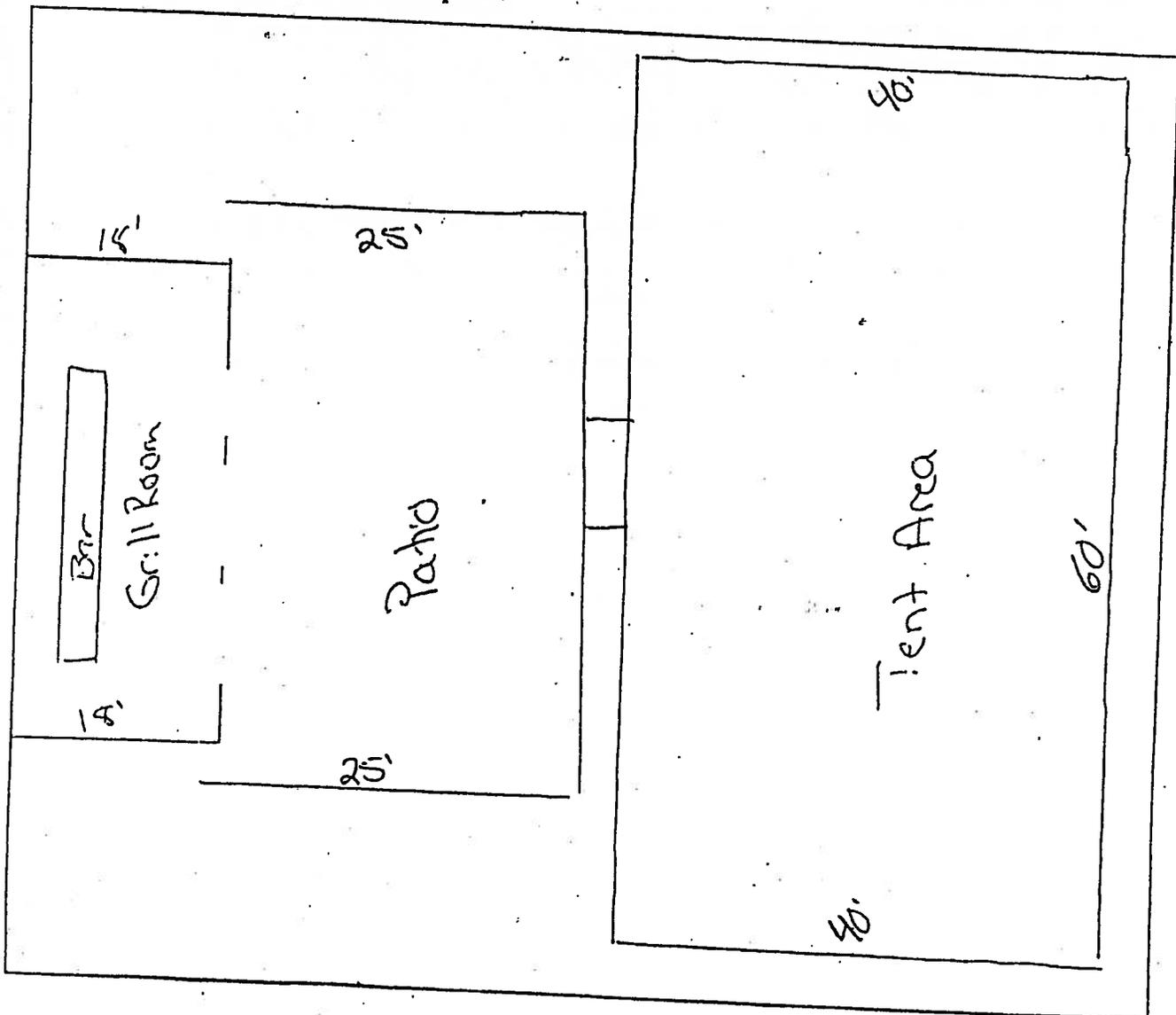
John Flynn
 Print Name of Duly Authorized Officer



SUPPLEMENTAL APPLICATION FORM ON/OFF-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.





STATE OF MAINE
 Department of Public Safety
 Liquor Licensing
 164 State House Station
 Augusta, Maine
 04333



APPLICATION FOR AUXILIARY LICENSE - \$100.00
 Check Payable: Treasurer State of Maine

The undersigned hereby applies for an auxiliary license and certifies that the applicant is the holder of a spirituous, vinous and malt restaurant, hotel license or club license located at a ski area / golf course.

1. Full Name of Applicant: Flynn John F.
 (PLEASE PRINT) Last First Middle Initial
 Date of Birth: _____ Telephone #: 384-2109 FAX #: 384-8263
 Address: P.O. Box 385 South Berwick ME 03908
 Mailing Address City/Town State Zip Code

2. Describe auxiliary premise and the location at the ski/golf area: Within Boundaries
of Golf Course

3. Do you have all necessary permits from the Department of Human Services for your auxiliary premise?
 Yes No

4. What is the distance from the premise to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premise to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 3 miles

Which of the above is nearest? School

NOTE: The above application must be signed by the individual(s) or a duly authorized officer of the corporation executing the application and approved by the **Municipal Officers/County Commissioner** and filed with the Liquor Licensing & Inspection Division.

Dated at: South Berwick on _____, 20____
 City/Town Date

J A Flynn

John Flynn

Signature of Individual(s) or Duly Authorized Officer(s) of Corporation or if Partnership by Members of Partnership

Print Name

AuxLicApp/2008

Office Located at CENTRAL MAINE COMMERCE CENTER 45 Commerce Drive Suite 1, AUGUSTA, ME 04330

(207) 624-7223 and 624-7224 Licensing and Inspections
 (207) 624-7230 Referrals and Training

(207) 287-3424 FAX

SPECIAL AMUSEMENT PERMIT APPLICATION

AS DEFINED IN SECTION 201 OF THE TOWN OF SOUTH BERWICK SPECIAL AMUSEMENT ORDINANCE, NO LICENSEE FOR THE SALE OF LIQUOR TO BE CONSUMED ON HIS LICENSED PREMISES SHALL PERMIT, ON HIS LICENSED PREMISES, ANY MUSIC, EXCEPT RADIO OR OTHER MECHANICAL DEVICE, ANY DANCING OR ENTERTAINMENT OF ANY SORT UNLESS THE LICENSEE SHALL HAVE FIRST OBTAINED FROM THE MUNICIPALITY IN WHICH THE LICENSED PREMISES ARE SITUATED A SPECIAL AMUSEMENT PERMIT SIGNED BY AT LEAST A MAJORITY OF THE MUNICIPAL OFFICERS.

YOUR APPLICATION FOR A SPECIAL AMUSEMENT PERMIT SHOULD BE FILED ON THIS FORM WITH THE TOWN COUNCIL OR ITS DESIGNATED AGENT. PAYMENT OF A \$35 FEE IS REQUIRED AT THE TIME THE APPLICATION IS FILED. A COPY OF THE SPECIAL AMUSEMENT PERMIT ORDINANCE IS AVAILABLE UPON REQUEST FROM THE SOUTH BERWICK TOWN CLERK.

THE TOWN COUNCIL SHALL, PRIOR TO GRANTING A PERMIT, HOLD A PUBLIC HEARING WITHIN 30 DAYS OF THE DATE YOU FILE YOUR COMPLETED APPLICATION AT WHICH TIME TESTIMONY WILL BE RECEIVED FROM YOU OR YOUR DESIGNATED AGENT AND/OR ANY INTERESTED MEMBER OF THE PUBLIC. FAILURE TO ATTEND THE PUBLIC HEARING MAY RESULT IN A DELAY IN ISSUING THE PERMIT.

Name of Applicant for Permit: The Links at Outlook GC

Address of Applicant: 310 Route 4 South Berwick

Telephone # of Applicant: 207-384-2109

Name of Business to be Conducted: _____

Address of Business: _____

Telephone # of Business: _____

Nature of Business: Functions ; Weddings

Is Business a Corporation, Partnership or Proprietorship? (Circle One)

Type of Entertainment Planned: Dancing, Music

Has Applicant ever had a license to conduct the Business described herein denied or revoked or has Applicant or any partner or corporate officer ever been convicted of a felony? No

If yes, please provide full details on reverse side of this Application.

Current Liquor License #: 5885

Signature [Signature] Date _____

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: May 10, 2011	Agenda Item: NB 3																		
Subject: Uncollectible Taxes - Real Estate and Personal Property Tax Accounts Pursuant M.R.S.A. 3 Sec 841.3																			
Staff Comments/Recommendation																			
<p>Real Estate:</p> <p>State Law requires the Towns to assess Unknown Owner Property 20 yrs before foreclosing. However, if we do find the owner within that period of time, the Town can only collect up to 3 yrs taxes. There is no reason to carry more than 3 yrs on our outstanding tax list.</p> <p>Please write off :</p> <table style="margin-left: 40px; border: none;"> <tr> <td>O0008R Owner Unknown Map 5 Lot 58</td> <td>- 2006/07 - \$231.11</td> </tr> <tr> <td></td> <td>- 2007/08 - \$254.99</td> </tr> <tr> <td>O1920R Owner Unknown Map 2 Lot 62</td> <td>- 2006/07 - \$243.21</td> </tr> <tr> <td></td> <td>2007/08 - \$268.34</td> </tr> <tr> <td>G0290R Owner Unknown Map 2 Lot 43</td> <td>- 2007-08 - \$293.70</td> </tr> <tr> <td>O0009R Owner Unknown Map 4 Lot 87</td> <td>- 2007/08 - \$144.18</td> </tr> </table> <p>Personal Property:</p> <p>Both Companies are no longer in business. We would not be able to go to small claims court due to the incomplete personal property list. See attached memo 4/28/11 for more detail.</p> <p>Please write off:</p> <table style="margin-left: 40px; border: none;"> <tr> <td>M3162P SOBO Books & Coffee</td> <td>- 2007/08 - \$41.39</td> </tr> <tr> <td></td> <td>2008/09 -\$ 43.21</td> </tr> <tr> <td>B2144P T. Gray Builders, Inc</td> <td>- 2008/09 - \$55.13</td> </tr> </table>		O0008R Owner Unknown Map 5 Lot 58	- 2006/07 - \$231.11		- 2007/08 - \$254.99	O1920R Owner Unknown Map 2 Lot 62	- 2006/07 - \$243.21		2007/08 - \$268.34	G0290R Owner Unknown Map 2 Lot 43	- 2007-08 - \$293.70	O0009R Owner Unknown Map 4 Lot 87	- 2007/08 - \$144.18	M3162P SOBO Books & Coffee	- 2007/08 - \$41.39		2008/09 -\$ 43.21	B2144P T. Gray Builders, Inc	- 2008/09 - \$55.13
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	2008/09 -\$ 43.21																		
B2144P T. Gray Builders, Inc	- 2008/09 - \$55.13																		
Town Manager's Recommendation:																			
Motion to write off the above listed taxes.																			
Requested Action																			
Motion to write off uncollectible as described above.																			
Vote																			

Date: April 28, 2011

TO: Perry Ellsworth, Tax Collector
FROM: Beverly Hasty, Deputy Tax Collector
RE: Uncollectible Taxes

I am recommending the following real estate and personal property taxes be abated by the Municipal Officers pursuant to M.R.S.A 36 Sec 841.3:

Real Estate Taxes

The State Law requires towns to assess property of an Unknown Owner for 20 years before foreclosing. However, if we did find the owner within that period of time, the Town could only collect the last 3 years of taxes.

O0008R - Unknown Owner

Map 05 Lot 58
2006-2007 tax\$231.11
2007-2008 tax\$254.99

O1920R – Unknown Owner

Map 02 Lot 62
2006-2007 tax\$243.21
2007-2008 tax\$268.34

G0280R – Unknown Owner

Map 02 Lot 43
2007-2008 tax\$293.70

O0009R – Unknown Owner

Map 04 Lot 87
2007-2008 tax ...\$144.18

PERSONAL PROPERTIES

M3162P – SOBO BOOKS & COFFEE

2007/2008 tax\$41.39
2008/2009 tax\$43.21

Owner has not responded to letters. Ownership of business has changed several times from the original commitment. At present, SOBO is no longer in business. Last owner on record was Marie MacDonald. New business at this location is Early Bird Café. We would not be able to go to small claims court due to the incomplete personal property list.

B2144P – T.Gray Builders, Inc.

2008/2009 Tax.....\$55.13

Gray Builders, Inc paid 1st half of taxes. Per conversation at a later date with owner, business was closed January 2008. We would not be able to go to small claims court due to the incomplete personal property list.

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: May 10, 2011	Agenda Item NB 4
Subject: Warrant for SAD #35 Referendum Election	
Information:	
Warrant attached	
Staff Comments/Recommendation:	
Requested Action:	
Motion to sign warrant.	
Vote:	

**WARRANT AND NOTICE OF ELECTION CALLING
SCHOOL ADMINISTRATIVE DISTRICT NO.35
BUDGET VALIDATION REFERENDUM
(20-A M.R.S.A. §1305-B and §§1352 - 1353)**

TO: Randy Stewart, a resident of Maine School Administrative District No. 35 composed of the Towns of Eliot and South Berwick, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within the Maine School Administrative District No. 35, namely, the Towns of Eliot and South Berwick, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers, who shall post the following warrant and notice of election:

**TOWN OF SOUTH BERWICK
DISTRICT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

York ss.

State of Maine

TO: Barbara Bennett, Town Clerk of South Berwick: you are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

TO THE VOTERS OF THE TOWN OF SOUTH BERWICK:

You are hereby notified that a District budget validation referendum election will be held at the South Berwick Town Hall, 180 Main Street in the Town of South Berwick on Tuesday, June 14, 2011 for the purpose of determining the following referendum question:

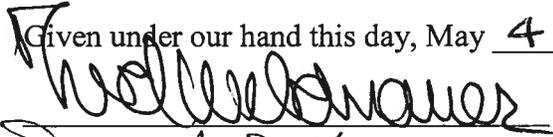
Question 1: Shall the Maine School Administrative District No. 35 budget for the 2011 – 2012 school year that was adopted at the District Budget Meeting on June 8, 2011 be approved?

The polls will be opened at 7:00 A.M. and closed at 8:00 P.M.

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

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

Given under our hand this day, May 4, 2011 at South Berwick, Maine.

 _____	 _____
 _____	 _____
 _____	 _____

A majority of the Board of Directors of Maine School Administrative District No. 35

A true copy of the Warrant and Notice of Election, Attest: 
Gail Sullivan, Superintendent
Maine School Administrative
District No. 35

Counter signed this _____ day of May 2011 at South Berwick, Maine

_____	_____
_____	_____
_____	_____

A majority of the municipal officers of the Town of South Berwick, Maine.

A true copy of the Warrant and Notice of Election, Attest: _____
Barbara Bennett
Town Clerk
Town of South Berwick

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: May 10, 2011	Agenda Item NB 5
Subject	
Meeting date of June 14, 2011	
Information	
In June the first Council meeting of the month usually falls on Election Day. The polls on Election Day are open from 7:00am to 8:00pm. As the Registrar of Voters I am required by law to be present at the polling place the entire time the polls are open. After 8:00pm I am still needed at the polls to help finalize the count, see that proper paperwork is completed and to return election materials to the vault.	
Staff Comments/Recommendation	
Requested Action	
I respectfully request that the meeting of June 14th be rescheduled or cancelled to accommodate Election Day.	
Vote	