

South Berwick Town Council May 24, 2011

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

Approval of Minutes

1. Council 5-10-11: On a motion by Mrs. Demetracopoulos, seconded by Mr. Kareckas, it was unanimously voted to adopt the minutes as written.

Treasurer's Warrant – May 24, 2011

On a motion by Mr. MacPherson, seconded by Mr. Webster, it was unanimously voted to sign the warrant in the amount of \$91,424.46.

Public Comment

1. Eric Pelchat, Front St, questioned the starting time for the Town Meeting. The Clerk explained that the warrant states 6:00pm so that voters can be checked on the voting list with the hopes that the business session can begin at 6:30pm.
2. **Ruth Boston, Emery's Bridge Rd, asked if there was another event scheduled for the same night as Town Meeting.** It was explained that the awards ceremony at the high school is scheduled for the same night. Unfortunately the school changed the awards ceremony from the 8th of June to the 7th of June to accommodate the open vote on the school budget.
3. Eric Pelchat, Front St, asked if anyone had asked the school board to reschedule the awards ceremony because of Town Meeting. Mr. Ellsworth stated that as soon as the Town became aware of the conflict the school district was contacted and they said that the awards ceremony date "was set in stone".

Town Manager's Report

- Announced that South Berwick had received 2 plaques of recognition from the Maine Municipal Association for being a member of the Worker's Comp Fund for 32 years and the Property & Casualty Pool for 23 years. Mr. Ellsworth explained that during good years with few or no incidents the Town receives money back from the funds.
- The library bid specs and package should be here by Friday. The Building Committee will meet to review them next week.
- Met with the Energy Efficiency Advisory Committee. John Rudolph the current committee chair has stated that he does not have the time to continue as chairman. Mr. Ellsworth stated that he would like to have Roberta Orsini chair the committee. There are several items that need to be addressed or completed including the construction of an energy info kiosk, a policy on future equipment purchases regarding efficiency, and the development of a website.
- Kid's Day is Saturday, June 4th.**
- June 8th is United Way Day at the Teen Center. A crew of volunteers from the Navy Yard will be there to help with several construction projects.
- Thanked everyone for their care and handling of the Camden Hughes case.
- Reminded everyone that South Berwick does have a Public Information Request Policy. He added that it is very important to have the request form completed and that there are fees associated with research and copying.
- Made note that over 60 applications were received for the part-time customer service position in the Business Office. He added that interviews are being conducted and he will make the final decision with input from the Asst. Manager, Town Clerk, and Benefits Coordinator.

New Business

1. The Council briefly discussed the Manager's recommendation for awarding the lawn mowing bid.

On a motion by Mrs. Demetracopoulos, seconded by Mr. MacPherson, it was unanimously voted to confirm the Manager's recommendation to award the bid for lawn mowing to Eastman's Mowing for the fiscal year 2011/2012 (\$12,625.00).

Council Member Comments

1. Mr. MacPherson:

-Stated that the ribbon cutting at the Hoop House was a good event to attend and was very interesting.

2. Mrs. Demetracopoulos:

-Stated that she will not be able to attend the Memorial Day Celebration.

-Stated that she may be late arriving for Town Meeting.

-Stated that while in Massachusetts, she received complimentary comments from people about how caring South Berwick was in regard to the Camden Hughes situation.

3. Mr. Burke:

-Thanked Bruce & David Whitney for another great clean-up day at the Vine Street Cemetery.

-Thanked Tracy LaPointe & Nicole St. Pierre for another successful Hike-Thru-History Day.

-Thanked Kathy Gunst & Terence Parker for organizing the Outdoor Classroom.

-Made note that he too had received compliments on how South Berwick residents handled the Camden Hughes case. He thanked the Police Department for handling things exceedingly well.

4. Mr. Webster:

-Asked if the Council would be involved in hiring the new customer service clerk in the Business Office. Mr. Ellsworth stated the Council would not be involved.

-Informed everyone that he had spoken with Greg Tuano; and the Great Works River Clean-up went very well. He added that Mr. Tuano is planning on additional clean-up days.

-Stated that he will not be able to attend Town Meeting so that he can attend the awards ceremony at the high school for his son.

5. Mr. Kareckas:

-Stated that South Berwick "did more than ok in a difficult situation" like the Camden Hughes case last week.

-Commented that there is pending legislation that would amend the Freedom of Access laws, and they should be followed closely.

-Commented on the valuable lessons learned through the Outdoor Classroom regarding school lunches and where our food comes from.

Executive Session

1. On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to enter executive session at 7:08pm, pursuant to 1MRSA §405.6C, to discuss the use of real property.

The Chair reported the following to the Clerk:

On a motion by Mr. Webster, seconded by Mr. Kareckas, it was unanimously voted to end the executive session at 7:27pm.

Adjournment

On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to adjourn the meeting at 7:28pm.

Attested:

Barbara Bennett, CCM

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00028415	209999 TAX REFUNDS	06/13/2011	848.62
00028416	140532 NCO FINANCIAL SYSTEMS INC	06/13/2011	17.85
00028417	132500 SECRETARY OF STATE M/V	06/13/2011	22,765.62
00028418	133050 TREAS,STATE OF MAINE/IV-D	06/13/2011	102.53
00028419	132500 SECRETARY OF STATE M/V	06/13/2011	10,650.16
00028420	140532 NCO FINANCIAL SYSTEMS INC	06/13/2011	29.34
00028421	140532 NCO FINANCIAL SYSTEMS INC	06/13/2011	17.85
00028422	132500 SECRETARY OF STATE M/V	06/13/2011	16,975.05
00028423	189999 REFUNDS	06/13/2011	25.00
00028424	010285 ADMIRAL FIRE & SAFETY INC	06/13/2011	211.20
00028425	010336 AGGREGATE RECYCLING CORP	06/13/2011	3,344.71
00028426	010490 ALGONQUIN PRODUCTS CO	06/13/2011	40.00
00028427	011100 LOUISE ANDERSON	06/13/2011	66.30
00028428	011250 TREASURER,STATE OF MAINE	06/13/2011	34.00
00028429	020225 BAKER & TAYLOR	06/13/2011	97.33
00028430	021510 TOWN OF BERWICK	06/13/2011	4,216.33
00028431	022850 BUSINESS EQUIPMENT UNLIMITED	06/13/2011	694.00
00028432	021668 BLOW BROS	06/13/2011	56.30
00028433	022300 BOWS AND BALLOONS BY BRINA	06/13/2011	100.00
00028434	022503 SHARON BRASSARD	06/13/2011	65.96
00028435	022640 BURKE'S TREE SERVICE	06/13/2011	500.00
00028436	030510 CENTRAL MAINE POWER	06/13/2011	4,593.18
00028437	030725 CITIZENS BANK (CHG)	06/13/2011	424.86
00028438	193300 CITIZENS BANK	06/13/2011	35.00
00028439	030920 CLEAN-O-RAMA	06/13/2011	107.75
00028440	031425 COLONIAL LIFE & ACCIDENT INS.	06/13/2011	1,674.12
00028441	031430 COMCAST	06/13/2011	99.95
00028442	031570 CONSOLIDATED ELECTRICAL	06/13/2011	39.60
00028443	031579 CONSTELLATION NEW ENERGY	06/13/2011	1,637.53
00028444	031981 THE CRITTER BARN INC	06/13/2011	193.96
00028445	040130 BOB DEARBORN	06/13/2011	100.00
00028446	040168 DICK DELANEY	06/13/2011	100.00
00028447	040520 DIGITAL INK PRINTING	06/13/2011	653.39
00028448	041317 DUNN FARM	06/13/2011	40.00
00028449	050810 ANDREW ELWELL	06/13/2011	52.02
00028450	050815 EMPLOYEE HEALTH & BENEFITS	06/13/2011	610.64
00028451	060100 HOWARD P FAIRFIELD INC	06/13/2011	773.22
00028452	060300 FAVORITE FOODS INC	06/13/2011	156.26
00028453	061500 FOSTER'S DAILY DEMOCRAT	06/13/2011	258.24
00028454	070200 P GAGNON & SON INC	06/13/2011	10.72
00028455	070565 GORHAM LEASING GROUP	06/13/2011	96.56
00028456	070600 GEORGE GORMAN	06/13/2011	74.88
00028457	070912 GRANITE STATE ZOO	06/13/2011	885.40
00028458	071180 GROUP DYNAMIC INC	06/13/2011	165.00
00028459	191330 HANNAFORD'S	06/13/2011	456.35
00028460	080248 HANSCOM'S TRUCK STOP INC	06/13/2011	12,961.01
00028461	080450 HARVARD PILGRIM HEALTH CARE	06/13/2011	23,294.76
00028462	022665 C.E. HOLMES CONSTRUCTION	06/13/2011	450.00
00028463	080998 HOME DEPOT	06/13/2011	225.96
00028464	090120 INLAND FISHERIES & WILDLIFE	06/13/2011	785.00
00028465	090580 IRVING OIL	06/13/2011	20.98
00028466	100150 JANETOS MARKET	06/13/2011	246.16
00028467	100162 JCJ ARCHITECTURE	06/13/2011	22,500.00
00028468	100200 JEWETT/EASTMAN MEMORIAL COM	06/13/2011	239.00
00028469	100580 JUNIPER REALTY TRUST	06/13/2011	650.00
00028470	141367 KONE INC	06/13/2011	183.77

Check Number	Account	Date Paid	Amount
00028471	120970 LIBBY SCOTT INC.	06/13/2011	22,100.27
00028472	127000 CORRINE J MAHONY	06/13/2011	1,400.00
00028473	132400 MAINE SAD #35	06/13/2011	506,747.82
00028474	133375 MAINE ENERGY RECOVERY CO.	06/13/2011	6,683.13
00028475	133350 MARSHWOOD HIGH SCHOOL	06/13/2011	50.00
00028476	133358 W.B.MASON	06/13/2011	544.33
00028477	134665 MONTROSE-SANFORD HYDRAULICS	06/13/2011	363.45
00028478	134748 DENNIS MORIN BUILDING MOVER	06/13/2011	9,000.00
00028479	134754 MORIN STEEL INC	06/13/2011	299.25
00028480	140105 NAPA OF SOMERSWORTH	06/13/2011	69.40
00028481	141080 NEXTEL	06/13/2011	215.60
00028482	141300 NO.BERWICK LUMBER & HARDWARE	06/13/2011	2,191.73
00028483	141384 NORTHEAST PAGING	06/13/2011	24.16
00028484	200700 PIKE INDUSTRIES INC	06/13/2011	1,831.45
00028485	160692 POLAND SPRING	06/13/2011	87.51
00028486	161265 PORTSMOUTH FORD	06/13/2011	542.65
00028487	170000 QUILL CORPORATION	06/13/2011	252.96
00028488	180117 RAELYNN RAND	06/13/2011	50.00
00028489	180185 RCP LLC	06/13/2011	387.50
00028490	180388 RED JACKET RESORT	06/13/2011	150.80
00028491	180400 RED'S SHOE BARN INC	06/13/2011	359.96
00028492	210420 RESERVE ACCOUNT	06/13/2011	2,000.00
00028493	190094 SANEL AUTO PARTS CO	06/13/2011	129.45
00028494	190105 SANFORD RADIATOR	06/13/2011	354.40
00028495	191950 SO BERWICK HOUSE OF PIZZA	06/13/2011	126.80
00028496	192900 SO BERWICK WATER DISTRICT	06/13/2011	155.71
00028497	191875 TOWN OF SOUTH BERWICK	06/13/2011	250.00
00028498	192650 SO BERWICK SEWER DISTRICT	06/13/2011	78.00
00028499	193622 SPRINGER ELECTRICAL SERV INC	06/13/2011	4,959.80
00028500	193635 HEATHER STANLEY	06/13/2011	9.99
00028501	193640 STAPLES	06/13/2011	250.58
00028502	194300 SUNOCO/FLEET SERVICES	06/13/2011	46.49
00028503	180250 SYSCO:NORTHERN NEW ENGLAND	06/13/2011	399.20
00028504	200300 TAYLOR RENTAL	06/13/2011	48.00
00028505	020105 TRASK-DECROW MACHINERY	06/13/2011	358.90
00028506	133114 TREAS/STATE OF MAINE	06/13/2011	313.10
00028507	133105 TREASURER OF STATE/C.WPNS	06/13/2011	120.00
00028508	133107 TREAS.STATE OF MAINE/DEP	06/13/2011	134.00
00028509	133113 TREASURER OF STATE/ATV	06/13/2011	6,871.35
00028510	201236 TRI-CITY MASONRY	06/13/2011	15.90
00028511	201238 TRI-CITY TOOL CRIB	06/13/2011	57.77
00028512	201300 TWO-WAY COMMUNICATION SERV INC	06/13/2011	818.14
00028513	210320 UNIQUE LINES & DESIGNS	06/13/2011	80.00
00028514	210540 UNIVERSAL RECYCLING TECH, LLC	06/13/2011	127.54
00028515	210500 UNITED STATES POST OFFICE	06/13/2011	220.00
00028516	211500 VERIZON WIRELESS	06/13/2011	648.83
00028517	230300 WALMART COMMUNITY BRC	06/13/2011	487.67
00028518	230915 WHITED TRUCK CENTERS	06/13/2011	14.87
00028519	231210 JOHN WILLEY	06/13/2011	14.25
00028520	238000 XPRESS OF MAINE	06/13/2011	2,019.00
00028521	240900 YORK COUNTY REGISTRY OF DEEDS	06/13/2011	26.00
Total Not Prepaid			658,709.11
Total Prepaid			51,432.02
Grand Total			710,141.13

Check Number	-----Account-----	Date Paid	Amount
--------------	-------------------	-----------	--------

WARRANT NUMBER	\$ 710,141.13	DATE 06/09/2011
-----	-----	-----

* * * 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: June 13, 2011	Item # UB 1
Agenda Item: Discuss Friends of the Library's fund transfer	
Town Manager's Recommendation	
This item is added to discuss the mechanism for funds raised by the Friends of the Library to move to Town funds for use in the renovation contract(s).	
Requested Action	
Council wishes	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 13, 2011	Item # UB 2
Agenda Item: Authorize Town Manager to sign contract with Architects	
Town Manager's Recommendation	
<p>The Town Manager requests the authority to enter into an agreement with JCJ for bidding and negotiation services (\$4,150) and construction administration services (\$39,600) for the Library renovation project.</p>	
Requested Action	
<p>Motion to authorize the Town Manager to sign a contract with JCJ Architecture in the amount of \$43,750.00 for the purposes of bidding, negotiation and construction administration services.</p>	
Vote	

SCOPE OF SERVICES & FEE

Addition and Renovations

St. Michaels Church (revised with detail to Bidding and CA Services 6-6-11)

The purpose of this phase of the work will be to detail and document the proposed first phase addition of approximately 1600 SF, and interior improvements to the Church to provide publicly biddable documents, along with construction administration services. Integration of the previously complete Exterior Envelope drawings will be included to provide one, cohesive package for bidders. Professional services within this scope include Architectural, Mechanical, Electrical and Plumbing Engineering and Interior Design. The defined site boundary for the purposes of the documentation will extend 50 feet beyond the perimeter of the existing church. Total remaining fee: **\$124,150**

1. DESIGN DEVELOPMENT PHASE: \$40,000

- Based upon previously approved and presented Schematic Design drawings, and the budget as agreed upon, this phase of drawings will include further detailed drawings including plans, sections, elevations, typical construction details and diagrammatic layouts of building systems to fix and describe the size and character of the project as to architectural, mechanical, plumbing and electrical systems.
- All exterior and interior materials and components will be selected and agreed upon for inclusion in the construction documents. These will be presented for approval to the committee, organized around "exterior materials" and "interior materials" and will include samples of primary material recommendations.
- At 90% completion of Design Development, cost estimate and project schedule to be updated and reviewed with Committee.

Contracted

2. CONSTRUCTION DOCUMENTS: \$40,000

- Prepare all necessary drawings, details and specifications for completion of work for public bidding purposes. Drawings will include, but not limited to; floor plans, elevations, roof plan, wall sections, details, and specifications with quality level of materials and systems and other requirements for the construction of the project.
- JCJ to insert into documents design requirements to meet applicable building codes and ADA.

Contracted

3. BIDDING AND NEGOTIATION SERVICES: \$4,150

- JCJ will assist during bidding process, either by working with a local printer to distribute documents, working with the Town Hall staff to distribute documents, or by handling an electronic distribution of documents. Electronic distribution would be handled through the JCJ FTP site and would enable the Town to maintain control of documents and keep track of who has downloaded them.
- JCJ to attend pre bid walk through during bidding with potential contractors to describe the work and answer questions.
- JCJ to answer all questions (RFI – request for information) raised by bidders, distribute answers, and issue any required addenda and revised drawings as required to bidders.



- Assist the Town in the tabulation of bids and review of bid documents for conformance with bid requirements, and contact references of two or three lowest bidders for final recommendations.



2. CONSTRUCTION ADMINISTRATION SERVICES: \$39,600

- Make a bi weekly (or more as work necessitates) site visits to review construction in progress. The purpose is to be familiar with the progress and quality of the work and to determine if the work is in accordance with Documents. JCJ to provide written notes and distribute, from site visits.
- Review and approve samples, schedules, and shop drawings for conformance with the Contract Documents, as outlined in the Project Manual General Conditions. Maintain logs of such reviews.
- Prepare supplemental and explanatory drawings and sketches as required to clarify or amplify the Contract Documents.
- Review and approval of monthly contractor requisitions, proposal request and potential change orders, Maintain logs of such reviews.
- At substantial completion, prepare punch-lists of incorrect or incomplete work. Make final inspections to insure that all work has been completed, and that all systems are operational.
- Punch list preparation and final review of compliance with design and documents.

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: June 13, 2011	Agenda Item NB 1
Subject: Pepperland Café liquor license & special amusement permit	
Information:	
Attached is the liquor license renewal and special amusement permit applications.	
Staff Comments/Recommendation:	
After check of local records or calls, there is no problem with this request.	
Chief Dana P. Lajoie	
Requested Action:	
Motion to approve the renewal of Pepperland Café'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 6/20/11

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-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 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.) <u>Pepperland Cafe LLC</u> DOB: _____		2. Business Name (D/B/A) <u>Pepperland Cafe</u>	
DOB: _____		DOB: _____	
DOB: _____		Location (Street Address) <u>279 Main St.</u>	
Address <u>279 Main Street</u>		City/Town <u>South Berwick</u>	State <u>ME</u>
		Zip Code <u>03908</u>	Zip Code <u>03908</u>
City/Town <u>South Berwick</u>		State <u>ME</u>	Zip Code <u>03908</u>
Telephone Number <u>207.384.5535</u>	Fax Number <u>207.384.5535</u>	Business Telephone Number <u>207.384.5535</u>	Fax Number <u>207.384.5535</u>
Federal I.D. # <u>41-2176040</u>	Mailing Address <u>279 Main St.</u>		
City/Town <u>South Berwick</u>		State <u>ME</u>	Zip Code <u>03908</u>
Telephone Number <u>207.384.5535</u>	Fax Number <u>207.384.5535</u>	Business Telephone Number <u>207.384.5535</u>	Fax Number <u>207.384.5535</u>
Federal I.D. # <u>41-2176040</u>	Seller Certificate #		

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 \$ 354K LIQUOR \$ 164K
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: _____
8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: _____ Business hours: _____
9. Business records are located at: 279 Main St. South Berwick ME
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
Kevin Hahn		Hagatña Guam, USA
Lindsey Altshul		New York City, NY

Residence address on all of the above for previous 5 years (Limit answer to city & state)
Kevin Hahn - South Berwick, ME; Lindsey Altshul - Rye, NH

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: Lindsey Altshul Date of Conviction: 12/19/06
Offense: DUI Location: Portsmouth, NH
Disposition: Sentence reduced; license restored in 2007

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: Mill Pond Crap Realty Trust, 2417 Rosalind Avenue, Roanoke, VA 24014

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Restaurant w/ 32 seats in dining room and 18 seats in lounge. See diagram

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? 480' 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 ME on 23-May, 2011

Signature of Applicant or Corporate Officer(s)
Lindsey Altshul

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)
Kevin Hahn

STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)

On: _____
Date

The undersigned being: f Municipal Officers f County Commissioners of the
f City f Town f Plantation f 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 herby 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, c589, §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, c45, 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, c730, §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 receUpon 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: Pepperland Cafe LLC
Business D/B/A Name: _____
2. Date of Incorporation: 5/17/06
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
Kevin Hahn	see attached		50	Member
Lindsey Altshul			50	Member

6. What is the amount of authorized stock? none Outstanding Stock? _____
7. Is any principal officer of the corporation a law enforcement official? () YES () NO

**Pepperland Cafe LLC
On Premise Liquor License Renewal Application
Supplimentary Questionnaire for LLCs**

Question #5: List names and address for previous 5 years...

Kevin P. Hahn

19 Ogunquit Road
South Berwick, ME 03908

429 Main Street
South Berwick, ME 03908

Lindsey G. Altshul

1479 Ocean Boulevard, #3
Rye, NH 03870

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: Pepperland Cafe LLC

Address of Applicant: 279 Main St., South Berwick, ME

Telephone # of Applicant: 384.5535

Name of Business to be Conducted: Pepperland Cafe

Address of Business: 279 Main St., South Berwick ME

Telephone # of Business: 384.5535

Nature of Business: Restaurant

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

Type of Entertainment Planned: live 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 #: 5244

Signature Kendrick AS Date 5/23/11

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 13, 2011	Item # NB 2
Agenda Item: Warrant for Special Town Meeting	
Department Head Recommendation:	
<p>A Special Town meeting is required for any budget transfers in excess of \$10,000. The Highway budget overrun of \$85,000 is primarily due to winter costs and repairs of equipment. The Transfer Station overrun of \$13,000 is due to the increase in tipping fees at MERC.</p> <p>Any funds approved but not ultimately spent will revert back to the Undesignated Fund.</p> <p>Articles 8 through 21 approved at Town Meeting on June 7, 2011 will override the Town's LD1 limit of \$3,000,599. A revote is presented.</p>	
Town Manager's Recommendation	
Requested Action	
Sign warrant for Special Town Meeting on June 28, 2011 and order it posted.	
Vote	

WARRANT
TOWN OF SOUTH BERWICK, MAINE
SPECIAL TOWN MEETING

State of Maine

County of York, ss.

TO: JOSEPH ROUSSELLE, a Resident of South Berwick in the County of York,
State of Maine.

GREETINGS: In the name of the Town of South Berwick, you are required to notify the inhabitants of said Town, qualified to vote in Town affairs, to assemble in the Town Council Chambers in the Town Hall at 180 Main Street in said Town on Tuesday June 28, 2011 at 6:30 p.m., then and there to act on the following articles:

ARTICLE 1. To elect a moderator to preside at said meeting.

ARTICLE 2. To see what sum the Town will vote to appropriate and expend from the Undesignated General Fund Balance to cover the unexpected overdraft in the Highway budget for 2010/11.

TOWN COUNCIL RECOMMENDS: \$85,000 from Undesignated General Fund.

ARTICLE 3. To see what sum the Town will vote to appropriate and expend from the Undesignated General Fund Balance to cover the unexpected overdraft in the Transfer Station budget for 2010/11.

TOWN COUNCIL RECOMMENDS: \$13,000 from Undesignated General Fund.

ARTICLE 4. To see if the Town will vote to rescind Article 21 approved at the Town Meeting on June 7, 2011 and instead, vote to apply from Excise Taxes, Non-Tax General Fund Revenues, Revenue Sharing, BETE Reimbursement, Homestead Exemption Reimbursement and Undesignated Fund transfer to use toward the 2011/2012 Budget Appropriations approved at the Town meeting on June 7, 2011 via Articles 8 through 20, inclusive, thereby decreasing the amount to be raised by taxation.

TOWN COUNCIL RECOMMENDS THE FOLLOWING APPLICATIONS:

Excise Taxes	\$1,000,000
Non-Tax General Fund Revenues	662,042
State Revenue Sharing	375,000
Homestead Exemption Reimbursement	125,000
BETE Reimbursement	12,000
Undesignated Fund Transfer	100,000
Total	\$2,274,042

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 5. To see if the Town will vote to increase the property tax levy limit of \$3,000,599 established for the Town of South Berwick by State law for the 2011/2012 Municipal budget approved on June 7, 2011 via Articles 8 through 20, inclusive and Article 4 above.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 6. To see if the Town will vote to adjourn the Special Town Meeting.
Given under our hands this 13th day of June 2011.

David Burke

Jean Demetracopoulos

Gerald W MacPherson Sr.

David H Webster

John Kareckas

WARRANT
TOWN OF SOUTH BERWICK, MAINE
SPECIAL TOWN MEETING

State of Maine

County of York, ss.

TO: JOSEPH ROUSSELLE, a Resident of South Berwick in the County of York,
State of Maine.

GREETINGS: In the name of the Town of South Berwick, you are required to notify the inhabitants of said Town, qualified to vote in Town affairs, to assemble in the Town Council Chambers in the Town Hall at 180 Main Street in said Town on Tuesday June 28, 2011 at 6:30 p.m., then and there to act on the following articles:

ARTICLE 1. To elect a moderator to preside at said meeting.

ARTICLE 2. To see what sum the Town will vote to appropriate and expend from the Undesignated General Fund Balance to cover the unexpected overdraft in the Highway budget for 2010/11.

TOWN COUNCIL RECOMMENDS: \$85,000 from Undesignated General Fund.

ARTICLE 3. To see what sum the Town will vote to appropriate and expend from the Undesignated General Fund Balance to cover the unexpected overdraft in the Transfer Station budget for 2010/11.

TOWN COUNCIL RECOMMENDS: \$13,000 from Undesignated General Fund.

ARTICLE 4. To see if the Town will vote to increase the property tax levy limit of \$3,000,599 established for the Town of South Berwick by State law for the 2011/2012 Municipal budget approved on June 7, 2011 via Articles 8 through 21, inclusive.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 5. To see if the Town will vote to adjourn the Special Town Meeting.

Given under our hands this 13th day of June 2011.

David Burke

Jean Demetracopoulos

Gerald W MacPherson Sr.

David H Webster

John Kareckas

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 13, 2011	Item # NB 3
Agenda Item: Set Public Hearing for Zoning District Boundary Amendments	
Town Manager's Recommendation	
<p>The Planning Board is recommending amendments to the Zoning District Boundary in the R1 Zone. Additionally, there is an administrative change to the R3 and R4 Zone to reflect the road name change from Knights Pond to Harvey.</p>	
Requested Action	
Motion to set a Public Hearing on June 28 th at 6:45pm.	
Vote	

Roberta Orsini

From: Kate Pelletier
Sent: Tuesday, May 24, 2011 3:58 PM
To: Roberta Orsini
Subject: Zoning District Amendments
Attachments: Final draft zoning map 5-24-11.pdf; Final Text 5-24-11.docx; R2 to R1.xls

Hi Roberta,

The Planning Board would like to submit the attached amendments to zoning district boundaries to the Council for action. The attached spreadsheet is for informational purposes only and is not intended to be part of the amended text and map. It just shows a comparison of how the uses/dimensional requirements would change for the affected lots.

I'm not sure if it's easier for you to receive these electronically or if you'd prefer hard copies, but I can certainly print and assemble the pages if you'd like, just let me know.

Thanks!

Kate Pelletier
Planning Coordinator
Town of South Berwick
180 Main St.
South Berwick, ME 03903
Telephone: (207) 384-3300
Fax: (207) 384-3303

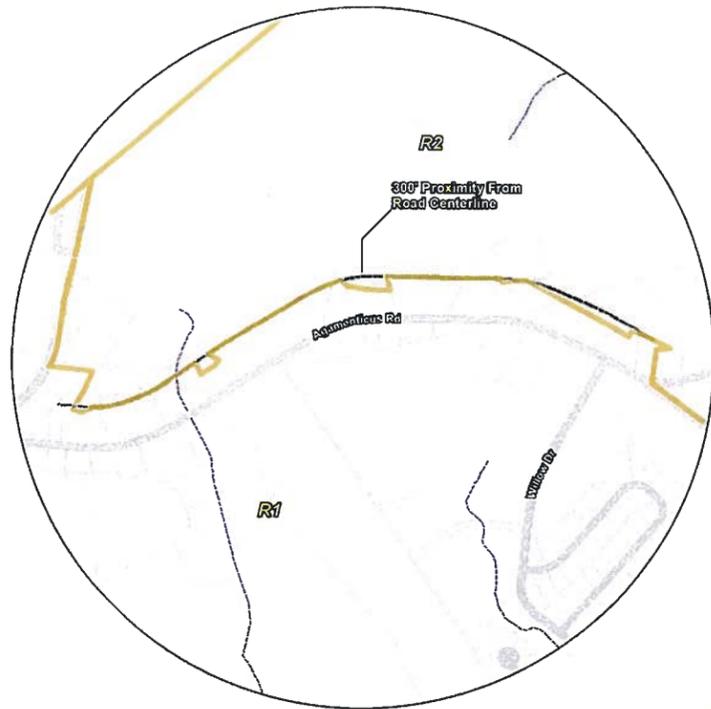
AMENDMENTS TO ZONING DISTRICT BOUNDARIES ON A PORTION OF AGAMENTICUS ROAD

Amend Sec. 140-12. District Boundaries as follows:

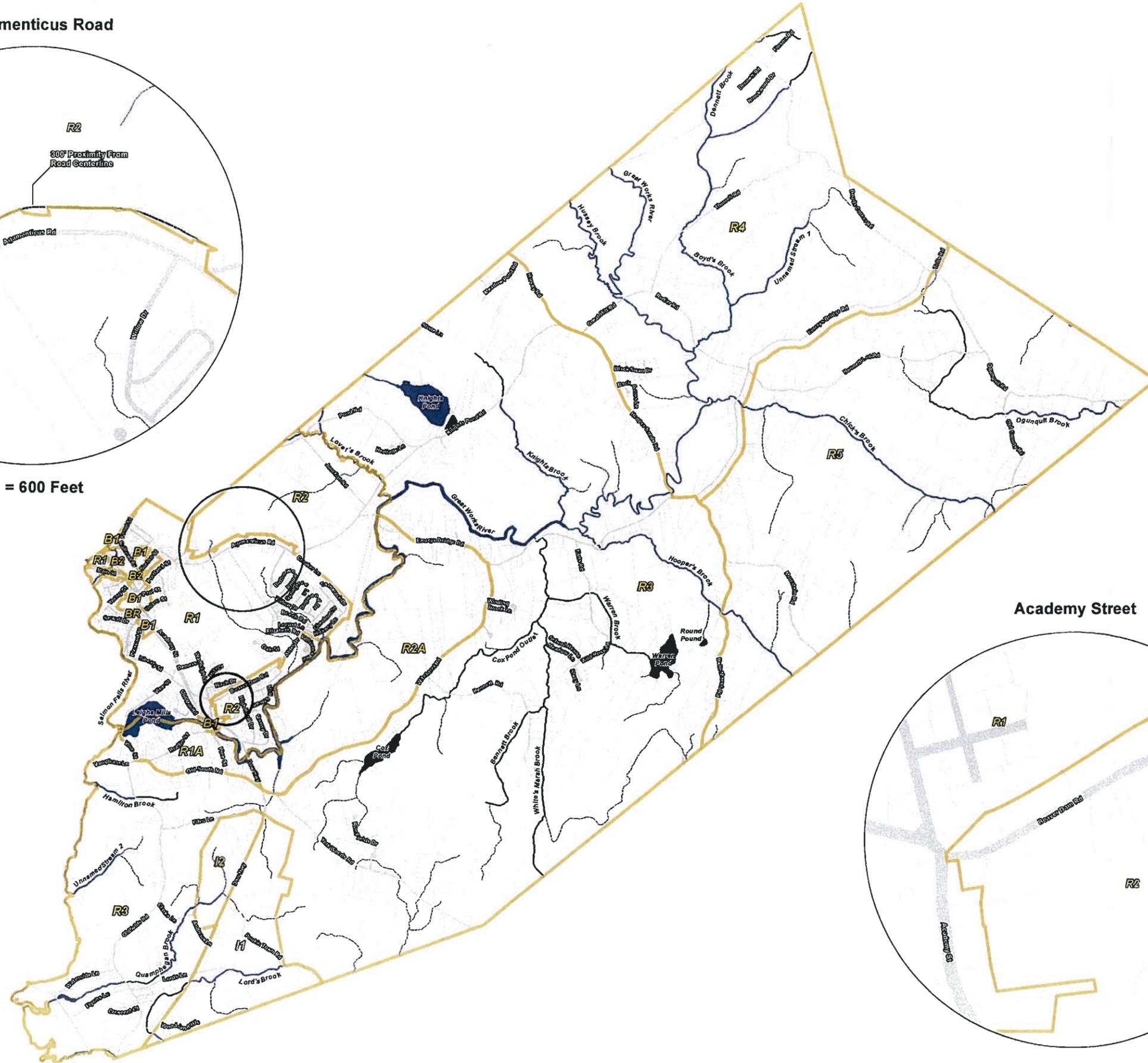
***New Text Underlined**

- C. Village Residential District - R1: that land immediately surrounding the village more particularly bounded: beginning at the thread of the Salmon Falls River on lower Main Street and proceeding downstream to the confluence of the Great Works and Salmon Falls River below Leighs Mill Pond; then proceeding in an easterly direction through the center of Leighs Mill Pond and the thread of the Great Works River to the bridge on Brattle Street then extending 200 feet on Brattle Street in a northerly direction to the intersection of Route 236; then following the center line of Route 236 for 200 feet to the intersection of Academy Street; then proceeding along the center line of Academy Street for approximately 800 feet whereupon the boundary shall extend 300 feet northeasterly or to the rear lot line, whichever is closest from the center line to the intersection of Academy Street and Drury Lane; including Map 7 Lot 13B; then proceeding in an easterly direction then northerly along the westerly side of Map 32, Lot 71 to the northwest corner of the lot; then along the rear lot lines of Map 32, Lots 53 - 71 in the Old Mill Subdivision; then proceeding down the side lot line of Lot 53 to the intersection of Alder Drive; then extending down the center line of Alder Drive to the intersection of Hickory Lane; at Hickory Lane extending 129 feet along the lot line abutting Alder Drive and then continuing along the rear lot lines of Map 35, Lots 5 - 10; then proceeding across the outlet stream to the Great Works River to the rear of Map 35, Lot 14; then proceeding along the rear lot lines of Map 35, Lots 14 - 40. At the northwest corner of Map 35, Lot 40 extending to the center line of Crooker Lane; then proceeding down the center line of Crooker Lane to the intersection of Agamenticus Road; in a northwesterly direction to Agamenticus Road then continuing in a southwesterly direction along the whereupon the boundary shall extend 300 feet northeasterly or to the rear lot line which ever is closest from the center line of Agamenticus Road to a point 275 feet northeasterly from the intersection with Portland Street; then proceeding in a northerly direction along a line 275 feet southeast of and parallel to the Portland Street center line to the Berwick Town line northern edge of Tax Map 29, Lot 20; then along the common lot line of Tax Map 29, Lots 20 and 19, to the center line of Portland Street; then proceeding in a northerly direction along the center line of Portland Street to the Berwick Town line; then proceeding in a northerly then westerly direction along the Berwick Town line until the point of beginning; excepting those lands which are described in Zoning Districts B1, B2 or BR.
- G. Transitional Residential District - R3: all land bounded by a point beginning on Harvey Knights Pond Road at the North Berwick Town line and proceeding along the center line of Harvey Knights Pond Road in an easterly direction to Hooper Sands Road; then proceeding along the center line of Hooper Sands in an easterly direction to Emery's Bridge Road; then continuing north along the center line of Emery's Bridge Road to the intersection of Belle Marsh Road; then proceeding in a southerly direction along the center line of Belle Marsh Road to the York Town line; then proceeding in a southwesterly direction along the York and Eliot Town lines to Shorey's Brook and the Salmon Falls River; thence proceeding in a northerly direction to the confluence of the Salmon Falls and Great Works River; excepting those lands which are subsequently described in another zoning district.
- H. Rural Residential District - R4: all land bounded by a point beginning on Harvey Knights Pond Road at the North Berwick line and following the northern side for the R-3 District just described along Hooper Sands Road to the intersection of Emery's Bridge Road; at Emery's Bridge Road, extending in a northerly direction to the intersection of Belle Marsh Road, whereupon the boundary shall extend 300 feet to the southeast from the center line of Emery's Bridge Road and continue in a northerly direction to the intersection of Ogunquit Road; at Ogunquit Road proceeding along the center line in a southeasterly direction for 500 feet to the intersection of Tufts Road; then proceeding along the center line of Tufts Road to the Wells line; then continuing in a northerly direction along the Wells Town line to a point joining the Towns of Wells, North Berwick, and South Berwick; then proceeding

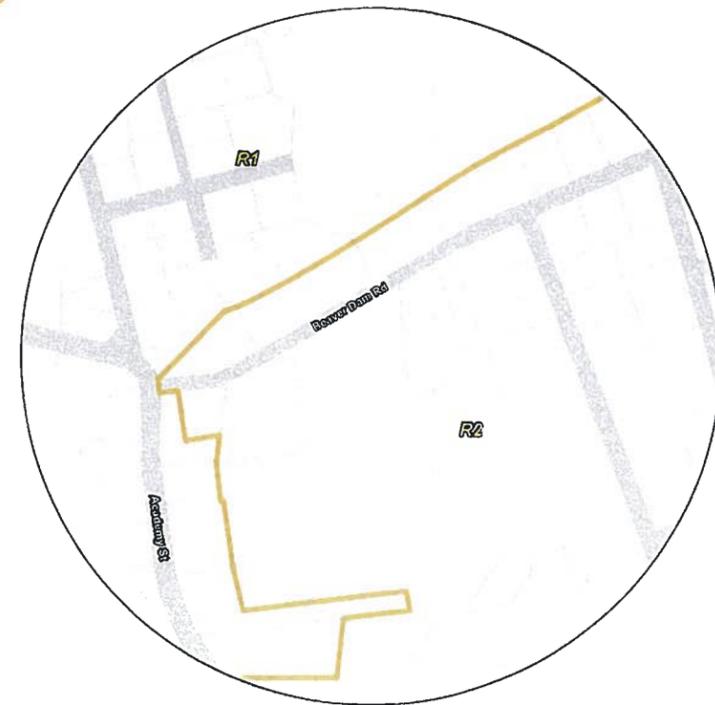
Agamenticus Road



1" = 600 Feet



Academy Street



1" = 250 Feet

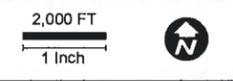


Zoning District Amendments

Map Legend

- Property Boundary
- General Zoning
- Waterbody
- River, Stream, Brook
- Discontinued Road
- Town Road

Scale and Orientation



Use Disclaimer

Disclaimer: The Town of South Berwick shall not be held liable for discrepancies in land conveyance based on the content of these maps. These maps are for planning purposes only. Copyright Town of South Berwick. Map revised to August of 2010.

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 13, 2011	Item # NB 4
Agenda Item: WASHER AND DRYER TO CLEAN TURNOUT GEAR	
Department Head Recommendation: type name here GEORGE GORMAN	
<p>COMMERICAL WASHER AND DRYER TO CLEAN TURNOUT GEAR AFTER STRUCTURE FIRES, AND WHEN THE GEAR HAS BEEN CONTAMINATED WITH CHEMICALS AND OTHER MATERIAL.</p> <p>OUR COST FOR THE GRANT WILL BE \$ 865.00. MONEY FOR THESE TWO ITEMS ARE ALREADY IN THIS YEARS BUDGET (2012)</p>	
Town Manager's Recommendation	
<p>Recommend to proceed with the grant.</p>	
Requested Action COUNCIL APPROVAL	
Vote	

Project Description

The Town Of South Berwick Maine Fire Department (herein referred to as the department) is applying for federal assistance under the 2011 Assistance to Firefighters Grant Program (AFG). The department is seeking assistance to purchase a washer/extractor and a drying cabinet to properly maintain our turn-out gear so we will be in compliance with NFPA standard 1851.

Obtaining this equipment will insure that our firefighters will not come into contact with hazardous materials that may be left on their gear that could endanger their health. It will also extend the useful service life of the turn-out gear.

Currently the department shares a small washing machine and dryer with the ambulance squad. This seven (7) year old machine is one that would be used in a home. The washer is programmed to use very little water so the turn-out gear does not get thoroughly cleaned. The Rescue squad also uses these machines to wash and dry their sheets and blankets that they use to cover patients.

If the town receives this grant, the rescue squad will have sole use of the older washer/dryer. This will prevent their sheets and blankets from being contaminated with residue from the turn-out gear.

Being in New England, the department faces extended periods of extreme harsh winter weather, and cannot properly wash and dry gear during these times. This is effecting the turnaround time between incidents in order to return the gear back into service. The department cannot send firefighters out into below zero weather with wet turn-out gear on, which is another health and safety issue.

Town History and Statistics:

The Town of South Berwick is located in the State of Maine in Southern York County, bordering the State of New Hampshire on its south-west side. Geographically, is approximately 70 miles north of Boston, MA and 45 miles South of Portland, ME. The town was incorporated in 1814 and presently has a population of 7200 (2010 Census) residents. The department's first due area encompasses 32.7 square miles and 69 miles of town maintained roads. Although South Berwick is primarily residential, South Berwick does have some very small business and light manufacturing facilities.

The department is classified as a municipal fire department with (38) paid on call officers and firefighters operating out of one station located in the village area. The department provides fire suppression, haz-mat response, fire prevention education and inspection services, and arson investigations. Our firefighters are trained to NFPA 1001 with 85% holding Firefighter 1 and 45% at level 2 certifications and the remaining staff meets State of Maine, Department of Labor structural firefighting standards. The Town is currently 100% compliant with all current mandated NIMS compliance requirements.

Fire department current apparatus fleet consists of:

- (2) Engines
- (1) Quint
- (1) 3000 gal Tanker
- (1) Forestry unit
- (1) Utility vehicle
- (1) Lighting Unit/Generator

In 2010, the department responded to 369 calls; which were comprised of (12) Structure fires, (52) Motor vehicle accidents, (20) vegetation fires, (5) Hazardous Materials, (54) Alarm Activations, (30) Assist the Ambulance and (144) other calls. The department actively participates in the local Community Mutual Aid System involving (10) other communities encompassing over 150,000 in population and a total mutual aid response area of 395 square miles. The department provided mutual aid assistance 52 times and received assistance on 28 occasions.

Within the primary response area, the department has responsibility for the following critical infrastructure:

Transportation:

Route 236, a North/South state highway from Kittery Maine to the town of Berwick Maine passes through the town with over 14,000 vehicles a day using this road. Route 4 another state highway passes East/West through the town with over 8000 vehicles traveling this road daily.

Route 236 and Route 4 are two lane highways with around 29 million tons of products flow into and out of the State on these two roads; 16 % of those commodities being hazardous materials.

There is one rail line that runs through South Berwick from Portland ME to Boston MA of which 5 miles are within our 1st response area. There are three grade crossings, one being a two lane highway (Rt. 236) and the other two being residential of which 25,550 rail cars a year carrying all types of products to the northern and eastern parts of the state use this rail line. Sixteen percent (16%) of these rail cars carry hazardous materials. This same track also allows for passenger service from Boston to Portland by Amtrak making eight trips daily.

The department's response areas have these additional critical infrastructures:

- Seabrook Nuclear Power Station produces 1,094 Mega Watts of power, enough to supply 900,000 homes with power and is located in Seabrook NH
- Pease Air National Guard base home of the 157th Air Refueling Wing is located and involves the KC-135R Stratotanker missions.
- Portsmouth Naval Shipyard overhauls US Navy Nuclear powered submarines.
- Defense contractor Pratt & Whitney where aircraft engines used by the Department of Defense are built in North Berwick, Maine.
- Five major hospitals.

We are requesting funds to obtain a washer/extractor and drying cabinet to allow for proper maintenance of the gear in compliance with NFPA standard 1851 governing the proper care and maintenance of personal protective equipment. We have never owned any equipment capable of properly maintaining our turnout gear and have had to rely upon non-compliant methods in our attempts to clean or maintain our existing gear.

Project Budget

1-Washer/extractor @ \$8,500

1-Drying cabinet @ \$8,800

Total Project Budget = \$17,300

Minus 5% local match= \$ 865.00

TOTAL REQUESTED AFG FUNDING= \$ 16,435

We are cognizant of and current with all required reporting for AFG and will continue to comply diligently and in a timely manner as a condition of this award. We will follow all local procurement policies in seeking this equipment and if cost savings are realized they will be disposed of in the manner consistent with AFG Program Guidance.

Financial Need:

With the current state of the national economy we are of course suffering as are all the fire departments in this country.

The State of Maine has changed its funding contributions to the local towns in a variety of ways. MRSA 30-A (5721-A), known as LD#1 regulates the total amounts that can be raised locally by taxes. This law is linked to a state wide growth factor along with local growth factor based on an increase in new municipal valuation. State Revenue Sharing funds are sent to the town on a predetermined funding cycle based on state collections. The amounts for FY10/FY 11 have been reduced thereby further reducing our ability to maintain continuity of

services without the financial resources required to deliver the same.

The demands for fire protection and emergency response continue to increase for the fire department and other town services as well. Unfortunately, department budgets have not been afforded the needed increases to meet those growing demands.

Town Budget For The Year 2010/2011:

\$ 5,140,887 Towns operating budget *Note: Our budget for 2011/2012 is not prepared at this time.*

\$ 6,165,839 Education (School Administrative Unit)

Town operating budget (Major Departments only)

\$ 705,464 Police Department

\$ 636,073 Public Works

\$ 824,939 Administration and benefits

\$ 350,192 Refuse and Transportation

\$ 168,937 Fire Department

Note: \$129,085 dollars of the Fire Department Budget is dedicated to salaries. We operate on \$ 39,852

Cost / Benefit:

The community will benefit from this grant by:

- Not having to replace turn-out gear every ten years.
- Washing and maintaining the gear will extend the life of the gear ten or more years depending on usage.
- Benefit the firefighter's families to know that their loved ones will not come into contact with contaminated gear that may cause them health problems in the future.
- If a firefighter does come down with health problems related to contaminated gear, the cost to the town would far outweigh the cost of the washer/extractor.

In Conclusion:

Proper and safe PPE is the most basic equipment required of any firefighter. We need to be able to properly care for our turnout gear to prolong its useful life. We desire to operate within the safety compliance factors of NFPA regulations in properly caring for this equipment and at present, we cannot do so. Once a gear washer/extractor are obtained this will allow us to do so.

We believe our project is cost effective and reasonable for the purchase of this equipment which is in keeping with the priorities of this program.

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: June 13, 2011	Item NB 5
Agenda Item: REPLACEMENT OF AIR BOTTLES AND A BREATHING AIR FILLING STATION	
Department Head Recommendation: type name here GEORGE GORMAN	
REPLACE 34 AIR BOTTLES AND SET UP AN AIR FILLING STATION WITH AN AIR COMPRESSOR TO FILL THE BOTTLES.	
THE TOWNS COST OF THIS PROJECT WILL BE \$ 3,370. THERE WILL BE MONEY IN THE DEPARTMENT APPROVED CIP FOR THIS YEAR. (2012)	
Town Manager's Recommendation	
<p>The 2012 CIP has \$3400 for the purchase of 4 air bottles.</p> <p>The 2013 CIP has \$25,000 for the purchase of the rest of the bottles. I recommend proceeding with these grant request.</p>	
Requested Action COUNCIL APPROVAL	
Vote	

Project description:

The Town of South Berwick Maine Fire Department (herein referred to as the department) is applying for federal assistance under the 2011 Assistance to firefighters Grant Program (AFG). A risk assessment of our air cylinders and our inability to provide a means to fill these cylinders in a timely fashion is creating a critical health and safety issue for our firefighter's and our ability to provide critical services to our citizens.

Specifically, the department is seeking assistance to purchase thirty four (34) new 4500 psi (SCBA) air bottles and a breathing air filling station.

The air bottles have reached their fifteen year life span and will no longer be able to be hydro-static tested or filled after 2012; all seventeen air-packs were up-graded to the NFPA 2007 standard last year.

There will be a new bottle and one spare bottle for every air-pack. This will provide sufficient SCBA for each member who is exposed to respiratory hazards while at the incident scene, improving firefighter's personal safety which is consistent with established program priorities.

The breathing air filling station will be installed in the fire station which will allow firefighters to return the air bottles back in service immediately during and after an incident which currently prevents us to provide FULL refilled cylinders putting firefighter's personal safety and the residents of our community at a greater risk. The air supply system will improve firefighter safety by immediately filling them in-house and reducing the amount of handling, also promoting interoperability with neighboring communities by having another location that can fill air bottles for our 10 city/town mutual aid pact.

Presently, an appointment has to be made with another department that is six (6) miles away to get the cylinders refilled after calls, which at times has placed the department in non-compliance with State and Federal Labor Laws by not having a spare cylinder readily available for each pack. This along with the pressure difference in the fill bottles results in improper refilling of our cylinders which cannot be filled to capacity thereby increasing the risk to our firefighter's personal safety during each incident.

The Community Mutual Aid Association consists of ten (10) communities which uses a mobile air unit to respond to incident scenes. This unit is operated by another fire department which deploys the unit by using on duty firefighters, upon request, and when available. However, on several occasions the unit has failed to arrive due to a lack of available personnel or the unit is already committed to another community thereby jeopardizing our firefighter's personal safety and increasing the risk to the community.

During emergencies, the air cylinders are filled from the mobile air unit at the scene if available and are filled at a faster fill rate creating a safety and capacity issue when the cylinder is cooled. The results are:

- A decrease in cylinder air level and not at the 4500 psi level
- Cylinders needing transport over public roadways, by department staff, to a central refilling station in the next State.
- Down time
- Equipment, personnel and vehicle out of town and unavailable for emergencies
- Increase in operational risks

These cylinders are left at the fill station for topping off when staffing is available, thereby placing those cylinders out of service and not available for hours and even days at a time, seriously jeopardizing Firefighter's personal safety.

The lack of an in-house air filling system prevents the department's ability to ensure that the air cylinders are properly filled to capacity and immediately available at all times.

The air filling station will meet NFPA 1901, 1500 and 1852 and all applicable Federal, State and OSHA requirements. This will provide the department with a safe and immediate air supply, insuring that all SCBA units and spare cylinders are placed back in full service and FILLED immediately; preventing any possibility of contamination.

The manufacturer of the breathing air fill station will provide all the necessary training to the members of the

department so they will be qualified to run this system. SCBA units are only effective to the user if they are filled to capacity.

The Department follows NFPA 1404 in initial and yearly refresher of self-contained breathing apparatus training programs and will now include Fill Station training as part of that yearly program should funding be approved.

This request will address a Health & Safety risk involving respiratory protection for every firefighter at an incident by providing a breathing air system in house which will allow for immediate air cylinder filling while preventing the need to transport these air cylinders over the roadways, thereby reducing the firefighters' personal safety and risk to the community while promoting interoperability with neighboring communities which encompasses Ten Cities and Towns.

Town History and Statistics:

The Town of South Berwick is located in the State of Maine in Southern York County, bordering the State of New Hampshire on its south-west side. Geographically, South Berwick is approximately 70 miles north of Boston, MA and 45 miles South of Portland, ME. The town was incorporated in 1814 and presently has a population of 7200 (2010 Census) residents. The department's first due area encompasses 32.7 square miles and 69 miles of town maintained roads. Although South Berwick is primarily residential, South Berwick does have some very small business and light manufacturing facilities.

The department is classified as a municipal fire department with (38) paid on call officers and firefighters operating out of one station located in the village area. The department provides fire suppression, haz-mat response, fire prevention education and inspection services, and arson investigations. The department's firefighters are trained to NFPA 1001 with 85% holding Firefighter 1 and 45% at level 2 certifications and the remaining staff meets State of Maine, Department of Labor structural firefighting standards. The Town is currently 100% compliant with all current mandated NIMS compliance requirements.

Fire department current apparatus fleet consists of:

- (2) Engines
- (1) Quint
- (1) 3000 gal Tanker
- (1) Forestry unit
- (1) Utility vehicle
- (1) Lighting Unit/Generator

In 2010, the department responded to 369 calls; which were comprised of (12) Structure fires, (52) Motor vehicle accidents, (20) vegetation fires, (5) Hazardous Materials, (54) Alarm Activations, (30) Assist the Ambulance and (144) other calls. The department actively participates in the local Community Mutual Aid System involving (10) other communities encompassing over 150,000 in population and a total mutual aid response area of 395 square miles. The department provided mutual aid assistance 52 times and received assistance on 28 occasions.

Within the primary response area, the department has responsibility for the following critical infrastructure:

Transportation:

Route 236, a North/South state highway from Kittery Maine to the town of Berwick Maine passes through the town with over 14,000 vehicles a day using this road. Route 4 another state highway passes East/West through the town with over 8000 vehicles traveling this road daily.

Route 236 and Route 4 are two lane highways with around 29 million tons of products flow into and out of the State on these two roads; 16 % of those commodities being hazardous materials.

There is one rail line that runs through South Berwick from Portland ME to Boston MA of which 5 miles are within our 1st response area. There are three grade crossings, one being a two lane highway (Rt. 236) and the other two being residential of which 25,550 rail cars a year carrying all types of products to the northern and

eastern parts of the state use this rail line. Sixteen percent (16%) of these rail cars carry hazardous materials. This same track also allows for passenger service from Boston to Portland by Amtrak making eight trips daily.

The department's response areas have these additional critical infrastructures:

- Seabrook Nuclear Power Station produces 1,094 Mega Watts of power, enough to supply 900,000 homes with power and is located in Seabrook NH
- Pease Air National Guard base home of the 157th Air Refueling Wing is located and involves the KC-135R Stratotanker missions.
- Portsmouth Naval Shipyard overhauls US Navy Nuclear powered submarines.
- Defense contractor Pratt & Whitney where aircraft engines used by the Department of Defense are built in North Berwick, Maine.
- Five major hospitals.

The Department used approximately 300 air cylinders last year at emergency calls and training classes.

Note: The department has 38 members; each firefighter is fit tested and medically evaluated on a yearly basis and is assigned their own SCBA mask for personal hygiene reasons and are responsible for its inspection on a monthly basis.

Firefighter and Community Risk:

NFPA 1404 (section 3-1.2 criteria for use) recommends that "all members who are exposed to respiratory hazards, or who might be exposed to such, hazards without warning, shall have respiratory protection equipment readily available for use ". Without assistance from the Fire Grant program the department's firefighters and community will continue to be at extreme risk, due to the lack of availability to properly refill bottles from an approved breathing air supply system in a timely fashion.

South Berwick has two major traffic routes used by the transportation industry for bulk shipments as well as one main line railroad which all transport large quantities of hazardous materials.

This request, if approved, will assist the department in complying with NFPA standards and OSHA laws. It will provide a means to supply an approved breathing air system to immediately refill cylinders, reducing risk to the firefighter's personal safety and the safety of the residents of South Berwick and surrounding communities.

Financial Needs: BUDGET YEAR 2010/2011

\$ 5,140,887 Towns Operating Budget *Note: Our budget for 2011/2012 is not prepared at this time*
\$ 6,165,839 Education (School Administrative Unit)
Town operating budget (Major Departments only)
\$ 705,464 Police Department
\$ 636,073 Public works
\$ 824,939 Administration and Benefits
\$ 350,192 Refuse and Transportation
\$ 168,937 Fire Dept.

Note: \$129,085 dollars of the Fire Department budget is dedicated to SALARIES. We operate on \$39,853

The demands for fire protection and emergency response continue to increase for the fire department and for other town services as well. Unfortunately, department budgets have not been afforded the needed increases to meet those growing demands. The town has experienced a high growth issue over the past several years, which has only served to increase the strain on town services without significant expansion of the tax base.

At this time South Berwick is experiencing hard times like most communities all over the country due to the economy. With so many needs, many Federal and State mandated, the town cannot afford to provide the department with additional funding for the needed equipment, therefore putting our firefighter's safety at an increased risk.

Cost/Benefits Analysis:

Replace thirty four (34) 4500 psi air bottles at \$ 850 dollars each for a total of \$ 28,900 dollars

Purchase a complete and installed approved Breathing Air Filling System meeting current NFPA, OSHA and CGA standards for refilling of SCBA cylinders: \$ 38,500

The cost of the project will be \$67,400 and are requesting 95% of this amount with the town's portion being \$ 3,370 dollars.

All of the requested funding will go toward the direct equipment purchase, and no money is being requested to fund any indirect or administrative cost.

This will be a huge benefit to the other Fire Departments that are members of our mutual aid system. They will be able to come to our station to have their air bottles filled when the other filling systems are out of service or down for maintenance.

The department will be using more air bottles at structure fires in the future, a new S.O.G. mandates that air-packs must be used during overhaul until there is no visible smoke or fire showing and the air quality has been checked for contaminants.

The department has received support from the Town of South Berwick Board of Selectmen for this request, as they recognize a critical need exists to remove any unsafe conditions and increased risk to our firefighters and the community due to the lack of local funding.

The benefits to the town are:

- Improved firefighter personal health & safety
- Reduced risk to our residents by having all available breathing apparatus readily available
- Up to date bottles that are filled to the proper pressure for the firefighters while performing the department's mission critical services
- Up to date firefighter's respiratory protection program
- Immediate approved breathing air supply system to support our firefighters and community.

In Conclusion:

We feel we are an outstanding candidate for this grant as we will not be in full compliance with NFPA standards & OSHA laws due to the lack of funding availability to obtain new air bottles and a breathing air supply system, thereby putting our firefighter's personal safety and the residents of our community' at an increased risk.

We are the ideal recipient for this grant and will dedicate ourselves 100% while giving our full measure in complying with NFPA standards and OSHA regulations while working towards eliminating all hazards and risks to our firefighter's personal safety and the community in the performance of our mission.

The department follows NFPA 1001 in our firefighter level 1&2 programs and we presently have about 85 % staff at firefighter 1 level and 45% at level 2, so no addition training funding is being requested for this area at this time.

The State of Maine Bureau of Labor Standards requires firefighters to be trained to the duties the employee is expected to perform and ALL South Berwick Firefighters meet that requirement.
