

## South Berwick Town Council November 29, 2011

Chairman Gerald W. MacPherson, Sr. called the meeting to order at 6:32pm. Councilors present included, David Burke, Jean Demetracopoulos, David H. Webster, and John C. Kareckas. Town Manager Perry Ellsworth was also in attendance.

### Approval of Minutes

1. Board of Assessors 11-15-11: On a motion by Mr. Kareckas, seconded by Mr. Webster, it was unanimously voted to adopt the minutes as written.
2. Council 11-15-11: On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the minutes as written.

### Treasurer's Warrant – Nov 22, 2011

On a motion by Mr. Burke, seconded by Mrs. Demetracopoulos, it was unanimously voted to sign the warrant of November 22<sup>nd</sup> in the amount of \$164,398.30.

### Public Comment

No one in the audience wished to address Council.

### Town Manager's Report

-Commented that the library project is moving along and should be on schedule for completion by December 31<sup>st</sup>. Cost to date is \$1.58 million.

### Council Member Comments

1. Mr. Kareckas:

-Stated that he heard that the Christmas Parade went well.

**-Commented that the Shorey's Brook Dam Project (private) is underway. He added that the erosion problem has been corrected and should increase the ability of fish to swim upstream to spawn.**

-Made note of a legislative bill being introduced by Representative Pingree for funding to study the York River watershed.

2. Mr. Webster:

-Made note that the Community Chorus will be performing this weekend.

-Commented that George and Marion Muller have expressed their concerns with the lack of speed enforcement on Portland Street and requested that the issue be discussed again.

3. Mrs. Demetracopoulos:

-Made note of Home for the Holidays and the **Women's Art Sale this weekend.**

-Commented about a rumor that has been circulating in regard to whether the Town Manager is leaving. She stated that he is not leaving; he had a great performance review. She added that dealing with rumors is a waste of time and draining on staff.

4. Mr. Burke:

-Commented that we had another excellent Christmas Parade. He also made note that the Home for the Holidays celebration is becoming more widely known.

5. Mr. MacPherson:

-Commented that he and his wife noticed that all of the holiday lights are working and look great.

On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to recess the meeting at 6:47pm to accommodate 2 workshops.

On a motion by Mrs. Demetracopoulos, seconded by Mr. Kareckas, it was unanimously voted to reconvene the Council meeting at 7:56pm.

**EXECUTIVE SESSION**

On a motion by Mrs. Demetracopoulos, seconded by Mr. Burke, it was unanimously voted to enter executive session at 7: 57pm pursuant to 1MRSA §405.6A to discuss the Manager's review and contract.

The following was reported to the Clerk:

On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to end the executive session at 8: 45pm.

**Adjournment**

On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to adjourn the meeting at 8: 46pm.

Attested:

Barbara Bennett, CCM

DRAFT

TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	-----Account-----	Date Paid	Amount
00028676	022503 SHARON BRASSARD	12/13/2011	-10.99
00028809	022503 SHARON BRASSARD	12/13/2011	-24.92
00029474	133035 TREAS/STATE OF MAINE/LICENSING	12/13/2011	-230.00
00029478	021770 BNY MELLON	12/13/2011	2,724.65
00029479	132500 SECRETARY OF STATE M/V	12/13/2011	15,896.83
00029480	133035 TREAS/STATE OF MAINE/LICENSING	12/13/2011	160.00
00029481	133035 TREAS/STATE OF MAINE/LICENSING	12/13/2011	70.00
00029482	132500 SECRETARY OF STATE M/V	12/13/2011	6,124.10
00029483	189999 REFUNDS	12/13/2011	229.00
00029484	189999 REFUNDS	12/13/2011	117.00
00029485	010285 ADMIRAL FIRE & SAFETY INC	12/13/2011	209.79
00029486	010336 AGGREGATE RECYCLING CORP	12/13/2011	2,993.40
00029487	011250 TREASURER, STATE OF MAINE	12/13/2011	61.00
00029488	020790 APPLIED INDUSTRIAL TECH	12/13/2011	11.42
00029489	011495 ATLANTIC RECYCLING EQUIP LLC	12/13/2011	90.92
00029490	020225 BAKER & TAYLOR	12/13/2011	72.46
00029491	020385 BARCO PRODUCTS	12/13/2011	1,822.00
00029492	021375 H T BERRY COMPANY INC	12/13/2011	115.45
00029493	021510 TOWN OF BERWICK	12/13/2011	9,111.80
00029494	021668 BLOW BROS	12/13/2011	56.00
00029495	022240 GARY BOUCHER	12/13/2011	29.97
00029496	022503 SHARON BRASSARD	12/13/2011	35.91
00029497	030530 CENTRAL TIRE CO INC	12/13/2011	90.00
00029498	030500 CENTRAL MAINE POWER/CREDIT, COLL	12/13/2011	303.67
00029499	030510 CENTRAL MAINE POWER	12/13/2011	1,590.44
00029500	030725 CITIZENS BANK (CHG)	12/13/2011	190.00
00029501	031230 SW COLE ENGINEERING, INC.	12/13/2011	260.00
00029502	031425 COLONIAL LIFE & ACCIDENT INS.	12/13/2011	1,474.25
00029503	031430 COMCAST	12/13/2011	99.95
00029504	031579 CONSTELLATION NEW ENERGY	12/13/2011	1,634.72
00029505	040503 DESORCIE EMERGENCY PDTS	12/13/2011	1,070.75
00029506	040520 DIGITAL INK PRINTING	12/13/2011	16.60
00029507	032710 D.J.'S MUNICIPAL SUPPLY	12/13/2011	305.06
00029508	050815 EMPLOYEE HEALTH & BENEFITS	12/13/2011	641.31
00029509	060100 HOWARD P FAIRFIELD INC	12/13/2011	46,216.47
00029510	060300 FAVORITE FOODS INC	12/13/2011	866.72
00029511	060750 FIRE TECH & SAFETY	12/13/2011	590.00
00029512	061500 FOSTER'S DAILY DEMOCRAT	12/13/2011	154.75
00029513	070200 P GAGNON & SON INC	12/13/2011	3,261.53
00029514	070210 GALL'S INC	12/13/2011	39.99
00029515	070385 WIB GOINS	12/13/2011	37.95
00029516	070565 GORHAM LEASING GROUP	12/13/2011	96.56
00029517	071180 GROUP DYNAMIC INC	12/13/2011	148.50
00029518	071307 GULF/FLEET FUNDING	12/13/2011	42.49
00029519	191330 HANNAFORD'S	12/13/2011	313.07
00029520	080248 HANSCOM'S TRUCK STOP INC	12/13/2011	16,320.76
00029521	133380 PAMELA HAYNES	12/13/2011	490.00
00029522	080550 SALLY HERLIHY	12/13/2011	42.80
00029523	080638 M HIGGINS & SONS OIL	12/13/2011	359.90
00029524	022665 C.E. HOLMES CONSTRUCTION	12/13/2011	1,000.00
00029525	080998 HOME DEPOT	12/13/2011	149.16
00029526	081055 FERN HOULIARES	12/13/2011	237.37
00029527	081305 HSE GOULD	12/13/2011	426.00
00029528	090120 INLAND FISHERIES & WILDLIFE	12/13/2011	452.25
00029529	100175 JENKINS OIL INC	12/13/2011	389.90
00029530	100200 JEWETT/EASTMAN MEMORIAL COM	12/13/2011	263.00

Check Number	Account	Date Paid	Amount
00029531	100475 JORDAN EQUIPMENT CO	12/13/2011	419.43
00029532	100870 KENNEBUNK SAVINGS BANK	12/13/2011	34.00
00029533	110540 THE KNOX COMPANY	12/13/2011	280.00
00029534	160235 KIMBERLY LADISHEFF	12/13/2011	35.52
00029535	120240 LANG'S CORNER GARAGE INC	12/13/2011	25.65
00029536	120510 LAWSON PRODUCTS INC.	12/13/2011	603.16
00029537	120775 DOUGLAS LETELLIER	12/13/2011	17.00
00029538	122300 LYONS COFFEE SERVICE	12/13/2011	522.00
00029539	130626 MAINE OXY/SPEC AIR GASES	12/13/2011	196.00
00029540	132404 MAINE SAD#60	12/13/2011	2,133.50
00029541	133375 MAINE ENERGY RECOVERY CO.	12/13/2011	8,204.99
00029542	132400 MAINE SAD #35	12/13/2011	510,943.27
00029543	133195 MAINE TURNPIKE AUTHORITY	12/13/2011	9.55
00029544	133370 FRED MAYO	12/13/2011	400.00
00029545	133378 MB HOUSING PARTNERSHIP	12/13/2011	735.38
00029546	133818 MILLENNIUM ROADS LLC	12/13/2011	3,780.00
00029547	134450 MMTCTA	12/13/2011	100.00
00029548	134601 EXXON/MOBIL	12/13/2011	477.31
00029549	127000 CORRINE J MAHONY	12/13/2011	1,500.00
00029550	140105 NAPA OF SOMERSWORTH	12/13/2011	93.09
00029551	140600 NEPTUNE INC	12/13/2011	1,922.80
00029552	140809 NEW ENGLAND COACH	12/13/2011	775.00
00029553	141080 NEXTEL	12/13/2011	149.14
00029554	141300 NO.BERWICK LUMBER & HARDWARE	12/13/2011	76.11
00029555	141384 NORTHEAST PAGING	12/13/2011	24.16
00029556	141400 NORTHERN DATA SYSTEMS INC	12/13/2011	375.00
00029557	150025 OAKWOODS LUMBER INC	12/13/2011	3,000.00
00029558	150282 ROBERTA ORSINI	12/13/2011	409.78
00029559	150735 DICK PAGE	12/13/2011	50.00
00029560	159995 HL PATTEN CONSTRUCTION	12/13/2011	1,410.00
00029561	160230 PERMA-LINE CORP	12/13/2011	363.75
00029562	160240 PERSONAL PROTECTION CONSULTANT	12/13/2011	295.00
00029563	161265 PORTSMOUTH FORD	12/13/2011	379.95
00029564	168500 QUALITY FIRE PROTECTION	12/13/2011	908.00
00029565	180185 RCP LLC	12/13/2011	387.50
00029566	180400 RED'S SHOE BARN INC	12/13/2011	125.99
00029567	180433 DAN REMICK	12/13/2011	450.00
00029568	180470 RICCI CONSTRUCTION INC	12/13/2011	450,024.58
00029569	190094 SANEL AUTO PARTS CO	12/13/2011	850.06
00029570	191530 SIRCHIE FINGER PRINT LAB INC	12/13/2011	47.00
00029571	191916 SO BERWICK FIREFIGHTERS ASSOC	12/13/2011	178.18
00029572	192650 SO BERWICK SEWER DISTRICT	12/13/2011	87.00
00029573	193605 SOUTHWORTH-MILTON, INC	12/13/2011	3,418.67
00029574	193622 SPRINGER ELECTRICAL SERV INC	12/13/2011	90.00
00029575	193636 BRIAN STANKOVICH	12/13/2011	75.00
00029576	193640 STAPLES	12/13/2011	17.99
00029577	194100 STRAWBERRY BANKE MUSEUM	12/13/2011	250.00
00029578	200545 TERMINIX INTERNATIONAL	12/13/2011	169.00
00029579	133105 TREASURER OF STATE/C.WPNS	12/13/2011	65.00
00029580	133113 TREASURER OF STATE/ATV	12/13/2011	346.00
00029581	201300 TWO-WAY COMMUNICATION SERV INC	12/13/2011	80.00
00029582	210595 URBAN TREE SERVICE	12/13/2011	2,237.50
00029583	211500 VERIZON WIRELESS	12/13/2011	646.27
00029584	230300 WALMART COMMUNITY BRC	12/13/2011	281.97
00029585	230675 WEIR'S MOTOR SALES	12/13/2011	136.80

Check Number	Account	Date Paid	Amount
00029586	230915 WHITED TRUCK CENTERS	12/13/2011	196.06
00029587	231320 WINDWARD PETROLEUM	12/13/2011	2,143.85
00029588	231345 WINTER EQUIPMENT CO	12/13/2011	1,243.22
Total Not Prepaid			1,098,382.22
Total Prepaid			25,055.67
Grand Total			1,123,437.89

WARRANT NUMBER ..... \$ 1,123,437.89 DATE 12/07/2011  
 .....  
 .....

\* \* \* 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:

.....  
 .....  
 .....  
 .....





**RECEIVED**  
5.13.11  
Town Manager's Office

**SBVH**  
25 Goodwin Street  
South Berwick, ME 03908  
207-384-2123

May 11, 2011

Perry A. Ellsworth  
Town Manager  
180 Main Street  
South Berwick, ME 03908

Dear Mr. Ellsworth,

My name is Margaret Linnell and I own the South Berwick Veterinary Hospital. We would like to be able to have directional signs so that our clients are more easily able to find us as we are rather hidden in a small neighborhood! We also believe this will help our neighbors in this town, and those passing through on Rt. 4 and Rt. 236, know that we exist! These are very difficult times for those of us in small business and we are trying to survive well and provide good service to clients in any way possible.

We respectfully request that the town board please move forward to allow us to have business directional signs of the same type as Mo's Signs, etc. We know that the state will put these up and maintain them at no expense to the town.

Thank you so much for your consideration. Please let me, or my practice manager Tom Vollert-Morrison, know if you need further information.

Sincerely Yours,

*Margaret Linnell*  
Margaret Linnell, DVM

*Spoke with Tom on 5/15/2011. Agreed to wait to do research. Spoke with Margaret on 11/16/2011. Will schedule her for Dec 2011. Mfg.*



November 18, 2011

To The Town Council

Please pass a law against shooting off fire works in this town.

Last year was the worst so far.

I live next to a ball field.

One or more persons come about 9:30 - 10:00 and shoot them off in the direction of my house.

My house is surrounded by trees.

The grass in the field is dry.

It is a fire horror just waiting to happen.

They started the weekend before the 4<sup>th</sup>, over the 4<sup>th</sup> and 5<sup>th</sup> and for the 2 weekends after the 4<sup>th</sup>.

These were not little things. They were about 2 feet around. It was awful.

I gave up trying to catch who it was and called the police.

The officer was very kind explaining that sometime they are on timers'.

I found a couple of the big empty wooden circles and turned them into the police.

The police have a couple of reports.

If people are doing this when they know they are breaking the law imagine what they will do when the law is on their side.

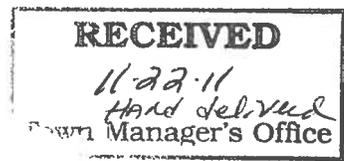
Please even though our governor puts a few business dollars as a priority over our safety, please I beg the town council think of us first.

Thank you

Priscilla Schmidt

A handwritten signature in cursive script that reads "Priscilla Schmidt". The signature is written in black ink and is positioned below the typed name.





November 18, 2011

Dear Mr. Ellsworth and members of the South Berwick Town Council,

At the last meeting of the South Berwick Planning Board (11-16-11), members requested me , the chair to summarize and communicate our concerns about the lack of professional assistance in the planning office. As you are aware, the position of Planner was eliminated over a year ago and we learned that our Planning Assistant, who has been very efficient on a part-time basis left the position to pursue another career, will not be replaced.

Our code enforcement officer, Mr. Rouselle, has been asked to perform some of the tasks formerly undertaken by the planning assistant. Though we appreciate his expertise and professionalism and abilities to perform some of those necessary tasks, there are still planning tasks that function separately from code enforcement that will be unaddressed and we are concerned neither the public nor the Planning Board will be adequately served.

We respectfully request that you weigh the implications and either reconsider leaving the position of Planning Assistant vacant, or alternatively set up a contract with Southern Maine Regional Planning Commission so our Board has easy access to a planning professional. We suggest an agreement whereby a particular SMRPC employee has a standing arrangement to check with Mr. Rouselle and me once a week. We understand there is money in the budget for this purpose.

Though it is true the number of applications we see is lower than normal, we are still looking at a stream of projects of some size and in addition we continue to work on updating our ordinances to better serve our changing town.

Thank you for your attention to this matter. I would very much appreciate a response after the next council meeting. My contact information is below.

Sincerely,



John Stirling, Chair, South Berwick Planning Board  
207-752-9572  
john@valuationgroupinc.net



TOWN COUNCIL

*Agenda Information Sheet*

<b>Meeting Date: December 13, 2011</b>	<b>Agenda Item NB # 1</b>
<b>Subject: Fogarty's Restaurant liquor license</b>	
<b>Information:</b>	
Fogarty's current liquor license expires December 25th.	
<b>Staff Comments/Recommendation:</b>	
The Police Department has been consulted; they have no concerns with this application.	
<b>Requested Action:</b>	
Motion to approve the renewal of Fogarty's liquor license.	
<b>Vote:</b>	

**Department of Public Safety  
Division**

**Liquor Licensing & Inspection**



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

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

**PRESENT LICENSE EXPIRES** 12/25/11

**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**

<b>1. APPLICANT(S)</b> –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <i>Lawrence A. Fogarty</i> <b>DOB:</b> <i>10/17/60</i>			<b>2. Business Name (D/B/A)</b> <i>Fogarty's Restaurant + Bakery</i>		
<b>DOB:</b>			<b>Location (Street Address)</b> <i>471 MAIN STREET</i>		
<b>DOB:</b>			<b>City/Town</b> <b>State</b> <b>Zip Code</b> <i>SO. BERWICK, ME</i> <i>03908</i>		
<b>Address</b> <i>35 Beaver Dam Rd.</i>			<b>Mailing Address</b> <i>Same</i>		
<b>City/Town</b> <b>State</b> <b>Zip Code</b> <i>So. Berwick</i> <i>ME</i> <i>03908</i>		<b>City/Town</b> <b>State</b> <b>Zip Code</b>			
<b>Telephone Number</b> <i>207-384-8361</i>		<b>Fax Number</b> <i>207-384-2009</i>		<b>Business Telephone Number</b> <b>Fax Number</b> <i>207-384-8361</i> <i>207-384-2009</i>	
<b>Federal I.D. #</b> <i>01-0464888</i>			<b>Seller Certificate #</b> <i>0253565</i>		

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 \$ 1.5mil LIQUOR \$ 36,000
5. Is applicant a corporation, limited liability company or limited partnership? YES  NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES  NO
7. If manager is to be employed, give name: Linda Brown, Danielle Winscott, Deanna Foley
8. If business is NEW or under new ownership, indicate starting date: N/A
- Requested inspection date: \_\_\_\_\_ Business hours: \_\_\_\_\_
9. Business records are located at: 471 MAIN ST, SO. 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
① Lawrence A. Fogarty		DOVER, N.H.
② Linda Brown		DOVER, N.H.
(OWNER) ③ Danielle Linscott ④ Deanna Foley (JAMES)		DOVER, N.H. / PORTLAND
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
① SO. BERWICK, ME ② SO. BERWICK, ME ③ ROCHESTER N.H. ④ BERWICK, ME		

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

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

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

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

16. Does/do applicant(s) own the premises? Yes  No  If No give name and address of owner: \_\_\_\_\_

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) \_\_\_\_\_  
FULL SERVICE RESTAURANT

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? 1/4 mile Which of the above is nearest? CHURCH

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

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: SO. BERWICK, ME on 12/01/11, 20 11  
Town/City, State Date

[Signature] Please sign in blue ink  
Signature of Applicant or Corporate Officer(s) Signature of Applicant or Corporate Officer(s)

# MAINE DEPT OF PUBLIC SAFETY

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



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

- Exact Corporate Name: FOGARTYS RESTAURANT INC.  
Business D/B/A Name: FOGARTYS RESTAURANT AND BAKERY
- Date of Incorporation: 7/91
- State in which you are incorporated: ME
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: \_\_\_\_\_
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
Lawrence A. Fogarty	35 Beaver Dam Rd. So. Berwick, ME		100%	PRES.

- What is the amount of authorized stock? 200 SHARES Outstanding Stock?
- Is any principal officer of the corporation a law enforcement official? Yes  No
- Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes  No
- If YES, please complete the following: Name: \_\_\_\_\_  
Date of Conviction: \_\_\_\_\_ Offense: \_\_\_\_\_  
Location: \_\_\_\_\_ Disposition: \_\_\_\_\_  
Dated at: \_\_\_\_\_ On: \_\_\_\_\_  
City/Town Date

Lawrence A. Fogarty  
Signature of Duly Authorized Officer  
Lawrence A. Fogarty  
Print Name of Duly Authorized Officer

12/01/11  
Date

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**

<b>Class I</b>	Spirituos, Vinous and Malt .....	\$ 900.00
	<b>CLASS I:</b> 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.	
<b>Class I-A</b>	Spirituos, Vinous and Malt, Optional Food (Hotels Only) .....	\$1,100.00
	<b>CLASS I-A:</b> Hotels only that do not serve three meals a day.	
<b>Class II</b>	Spirituos Only .....	\$ 550.00
	<b>CLASS II:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
<b>Class III</b>	Vinous Only .....	\$ 220.00
	<b>CLASS III:</b> 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.	
<b>Class IV</b>	Malt Liquor Only .....	\$ 220.00
	<b>CLASS IV:</b> 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.	
<b>Class V</b>	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) .....	\$ 495.00
	<b>CLASS V:</b> Clubs without catering privileges.	
<b>Class X</b>	Spirituos, Vinous and Malt – Class A Lounge .....	\$2,200.00
	<b>CLASS X:</b> Class A Lounge	
<b>Class XI</b>	Spirituos, Vinous and Malt – Restaurant Lounge .....	\$1,500.00
	<b>CLASS XI:</b> Restaurant/Lounge; and OTB.	
<b>FILING FEE</b> .....		\$ 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: South Berwick, Maine York ss
City/Town (County)
On: December 13, 2011
Date

The undersigned being: Municipal Officers County Commissioners of the
City Town Plantation Unincorporated Place of: South Berwick, 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

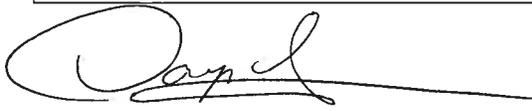
NOTICE - SPECIAL ATTENTION

§ 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.
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 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.

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

<b>Meeting Date: Tuesday, December 13, 2011</b>	<b>Item # NB 2</b>
<b>Agenda Item: Approval to use 2011 Byrne Grant for the purchase of 2 Motorola portable radios = \$1,291.00</b>	
<b>Department Head Recommendation: Chief Dana P. Lajoie</b>	
Approval to use 2011 Byrne Grant for the purchase of 2 Motorola portable radios = \$1,291.00 – These funds if accepted will be used to purchase 2 narrow band compliant radios. Remaining money needed to complete the purchase will come from line 4050 equipment. A total of \$1,552.50 is needed for the purchase with the Town paying \$261.00	
<b>Town Manager's Recommendation</b>	
<b>Requested Action</b>	
Accept Byrne Grant money of \$1,291.00	
<b>Vote</b>	

  
113061

[Print](#)

**Subject: Grant Funds**

**From: Ray Demers <RDemers@sacomaine.org>**

**Sent: Monday, November 28, 2011 10:02:35 AM**

**BPaul@sacomaine.org, cszeniawski@yorkpolice.org,  
djones@kennebunkmaine.us, soberwickpd@psouth.net,**

**To: jputnam@wellstown.org, kmoses@kennebunkportme.gov,  
pdchief@town.buxton.me.us, rcfrench@kitterypolice.com,  
chiefshort@eliotpd.com, chief@berwickpolice.org**

**Cc: Cheryl.Fournier@sacomaine.org**

Good Morning,

The grant funds we have been waiting for were wired to us last Wednesday and are ready to be dispersed. Please submit a request for reimbursement on department letterhead and a copy of your invoice for the purchase you made with these funds. If your grant portion involved manpower cost please submit a detail account of the expenditure on department letterhead.

Thank You,

ray



A handwritten signature in cursive script, reading 'Raymond N. Demers', is written over the typed name and address.

Deputy Chief Raymond N. Demers  
Saco Police Department  
20 Storer Street  
Saco, Maine 04072  
Phone: (207) 282-8214 Fax: (207) 282-8215  
e-mail: rdemers@sacomaine.org

2-Way Communications Service, Inc.  
 23 River Road  
 Newington, NH 03801



**Proposal**  
 15072  
 Date: 8/10/2011

Name / Address:

South Berwick Police Department  
 Town Offices  
 180 Main Street  
 South Berwick, ME 03908

Phone : 1-800-441-6288

Fax : 603-431-4832

E-mail us : CommDivision@2-way.biz

Visit our Web Site : www.2-way.biz

2-Way is the only Motorola  
 Premier Service Partner in  
 New Hampshire and Maine!



P.O. No.:	Rep:
C. Burbank	791

Qty	Item	Description	Total
		New Motorola Portable Radios:	
2	AAH25KDF9AA5	HT1250 VHF (136-174 MHz), 1-5 watts, 128 channel, portable radio. Limited keypad model.	1,420.00
2	PMMN4021	Remote Speaker Mic w/3.5mm Jack. (Pro Series)	132.50

**Subtotal** \$1,552.50

**Sales Tax (0.0%)** \$0.00

**Total** **\$1,552.50**

Thank you for taking the time to review my proposal. Sign and return to accept. Valid for 30 days.

Signature \_\_\_\_\_


[Print](#)

Subject: RE: Byrne Grant 2012

From: Brad Paul <BPaul@sacomaine.org>

Sent: Wednesday, July 06, 2011 2:28:53 PM

To: chiefshort@eliotpd.com, chief@berwickpolice.org, buxtonpd@adelphia.net, rmackenzie@kennebunkmaine.us, edstrong@kitterypolice.com, opd1@maine.rr.com, soberwickpd@psouth.net, jputnam@wellstown.org, BPaul@sacomaine.org, kmoses@kennebunkportme.org, dbracy@yorkpolice.org

To: Chief Doug Bracy, York PD  
 Chief Ted Short, Eliot PD  
 Dep. Chief Kurt Moses, Kennebunkport PD  
 Chief Tim Towne, Berwick PD  
 Chief Mike Grovo, Buxton PD  
 Chief Bob MacKenzie, Kennebunk PD  
 Chief Ed Strong, Kittery PD  
 Chief Pat Arnaudin, Ogunquit PD  
 Chief Joanne Putnam, Wells PD  
 Chief Dana Lajoie, South Berwick PD

From: Chief Brad Paul, Saco PD

RE: 2011 Byrne JAG indirect pass-through grant

Date: July 6, 2011

If all are in agreement, Saco will serve as the applicant agency on behalf of all agencies listed below. I will work on getting an MOU together based upon the same format we have used in the past.

DEADLINES---always important...the completed application has to be in Augusta by September 1<sup>st</sup>, so I have to have everything here in Saco no later than **AUGUST 15<sup>TH</sup>, 2011**. That will give us time to make certain everything is as it needs to be.

Attached is the grant application and instructions. Email me or give me a call if you have questions regarding process.

Thanks to Ted Short for doing this last year and sharing his documentation.

Brad

YORK	BERWICK TOWN	Township	3,390
YORK	BUXTON TOWN	Township	1,291
YORK	ELIOT TOWN	Township	1,453
YORK	KENNEBUNK TOWN	Township	1,937
YORK	KENNEBUNKPORT TOWN	Township	1,130
YORK	KITTERY TOWN	Township	2,421
YORK	OGUNQUIT TOWN	Township	646
YORK	SACO CITY	Municipal	9,200
YORK	SOUTH BERWICK TOWN	Township	1,291
YORK	WELLS TOWN	Township	3,551
YORK	YORK TOWN	Township	3,067
			<b>29,377</b>

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

<b>Meeting Date: December 13, 2011</b>	<b>Item # NB 3</b>
<b>Agenda Item: Accept Equipment Donation</b>	
<b>Town Manager's Recommendation</b>	
The Firefighter's Association purchased 2 IMMI Smart Dock SCBA Seat Brackets for the Fire Dept. This equipment needs to be accepted on behalf of the Town by the Town Council.	
<b>Requested Action</b>	
Motion to accept the equipment donation of 2 IMMI Smart Dock SCBA Seat Brackets with a value of \$1,070.75 with thanks to the Firefighter's Association.	
<b>Vote</b>	

*Ladder Truck*

Desorcie Emergency Products LLC

# Invoice

183 Bingham Shore Road  
St Albans, VT 05478

Date	Invoice #
11/22/2011	10223

<b>Bill To</b>
South Berwick Fire Dept. 180 Main Steet South Berwick, ME 03908

<b>Ship To</b>
South Berwick Fire Dept. 71 Norton Steet South Berwick, ME 03908

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			11/22/2011			

Quantity	Item Code	Description	Price Each	Amount
2	IMMI2	IMMI Smart Dock SCBA Seat Bracket	599.00	1,198.00T
	Disc Equipment	Discount Equipment - Customer Installed	-148.00	-148.00
1	Freight Charges	Freight Charges	20.75	20.75
		Customer Purchase Order #1656 - We Appreciate You Business - Have A Safe Holiday Season. . . Out-of-state sale, exempt from sales tax	0.00%	0.00

<del>GR</del>	DATE	WT.
	12-1-11	
4220-4050		1,070.75
ACCT.		AMT.
DEPT. HEAD <u>GG</u>		TOWN MGR.

<i>\$1,070.15 from the Firefighters Association</i>	<b>Total</b>	\$1,070.75
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