

**TOWN OF SOUTH BERWICK, MAINE**

**ABATEMENT RECOMMENDATION FORM**

Owner(s): Avery Family Trust, Wendy Williams Trustee

Mailing Address: 110 Emery's Bridge Road  
South Berwick, ME 03908

Abatement # 1  
Location: 110 Emery's Bridge Road  
Map/Lot: 008-040  
Account #: C1250R

Tax Year: 2013/2014

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**Circumstances:** Notes found on the property record card indicate that an interior inspection immediately following completion of renovations of the home in 2002 was not done. A recent inspection of the home with the property owner indicates that the wrong grade was applied to the property which resulted in an overvaluation. This abatement will correct for the overvaluation of the property.

**Recommendation:** Grant Abatement

Assessed Land \$	106,200	Revised Land \$	106,200
Assessed Bldg \$	314,200	Revised Bldg \$	269,200
Assessed Total \$	420,400	Revised Total \$	375,400

**Value Abated: \$ 45,000**

**Tax Abatement: \$ 776.25**

ABATEMENT: GRANTED / DENIED

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Dated \_\_\_\_\_

**SUPPLEMENTAL TAX WARRANT**  
36 M.R.S.A., Sections 713, 713-A, 713-B

County of YORK, ss. To Perry A. Ellsworth, Tax Collector of the municipality of SOUTH BERWICK, within said County of YORK.

**GREETING:**

Hereby are committed to you a true list of the assessments of estates of the persons hereinafter named. You are hereby directed to levy and collect of each of the several persons named in said lists his respective proportion, therein set down, of the sum of **four hundred fifty dollars and twenty three cents** (\$ 450.23), it being the amount of said list; and all powers of the previous warrant for the collection of taxes issued by us to you and dated **8/13/2013** are extended thereto; and we do hereby certify that the list of assessments of estates of the persons named in said list is a supplemental assessment laid:

(a)\* by virtue of Title 36, M.R.S.A., Section 713, as amended, and that the estates and assessments thereon as set forth in said list were invalid or void or were omitted from the original list committed unto you under our warrant dated **8/13/2013**.

~~(b) \*by virtue of Title 36, M.R.S.A., Section 713-A, due to an erroneous foreclosure; or~~

~~(c) \* by virtue of Title 36, M.R.S.A., Section 713-B, as a penalty imposed under Section 581 or Section 1112 of Title 36.~~

- *Strike the inapplicable provisions.*

Given under the hands this \_\_\_\_\_ day of January, 2014.

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

Assessor (s) of  
South Berwick

Note: - Assessors. Give this to the Collector with the Supplementary Tax List.

**SUPPLEMENTAL TAX CERTIFICATE**  
36 M.R.S.A., Sections 713, 713-A, 713-B

We, the undersigned, Assessors of the Municipality of SOUTH BERWICK, hereby certify that:

(a) \* The foregoing list of estates and assessments thereon, recorded in page **RE 1 to 376 and PP 1 to 25** are supplemental to the aforesaid original invoice, valuation and list of assessments of said **13<sup>th</sup> day of August, 2013**.

~~(b) \* the foregoing list of estates and assessments thereon are supplemental assessments due to an erroneous foreclosure and are made pursuant to Title 36, M.R.S.A., Section 713-A, as amended; or~~

~~(c) \* the foregoing are laid as a penalty pursuant to Title 36, M.R.S.A., Section 713-B, as amended.~~

*\* Strike the inapplicable provisions.*

Given under our hands this \_\_\_\_\_ day of January, 2014.

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

Assessor (s) of  
South Berwick

Note: - Assessors, paste this in your Valuation Book after the last item assessed in your Supplementary Assessment.

**South Berwick Town Council  
Public Hearing  
On the Block Bistro Liquor License  
December 10, 2013**

Chairman Gerald W. MacPherson, Sr. opened the hearing at 6:30pm. Councilors present included Jean Demetracopoulos, David H. Webster, John C. Kareckas, and Russell Abell. Town Manager Perry A. Ellsworth was also in attendance.

The purpose of the hearing was to receive public comment on the application received from Rob Miller for a new liquor license for On the Block Bistro. Mr. Miller was present to answer any questions.

No public comments or questions were received.

The hearing was closed at 6:32pm.

Attest:

Barbara Bennett, CCM

DRAFT

## **South Berwick Town Council December 10, 2013**

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

### **Approval of Minutes**

1. Public Hearing – Zoning 11-26-13: On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the minutes as written.
2. Council 11-26-13: On a motion by Mr. Kareckas, seconded by Mr. Webster, it was unanimously voted to adopt the minutes after correcting the typo in Public Comments by changing Bridge to Bridget (as noted by Mrs. Demetracopoulos).
3. Special Council 12-03-13: On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the minutes as written.

### **Treasurer's Warrant – Dec 10, 2013**

On a motion by Mr. Abell, seconded by Mr. Kareckas, it was unanimously voted to sign the warrant in the amount of \$837,630.95. Mrs. Demetracopoulos made note that this warrant includes a one-time payment to the County for Its fiscal year change.

### **Public Comment**

1. George Muller, Portland St, stated that he had spoken with the Police Chief in regard to vehicles passing on the right (in the breakdown/parking lane) and the potential for an ordinance change prohibiting it.

### **Reports & Correspondence**

1. Michael Morrison of Swamp Inc. was present to give the Council an overview of what his company does. The focus is on disease suppression by trapping and testing mosquitoes, then treating the area based on the tests. Swamp Inc. also provides tick management programs. Costs vary with the type of program agreed upon.

### **Town Manager's Report**

- Commented that the highway crew has done a good job through the recent small storms.
- Will be meeting with MDOT this week to go over the plowing/sanding routine for Routes 4 & 236.

### **Unfinished Business**

1. On a motion by Mr. Kareckas, seconded by Mr. Webster, it was unanimously voted to authorize the Town Manager to sign the agreement with the Community Chorus for storage space at the library.
2. On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to authorize the Manager to sign the extension of the land Purchase & Sale Agreement (item #3 Closing) with Great Works Regional Land Trust until January 15, 2014. [Map 2, Lots 37, 39, & 39A].
3. On a motion by Mrs. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to accept the report from the Building Committee dated November 2013 regarding the Police Station Space & Location Assessment.

Mr. Kareckas made note that the Council's intentions are not to displace any group or activity. If the Community Center were converted to a Police Station, senior and recreation activities would be given a new home.

## **New Business**

1. On a motion by Mr. Kareckas, seconded by Mr. Webster, it was unanimously voted to cancel the meeting scheduled for December 24<sup>th</sup>.

2. The Council briefly discussed the request from Rob Mill for a new liquor license. Mrs. Demetracopoulos expressed concern that the Bistro could turn into an agency liquor store. Mr. Miller stated that he will not be serving or selling hard liquor at the Bistro; his license will be for wine and beer only.

On a motion by Mr. Abell, seconded by Mr. Kareckas, it was unanimously voted to approve the liquor license application for On the Block Bistro.

3. On a motion by Mrs. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to **approve the liquor license for Fogarty's Restaurant.**

4. On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to authorize the Town Manager to move forward with the purchase of a 2014 Police Interceptor Cruiser from Irwin Motors for \$24,325.

Mr. Ellsworth made note that the final cost of the new cruiser would be close to \$39,000 after it is outfitted with the new gear such as lights and tough book computer; funds are available in the capital budget.

5. On a motion by Mr. Abell, seconded by Mr. Kareckas, it was unanimously voted to authorize the Chairman to sign the agreement with Berwick for shared Code Enforcement and Plumbing Inspector services through June 30, 2015.

**Mr. Ellsworth made note that the term of the agreement has been adjusted to fit both Towns' fiscal year.**

## **Council Member Comments**

1. Mr. Abell:

- Commented that he and his family were able to enjoy the Home for the **Holiday's celebration.**
- Asked Council to consider going to paperless packets to increase efficiencies and cost savings.
- Expressed his concerns with making the General Assistance Workfare Program mandatory. Making it optional with incentives may be a better approach; especially for those that may be unable to participate. He commented that a mandatory program could deter some people from applying because they may be questioned by other residents about their status with the Town.

2. Mr. Kareckas:

- Asked the Manager to research the laws regarding passing on the right.
- Commented that the Chorus put on a good concert on Sunday. And, Home for the Holidays was another nice event for families to enjoy.
- Confirmed the meeting at the library with the Librarian, Advisory Board, Friends, and Finance Director will be January 7<sup>th</sup> at 6:30pm.
- Questioned the Computer Budget (4125) at 55%. Mr. Ellsworth stated that before Roberta left we replaced three computers.

3. Mr. Webster:

- Thanked everyone for supporting the Community Chorus.

4. Mrs. Demetracopoulos:

- Asked the Manager if there had been any resolution to the issues between the County Commissioners and the County Budget Committee. Mr. Ellsworth stated that he was not sure, but would make inquiries.

5. Mr. MacPherson:

- Read a note from Robin Kerr thanking the Council for appropriating money from the sale of lands toward the funding of the Mt. Agamenticus Conservation Region efforts.
- Made note of the meeting at 8:00am in Eliot with SAD 35 and Eliot Selectmen.
- Wished Perry Ellsworth happy birthday.

Merry Christmas wishes to all.

**Adjournment**

On a motion by Mrs. Demetracopoulos, seconded by Mr. Kareckas, it was unanimously voted to adjourn the meeting at 7:24pm.

Attested:

Barbara Bennett, CCM

DRAFT

TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00033903	160927 INTERLIBRARY LOAN	12/24/2013	-40.00
00033923	132500 SECRETARY OF STATE M/V	12/24/2013	12,009.72
00033924	133360 TJ MAXX	12/24/2013	30.00
00033925	060758 1ST RESPONDER NEWSPAPER	12/24/2013	75.00
00033926	010336 AGGREGATE RECYCLING CORP	12/24/2013	2,714.35
00033927	010500 ALL STATES ASPHALT INC	12/24/2013	2,380.00
00033928	011422 KERA ASHLINE	12/24/2013	67.97
00033929	020225 BAKER & TAYLOR	12/24/2013	338.36
00033930	021300 BERNSTEIN SHUR	12/24/2013	187.50
00033931	022850 BUSINESS EQUIPMENT UNLIMITED	12/24/2013	17.53
00033932	022300 BOWS AND BALLOONS BY BRINA	12/24/2013	65.00
00033933	022503 SHARON BRASSARD	12/24/2013	53.93
00033934	022640 BURKE'S TREE SERVICE	12/24/2013	1,475.00
00033935	030425 CENTRAL EQUIPMENT LLC	12/24/2013	52.16
00033936	030510 CENTRAL MAINE POWER	12/24/2013	3,832.63
00033937	030725 CITIZENS BANK (CHG)	12/24/2013	112.50
00033938	030954 ROGER CLEMENT	12/24/2013	40.00
00033939	031020 COACHMAN INN INC	12/24/2013	479.20
00033940	031355 TERRIE COLLINS	12/24/2013	100.00
00033941	040130 BOB DEARBORN	12/24/2013	40.00
00033942	040499 NICK DERRIG	12/24/2013	150.00
00033943	040530 DEDE DIONNE	12/24/2013	11.49
00033944	050798 ELIOT SMALL ENGINE REPAIR INC	12/24/2013	334.00
00033945	050802 PERRY ELLSWORTH	12/24/2013	574.27
00033946	060100 HOWARD P FAIRFIELD INC	12/24/2013	1,907.89
00033947	060210 FARONICS TECHNOLOGIES	12/24/2013	124.30
00033948	060300 FAVORITE FOODS INC	12/24/2013	387.87
00033949	061203 FOGARTY'S RESTAURANT	12/24/2013	60.00
00033950	061220 FOLLETT SOFTWARE COMPANY	12/24/2013	1,000.00
00033951	061500 FOSTER'S DAILY DEMOCRAT	12/24/2013	112.70
00033952	010525 G&K SERVICES	12/24/2013	832.99
00033953	070200 P GAGNON & SON INC	12/24/2013	3,661.24
00033954	070210 GALL'S INC	12/24/2013	40.26
00033955	070800 W.W.GRAINGER INC.	12/24/2013	50.49
00033956	071089 GREAT WORKS PUMP INC	12/24/2013	38.95
00033957	071307 GULF/FLEET FUNDING	12/24/2013	48.48
00033958	071500 GUNSTOCK GROUP SALES	12/24/2013	400.00
00033959	191330 HANNAFORD'S	12/24/2013	702.08
00033960	080248 HANSCOM'S TRUCK STOP INC	12/24/2013	7,407.90
00033961	089050 INDUSTRIAL PROTECTION SERVICES	12/24/2013	479.00
00033962	090375 INTERNATIONAL SALT	12/24/2013	7,919.96
00033963	090580 IRVING OIL	12/24/2013	34.53
00033964	100150 JANETOS MARKET	12/24/2013	168.04
00033965	141367 KONE INC	12/24/2013	206.38
00033966	140500 LABORATORY CORP/AMERICA HOLDIN	12/24/2013	60.45
00033967	120510 LAWSON PRODUCTS INC.	12/24/2013	95.05
00033968	120660 ARMAND LEMIRE CO INC	12/24/2013	6,040.00
00033969	071170 M W GRENIER ENTERPRISES	12/24/2013	8.00
00033970	130626 MAINE OXY/SPEC AIR GASES	12/24/2013	196.00
00033971	131700 MAINE CHIEFS OF POLICE ASSOC.	12/24/2013	200.00
00033972	133195 MAINE TURNPIKE AUTHORITY	12/24/2013	25.70
00033973	133358 W.B.MASON	12/24/2013	55.60
00033974	133393 S.A. MCLEAN & SONS	12/24/2013	825.00
00033975	133795 MICK BODYWORKS	12/24/2013	469.11
00033976	134300 MAINE MUNICIPAL EMPLOYEES	12/24/2013	3,644.74
00033977	134601 EXXON/MOBIL	12/24/2013	557.50

Check Number	-----Account-----	Date Paid	Amount
00033978	133194 MAINE TOWN/CITY MGMT ASSN	12/24/2013	272.00
00033979	140105 NAPA OF SOMERSWORTH	12/24/2013	31.33
00033980	140600 NEPTUNE INC	12/24/2013	413.80
00033981	141400 NORTHERN DATA SYSTEMS INC	12/24/2013	906.53
00033982	133378 NORTON STREET NRLP	12/24/2013	171.00
00033983	150290 OVERHEAD DOOR COMPANY	12/24/2013	299.95
00033984	160230 PERMA-LINE CORP	12/24/2013	422.40
00033985	200700 PIKE INDUSTRIES INC	12/24/2013	151.25
00033986	160320 PINE TREE WASTE INC	12/24/2013	1,443.85
00033987	160400 PITNEY BOWES	12/24/2013	138.00
00033988	160692 POLAND SPRING	12/24/2013	76.94
00033989	161265 PORTSMOUTH FORD	12/24/2013	82.00
00033990	132500 SECRETARY OF STATE M/V	12/24/2013	6,301.40
00033991	191150 SHANTI ARTS	12/24/2013	37.35
00033992	191530 SIRCHIE FINGER PRINT LAB INC	12/24/2013	181.16
00033993	191533 CRAIG SKELTON	12/24/2013	120.35
00033994	191751 SMITH AND ASSOCIATES	12/24/2013	7,694.00
00033995	191900 SO BERWICK EMERGENCY RESCUE	12/24/2013	6,260.48
00033996	192900 SO BERWICK WATER DISTRICT	12/24/2013	2,047.06
00033997	193410 SO MAINE REGIONAL PLANNING CM	12/24/2013	1,507.00
00033998	193622 SPRINGER ELECTRICAL SERV INC	12/24/2013	221.25
00033999	193639 STANTEC CONSULTING SERV INC	12/24/2013	2,300.00
00034000	193660 STARKEY FORD INC	12/24/2013	1,130.55
00034001	200545 TERMINIX INTERNATIONAL	12/24/2013	391.88
00034002	201150 ANNMARIE TOWNSEND	12/24/2013	57.29
00034003	201300 TWO-WAY COMMUNICATION SERV INC	12/24/2013	2,237.00
00034004	210380 UNITED PARCEL SERVICE	12/24/2013	42.42
00034005	210620 US BANK EQUIPMENT FINANCE	12/24/2013	112.00
00034006	211500 VERIZON WIRELESS	12/24/2013	621.95
00034007	230000 REGINALD E WALKER	12/24/2013	300.00
00034008	230300 WALMART COMMUNITY BRC	12/24/2013	273.56
00034009	230610 WEES LLC	12/24/2013	400.00
00034010	230955 WHITNEY, MUNDY & MUNDY	12/24/2013	175.00
00034011	241103 YORK HOSPITAL	12/24/2013	180.00
00034012	240900 YORK COUNTY REGISTRY OF DEEDS	12/24/2013	59.15
Total Not Prepaid			87,921.00
Total Prepaid			11,999.72
Grand Total			99,920.72

Check Number	-----Account-----	Date Paid	Amount
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WARRANT NUMBER	\$ 99,920.72	DATE 12/19/2013
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\* \* \* 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:

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TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00034013	132500 SECRETARY OF STATE M/V	01/14/2014	10,763.98
00034014	010320 AFFILIATED HEALTHCARE SYS	01/14/2014	175.00
00034015	010336 AGGREGATE RECYCLING CORP	01/14/2014	2,413.16
00034016	010585 AMAZON	01/14/2014	41.64
00034017	011250 TREASURER,STATE OF MAINE	01/14/2014	715.00
00034018	020790 APPLIED INDUSTRIAL TECH	01/14/2014	128.36
00034019	020225 BAKER & TAYLOR	01/14/2014	644.26
00034020	022850 BUSINESS EQUIPMENT UNLIMITED	01/14/2014	170.00
00034021	021560 BILL DUBE INC.	01/14/2014	32.82
00034022	021576 JANETTE BIRCH	01/14/2014	26.00
00034023	021668 BLOW BROS	01/14/2014	54.11
00034024	022300 BOWS AND BALLOONS BY BRINA	01/14/2014	480.00
00034025	022503 SHARON BRASSARD	01/14/2014	32.49
00034026	030500 CENTRAL MAINE POWER/CREDIT,COLL	01/14/2014	201.27
00034027	030510 CENTRAL MAINE POWER	01/14/2014	6,623.55
00034029	030670 CHRISTY MACHINE CO	01/14/2014	69.56
00034030	030725 CITIZENS BANK (CHG)	01/14/2014	267.97
00034031	031425 COLONIAL LIFE & ACCIDENT INS.	01/14/2014	1,082.36
00034032	031485 COMMUNICATION TECHNOLOGIES INC	01/14/2014	78.75
00034033	031579 CONSTELLATION NEW ENERGY	01/14/2014	1,619.11
00034034	032710 D.J.'S MUNICIPAL SUPPLY	01/14/2014	924.75
00034035	040675 DONOVAN EQUIPMENT INC	01/14/2014	357.70
00034036	040800 DOUCETTE EXCAVATING	01/14/2014	4,445.00
00034037	050815 EMPLOYEE HEALTH & BENEFITS	01/14/2014	684.58
00034038	060100 HOWARD P FAIRFIELD INC	01/14/2014	44,960.33
00034039	141000 FAIRPOINT COMMUNICATIONS	01/14/2014	1,233.41
00034042	061500 FOSTER'S DAILY DEMOCRAT	01/14/2014	98.40
00034043	070200 P GAGNON & SON INC	01/14/2014	3,039.46
00034044	070600 GEORGE GORMAN	01/14/2014	102.00
00034045	070800 W.W.GRAINGER INC.	01/14/2014	153.83
00034046	071120 CHAD GREGORY	01/14/2014	184.50
00034047	071180 GROUP DYNAMIC INC	01/14/2014	400.00
00034048	071307 GULF/FLEET FUNDING	01/14/2014	62.59
00034049	071500 GUNSTOCK GROUP SALES	01/14/2014	900.00
00034050	191330 HANNAFORD'S	01/14/2014	469.02
00034051	080248 HANSCOM'S TRUCK STOP INC	01/14/2014	20,212.37
00034052	080450 HARVARD PILGRIM HEALTH CARE	01/14/2014	23,842.22
00034053	080998 HOME DEPOT	01/14/2014	931.12
00034054	081055 FERN HOULIARES	01/14/2014	135.04
00034055	081394 HUSSEY EXCAVATION INC	01/14/2014	1,715.00
00034056	090120 INLAND FISHERIES & WILDLIFE	01/14/2014	5,210.50
00034057	090375 INTERNATIONAL SALT	01/14/2014	28,746.69
00034058	090138 INVOICE CLOUD	01/14/2014	50.00
00034059	100150 JANETOS MARKET	01/14/2014	48.90
00034060	100866 KENNEBUNK/KENNEBUNKPORT/	01/14/2014	253.00
00034061	120548 MARK LEACH	01/14/2014	513.36
00034062	120960 LIBERTY INTERNATIONAL TRUCKS	01/14/2014	313.00
00034063	071170 M W GRENIER ENTERPRISES LLC	01/14/2014	136.00
00034064	132404 MAINE SAD#60	01/14/2014	358.00
00034065	131700 MAINE CHIEFS OF POLICE ASSOC.	01/14/2014	82.00
00034066	130670 MAINE RESOURCE/RECOVERY	01/14/2014	68.00
00034067	132400 MAINE SAD #35	01/14/2014	587,064.17
00034068	132328 MAINE STATE POLICE	01/14/2014	120.00
00034069	133795 MICK BODYWORKS	01/14/2014	705.88
00034070	133800 MICK CONSTRUCTION CORP	01/14/2014	15,000.00
00034071	134200 MAINE MUNICIPAL ASSO (INS)	01/14/2014	71,261.90

Check Number	Account	Date Paid	Amount
00034072	127000 CORRINE J MAHONY	01/14/2014	2,235.00
00034073	135210 ERIC MUNDELL	01/14/2014	498.99
00034074	140105 NAPA OF SOMERSWORTH	01/14/2014	1,072.99
00034075	140600 NEPTUNE INC	01/14/2014	127.95
00034076	140809 NEW ENGLAND COACH	01/14/2014	1,324.00
00034077	150290 OVERHEAD DOOR COMPANY	01/14/2014	314.95
00034078	160275 PHOENIX MANAGEMENT	01/14/2014	506.00
00034079	200700 PIKE INDUSTRIES INC	01/14/2014	113.75
00034080	160320 PINE TREE WASTE INC	01/14/2014	2,947.61
00034081	160900 PORTLAND NORTH TRUCK CENTER	01/14/2014	118.53
00034082	170000 QUILL CORPORATION	01/14/2014	412.28
00034083	180400 RED'S SHOE BARN INC	01/14/2014	264.59
00034084	180437 RENAUD INDUSTRIES LLC	01/14/2014	3,547.50
00034085	180603 RIVERBEND LANDSCAPE	01/14/2014	1,940.00
00034086	180900 ROBBINS AUTO PARTS INC	01/14/2014	49.22
00034087	190094 SANEL AUTO PARTS CO	01/14/2014	1,419.92
00034088	132500 SECRETARY OF STATE M/V	01/14/2014	22,355.61
00034089	132525 SECRETARY OF STATE	01/14/2014	220.00
00034090	192400 SO BERWICK PETTY CASH ACCOUNT	01/14/2014	97.58
00034091	192940 SOBO CENTRAL	01/14/2014	3,000.00
00034092	193605 SOUTHWORTH-MILTON INC	01/14/2014	1,565.02
00034093	193640 STAPLES	01/14/2014	183.94
00034094	200545 TERMINIX INTERNATIONAL	01/14/2014	37.76
00034095	201130 TOWN HALL STREAMS	01/14/2014	250.00
00034096	201150 ANNMARIE TOWNSEND	01/14/2014	25.61
00034097	133125 TREAS, MAINE/ODRVS	01/14/2014	160.00
00034098	133105 TREASURER OF STATE/C.WPNS	01/14/2014	80.00
00034099	133150 TREAS:STATE OF ME:SAFETY	01/14/2014	15.00
00034100	201300 TWO-WAY COMMUNICATION SERV INC	01/14/2014	420.38
00034101	210380 UNITED PARCEL SERVICE	01/14/2014	11.66
00034102	210595 URBAN TREE SERVICE	01/14/2014	450.00
00034103	230915 WHITED TRUCK CENTERS	01/14/2014	92.54
00034104	240900 YORK COUNTY REGISTRY OF DEEDS	01/14/2014	323.00
Total Not Prepaid			875,819.51
Total Prepaid			10,763.98
Grand Total			886,583.49

Check Number	-----Account-----	Date Paid	Amount
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WARRANT NUMBER	\$ 886,583.49	DATE 01/09/2014
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\* \* \* 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:

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

<b>Meeting Date: January 14, 2014</b>	<b>UB #1</b>
<b>Agenda Item: Addendum #2 to P &amp;S with Great Works Regional Land Trust</b>	
<b>Department Head:</b>	
<b>Town Manager's Recommendation</b>	
Approve Addendum	
<b>Requested Action</b>	
Vote to authorize the Manager to sign Addendum # 2 for P&S with GWRLT	
<b>Vote</b>	

# Purchase and Sale Agreement

## Addendum #2

This **Addendum #2** is made by and between **Great Works Land Trust**, a duly organized non-profit conservation trust with a mailing address of Post office Box 151, South Berwick, Maine hereinafter called the **Buyer**, and the **Town of South Berwick** with a mailing address of 180 Main Street, South Berwick, Maine, hereinafter called the **Seller** effective as of December 10, 2013.

Changes to original Purchase and Sale Agreement dated September 24, 2013.

3. **Closing:** This transaction shall be closed no later than ~~December 15, 2013~~ **March 01, 2014** at the Buyer's attorney's office, at a time and date to be agreed upon by the Seller and the Buyer. Seller will cooperate with the Buyer in executing the standard closing and title insurance affidavits and documents.

Dated at South Berwick, Maine on January 14, 2014

**Town of South Berwick, Seller**

**Great Works Land Trust, Buyer**

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: Town Manager

Its: \_\_\_\_\_

Duly Authorized

Duly Authorized

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

<b>Meeting Date: January 14, 2014</b>	<b>NB #1</b>
<b>Agenda Item: Personnel Policy Change to 31.78.1</b>	
<b>Department Head: Beverly Hasty, Personnel Benefits Administrator</b>	
<p><b>IRS Requirement for Retirement Health Savings Plan Amendment due to the Affordable Care Act Requirement for 2014 and to update that all full employees are eligible for RHS due Feb 23, 2010 amendment to plan add union employees.</b></p>	
<b>Town Manager's Recommendation</b>	
<p>Change the Personnel Policy to reflect required amendment to the Retirement Health Savings Plan and previous change to allow union members.          Paragraph 31.78.1 should now read as follows:</p> <p>The Town participates in a retirement health savings plan (RHS). The plan is an employer-sponsored health benefit savings vehicle that allows <u><del>(delete)</del> nonunion</u> full-time employees to accumulate assets to pay for medical and dental expenses on a tax-free basis upon retirement <u><del>(delete)</del>, age 55, or</u> at termination of service. The outline of the plan is as follows:.....</p>	
<b>Requested Action</b>	
Accept & update Personnel Policy for the Retirement Health Savings Plan changes.	
<b>Vote</b>	

**SUGGESTED AFFIRMATIVE STATEMENT  
VANTAGECARE RETIREMENT HEALTH SAVINGS PLAN AMENDMENT  
FOR THE PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010  
PROHIBITION ON ANNUAL AND LIFETIME LIMITS**

Plan Number: 8 1585

Name of Employer: Town of South Berwick State: Maine

Affirmative Statement of the above-named Employer (the "Employer"):

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, an amendment to the Employer's existing VantageCare Retirement Health Savings Plan ("Plan") is required to comply with the Prohibition on Annual and Lifetime Limits added through Section 2711 of the Public Health Services Act, as required by the Patient Protection and Affordable Care Act of 2010;

NOW THEREFORE, as a duly authorized agent of the Employer, I hereby:

ESTABLISH that the Employer hereby amends the Plan to condition reimbursement eligibility upon the employee's separation from service.

DATE: December 23, 2013

TITLE: Town Manager

SIGNATURE: 

**AMENDMENT**

[ Town of South Berwick ] VANTAGECARE RETIREMENT HEALTH  
EMPLOYER NAME  
SAVINGS PLAN FOR THE PATIENT PROTECTION AND AFFORDABLE CARE ACT OF  
2010 PROHIBITION ON ANNUAL AND LIFETIME LIMITS

[ Town of South Berwick ], as Plan Sponsor, hereby amends  
EMPLOYER NAME  
its VantageCare Retirement Health Savings Plan by adopting the following revisions to  
the Plan documents.

[ Town of South Berwick ] VANTAGECARE RETIREMENT  
EMPLOYER NAME  
HEALTH SAVINGS PLAN ADOPTION AGREEMENT

**SECTION IX**  
**ELIGIBILITY REQUIREMENTS TO RECEIVE MEDICAL BENEFIT PAYMENTS**  
**FROM THE VANTAGECARE RETIREMENT HEALTH SAVINGS PLAN**

- IX (A) A participant is only eligible to receive benefits at separation from service.
- IX (B) Termination prior to general benefit eligibility: In the case where the general benefit eligibility as outlined in section IX.A includes a retirement component, a Participant who separates from the service of the Employer prior to retirement will be eligible to receive benefits immediately upon separation from service.

[ Town of South Berwick ] RETIREE WELFARE BENEFITS PLAN  
EMPLOYER NAME

**ARTICLE V**  
**PAYMENT OF BENEFITS**  
**SECTION 5.01, ELIGIBILITY OF BENEFITS**  
**SUBSECTION (b)**

- 5.01 (b) In order to be eligible for benefits, the Participant must separate from service or separate from service and meet the benefit eligibility criteria outlined in the Employer's VantageCare Retirement Health Savings Plan Adoption Agreement.



**TOWN COUNCIL**

***Agenda Information Sheet***

<b>Meeting Date: January 14, 2014</b>	<b>NB #2</b>
<b>Subject: Relish liquor license</b>	
<b>Information:</b>	
Relish's current liquor license expires Feb 26th.	
<b>Staff Comments/Recommendation:</b>	
The Chief has been consulted and there are no issues to report.	
<b>Requested Action:</b>	
Motion to approve the renewal of Relish's liquor license.	
<b>Vote:</b>	

**Department of Public Safety  
Division**



**Liquor Licensing & Inspection**

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

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

**PRESENT LICENSE EXPIRES** 2/26/14

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

**INDICATE TYPE OF LICENSE:**

- RESTAURANT (Class I,II,III,IV)
- HOTEL-OPTIONAL FOOD (Class I-A)
- CLASS A LOUNGE (Class X)
- CLUB (Class V)
- TAVERN (Class IV)
- RESTAURANT/LOUNGE (Class XI)
- HOTEL (Class I,II,III,IV)
- CLUB-ON PREMISE CATERING (Class I)
- GOLF CLUB (Class I,II,III,IV)
- 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.) DOB:	<b>2. Business Name (D/B/A)</b> KELISH
Big Night Productions Inc DOB:	
DOB:	<b>Location (Street Address)</b> 404 Main St
<b>Address</b> 404 Main St	<b>City/Town</b> South Berwick <b>State</b> Me <b>Zip Code</b> 03908
	<b>Mailing Address</b> same
<b>City/Town</b> South Berwick <b>State</b> Me <b>Zip Code</b> 03908	<b>City/Town</b> <b>State</b> <b>Zip Code</b>
<b>Telephone Number</b> 207 384 8249 <b>Fax Number</b> same	<b>Business Telephone Number</b> 207 384 8249 <b>Fax Number</b> same
<b>Federal I.D. #</b> 020498902	<b>Seller Certificate #</b> 1094739

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

complete Supplementary Questionnaire ,If YES

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

11. Is/are applicant(s) residents of the State of Maine? YES  NO
12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:  
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Christine Fournier	9/10/64	Andover AFB MI
Linda Robinson	6/14/60	MT

Residence address on all of the above for previous 5 years (Limit answer to city & state)  
 both 404 Main St South 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)  
 18 seat bistro 2 rooms for dining w full bar

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

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

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

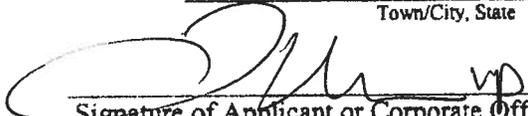
If YES, give details: \_\_\_\_\_

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

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

Dated at: South Berwick Me on 12/3, 2013  
Town/City, State Date

Please sign in blue ink

  
 Signature of Applicant or Corporate Officer(s)  
 Linda Robinson up

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

Name	Print Clearly Address Previous 5 years	Birth Date	% of Stock	Title
Christine Poirier	404 Main St S. Berwick Me	9/10/64	100%	pres
Linda Robinson	404 Main St S Berwick Me.	6/14/60	0	VP

- What is the amount of authorized stock? 100 shares Outstanding Stock? 0
- 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: \_\_\_\_\_ City/Town On: \_\_\_\_\_ Date

[Signature]  
Signature of Duly Authorized Officer  
Linda Robinson up  
Print Name of Duly Authorized Officer

12/3/13  
Date

STATE OF MAINE

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

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

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

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and 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, c.589, §1 (amd).]
  2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
    - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c.45, Pt.A§4 (new).]
    - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
    - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
    - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
    - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
    - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
    - A. [1993, c.730, §27 (rp).]
  4. **No license to person who moved to obtain a license. (REPEALED)**
  5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.



**TOWN COUNCIL**

***Agenda Information Sheet***

<b>Meeting Date: January 14, 2014</b>	<b>Agenda Item NB 3</b>
<b>Subject:</b> Solid Waste Hauler License for Jayco	
<b>Information:</b> Jayco's license expires January 31st. They have requested renewal, completed the application (attached), and have remitted the proper fees. There have been no issues reported.	
<b>Staff Comments/Recommendation:</b> Recommend approval.	
<b>Requested Action:</b> Motion & vote to renew Jayco's Solid Waste Hauler License through January 31, 2014.	
<b>Vote:</b>	

Town of South Berwick  
Solid Waste Haulers License Application

Name of Hauler Jayco Disposal  
Hauler's Address PO Box 305  
York, Maine 03909  
Email address: Jayco Disposal@Maine.RR.com  
Telephone 207-363-0098

Vehicle Information:

Plate #	Make	Model	Color	VIN Number	Vehicle Weight
NH-Jayco	ISUZU	Dump	white	Jal64B14817002015	12,000 LBS
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
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New licenses are \$250 plus \$50 per truck. Renewals are \$100 plus \$50 per truck.

Prepared by (please print) Angel K. Baker  
Signature: Angel K. Baker

**TOWN COUNCIL**

***Agenda Information Sheet***

<b>Meeting Date: January 14, 2014</b>	<b>Agenda Item NB #4</b>
<b>Subject:</b> Solid Waste Hauler License for Oceanside Rubbish	
<b>Information:</b> Oceanside's license expires January 31st. They have requested renewal, completed the application (attached), and have remitted the proper fees. No issues have been reported.	
<b>Staff Comments/Recommendation:</b> Recommend approval.	
<b>Requested Action:</b> Motion to renew Oceanside's Solid Waste Hauler License to expire January 31, 2015.	
<b>Vote:</b>	

Town of South Berwick  
Solid Waste Haulers License Application

Name of Hauler Oceanside Rubbish, INC

Hauler's Address PO Box 39

WELLS, MAINE 04090

Email address: donna@oceansiderubbishinc.com

Telephone 207-646-3230

Vehicle Information:

Plate #	Make	Model	Color	VIN Number	Vehicle Weight
<u>746-879</u>	<u>DODGE</u>	<u>RAM</u>	<u>WHITE</u>	<u>1BTEK14T5X8171528</u>	<u>10,000</u>
<u>958588</u>	<u>INT</u>	<u>7400</u>	<u>WHITE</u>	<u>1HTW6AAT8BJ424790</u>	<u>54,000</u>
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_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

New licenses are \$250 plus \$50 per truck. Renewals are \$100 plus \$50 per truck.

Prepared by (please print) Donna Coleman

Signature: 

**TOWN COUNCIL**

***Agenda Information Sheet***

<b>Meeting Date: January 14, 2014</b>	<b>Agenda Item NB #5</b>
<b>Subject:</b> Solid Waste Hauler License for Waste Management of NH	
<b>Information:</b> The Town has received a request to renew Waste Management of NH's Solid Waste Hauler License. Proper fees have been received. No issues have been reported.	
<b>Staff Comments/Recommendation:</b> Recommend that a Solid Waste Hauler License be issued to expire January 31, 2015.	
<b>Requested Action:</b> Council wishes	
<b>Vote:</b>	

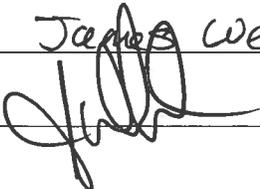
Town of South Berwick  
Solid Waste Haulers License Application

Name of Hauler Waste Management  
 Hauler's Address 90 Rochester Neck Rd  
Rochester, NH 03839  
 Email address: JWelch@com.com  
 Telephone 603-330-2172

Vehicle Information:

Plate #	Make	Model	Color	VIN Number	Vehicle Weight
<u>7230AR</u>	<u>Mack</u>	<u>Refuse</u>	<u>Green</u>	<u>1M2K195C37M034333</u>	<u>64,000</u>
<u>4398AR</u>	<u>mack</u>	<u>Refuse</u>	<u>Green</u>	<u>1M2K195C13M022157</u>	<u>64,000</u>
<u>AR7067</u>	<u>mack</u>	<u>Recycle</u>	<u>Green</u>	<u>1M2AC07C32M006829</u>	<u>55,000</u>
<u>AR8217</u>	<u>Mack</u>	<u>Recycle</u>	<u>Green</u>	<u>1M2AC07C22M006725</u>	<u>55,000</u>
<u>7194AR</u>	<u>mack</u>	<u>Refuse</u>	<u>Green</u>	<u>1M2K195CX7M034961</u>	<u>64,000</u>
<u>AR6983</u>	<u>mack</u>	<u>Refuse</u>	<u>Green</u>	<u>1M2K19501MDK08842</u>	<u>64,000</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

New licenses are \$250 plus \$50 per truck. Renewals are \$100 plus \$50 per truck.

Prepared by (please print) James Welch  
 Signature: 

**TOWN COUNCIL**

***Agenda Information Sheet***

<b>Meeting Date: January 14, 2014</b>	<b>Agenda Item NB #6</b>
<b>Subject: Spring Hill liquor license &amp; special amusement permit</b>	
<b>Information:</b>	
Spring Hill's current liquor license and special amusement permit expires Feb 1st.	
<b>Staff Comments/Recommendation:</b>	
The Chief has been consulted and there are no issues to report.	
<b>Requested Action:</b>	
Motion to approve the renewal of Spring Hill's liquor license & special amusement permit.	
<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.

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

**PRESENT LICENSE EXPIRES** 2/1/14

**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.) <u>Spring Hill Incorporated</u>	<b>2. Business Name (D/B/A)</b> <u>Spring Hill Restaurant &amp; Banquet Hall</u>
DOB:	
DOB:	
Address <u>117 Pond Rd</u>	<b>Location (Street Address)</b> <u>117 Pond Rd</u>
City/Town <u>So. Berwick</u>	City/Town <u>So. Berwick</u>
State <u>Me</u>	State <u>Me</u>
Zip Code <u>03908</u>	Zip Code <u>03908</u>
	<b>Mailing Address</b> <u>117 Pond Rd</u>
City/Town <u>So. Berwick</u>	City/Town <u>So. Berwick</u>
State <u>Me</u>	State <u>Me</u>
Zip Code <u>03908</u>	Zip Code <u>03908</u>
Telephone Number <u>207-384-2193</u>	Business Telephone Number <u>207-384-2193</u>
Fax Number <u>207-384-8399</u>	Fax Number <u>207-384-8399</u>
Federal I.D. # <u>20-0622559</u>	Seller Certificate # <u>1080464</u>

3. If premises are a hotel, indicate number of rooms available for transient guests: 0
4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ 362,994.75 LIQUOR \$ 110,334.34
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: 117 Pond Rd So. Berwick, Me 03908
10. Is/are applicants(s) citizens of the United States? YES  NO

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

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

Name in Full (Print Clearly)	DOB	Place of Birth
Rosalie G Scharf	6/10/40	Dover, NH

Residence address on all of the above for previous 5 years (Limit answer to city & state)  
South 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) One story building w/ restaurant and two function rooms and attached decks. During summer + fall under

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES  NO  Applied for: \_\_\_\_\_  
*a tent or designated area utilized by food*

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? ± 2 miles 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: mortgage held by Kennebec Savings bank

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 Jan 7, 2014  
Town/City, State Date

Rosalie G. Scharf  
Signature of Applicant or Corporate Officer(s)

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

Print Name

Print Name

**NOTICE – SPECIAL ATTENTION**

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

**THIS APPROVAL EXPIRES IN 60 DAYS.**

**FEE SCHEDULE**

<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.	

**FILING FEE**..... \$ 10.00

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

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

STATE OF MAINE

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

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

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

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
  - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
  - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant’s prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
  - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, 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.



**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.

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Name of Applicant for Permit: Spring Hill Inc.

Address of Applicant: 117 Pond Rd So. Berwick

Telephone # of Applicant: 207-384-2093

Name of Business to be Conducted: Spring Hill Restaurant & Banquet hall

Address of Business: 117 Pond Rd So. Berwick, Me

Telephone # of Business: 207-384-2093

Nature of Business: Restaurant, banquet + function hall  
for banquets, wedding + corporate functions

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

Type of Entertainment Planned: Live background music for restaurant  
and occasional dance band and/or background music for  
weddings, banquets, and outings

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 #: 5703

Signature Rosalie Schaf Date 1/7/14





# Town of South Berwick

180 MAIN STREET  
SOUTH BERWICK, MAINE 03908-1535  
TEL. 207-384-3300  
FAX: 207-384-3303

## RESOLVE

### LD 1483 “An Act to Promote and Enhance State Policy to Preserve and Support Existing Methods of Disposal of Municipal Waste.”

**Resolve**, to express the South Berwick Town Council’s objections to LD 1483 “An Act to Promote and Enhance State Policy to Preserve and Support Existing Methods of Disposal of Municipal Waste.”

**Whereas**, the language and intent of LD 1483 does not facilitate the “Support” of all “Existing Methods of Disposal of Municipal Solid Waste” and only “Supports” the single method of current Waste to Energy technologies, the South Berwick Town Council finds the Act to be inequitable and narrowly focused; and

**Whereas**, 38 M.R.S.A. § 1302 finds that “State action is needed to assist municipalities in separating, collecting, recycling, and disposing of solid waste” as priorities and that the investment in reuse and recycling should be a higher priority than an assessment to support waste reduction through limited capacities of waste to energy; and

**Whereas**, the top priorities of reduction, reuse, and recycling should prevail prior to disposal, South Berwick requests the State focus policy on these measures prior to penalizing through assessment of fee to dispose of the resulting end products of well-run municipal solid waste reduction programs; and

**Whereas**, the Town of South Berwick has embraced the State’s Policy as stated in 38 M.R.S.A. § 1302 through reuse and recycling of solid waste achieving recycling rates in excess of 60% since 2007, and will continue to support such a focus as the most beneficial element of waste reduction before consideration of disposal; and

**Whereas**, the imposition of additional waste disposal fees ranging from \$10 to \$14 per ton with no upper limit upon municipalities, residents, and businesses to benefit a narrow definition of waste disposal facilities creates an economic inequity across the State without a clearly articulated correlation of achieving the State’s Policies on solid waste management; and

**Whereas**, the State has a finite resource of waste to energy and landfill facilities and currently licensed waste to energy facilities cannot reasonably process all solid waste generated within Maine, LD 1483 unfairly penalizes those entities not having existing contractual relationships, or the ability to enter into contractual relationships with a Certified Waste Processing Facility under the proposed 38 MRSA §2201-B 5; and

**Whereas**, it is reasonable to request the State to focus Policy on the further development of technology for waste processing which reduces the volume of waste needing disposal rather than levying the assessment of a “Fee” upon some, but not all, to support the limited and antiquated technologies that are currently operating waste to energy facilities within Maine; and

**Whereas**, the narrow focus of LD 1483 to subsidize the operation of certain waste to energy facilities radically impacts the investments in contractual relationships and facilities of a majority of Maine municipalities, destabilization of the State’s current solid waste disposal options will likely result;

**Now, Therefore, Be It Resolved by the South Berwick Town Council** that LD 1483 is not in the best interest of our Town and could impose future disposal costs in excess of \$10,000.00 per year on residential solid waste after reduction through reuse and recycling, further increase the costs to businesses for waste disposal, and that the narrow focus, inequitable assessments, and lack of a Policy to support investment in the development of new technologies for waste reduction prior to disposal is not in the best interest of all of Maine.

Read and Adopted by a Vote of South Berwick Town Council in meeting assembled;  
January 14, 2014

Municipal Officers

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Gerald W. Macpherson Sr., Chair

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Jean Demetracopoulos

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David H. Webster

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John C. Kareckas

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Russell H. Abell



# Town of South Berwick

180 MAIN STREET  
SOUTH BERWICK, MAINE 03908-1535  
TEL. 207-384-3300  
FAX: 207-384-3303

January 14, 2014

Rep. Mark Eves,  
Speaker of the House  
2 State House Station  
Augusta, Maine 0433

Re: LD 1483

Dear Mark:

The South Berwick Town Council is requesting that you withdraw your support for LD 1483 "An Act to Promote and Enhance State Policy to Preserve and Support Existing Methods of Disposal of Municipal Solid Waste."

As you are aware, South Berwick has always taken a proactive approach to Solid Waste Management. We were amongst the first communities in the State of Maine to adopt a Pay As You Throw (PAYT) program that has drastically reduced the amount of solid waste that we dispose. We were also a member community of an incinerator (MERC) that closed, which has resulted in us having to landfill our waste for lack of options due to a long term contractual arrangement with MERC's parent company Casella Waste, Inc., that was entered into to protect our citizens by providing the disposal of the solid waste generated within the community.

This piece of legislation is bad public policy. It sets up a situation where waste to energy incinerators in Maine will be subsidized by communities and business which landfill their waste, basically pitting towns against towns. This is a short sighted approach to a larger solid waste management issue. The State of Maine needs to review and produce a comprehensive Solid Waste Management Policy that includes all types of disposal, land filling and incineration, but also encourages the top tiers of the Solid Waste Hierarchy of reducing, reusing, and recycling our solid waste and encourages investment in the development of new technologies for waste reduction and disposal.

In South Berwick, we have been able to reduce the amount of waste that people are disposing by changing people's purchasing habits, reusing items to their furthest intent and recycling as much items as we possibly can. There is nothing in this legislation that encourages municipalities to address these top tier solid waste issues. By instituting PAYT, South Berwick has reduced the amount of waste being sent for final disposal by over 40% and has achieved recycling rates in excess of the state averages. Where is the incentive or assistance by the State for these types of programs? The State needs to establish a policy that addresses the reduction, reuse and recycling of solid waste and not establish a policy that promotes one tier Solid Waste disposal hierarchy that basically produces an additional revenue stream for waste to energy facilities at the expense of others without any relief to the penalties.

Statewide, the three waste to energy plants have a capacity of processing approximately 600,000 tons of waste a year, however the State incinerates and landfills nearly 1.6 million tons. If waste to energy facilities are to receive a subsidy, shouldn't there be the availability of capacity for municipalities to dispose of their waste at the incinerators so that they could receive similar incentives? The waste to energy plants are also in areas of the State that are not accessible or economically viable to transport waste from municipalities statewide. How will Aroostook County Towns pay for hauling their waste to the nearest waste to energy plant in Orrington, Maine? How about the communities that have spent millions of dollars complying with State of Maine law on creating secured landfills only to be penalized by an addition \$10-\$14 a ton? We should also note that the legislation does not establish and upper limit on the tonnage fee assessed to landfills. This fee equated into a \$14 million tax on landfills to subsidize waste to

energy plants that were constructed nearly 30 years ago. How about towns like South Berwick, who has reduced, reused and recycled our solid waste, entered into long term contracts to dispose of our MSW at a waste to energy facility only to have that facility close leaving us contractually bound by the terms of our long term agreement because we wanted to protect our citizen's ability to dispose of generated solid waste.

In addition to MSW disposal, this fee will also be assessed on items that cannot be incinerated such as Construction and Demolition materials. Last year the State imposed a \$2.00 fee on C&D disposal to assist in the closing of landfills across the State. The addition of the fee being assessed under this new piece of legislation will be borne by every single municipality in the State while impacting the housing industry significantly as this industry accounts for the majority of the C&D materials disposed. This will have a significant impact on an industry that is so important to our State's economy.

Attached to this letter, please find a resolution adopted by the Town of South Berwick Town Council outlining our opposition of LD 1483. This legislation will produce harmful effects on our citizens and taxpayers and as our representative to the Maine Legislature; we request that you withdraw your support for this legislation. We are willing to be part of the discussion on a comprehensive Solid Waste Management Plan for the entire State of Maine where all levels of Solid Waste Hierarchy are reviewed and not just a piece of legislation that assists in the revenue stream of the Waste to Energy Plants at the expense of others.

Sincerely,

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Gerald W. Macpherson, Sr., Chair

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Jean Demetracopoulos

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David H. Webster

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John C. Kareckas

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Russell H. Abell