

## **South Berwick Town Council July 8, 2014**

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. Council 6-24-14: On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to adopt the minutes as written. Mr. Kareckas did question whether discussion regarding the closeout of the library construction project should be included, possibly under the Manager's Report. Mr. Ellsworth responded that there was discussion at the last meeting; he did however have more to report under the Manager's comments later.

### **Treasurer's Warrant –**

1. On a motion by Mrs. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to ratify the signing of the warrant for June 30, 2014 in the amount of \$220,462.41.

2. On a motion by Mr. Kareckas, seconded by Mr. Abell, it was unanimously voted to sign the warrant of July 8, 2014 in the amount of \$712,630.66.

### **Public Comment**

1. Scott Landis, Academy St, asked the Council if the Town would consider implementing an ordinance for the use of fireworks. He stated that displays and usage have become lengthy and more frequent. He added that this past week he felt as though he were living in a war zone.

Mr. MacPherson stated that the Council has discussed the issue in the past and opted to wait to see how the state law change affected things. Mr. MacPherson also stated that he has noticed the increase in usage and commented that a neighbor's horses are bothered by the fireworks.

Mr. Ellsworth stated fireworks could be another area that the Planning Board could look at it.

Linda Becker, Main St, commented, "It can get invasive". She added that it has a negative impact on the quality of life in the backyard.

### **Reports & Presentations**

1. Vaughan Woods State Park: Dylan Cookson, Veteran Community Leader for the Maine Conservation Corps was present to inform the Council of the conservation projects planned for Vaughan Woods State Park. He stated that he was seeking volunteers and asked the Council for help. Mr. Ellsworth stated that we could post something on our website. Other suggestions were to seek out the Conservation Commission, Land Trust (GWRLT), and high school students needing community service credit, and scout troops. (Mr. Abell provided his information to Mr. Cookson to look into whether the scouts can help)

2. Route 236 Signage: Linda Becker, Main St, presented the Council with a proposal for a "Welcome to South Berwick" sign for the northbound side of Route 236. Mrs. Becker described the proposed sign (power point was not functioning) and the ability to add rotating events. She added that Hannah Bulger prepared the graphics & design and Len Bogh provided construction & installation costs. As proposed, the total cost could total \$6,000 to \$7,000 or more. Mrs. Becker pointed out that the costs are very rough numbers and Len was willing to do his part at his cost. She added that she would be happy to help with any necessary fundraising.

Mr. Ellsworth stated that there are a number of things to work out including costs, maintenance, and permitting from the state to use its right of way.

Mr. Kareckas asked Mrs. Becker if she could provide a comparative with the other "Welcome" signs.

## **Town Manager's Report**

-Stated that Mr. Kareckas is correct, the library construction project does need to be closed-out. There are four main items needing attention, steeple work, mechanical analysis of the geo-thermal, solar panels through the Seacoast Energy Initiative Grant, and the balcony (which the Friends of the Library are handling). Everything should be complete by late October, early November. The accounts will then be balanced out and the Friend's will move on to other projects.

-The Seacoast Energy Initiative (SEI) grant funds total approximately \$370,000. \$120,000 will go to South Berwick, \$98,000 to York, \$45,000 to Ogunquit, \$45,000 to Eliot, and \$38,000 to Kittery. Southern Maine Planning & Development Commission is helping with the administration work. To help accommodate the amount of work needed to complete the jobs, Mr. Ellsworth stated that he has asked for a one-month extension from the original September 30<sup>th</sup> grant completion date. Mr. Ellsworth added that since there are no matching funds required this is a good deal for the town.

-Reminded everyone of the meeting with the school on July 16<sup>th</sup>.

-Berwick is ready to start meeting regularly to discuss collaboration efforts. Mr. Kareckas & Mr. Abell tentatively scheduled July 23<sup>rd</sup> and August 20<sup>th</sup> for early morning meetings.

-A collaboration meeting with Eliot is due.

-The Avesta project is moving forward; currently working on the necessary easements and rights-of-way.

-The new ambulance service seems to be working well so far.

-The Fire Chief has picked out a new truck, around \$400,000. More information will be provided after tax revenues pick up in September.

-On Thursday will be in Augusta at the Dept. of Labor to explain what the town has done in response to the OSHA inspection. He added that he is hoping to get the \$4,200 fine reduced or eliminated.

-The Ransom environmental analysis of the "Day" property is complete and will be provided in the Council's weekly packet. The abatement will cost about \$11,000.

## **Unfinished Business**

1. On a motion by Mrs. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to authorize the Town Manager to sign any documents involved in the joint sale of land (w/August Realty) to the Great Works Regional Land Trust for parcels totaling 10.71 acres [as designated by Tax Map 2, Lots 39 and 39A]. Mr. Kareckas stated, for full disclosure, that he is a member of the board for the Land Trust, but does not have a conflict of interest.

## **New Business**

1. On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to suspend the rules and take up an item not on the agenda.

On a motion by Mr. Kareckas, seconded by Mrs. Demetracopoulos, it was unanimously voted to hold a public hearing on Tuesday, July 22<sup>nd</sup> at 6:30pm to consider a new liquor license application from MWG Pizza.

2. On a motion by Mrs. Demetracopoulos, seconded by Mr. Webster, it was unanimously voted to mark the MMA Legislative Policy Committee ballot by voting for Torbert Macdonald, Jr. (Selectman, Town of York) and Perry Ellsworth (Town Manager, Town of South Berwick).

3. On a motion by Mrs. Demetracopoulos, seconded by Mr. Kareckas, it was unanimously voted to confirm the slate of Municipal Officials for the fiscal year 2015 as presented. [A copy of the list is attached in the minutes book]

### **Council Member Comments**

1. Mrs. Demetracopoulos:

-Expressed her concern about proper signage for the two different truck traffic detours involving Route 101 (Dover/Eliot) and Route 9 (Berwick/Somersworth). She added that signage should be placed well in advance of the Old Fields Bridge (near Lord's or Flynn's Lanes) because large trucks will not be able to turnaround if they get to the bridge.

2. Mr. Webster:

-Commented that it was nice to see grass growing on lawns and not on the sidewalks. He added that it shows that we care about our community. Mr. Ellsworth stated that we have already sprayed twice.

3. Mr. Abell:

-Commented that he had received a number of resident concerns about fireworks.

4. Mr. MacPherson:

-Stated that he also had received comments from people in his neighborhood about fireworks, especially exceeding the state curfew of 10:00pm.

-Added that Strawberry Festival went very well, the weather cooperated nicely.

### **Adjournment**

On a motion by Mr. Webster, seconded by Mrs. Demetracopoulos, it was unanimously voted to adjourn the meeting at 7:40pm.

Attested:

Barbara Bennett, CCM



TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00034943	021200 BERGERON PROTECTIVE CLOTHING	07/22/2014	-7.00
00035145	090151 UNITED STATES TREASURY	07/22/2014	27.00
00035146	090151 UNITED STATES TREASURY	07/22/2014	54.00
00035147	230700 TOWN OF WELLS	07/22/2014	42.00
00035148	120970 LIBBY SCOTT INC.	07/22/2014	81,953.79
00035149	132500 SECRETARY OF STATE M/V	07/22/2014	16,235.84
00035150	090151 UNITED STATES TREASURY	07/22/2014	41.02
00035151	122250 TOWN OF LYMAN	07/22/2014	42.00
00035152	189999 REFUNDS	07/22/2014	200.00
00035153	189999 REFUNDS	07/22/2014	120.00
00035154	010336 AGGREGATE RECYCLING CORP	07/17/2014	3,743.74
00035155	010490 ALGONQUIN PRODUCTS CO	07/17/2014	183.89
00035156	010585 AMAZON	07/17/2014	80.82
00035157	010740 AMERIFLEX	07/17/2014	540.00
00035158	020225 BAKER & TAYLOR	07/17/2014	91.79
00035159	021800 BOB'S TROPHIES & AWARDS	07/17/2014	362.00
00035160	022250 BOWL-A-RAMA	07/17/2014	423.00
00035161	022503 SHARON BRASSARD	07/17/2014	36.80
00035162	022640 BURKE'S TREE SERVICE	07/17/2014	2,800.00
00035226	030530 CENTRAL TIRE CO INC	07/22/2014	895.50
00035227	030500 CENTRAL MAINE POWER/CREDIT COLL	07/22/2014	173.82
00035228	030510 CENTRAL MAINE POWER	07/22/2014	3,455.21
00035229	030725 CITIZENS BANK (CHG)	07/22/2014	1,204.02
00035230	041100 DOWLING CORPORATION	07/22/2014	176.83
00035231	050205 EASTERN TRAIL MGMT DISTRICT	07/22/2014	3,500.00
00035232	060175 JIM FARDELMANN	07/22/2014	155.61
00035233	061675 FUNTOWN/SPLASHTOWN	07/22/2014	988.00
00035234	010525 G&K SERVICES	07/22/2014	764.52
00035235	070907 GRANITE STATE RACE SERVICES	07/22/2014	825.00
00035236	191330 HANNAFORD'S	07/22/2014	132.36
00035237	080248 HANSCOM'S TRUCK STOP INC	07/22/2014	3,282.66
00035238	080350 HARTFORD LIFE INSURANCE CO.	07/22/2014	346.50
00035239	080450 HARVARD PILGRIM HEALTH CARE	07/22/2014	23,483.64
00035240	080501 BRUCE HASTY'S PLUMB/HEATNG	07/22/2014	333.22
00035241	080500 BEVERLY HASTY	07/22/2014	114.24
00035242	080518 HAYDEE'S PEST FREE MGMT	07/22/2014	45.00
00035243	081394 HUSSEY EXCAVATION INC	07/22/2014	2,250.00
00035244	087015 IALEFI	07/22/2014	55.00
00035245	089050 INDUSTRIAL PROTECTION SERVICES	07/22/2014	100.00
00035246	141367 KONE INC	07/22/2014	206.38
00035247	120350 NORMAND LAUZE	07/22/2014	775.00
00035248	120970 LIBBY SCOTT INC.	07/22/2014	81,090.31
00035249	121300 LINCOLN PRESS	07/22/2014	39.00
00035250	071170 M W GRENIER ENTERPRISES LLC	07/22/2014	86.00
00035251	133195 MAINE TURNPIKE AUTHORITY	07/22/2014	7.20
00035252	133358 W.B.MASON	07/22/2014	111.78
00035253	133795 MICK BODYWORKS	07/22/2014	8,000.00
00035254	134200 MAINE MUNICIPAL ASSO (INS)	07/22/2014	2,736.00
00035255	134300 MAINE MUNICIPAL EMPLOYEES	07/22/2014	3,731.62
00035256	134601 EXXON/MOBIL	07/22/2014	411.03
00035257	140105 NAPA OF SOMERSWORTH	07/22/2014	148.89
00035258	140150 NAPARS	07/22/2014	200.00
00035259	140235 NASRO	07/22/2014	40.00
00035260	140790 NATIONAL AUTO RESEARCH	07/22/2014	936.00
00035261	140950 NEW ENGLAND STATE POLICE	07/22/2014	50.00
00035262	141370 NORTHEAST HYDRAULICS INC	07/22/2014	1,068.90

CHECK REGISTER

Check Number	Account	Date Paid	Amount
00035263	159995 HL PATTEN CONSTRUCTION	07/22/2014	2,188.00
00035264	200700 PIKE INDUSTRIES INC	07/22/2014	717.26
00035265	160692 POLAND SPRING	07/22/2014	82.22
00035266	161265 PORTSMOUTH FORD	07/22/2014	252.97
00035267	170000 QUILL CORPORATION	07/22/2014	159.29
00035268	180400 RED'S SHOE BARN INC	07/22/2014	175.49
00035269	132500 SECRETARY OF STATE M/V	07/22/2014	22,472.57
00035270	191323 SHOEM ROADWAY SERVICES LLC	07/22/2014	800.00
00035271	180170 BOB RAY	07/22/2014	428.00
00035272	192900 SO BERWICK WATER DISTRICT	07/22/2014	78,415.11
00035273	192650 SO BERWICK SEWER DISTRICT	07/22/2014	63.00
00035274	193410 SO MAINE REGIONAL PLANNING CM	07/22/2014	2,954.50
00035275	193619 SPRING HILL	07/22/2014	546.00
00035276	193640 STAPLES	07/22/2014	83.60
00035277	200545 TERMINIX INTERNATIONAL	07/22/2014	52.00
00035278	133020 TREASURER/STATE OF MAINE	07/22/2014	2,360.00
00035279	133030 TREAS/STATE OF MAINE/DHHS	07/22/2014	30.00
00035280	061380 KRISTINE TRULOCK	07/22/2014	20.16
00035281	201300 TWO-WAY COMMUNICATION SERV INC	07/22/2014	1,716.01
00035282	210620 US BANK EQUIPMENT FINANCE	07/22/2014	112.00
00035283	211500 VERIZON WIRELESS	07/22/2014	664.28
00035284	230300 WALMART COMMUNITY BRC	07/22/2014	289.94
00035285	240900 YORK COUNTY REGISTRY OF DEEDS	07/22/2014	38.00
Total Not Prepaid			
Total Prepaid			264,801.68
Grand Total			98,708.65
			363,510.33

WARRANT NUMBER ..... \$ 363,510.33 ..... DATE 07/17/2014 .....

\* \* \* 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: July 22, 2014</b>	<b>Agenda Item NB #1</b>
<b>Agenda Item: Liquor License renewal for MWG Pizza, LLC</b>	
<b>Department Head Recommendation:</b>	
This is a request for a new liquor license for MWG Pizza, LLC at 438 Main Street.	
<b>Town Manager's Recommendation</b>	
<b>Requested Action</b>	
Motion & vote to approve a new liquor license request for MWG Pizza, LLC..	
<b>Vote</b>	

**BUREAU OF ALCOHOLIC BEVERAGES  
DIVISION OF LIQUOR LICENSING & ENFORCEMENT**

8 164 STATE HOUSE STATION  
AUGUSTA, ME 04333-0164

0008



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.

**DEPARTMENT USE ONLY**

LICENSE NUMBER: \_\_\_\_\_ CLASS: \_\_\_\_\_

DEPOSIT DATE \_\_\_\_\_

AMT. DEPOSITED: \_\_\_\_\_ BY: \_\_\_\_\_

CK/MO/CASH: \_\_\_\_\_

PRESENT LICENSE EXPIRES \_\_\_\_\_

INDICATE TYPE OF PRIVILEGE:  MALT  SPIRITUOUS  VINOUS

**INDICATE TYPE OF LICENSE:**

RESTAURANT (Class I,II,III,IV) (IV)

HOTEL-OPTINONAL 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, <u>Limited</u> Liability Co, etc.) Kevin Clark DOB: 10/31/65 Katherine Cummings DOB: 4/11/61		<b>2. Business Name (D/B/A)</b> MWG PIZZA, LLC	
Address 436 Main St Apt 2		Location (Street Address) 458 Main Street	
City/Town South Berwick	State ME	City/Town South Berwick	State ME
Zip Code 03908		Zip Code 03908	
Telephone Number	Fax Number	Business Telephone Number 207-384-4400	Fax Number
Federal I.D. #		Seller Certificate #	

3. If premises is 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

If YES, complete Supplementary Questionnaire

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: 5-22-14

Requested inspection date: \_\_\_\_\_ Business hours: Mon 3-9 Tues-4thurs. 11-9

9. Business records are located at: Fri & Sat 11-10 Sun 3-9

10. Is/are applicant(s) citizens of the United States? YES  NO

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

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

Name in Full (Print Clearly)	DOB	Place of Birth
Kevin Robert Clark	10/31/1965	New Market
Katherine Louise Cummings	4/11/61	PNSY

Residence address on all of the above for previous 5 years (Limit answer to city & state)  
ELIOT, ME 20YRS.

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: John Succi

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

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? \_\_\_\_\_ Which of the above is nearest? \_\_\_\_\_

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 7/7, 20 14  
Town/City, State Date

*Katherine Cummings*  
Signature of Applicant or Corporate Officer(s)

Katherine Cummings  
Print Name

Please sign in blue ink

\_\_\_\_\_  
Signature of Applicant or Corporate Officer(s)

\_\_\_\_\_  
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 the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 164 State House Station, Augusta ME 04333-0164. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: South Berwick, Maine York ss
City/Town (County)
On: July 22, 2014
Date

The undersigned being: X 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 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.
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.
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. 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 of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. 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: July 22, 2014</b>	<b>NB Item #2</b>
<b>Agenda Item: Audit Engagement Letter</b>	
<b>Department Head Recommendation: Fern Houliares</b>	
<p>In the past, the Town Manager (Treasurer) has signed the Engagement Letter for the annual audit. An article in MMA's Townsman Legal section, however, indicates that it is the responsibility of the Municipal Officers.</p> <p>The audit has been tentatively scheduled for October 27-28, 2014</p>	
<b>Town Manager's Recommendation</b>	
<b>Requested Action</b>	
Sign Audit Engagement letter for Smith & Associates, CPAs	
<b>Vote</b>	

# Smith & Associates, CPAs

## *A Professional Association*

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500 US Route One, Suite 203 • Yarmouth, Maine 04096  
Ph (207) 846-8881 • Fax (207) 846-8882  
www.smithassociatescpa.com

July 15, 2014

### TOWN OF SOUTH BERWICK

180 Main Street  
South Berwick, ME 03908

We are pleased to confirm our acceptance and understanding of the terms and objectives of our engagement and the nature and limitations of the services that Smith & Associates will provide the Town of South Berwick for the year ended June 30, 2014.

### **Scope and Objective of the Audit**

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of the Town of South Berwick as of and for the year ended June 30, 2014. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to accompany the Town of South Berwick's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context.

Management has chosen not to include the following RSI as required by generally accepted accounting principles, and such items will not be subjected to limited procedures or audit:

- Management's Discussion and Analysis

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the basic financial statements taken as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions.

### **Responsibilities of Auditor**

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

**Responsibilities of Auditor (Continued)**

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by the Town's management, as well as evaluating the overall presentation of the financial statements.

Because an audit is designed to provide reasonable, but not absolute, assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements; however, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditor's is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to you and those charged with governance internal control related matters that are required to be communicated under professional standards.

In addition, we will provide the Town with the following nonattest services:

- Prepare the financial statements based on information in the trial balance and other relevant information that is provided by, and is the responsibility of, management.

Our professional standards require that we remain independent with respect to our audit clients, including those situations when we also provide nonattest services, such as those identified above. As a result, you accept the responsibilities set forth below related to our performance of nonattest service as a part of this engagement:

- Assume all management responsibilities.
- Oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, and/or experience.
- Evaluate the adequacy and results of the services performed.
- Accept responsibility for the results of the services.

**Management Responsibilities**

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You are also responsible for making all management decisions and performing all management functions; for designating an individual with suitable skill, knowledge, or experience to oversee our assistance with the preparation of your financial statements and related notes and any other nonattest services we provide; and for evaluating the adequacy and results of those services and accepting responsibility for them.

**Management Responsibilities (Continued)**

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Town of South Berwick and the respective changes in financial position and where applicable, cash flows, in conformity with U.S. generally accepted accounting principles. You are also providing us with (a) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statement, (b) additional information that we may request for the purpose of the audit, and (c) unrestricted access to person within the Town from whom we determine it necessary to obtain evidence.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements.

You are also responsible for informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others.

In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations.

As part of our audit process, we will request from management and those charged with governance, written confirmation concerning representation made to use in connection with the audit. Management's and those charged with governance failure to provide representations to our satisfaction will preclude us from issuing our audit report.

**Time Limitations**

Because there are inherent difficulties in recalling or preserving information as the period after the engagement increases, you agree that notwithstanding the statute of limitations of the State of Maine, any claim based on this engagement must be commenced within 24 months after performance of our service, unless you have previously provided us with a written notice of a specific defect in our services that form the basis of a claim.

**Loss Limitation and Indemnification**

During the course of our engagement, we will request information and explanations from management regarding the company's operations, internal controls, future plan, specific transactions, and accounting systems and procedures. At the conclusion of our engagement, we will require, as a precondition to the issuance of our report, that management provide certain representations in a written representation letter. The procedures we will perform in our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the written and oral representations that we receive from management. Accordingly, false representations could cause us to expend unnecessary efforts or could cause a material error or a fraud to go undetected by our procedures.

**Loss Limitation and Indemnification (Continued)**

In view of the foregoing, you agree that we shall not be responsible for any misstatements in the company's financial statements that we may fail to detect as a result of false or misleading representations that are made to us by management.

If we incur legal fees as a result of our reliance on any false representation by you, you agree to reimburse us for all our legal fees and related costs of defense.

There is the risk that potential errors and fraud can occur that can result in damages that may be several times the amount of our audit fees. In order to induce us to accept this engagement, you hereby agree that our liability for any negligence, errors, or omissions committed by us will be limited to five (5) times the amount of our audit fees, provided such negligence, errors, or omissions are not a result of our failure to perform the audit in accordance with professional standards, in all material respects.

**Audit Procedures - Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town of South Berwick's compliance with applicable laws and regulations and the provisions of contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

**Engagement Administration, Fees, and Other**

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information.

In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, accounts receivable, and other confirmations we request and will locate any documents selected by us for testing. In addition, we anticipate they will help us through the timely preparation of analyses and schedules.

We expect to begin our audit on October 27, 2014, and to issue our reports within a reasonable amount of time. Wayne C. Smith is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc). Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit.

We will do everything in our control to minimize the cost of these services. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you before we incur the additional costs.

**Engagement Administration, Fees, and Other (Continued)**

You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

**Reporting**

We will issue a written report upon the completion of our audit of the Town’s financial statements. Our report will be addressed to the Town Council, Town Manager and those charged with management. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the audit engagement. If our opinion is modified, then we will discuss the reasons with you in advance. If, for any reason we are unable to complete the audit of your financial statements, we will not issue a report on such statements as result of this engagement.

We appreciate the opportunity to be of service to the Town of South Berwick and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



**SMITH & ASSOCIATES, CPAs**  
*A Professional Association*

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**Response:** This letter correctly sets forth the understanding of the Town of South Berwick.

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

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**System Review Report**

December 19, 2012

To the Principal of Smith & Associates, CPAs  
and the Peer Review Committee of New England Peer Review:

We have reviewed the system of quality control for the accounting and auditing practice of Smith & Associates, CPAs (the firm) in effect for the year ended June 30, 2012. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As a part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards*.

In our opinion, the system of quality control for the accounting and auditing practice of Smith & Associates, CPAs in effect for the year ended June 30, 2012, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. **Smith & Associates, CPAs has received a peer review rating of *pass*.**

*Vachon Clukay & Company PC*



## TOWN COUNCIL

### Agenda Information Sheet

<b>Meeting Date: July 22, 2014</b>	<b>Item NB # 3</b>
<b>Agenda Item: Purchase new Fire Truck</b>	
<b>Department Head: George Gorman</b>	
Town sign a contract with Marion Body Works for a 2013 Demo Pumper for \$389,900. Additional equipment and lettering amount to \$8,600. Total capital cost will be \$397,000	
<b>Town Manager's Recommendation:</b>	
Bids received:	Price Additional Equipment Purchase plus
Kovitch	\$365,000 \$28,100 \$393,100
Marion	\$389,350 \$ 8,250 \$397,600
Sutphen	\$389,000 \$28,100 \$417,100
Athern-Fox	\$395,000 \$28,100 \$423,100
Ferrara	\$447,661 \$28,100 \$447,661
Rosenbauer	\$425,100 \$28,100 \$453,100
<b>We chose to look for demo machines but reviewed new machines on site also. The cost of the Marion was negotiated from its original offering to include the deluge gun already mounted. This vehicle has 14,000 miles but was chosen by the fire department as the best buy for the money. I estimate that a 7 year finance at 3% will equate to an approximate annual payment of \$30,000 year</b>	
<b>Requested Action: Motion to waive competitive bidding rules and purchase a 2013 Demo Pumper for \$397,600. Purchase to be funded by \$200,000 from the capital account with the residual to be financed for seven years. Purchase to take place in October 2014 after initial receipt of taxes</b>	
<b>Vote</b>	



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

<b>Meeting Date: July 22, 2014</b>	<b>NB Item # 4</b>
<b>Agenda Item: Day Property</b>	
<b>Department Head: Town Manager</b>	
<b>Town Manager's Recommendation:</b>	
Remove asbestos from the Day Property Building Preliminary estimate of \$11,100	
<b>Requested Action: Motion to allow the Town Manager to enter into a contract for removal of asbestos from the Day property Building. Funds to come from the Recreation and Facilities capital Account in the amount up to \$12,000</b>	
<b>Vote</b>	

anticipated that lead abatement or waste characterization are warranted, prior to or during demolition. The lead analytical report is also attached.

Based on the results of our inspection, Ransom presents the following estimated cost for asbestos abatement. Please note that the costs listed below are not quotes for service, but budgetary cost estimates for planning purposes only.

**Asbestos Removal Cost Estimates**

<b>Material</b>	<b>Location</b>	<b>Estimated Quantity<sup>1</sup></b>	<b>Unit Cost</b>	<b>Total</b>
Corrugated pipe insulation and associated fittings	Basement	45 LF	\$20/LF	\$900
Diamond pattern sheet flooring	Kitchen	250 SF	\$4/SF	\$1,000
Cement shingle siding	Exterior	1,750 SF	\$4/SF	\$7,000
<i>Sub-Total of Asbestos Removal Estimates:</i>				\$8,900
Estimated Ransom Oversight Fees <sup>2</sup> :				\$1,000
Estimated Third-Party Consultant Fees <sup>3</sup> :				\$300
Contingency <sup>4</sup> :				\$900
<b>TOTAL ESTIMATED ASBESTOS ABATEMENT COST:</b>				<b>\$11,100</b>

Notes:

1. SF = Square Feet LF = Linear Feet.
2. Ransom fees include bid walk, selection and management of abatement contractor, abatement oversight, and closure documentation.
3. Third-party consultant fees include post-abatement clearance testing to be conducted by the selected contractor.
4. A 10% contingency is added to cover market variability and potential hidden conditions encountered during the abatement.

Ransom recommends that competitive bids be obtained from professional asbestos abatement companies. Ransom is available, at your request, to solicit bids from qualified abatement companies on behalf of the Town of South Berwick.



60 COMMUNITY DRIVE  
AUGUSTA, MAINE 04330-9486  
(207) 623-8428  
www.memun.org

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations  
FROM: Chris Lockwood, MMA Executive Director  
DATE: July 8, 2014  
SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

**Deadline: Friday, August 15, 2014 by 12:00 noon**

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**Nomination Process** – Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying and interested in serving as the MMA Vice President and Executive Committee. The MMA Nominating Committee completed its task in May and put forth a Proposed Slate of Nominees for 2015 to member municipalities.

**Petition Process** – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was July 7. There were no municipal officials nominated by petition.

***It is now time for each member municipality to cast its official vote.***

**Election Process** – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “Write-in Candidates” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 15. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Peter Nielsen.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at [www.memun.org](http://www.memun.org) on Friday, August 15, after 4:00 p.m. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held **Wednesday, October 1, at 1:45 p.m., at the Augusta Civic Center**. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon and Annual Business Meeting and officially take office on January 1, 2015.

If you have any questions on the Election Process, please contact Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at [tchavarie@memun.org](mailto:tchavarie@memun.org). Thank you.



**MAINE MUNICIPAL ASSOCIATION  
VOTING BALLOT**

**Election of Vice President and Executive Committee Members**  
*Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 15, 2014*

**VICE-PRESIDENT - 1 YEAR TERM**

**Vote for One**

**Proposed by MMA Nominating Committee:**

**Stephan Bunker, Selectman, Town of Farmington**

**DIRECTORS - 3 YEAR TERM**

**Vote for Three**

**Proposed by MMA Nominating Committee:**

**Cynthia Mehnert, Councilor, Town of Orono**

**Laurie Smith, Town Manager, Town of Kennebunkport**

**Patricia Sutherland, Chair of Selectboard, Town of Chapman**

*Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.*

*The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.*

**Date:** \_\_\_\_\_

**Municipality:** \_\_\_\_\_

**Signed by a Municipal Official designated by a majority of Municipal Officers:**

**Print Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**OR Signed by a Majority of Municipal Officers**

**Current # of Municipal Officers:** \_\_\_\_\_

**Print Names:**

**Signatures:**

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**Return To:**

**MMA Annual Election  
Maine Municipal Association  
60 Community Drive  
Augusta, Maine 04330  
FAX: (207) 626-3358 or 626-5947  
Email: [tchavarie@memun.org](mailto:tchavarie@memun.org)**

**TOWN COUNCIL**

***Agenda Information Sheet***

<b>Meeting Date: July 22, 2014</b>	<b>NB # 6</b>
<b>Subject: General Assistance Appendices</b>	
<b>Information:</b>	
This is the annual MMA update to the appendices A .	
<b>Staff Comments/Recommendation:</b>	
<b>Requested Action:</b>	
Motion & vote to hold a public hearing on August 12, 2014 @ 6:30pm for the annual update to Appendices A of the General Assistance Ordinance.	
<b>Vote:</b>	

TO: Municipal Officials/Welfare Directors/General Assistance Administrators

FROM: Dave MacLean, General Assistance Program Manager

RE: 2014 – 2015 General Assistance Ordinance Maximums

DATE: June 19, 2014

Enclosed please find the following items:

- MMA's new (July 1, 2014–June 30, 2015) “**General Assistance Ordinance Appendix**” (A).
- “**GA Maximums Summary Sheet**” which consolidates GA maximums into one document. Municipalities do have to insert individual locality maximums from Appendix A and C in the summary sheet where indicated in order to complete the information. The “summary” does not have to be adopted, as it is not an Appendix but a tool for municipal officials administering GA.
- “**GA maximums adoption form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS.

#### Appendix A

The enclosed Appendix A has been revised for your municipality’s General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendix A dated July1, 2013–June 30, 2014. Even if you have already adopted MMA's model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendices yearly**. The various maximum levels of General Assistance set forth in Appendices A is the aggregate maximum level of assistance for fiscal year 2014-15 is the amount that is the greater of:

(1) Ninety percent of 110% of the United States Department of Housing and Urban Development fair market rent for federal fiscal year 2014; or

(2) The amount achieved by increasing the maximum level of assistance for fiscal year 2013-14 by 90% of the increase in the federal poverty level from 2013 to 2014. (22 M.R.S.A. § 4305 3-D)

## **The Adoption Process**

The **municipal officers (i.e., selectpersons/council)** adopt the local **General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices ***after notice and hearing***. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

## **Filing of GA Ordinance and/or Appendices**

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit their web site [www.memun.org](http://www.memun.org)).* In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums. This signed form may be scanned and emailed to [generalassistance.DHHS@maine.gov](mailto:generalassistance.DHHS@maine.gov); faxed to Robin Reed at 287-3455; or sent by US mail to: DHHS/General Assistance, 19 Union Street, 11 State House Station, Augusta, ME 04333.

**GENERAL ASSISTANCE ORDINANCE  
APPENDICES A  
2014-2015**

The Municipality of \_\_\_\_\_ adopts the MMA Model Ordinance GA Appendices A for the period of July 1, 2014 — June 30, 2015. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the \_\_\_\_\_ (day) of \_\_\_\_\_ (month) \_\_\_\_\_ (year)  
by the municipal officers:

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

## GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendix A* are effective from **July 1, 2013 to June 30, 2014**. The maximums found in *Appendices B, C, D, E, and F* are effective from **October 1, 2013 to September 30, 2014**.

MMA

### APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
	936	939	1,123	1,635	1,779	1,847

**NOTE:** For each additional person add \$75 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

### APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	46.51	200
2	85.35	367
3	122.33	526
4	155.35	668
5	184.42	793
6	221.40	952
7	244.65	1,052
8	279.53	1,202

**NOTE:** For each additional person add \$150 per month.

### APPENDIX C - HOUSING MAXIMUMS

<u>Number of Bedrooms</u>	<u>Unheated</u>		<u>Heated</u>	
	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	170	729	182	784
1	170	729	182	784
2	191	823	221	949
3	289	1,241	318	1,368
4	300	1,289	343	1,473

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

*FOR MUNICIPAL USE ONLY*

**APPENDIX D - UTILITIES**

**ELECTRIC**

**NOTE:** For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households *Without Electric Hot Water*:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.20	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

**NOTE:** For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households *With Electrically Heated Hot Water*:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$19.10	\$82.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

**NOTE:** For each additional person add \$10.00 per month.

**NOTE:** For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

**APPENDIX E - HEATING FUEL**

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

*FOR MUNICIPAL USE ONLY*

**NOTE:** When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

**APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES**

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

**NOTE:** For each additional person add \$1.25 per week or \$5.00 per month.

**SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5**

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

*FOR MUNICIPAL USE ONLY*