

**South Berwick Town Council
Public Hearing
Zoning Ordinance (Function/Banquet Halls)
May 12, 2015**

Chairman John C. Kareckas opened the hearing at 6:30pm. Councilors present included Jean Demetracopoulos, Russell H. Abell, and John James. Laura Leber arrived at 6:36pm. Town Manager Perry A. Ellsworth was not in attendance.

The purpose of the hearing was to receive public comment on the proposed amendments to the Zoning Ordinance, Chapter 140, Sections 9 Definitions, 24 Off Street Parking & Loading, (new) 50.1 Function Hall, and Table A Land Use.

Mr. Kareckas read the proposed changes; which include adding a new definition Function Hall/Banquet Hall to section 9, adding Function Hall/Banquet Hall to the Table of Minimum Required Parking in section 24, adding Function Hall/Banquet Hall to Article VA Performance Standards for Specific Uses as new section 50.1 A-F, and adding Function Hall/Banquet Hall to Table A Land Use and new item (8) on the Land Use Index.

-Julia Ouellette, Brattle St, spoke in favor of the changes. She stated that she and her husband are selling their property and the potential buyer wants to convert the barn; the sale of the property is contingent on the zoning change.

-Linda Andrews, Andrews Ln, spoke on behalf of her daughter, the potential buyer. She asked about the section regarding mass gathering permits. Mr. Kareckas stated that proposed section 50.1 F regarding mass gatherings may not be applicable at this time.

Mrs. Demetracopoulos asked if existing facilities are grandfathered. Kathy Connor, Southern Maine Planning & Development Commission Representative stated that she believes they are; the changes are not retroactive. Ms. Connor also explained that the intent of the ordinance is to address the primary use of the property.

Mr. Abell questioned the language being added to Table A Index #8, ["Within all districts, this use will only be allowed on properties that: a) have frontage on Route 236, south of the junction with Route 4; and b) have public or PUC regulated water and public sewer"]. Ms. Connor stated that the language was purposeful to limit the use to that part of Route 236.

The hearing was closed at 6:45pm.

Attest:

Barbara Bennett, CCM

South Berwick Town Council
May 12, 2015

Chairman John C. Kareckas called the meeting to order at 6:46pm. Councilors present included Jean Demetracopoulos, Russell H. Abell, Laura Leber, and John James. Town Manager Perry Ellsworth was not in attendance.

Approval of Minutes

1. Board of Assessors 04-28-15: On a motion by Mrs. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to adopt the minutes as written.
2. Town Council 04-28-15: On a motion by Mr. Abell, seconded by Mrs. Leber, it was unanimously voted to adopt the minutes as written.

Treasurer's Warrant

1. On a motion by Mr. Abell, seconded by Mrs. Demetracopoulos, it was unanimously voted to sign the warrant dated May 7, 2015 in the amount of \$720,830.03.

Public Comment

None

Town Manager's Report

None

Unfinished Business

1. The discontinuance of the public easement is for a section of Emery's Bridge Road that was moved during the rebuild in 1979. The only two property abutters have requested that the easement be discontinued. [The Town has not used or maintained the easement]

On a motion by Mrs. Demetracopoulos, seconded by Mrs. Leber, it was unanimously voted to discontinue the public easement described in the Discontinuance of Town Road recorded in the York County Registry of Deeds in Book 2587, Page 246, being more particularly described as public easement retained by the Town of South Berwick over a discontinued section of the Town road known as Emery's Bridge Road commencing at the property now or formerly of Murray and Sandra Rudnick (York County Registry of Deeds Book 1854, Page 86) approximately 0.8 miles northeasterly of the intersection of Emery's Bridge Road with Rodier and Bennett Lot Roads, and running approximately 0.2 miles in length to the intersection of the end of the new portion of Emery's Bridge Road built in 1979, and order it be filed with the York County Registry of Deeds.

New Business

1. On a motion by Mrs. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to accept Marilyn Ladner's resignation from the Conservation Commission.
2. On a motion by Mr. Abell, seconded by Mr. James, it was unanimously voted to sign the warrant calling the SAD #35 Validation Referendum on June 9th. A brief discussion regarding the use of SAD vs. RSU ensued. [The school has used both]
3. The Council discussed whether the meeting on June 9th should be rescheduled or cancelled to accommodate the fact that the Clerk will not be available due to the election. Mr. Kareckas stated that there are a number of issues the Council is dealing with and may need to take action. He added that if necessary the Council could set another date at the May 26th meeting.

On a motion by Mr. James, seconded by Mr. Abell, it was unanimously voted to cancel the meeting of June 9th.

4. The Council discussed the proposed changes to the Zoning Ordinance which would allow for function and banquet facilities in a certain area on Route 236. Mr. Kareckas asked if the Council wanted to include the new section 50.1 F regarding mass gatherings.

On a motion by Mrs. Demetracopoulos, seconded by Mr. James, it was unanimously voted to omit section 50.1 E from the proposed changes.

On a motion by Mr. Abell, seconded by Mr. James, it was unanimously voted to adopt the remaining amendments, as written, to Chapter 140 Zoning, sections 9 Definitions, 24 Off-Street Parking & Loading, Function Hall 50.1 A-E, and Table A Land Use and Land Use Index #8.

5. Mr. Kareckas read the following memo dated May 12, 2015 from himself to the Town Council:

"RE: Administrative appeal of Decision of Code Enforcement Officer

I'm asking the Town Council to consider this action as a result of questions made by members of the public to provide a basis for the Town allowing the restaurant at the corner of Route 236 and Old South Road. On the face of it based upon reading Table A, Land Use, the use is "not permitted" and I have trouble providing answers.

I inquired with the Town Manager to get more information. As a result of my verbal and written requests for information, Perry and I met with the Code Enforcement Officer (CEO) at 5:00 PM on May 4th. Based upon my reading of various Zoning Ordinance sections (Ch. 140) and listening to the CEO, I still have trouble understanding why the use is allowed. At the conclusion of the meeting, it was agreed by all to seek addition guidance by contacting MMA and, if needed, Burnstein Shur.

I hoped the questions and answers could be handled administratively by the Town Manager. Later last week we found the appropriate method for resolving this matter is for the Town Council, who has standing, to make an administrative appeal to the Zoning Board of Appeals (ZBA). As the use started on May 1, 2015 I believe we are timely, but time is of the essence. This is why we are discussing this tonight. I'm asking for the Council's support to make this appeal.

I would really like, along with others in Town, to understand the path through the ordinance which supports and justifies a use which, by my reading, is not permitted in the R-3 zone and falls outside of the rules governing a non-conforming use.

I've conclude we need the help of the ZBA to help unravel this complicated matter."

-Phil Kendrick, Pine St, and former Planning Board member, urged the Council to request the review. He added that there are a number of issues to be considered.

The Council discussed the issue and agreed there are numerous questions to be answered. Areas of concern included the timing of applications and approvals, whether mobile vending is concerned, and does it qualify as a non-conforming use.

On a motion by Mrs. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to proceed with a formal appeal to the Zoning Board of Appeals [regarding the business located at the intersection of Route 236 and Old South Road.

Council Member Comments

1. Mrs. Demetracopoulos:

-Reminded everyone that Town Meeting is next Tuesday, May 19th at 6:00pm.

2. Mr. James:

-Made note that the South Berwick/Rollinsford/Eliot/Little League (SBRELL) will be hosting the girls all star tournaments. They will be hosting the State Championships from July 11th to July 18th.

Adjournment

On a motion by Mrs. Demetracopoulos, seconded by Mrs. Leber, it was unanimously voted to adjourn the meeting at 7:25pm.

Attested:

Barbara Bennett, CCM

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00036653	090151 UNITED STATES TREASURY	05/26/2015	32.58
00036891	209999 TAX REFUNDS	05/26/2015	916.84
00036892	132500 SECRETARY OF STATE M/V	05/26/2015	15,646.74
00036893	240900 YORK COUNTY REGISTRY OF DEEDS	05/26/2015	19.00
00036894	010336 AGGREGATE RECYCLING CORP	05/26/2015	3,167.01
00036895	011495 ATLANTIC RECYCLING EQUIP LLC	05/26/2015	403.55
00036896	020225 BAKER & TAYLOR	05/26/2015	56.56
00036897	021668 BLOW BROS	05/26/2015	55.77
00036898	030510 CENTRAL MAINE POWER	05/26/2015	531.91
00036899	030552 CHASE & HAMLIN INC.	05/26/2015	238.00
00036900	030954 ROGER CLEMENT	05/26/2015	40.00
00036901	031862 JANE COWEN-FLETCHER	05/26/2015	128.80
00036902	032030 CUMMINS NORTHEAST INC	05/26/2015	340.81
00036903	040120 DEAN & ALLYN INC	05/26/2015	715.00
00036904	040685 FREDERICK FLYNN DONOVAN	05/26/2015	400.00
00036905	041000 DOVER MOTOR MART FM	05/26/2015	705.33
00036906	050785 ELIMINATOR INC	05/26/2015	645.76
00036907	050793 ELIOT BAPTIST CHURCH	05/26/2015	50.00
00036908	060175 JIM FARDELMANN	05/26/2015	160.00
00036909	060338 FEDCO SEEDS	05/26/2015	49.40
00036910	070200 P GAGNON & SON INC	05/26/2015	9.94
00036911	070274 GC/AAA FENCE COMPANY	05/26/2015	82.52
00036912	071180 GROUP DYNAMIC INC	05/26/2015	143.00
00036913	191330 HANNAFORD'S	05/26/2015	212.30
00036914	080248 HANSCOM'S TRUCK STOP INC	05/26/2015	8,022.50
00036915	080450 HARVARD PILGRIM HEALTH CARE	05/26/2015	28,180.80
00036916	080500 BEVERLY HASTY	05/26/2015	37.72
00036917	080875 JEFF HOERTH	05/26/2015	147.11
00036918	090138 INVOICE CLOUD	05/26/2015	50.00
00036919	100150 JANETOS MARKET	05/26/2015	103.73
00036920	100380 JOHN DEERE LANDSCAPES	05/26/2015	211.10
00036921	141367 KONE INC	05/26/2015	880.35
00036922	120510 LAWSON PRODUCTS INC.	05/26/2015	71.00
00036923	120970 LIBBY SCOTT INC.	05/26/2015	14,653.00
00036924	121300 LINCOLN PRESS	05/26/2015	48.00
00036925	133195 MAINE TURNPIKE AUTHORITY	05/26/2015	45.45
00036926	133358 W.B.MASON	05/26/2015	77.98
00036927	133795 MICK BODYWORKS INC	05/26/2015	509.49
00036928	133800 MICK CONSTRUCTION CORP	05/26/2015	1,200.00
00036929	134200 MAINE MUNICIPAL ASSO (INS)	05/26/2015	2,987.25
00036930	134300 MAINE MUNICIPAL EMPLOYEES	05/26/2015	4,082.83
00036931	135130 MTCCA/MMA	05/26/2015	55.00
00036932	140105 NAPA AUTO PARTS	05/26/2015	97.16
00036933	140820 NEDIAFC	05/26/2015	100.00
00036934	140600 NEPTUNE INC	05/26/2015	66.00
00036935	150025 OAKWOODS LUMBER INC	05/26/2015	3,000.00
00036936	150765 STEPHEN PANTER	05/26/2015	83.91
00036937	160230 PERMA-LINE CORP	05/26/2015	63.52
00036938	200700 PIKE INDUSTRIES INC	05/26/2015	1,312.48
00036939	160692 POLAND SPRING	05/26/2015	92.11
00036940	160930 PORTLAND SEA DOGS	05/26/2015	210.00
00036941	170000 QUILL CORPORATION	05/26/2015	218.95
00036942	180434 DEANNA REMICK	05/26/2015	72.32
00036943	180477 RICE'S AUTOMOTIVE CENTER	05/26/2015	151.50
00036944	061500 SEACOAST MEDIA GROUP	05/26/2015	120.19
00036945	190650 SEACOAST PRINTING	05/26/2015	2,675.00

Administrative Code

§ 3-56 Establishment.

There shall be a Library Advisory Board as established by the Town Council for the general supervision and general administration of the Town Library. Five members shall be appointed by the Town Council.

Proposed change:

3.56: *There shall be a Library Advisory Board, as established by the Town Council, for the purpose of offering advice and counsel to the Director of the Library as he/she provides for the general supervision and administration of the town Library. The Board shall consist of five members appointed by the Town Council.*

§ 3-57 Terms of members.

Each member of the Board shall be appointed for a term of three years, except that the first Board shall consist of three members appointed for three years, two members for two years and two members for one year.

Proposed change:

3.57: *Members of the Library Advisory Board shall be appointed to terms of three years, subject to the pleasure of the town council.*

§ 3-58 Employment of library personnel.

The Library Advisory Board shall be responsible with the advice and consent of the Town Council for the employing of such library personnel as may be approved and appointed by the Town Manager

Proposed change:

3.58: *The Library Advisory Board shall be responsible for advising the Director of the Library on matters of those policies which shall govern the Town Library. Periodically, the Library Advisory Board may report to the Town Council on the progress of its work.*

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: May 26, 2015	NB #1
Subject: Links at Outlook Golf Club liquor license & special amusement permit	
Information:	
Application attached. Chief Lajoie has no issues to report.	
Staff Comments/Recommendation:	
Requested Action:	
Motion to approve the renewal of the Link's liquor license & special amusement permit.	
Vote:	

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008**



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 6-16-15

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,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

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
DOB: _____			The Links at Outlook Golf Course		
Great Woods Properties DOB: _____			Location (Street Address)		
Outlook Farm Golf Club DOB: _____			310 Portland St.		
Address 310 Route 4			City/Town	State	Zip Code
			South Berwick	ME	03908
			Mailing Address		
			PO Box 385		
City/Town	State	Zip Code	City/Town	State	Zip Code
South Berwick	ME	03908	South Berwick	ME	03908
Telephone Number	Fax Number		Business Telephone Number	Fax Number	
207-384-2109	207-384-8263				
Federal I.D. #			Seller Certificate #		
01-0477433			1052044		

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 \$ 500k LIQUOR \$ 275k

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: John Flynn / Jeff Maldonis

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: On-Site

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

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

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

Name in Full (Print Clearly)	DOB	Place of Birth
<u>John Flynn</u>	<u>11-15-68</u>	<u>Rochester NH</u>
<u>Timothy Flynn III</u>	<u>4-18-64</u>	<u>Rochester NH</u>
<u>Jeff Maldonis</u>	<u>1-6-71</u>	<u>Brighton MA</u>

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Function Facility
Tavern & Patio

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

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mile 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 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 May 6, 20 15
Town/City, State Date

Please sign in blue ink

[Signature]
Signature of Applicant or Corporate Officer(s)
John Flynn
Print Name

[Signature]
Signature of Applicant or Corporate Officer(s)
John Flynn
Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

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

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

STATE OF MAINE

Dated at: South Berwick, Maine York ss

On: May 26, 2015 Date

The undersigned being: X Municipal Officers County Commissioners of the City X 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 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 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 application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of 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 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 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.



State of Maine
 Bureau of Alcoholic Beverages
 Division of Liquor Licensing and Enforcement

For Office Use Only:
License #: _____
Date Filed: _____

**Supplemental Information Required for
 Business Entities Who Are Licensees**

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

- Exact legal name:
Great Works Properties Inc / Outlock Farm Golf Club LLC
- Other business name for your entity (DBA), if any:
The Links at Outlock Golf Course
- Date of filing with the Secretary of State: 1992
- State in which you are formed: Maine
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Timothy T Flynn II	25 Grant St. S. Berwick	7-22-36	36%
John F Flynn	21 Academy St So. Berwick	11-15-68	7%
Ruth S Flynn	25 Grant St. So. Berwick	3-10-45	30%

- Is any principal person involved with the entity a law enforcement official?
 Yes No

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:


Signature of Duly Authorized Person

5-6-15
Date

John Flynn
Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



State of Maine
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement

Application for an Auxiliary License

Please clearly complete this form in its entirety.

1. **Type of Application:** Golf Course Golf Course with a mobile service bar Ski Area

2. Licensee Information:

Name of Licensee: The Links at Outlook Golf Course

License Number: _____

Mailing Address: PO Box 385
South Berwick Maine 03908

Physical Location Address: 310 Portland St
Berwick, ME 03901

Telephone Number: 207-384-4653 Fax: 207-384-8263

Email address: john.flynn.golf@yahoo.com

3. Describe auxiliary premise and the location at the ski area or golf course: Within the
boundaries of the golf course

4. Authorized Signature:

Date: 5-14-15

Signature: *J A Flynn*

Printed Name & Title: John Flynn VP

SPECIAL AMUSEMENT PERMIT APPLICATION

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

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

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

Name of Applicant for Permit: The Links at Outlook
 Address of Applicant: 310 Portland Street South Berwick
 Telephone # of Applicant: 207-324-2109
 Name of Business to be Conducted: Weddings & Functions
 Address of Business: _____
 Telephone # of Business: _____
 Nature of Business: Function Facility

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

Type of Entertainment Planned: Dancing & Music

Has Applicant ever had a license to conduct the Business described herein denied or revoked or has Applicant or any partner or corporate officer ever been convicted of a felony? _____

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

Current Liquor License #: 5885

Signature J J H Date 5-14-15

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: May 26, 2015	Item # 2
Agenda Item: Lease/Purchase of Public Works Vehicles	
Department Head Recommendation: Fern Houliares	
<p>The Town's purchasing policy requires formal bidding for purchases (including leases) over \$10,000. An informal purchase process (contacting specific vendors) was used during the budget process for informational data for the Council and Town meeting. The request to use this data rather than bidding is based upon the following:</p> <ol style="list-style-type: none"> 1. Bids would be sent to the same vendors 2. Formal bidding would add an additional month before purchase. Time frame for purchase to delivery is approx 6 months. A month delay could jeopardize receipt of vehicles for 2015/2016 winter season and result in a higher bid price. 3. Berwick recently completed a formal bid. Daigle & Houghton was the low bidder for the Western Star truck. <p>Daigle & Houghton will coordinate the setup of the trucks with HP Fairfield for body and plow equipment.</p> <p>Lease financing will be finalized approximately 1 month prior to delivery.</p>	
Town Manager's Recommendation	
<p>Waive formal bid process for Public Works vehicles</p> <p>Award bid to Daigle & Houghton for 4 Western Star Trucks with setup by HP Fairfield for a total price of \$595,400 (includes \$58,000 trade value for 89 Dump, 00,01,02 Sterlings.)</p>	
Requested Action	
<ol style="list-style-type: none"> 1. Waive formal bid process for Public Works vehicles 2. Award bid to Daigle & Houghton with subcontract to HP Fairfield for \$595,400 	
Vote	

2015 Truck, Body & Plow Equipment Bids

Truck	Manufacturer	Dealer	Base Price Per Truck	Base Price for 4 Trucks	Trade In Value	Final Cost for 4 trucks
	Western Star	O'Conner	92,195	368,780	35,500	333,280
	Volvo	O'Conner	108,452	433,808	35,500	398,308
	Mack	O'Conner	95,412	381,648	35,500	346,148
	Western Star	→ Daigle & Houghton	91,500	366,000	58,000	308,000

Body & Plow Equipment

Dealer	Base Price for 4 Trucks	Final Cost for 4 Trucks
Viking Cives	287,376	287,376
→ H. P. Fairfield	287,400	287,400

Recommend Western Star from Daigle & Houghton and Body and Plow Equipment from H. P. Fairfield
 Total Cost for 4 set up trucks: 308,000 + 287,400 = 595,400

See Daimler finance quote attached

Jim W. Stephen
 PWD
 5/20/2015

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: May 26, 2015	NB # 3
Agenda Item: Town Manager's Contract	
Department Head: Town Manager	
The Town Manager's Contract calls for review annually to extend the contract for an additional year	
Town Manager's Recommendation:	
Requested Action: Motion to amend to Town Manager's Contract under 2. <u>Term:</u> Amendment #10; The term of the Town manager's Contract shall be extended until June 30, 2017	
Vote	

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: May 26, 2015	NB # 4 & 5
Subject: Fireworks & Historic District Ordinances	
Information:	
<p>Public hearings require a 7 day posting. Printing in the newspaper requires an additional 2 day lead.</p> <p>New ordinances or amendments do not go into effect until 30 days after adoption.</p> <p>Action on an ordinance is generally not taken the night of the public hearing so that information from the hearing can be digested, reviewed, and used to make any revisions based on that input.</p>	
Staff Comments/Recommendation:	
<p>Review ordinances Set public hearing dates. It is strongly recommended that the hearings are held on different nights. A public hearing must be set with a date & time certain.</p>	
Requested Action:	
<p>Council wishes.</p>	
Vote:	