

WARRANT
TOWN OF SOUTH BERWICK, MAINE
SPECIAL TOWN MEETING

State of Maine

County of York, ss.

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

GREETINGS: In the name of the Town of South Berwick, you are required to notify the inhabitants of said Town, qualified to vote in Town affairs, to assemble in the Town Council Chambers in the Town Hall at 180 Main Street in said Town on Tuesday June 23, 2015 at 6:15 p.m., then and there to act on the following articles:

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

ARTICLE 2. To see what sum the Town will vote to appropriate and expend from the Undesignated General Fund Balance to cover the unexpected overdraft in the Employee Benefits budget for 2014/15.

TOWN COUNCIL RECOMMENDS: \$22,000 from Undesignated General Fund

ARTICLE 3. To see what sum the Town will vote to appropriate and expend from the Undesignated General Fund Balance to cover the unexpected overdraft in the Fire Department budget for 2014/15.

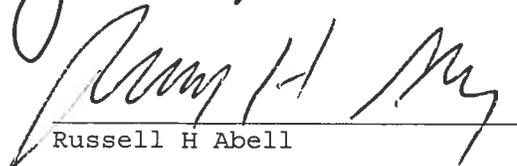
TOWN COUNCIL RECOMMENDS: \$15,000 from Undesignated General Fund

ARTICLE 4. To see if the Town will vote to adjourn the Special Town Meeting.

Given under our hands this 9th day of June 2015.



John C Kareckas



Russell H Abell



Laura S Leber



Jean Demetracopoulos



John J James

ARTICLE I
General Provisions

84-1 Purpose [Amended 8-26-1991]

This chapter is adopted in accordance with the Charter of the Town of South Berwick and pursuant to the legislative authority vested in the Town by virtue of 30-A M.R.S.A. §§ 3001 through 3007, 4301, and 4351 through 4359, and the acts amendatory thereto, for the purpose of preserving, protecting, and enhancing buildings and places or areas within the Town which possess particular historical, cultural and economic welfare of the residents and visitors to the Town. To achieve these purposes, it is intended that historic districts and related regulations shall be used:

WITHIN THE HISTORIC DISTRICT:

- A. To prevent inappropriate alterations of buildings of historic or architectural value.
- B. To prevent the demolition or removal of designated sites or landmarks and significant historic structures within designated districts whenever a reasonable alternative exists or can be identified.
- C. To preserve the essential character of designated districts by protecting relationships of groups of buildings and structures and archeological sites as defined by the Maine Historic Preservation Commission. **[Amended 9-14-2009]**

WITHIN THE BOUNDARIES OF THE ENTIRE TOWN:

- A. Upon application to demolish buildings within the entire town, assess to determine if the proposed demolition affects significant historic structures or sites.**

84-2 Definitions [Amended 8-26-1991]

As used in this chapter, the following words and terms shall have the following meanings:

ALTERED - Includes the words "rebuilt," "reconstructed," "rehabilitated," "restored," "repainted," and "demolished" or any other change to the exterior facade of a structure.

BUILDING - A combination of materials forming a shelter that may be used for persons, animals, or property.

CODE ENFORCEMENT OFFICER - A person appointed by the Town Manager to administer and enforce this chapter.

COMMISSION - The Commission acting as the Historic District Commission established in § 84-3.

- F. The Commission shall adopt bylaws or additional operating procedures consistent with the intent of this chapter and of the state enabling legislation and the Charter of the Town of South Berwick. Said bylaws shall be submitted to the Town Council for review.
- G. The Commission may expend funds for the purposes of historic preservation in the Town of South Berwick, in accordance with the annual Town budget. Such expenditures may include salaries or other compensation for clerical and technical assistance or consultants if approved in the Town budget. The Commission may, with the approval of the Town Council, accept grants, donations or gifts of services and may hold or expend the same as approved by the Town Council.

84-4 Duties

The Commission shall have the following duties which shall be exercised in accordance with the South Berwick Charter and applicable provisions of the Maine Revised Statutes Annotated:

- A. Make recommendations to the Town Council for establishing historic districts, historic sites or historic landmarks, according to procedures listed in §§ 84-6 and 84-7 of this chapter. **[Amended 8-26-1991]**
- B. Review all proposed additions, reconstruction, alteration, or construction of any property designated as an historic site or landmark or located within a designated historic district, and issue a certificate of appropriateness in accordance with the procedures outlined in §§ 84-8 and 84-9. Review all proposed demolitions or removals of any property located within the ~~B1, B2, and BR Districts~~ boundaries of the entire town and any designated historic district, and issue a certificate of appropriateness in accordance with the procedures outlined in §§ 84-8 and 84-9. **[Amended 8-14-2000; 9-14-2009]**
- C. Review all proposed National Register nominations for properties within the Town's borders.
- D. Serve in an advisory role to local government officials regarding local historical and cultural resources and act as a liaison between local government and those persons and organizations concerned with historic preservation.
- E. Conduct or initiate a continuing survey of local historic and cultural resources, in accordance with Maine Historic Preservation Commission guidelines.
- F. Work to provide continuing education on historic preservation issues to local citizens.
- G. For all proposed demolition, assess to determine if the proposed demolition affects significant historic structures or sites, and report findings documenting the nature of the property, buildings, features, etc.

- (a) A concise statement of the physical elements that justify expansion of an existing district, an explanation detailing how the expansion is consistent with the character of the district and a description of building types and architectural styles and periods represented;
- (b) A concise statement of how the expansion of an existing district meets the review criteria of § 84-5;
- (c) A justification of the expanded boundaries of the district;
- (d) A definition of the types of structures, buildings, and sites that do not contribute to the significance of the district and an estimate of the percentage of noncontributing ones in the historic district's proposed expansion area; and
- (e) A map showing all structures in the proposed expansion area with the identification of contributing structures.

ARTICLE IV Certificates of Appropriateness

84-8 When Required; majority vote; building permit

- A. A certificate of appropriateness issued by the Commission shall be required for any of the following:
 - (1) Any change in exterior appearance of any building, structure, site or landmark in the historic district by addition, reconstruction, ~~demolition~~, or alteration.
 - (2) New construction of a principal or accessory building or structure visible from a public street where such building or structure will be located in an historic district. This also includes signs, walls and fences.
 - (3) Any demolitions or removals of buildings or structures in the historic district or other areas of the town. **[Added 8-14-2000; amended 9-14-2009]**
 - (4) Any alteration to an archeological site as defined by the Maine Historic Preservation Commission. **[Added 9-14-2009]**
- B. A majority vote of at least three regular members of the Commission shall be required to issue a certificate of appropriateness. **[Amended 9-14-2009]**

administration of this chapter. **[Amended 12-18-1989]**

F. Amendment. An amendment to this chapter may be adopted by:

- (1) The Town Council following the provisions of the Town Charter, Article II, Section 3, Subsection VI, if the amendment is initiated by the Town Council, Planning Board or Historic District Commission or property owner as provided in § 84-7B(1), (2), (3) and (5) as provided in this chapter.
- (2) A special Town meeting following the provisions of the Town Charter, Article VIII, Section 2, if the amendment was initiated by a written petition in accordance with § 84-7B(4) above.
- (3) In either case, the Town Council shall hold a public hearing on the proposed amendment as required by Article VIII, Section 2, or by Article II, Section 11, of the Town Charter. The Planning Board and the Historic District Commission shall report its recommendation regarding the proposed amendment at the public hearing.

84-11 Standards of evaluation

A. The standards and requirements contained in this section and in the United States Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitation Historic Buildings, 1992 Revision, and codified as 36CFR, Part 68, July 12, 1995*, shall be used in review of applications for certificates of appropriateness and specifically as to procedures before demolition can take place. Design considerations and structural factors related to maintaining historic structures in good condition shall be the Commission's primary areas of focus. **See Appendix D for annotated Rehabilitation Standards Guidelines** (A copy of the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation Historic Buildings is available in the Town Clerk's office.)
[Amended 9-14-2009]

B. Visual compatibility factors. Within the historic district, new construction and existing buildings and structures, including additions, which are moved, reconstructed, materially altered, repaired or changed through new exterior surfaces shall be visually related, generally in terms of the factors below. Although a new building may be different in its shape or style, its relative proportions should match those of its neighbors.

- (1) Height. The height of proposed building shall be compatible with adjacent buildings within 20% of the existing average height. (See Figure 11-1.) This section is an additional restriction on building heights to those of the South Berwick Zoning Ordinance. *Editor's Note: See Ch. 140, Zoning.*

- (6) Materials and textures. New construction shall utilize materials and textures which are visually compatible with adjacent facades. If there is a predominant material in the immediate area, it shall be used. Many different materials on a single structure or closely related group of structures can lead to visual confusion and a chaotic appearance. Alterations and new buildings should not stand out against the others, if the harmony of a traditional New England village streetscape is to be maintained. Matching materials and strength and continuity to street facades. Alterations to an existing building shall simulate as closely as possible the color and texture of that building. This is especially important in brickwork. (So-called "used brick" shall generally be avoided if it includes any painted bricks.) Mortar color and thickness of joint shall match those of the original building.
- (7) Details. All existing architectural details shall be maintained to the fullest extent practicable. When removal is unavoidable, replacement with similar features shall be encouraged. Although exact replication is often not possible or economically feasible, a simpler feature made of traditional materials can be appropriate. Poor or cheap imitations made of synthetic material shall be avoided, especially when not in scale or in the same architectural tradition. Details may include cornices; frames and moldings around windows, doors and building corners; lintels; arches; wrought ironwork; chimneys, etc. Any substitutions must be approved by the Historic District Commission.
[Amended 9-14-2009]
- (8) Signs. In addition to the dimensional requirements for signs contained in the Zoning Ordinance, *Editor's Note: See Ch. 140, Zoning*, all new or replacement signs located within the historic district shall be made from wood or metal, and all new sign illumination shall be from shielded external sources directed onto the sign to avoid glare. Signs which are attached to or parallel with the facade shall be located only between the top of the ground floor windows and the bottom of the second floor windows to maintain an orderly appearance, adding strength to the appearance of the district as a whole.

- (9) Demolition approval criteria.

WITHIN THE HISTORIC DISTRICT:

Upon receipt by the Code Enforcement Officer of an application for a demolition permit, the Code Enforcement Officer shall notify the Historic District Commission and the following criteria shall be applied within 20 calendar days of the notification. The criteria for approving proposals to demolish any building, historic site or landmark within the historic district are that a sixty-day public notice period be declared by the Historic District Commission immediately after receiving a demolition proposal from any property owner, at any regular or specially scheduled meeting of the Commission. At the end of this sixty-day period, demolition criteria shall be

deemed met, and the Commission shall then issue a certificate of appropriateness to demolish the building(s) or landmark(s) or to relocate the building(s) or landmark(s) if a willing buyer who is able to finance the costs of purchase and removal has been found. In addition to providing an opportunity for buildings or landmarks to be relocated rather than demolished, the sixty-day period also allows time for the Commission to make a photographic survey of the building(s) interior and exterior or landmark(s) and to examine alternative ways to meet the owner's needs (such as by replacing interior walls and floors or demolishing everything except the street-front facade). **Any photographs and information collected during the survey will be archived for public record at the Old Berwick Historical Society. Should the historical society no longer collect this information, the HDC will file the information until a new archive can be found. The owner or applicant for a demolition proposal shall be required to meet with the Commission to discuss any alterations to be made. [Amended 8-14-2000; 9-14-2009]**

WITHIN THE BOUNDARIES OF THE ENTIRE TOWN:

Upon receipt by the Code Enforcement Officer of an application for a demolition permit, the Code Enforcement Officer shall notify the Historic District Commission and the following criteria shall be applied within 20 calendar days of the notification. The criteria for approving proposals to demolish any building of historical significance within the entire town (excluding the historic districts) are that a twenty-day waiting period be declared by the Historic District Commission immediately after receiving a demolition proposal from any property owner, at any regular or specially scheduled meeting of the Commission. The first ten days are to view the property. The remaining 10-day period is to complete documentation if deemed appropriate. At the end of this twenty-day period, demolition criteria shall be deemed met, and the Commission shall then issue a certificate of appropriateness to demolish the building(s) or landmark(s). The twenty-day period allows time for the Commission to make a photographic survey of the building(s) interior and exterior or landmark(s) and to examine alternative ways to meet the owner's needs. Any photographs and information collected during the survey will be archived for public record at the Old Berwick Historical Society. Should the historical society no longer collect this information, the HDC will file the information until a new archive can be found.

84-12 Maintenance requirements

- A. Ordinary maintenance permitted. Nothing in this chapter shall be interpreted to prevent the ordinary maintenance or repair of any exterior feature of any structure, site or landmark in the district which does not involve a change in the design, material or appearance.

Town of South Berwick

Appendix D

The Secretary of the Interior's Standards for Rehabilitation

A. Introduction to Standards

The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority and for advising Federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register of Historic Places.

The Standards for Rehabilitation (codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program) address the most prevalent treatment.

"Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

Initially developed by the Secretary of the Interior to determine the appropriateness of proposed project work on registered properties within the Historic Preservation Fund grant-in-aid program, the **Standards for Rehabilitation** have been widely used over the years--particularly to determine if a rehabilitation qualifies as a Certified Rehabilitation for Federal tax purposes. In addition, the Standards have guided Federal agencies in carrying out their historic preservation responsibilities for properties in Federal ownership or control; and State and local officials in reviewing both Federal and nonfederal rehabilitation proposals. They have also been adopted by historic district and planning commissions across the country.

The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. They also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction. To be certified for Federal tax purposes, a rehabilitation project must be determined by the Secretary to be consistent with the historic character of the structure(s), and where applicable, the district in which it is located.

As stated in the definition, the treatment "rehabilitation" assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building's historic character. For example, certain treatments--if improperly applied--may cause or accelerate physical deterioration of the historic building. This can include using improper

repointing or exterior masonry cleaning techniques, or introducing insulation that damages historic fabric. In almost all of these situations, use of these materials and treatments will result in a project that does not meet the Standards. Similarly, exterior additions that duplicate the form, material, and detailing of the structure to the extent that they compromise the historic character of the structure will fail to meet the Standards.

B. Applying the Standards and Guidelines

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. **The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.**

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

C. Introduction to the Guidelines for Rehabilitating Historic Buildings

The **Guidelines for Rehabilitating Historic Buildings** were initially developed in 1977 to help property owners, developers, and Federal managers apply the Secretary of the Interior's **Standards for Rehabilitation** during the project planning stage by providing general design and technical recommendations. Unlike the Standards, the Guidelines are not codified as program requirements.

Together with the Standards for Rehabilitation they provide a model process for owners, developers, and Federal agency managers to follow.

The Guidelines are intended to assist in applying the Standards to projects generally; consequently, they are not meant to give case-specific advice or address exceptions or rare instances. For example, they cannot tell owners or developers which features of their own historic building are important in defining the historic character and must be preserved--although examples are provided in each section--or which features could be altered, if necessary, for the new use. This kind of careful case-by-case decision-making is best accomplished by seeking assistance from qualified historic preservation professionals in the planning stage of the project. Such professionals include architects, architectural historians, historians, archeologists, and others who are skilled in the preservation, rehabilitation, and restoration of the historic properties.

The Guidelines pertain to historic buildings of all sizes, materials, occupancy, and construction types; and apply to interior and exterior work as well as new exterior additions. Those approaches, treatments, and techniques that are consistent with the Secretary of the Interior's "Standards for Rehabilitation" are listed **in bold-face type** under the "**Recommended**" section in each topic area; those approaches, treatments, and techniques which could adversely affect a building's historic character are listed in the "**Not Recommended**" section in each topic area.

To provide clear and consistent guidance for owners, developers, and Federal agency managers to follow, the "Recommended" courses of action in each section are listed in order of historic preservation concerns so that a rehabilitation project may be successfully planned and completed--one that, first, assures the preservation of a building's important or "character-defining" architectural materials and features and, second, makes possible an efficient contemporary use. Rehabilitation guidance in each section begins with protection and maintenance, that work which should be maximized in every project to

enhance overall preservation goals. Next, where some deterioration is present, repair of the building's historic materials and features is recommended. Finally, when deterioration is so extensive that repair is not possible, the most problematic area of work is considered: replacement of historic materials and features with new materials.

To further guide the owner and developer in planning a successful rehabilitation project, those complex design issues dealing with new use requirements such as alterations and additions are highlighted at the end of each section to underscore the need for particular sensitivity in these areas.

Standard Guidelines addressed:

Masonry
Wood
Metals

Roofs
Windows
Entrances/Porches
Storefronts

Structural Systems
Spaces/Features/Finishes
Mechanical Systems

Site
Setting

Energy
New Additions
Accessibility
Health/Safety

How to Use The Guidelines

Identify, Retain, and Preserve

The guidance that is basic to the treatment of all historic buildings--*identifying, retaining, and preserving* the form and detailing of those architectural materials and features that are important in defining the historic character--is always listed first in the "Recommended" area. The parallel "Not Recommended" area lists the types of actions that are most apt to cause the diminution or even loss of the building's historic character. It should be remembered, however, that such loss of character is just as often caused by the cumulative effect of a series of actions that would seem to be minor interventions. Thus, the guidance in *all* of the "Not Recommended" areas must be viewed in that larger context, e.g., for the total impact on a historic building.

Protect and Maintain

After identifying those materials and features that are important and must be retained in the process of rehabilitation work, then *protecting and maintaining* them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. For example, protection includes the maintenance of historic material through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coating; the cyclical cleaning of roof gutter systems; or installation of fencing, protective plywood, alarm systems and other temporary protective measures. Although a historic building will usually require more extensive work, an overall evaluation of its physical condition should always begin at this level.

Repair

Next, when the physical condition of character-defining materials and features warrants additional work *repairing* is recommended. Guidance for the repair of historic materials such as masonry, wood, and architectural metals again begins with the least degree of intervention possible such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading them according to recognized preservation methods. Repairing also includes the limited replacement in kind--or with compatible substitute material--of extensively deteriorated or missing parts of features when there are surviving prototypes (for example, brackets, dentils, steps, plaster, or portions of slate or tile roofing). Although using the same kind of material is always the preferred option, substitute material is acceptable if the form and design as well as the substitute material itself convey the visual appearance of the remaining parts of the feature and finish.

Replace

Following repair in the hierarchy, guidance is provided for *replacing* an entire character-defining feature with new material because the level of deterioration or damage of materials precludes repair (for example, an exterior cornice; an interior staircase; or a complete porch or storefront). If the essential form and detailing are still evident so that the physical evidence can be used to re-establish the feature as an integral part of the rehabilitation project, then its replacement is appropriate. Like the guidance for repair, the preferred option is always replacement of the entire feature in kind, that is, with the same material. Because this approach may not always be technically or economically feasible, provisions are made to consider the use of a compatible substitute material. It should be noted that, while the National Park Service guidelines recommend the replacement of an entire character-defining feature under certain well-defined circumstances, they never recommend removal and replacement with new material of a feature that--although damaged or deteriorated--could reasonably be repaired and thus preserved.

Design for Missing Historic Features

When an entire interior or exterior feature is missing (for example, an entrance, or cast iron facade; or a principal staircase), it no longer plays a role in physically defining the historic character of the building unless it can be accurately recovered in form and detailing through the process of carefully documenting the historical appearance. Where

an important architectural feature is missing, its recovery is always recommended in the guidelines as the *first* or preferred, course of action. Thus, if adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced, and if it is desirable to re-establish the feature as part of the building's historical appearance, then designing and constructing a new feature based on such information is appropriate. However, a second acceptable option for the replacement feature is a new design that is compatible with the remaining character-defining features of the historic building. The new design should always take into account the size, scale, and material of the historic building itself and, most importantly, should be clearly differentiated so that a false historical appearance is not created.

Alterations/Additions to Historic Buildings

Some exterior and interior alterations to historic building are generally needed to assure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes.

Alterations may include providing additional parking space on an existing historic building site; cutting new entrances or windows on secondary elevations; inserting an additional floor; installing an entirely new mechanical system; or creating an atrium or light well. Alteration may also include the selective removal of buildings or other features of the environment or building site that are intrusive and therefore detract from the overall historic character.

The construction of an exterior addition to a historic building may seem to be essential for the new use, but it is emphasized in the guidelines that such new additions should be avoided, if possible, and considered only after it is determined that those needs cannot be met by altering secondary, i.e., non character-defining interior spaces. If, after a thorough evaluation of interior solutions, an exterior addition is still judged to be the only viable alternative, it should be designed and constructed to be clearly differentiated from the historic building and so that the character-defining features are not radically changed, obscured, damaged, or destroyed.

Additions to historic buildings are referenced within specific sections of the guidelines such as Site, Roof, Structural Systems, etc., but are also considered in more detail in a separate section, New Additions to Historic Buildings.

Energy Efficiency/Accessibility Considerations/Health and Safety Considerations

These sections of the rehabilitation guidance address work done to meet accessibility requirements and health and safety code requirements; or retrofitting measures to conserve energy. Although this work is quite often an important aspect of rehabilitation projects, it is usually not a part of the overall process of protecting or repairing character-defining features; rather, such work is assessed for its potential negative impact on the building's historic character. For this reason, particular care must be taken not to radically change, obscure, damage, or destroy character-defining materials or features in the process of rehabilitation work to meet code and energy requirements.

**South Berwick Town Council
Public Hearing**

JUNE 9, 2015

Chairman John C. Kareckas opened the hearing at 6:30pm. Councilors present included Jean Demetracopoulos, Russell H. Abell, John James, and Laura Leber. Town Manager Perry A. Ellsworth was also in attendance.

The purpose of the hearing was to receive public comment on the Fireworks Ordinance.

Mr. Kareckas noted that the topic of Fireworks was first heard on 9/23/14 and in subsequent meetings 10/14/14, 11/25/14, 2/10/15 and 5/17/15. The first consideration was to define "fireworks" and the rules and regulations regarding them. There are two types of fireworks per state statute; Display and Consumer. All others are illegal. Display fireworks are governed by the state and town government can't pass legislation on them. The second is Consumer fireworks. 64 communities to date have passed regulations regarding their use.

The floor was yielded to Mr. Abell. He reminded the community that the hearing was being podcast. He asked that each speaker approach the podium and clearly identify themselves and their address. He suggested they receive two minutes speaking time (250-300 words). They would then be asked to step down allowing all to have the chance to speak. They would be welcome to speak again when all had their first opportunity.

Mr. Kareckas informed the crowd that Public Hearings are covered under the Town Charter Article 2 Section 3 Paragraph 6 Section 11.

He also stated that no action would be taken at the end of the hearing.

Mr. Abell addressed the question of why are we discussing an ordinance? Since the legalization of Consumer fireworks and subsequent to last July 4th, there were calls and emails received by the Town Manager and Council regarding noise and safety. There are red flag days when no fire permits are issued. Are fireworks also not permitted on those days? Complaints included stress to pets and larger animals, quality of life, and the elderly.

The floor was opened.

The first speaker was Paula Reddon of Academy Street. She has lived here six years. She enjoys lighting fireworks and never lights them after 10pm and never longer than 20 minutes. She checks in first with the neighbors and disagrees that this ordinance should be based on residence address. She asked if anyone lights fireworks near the canal where sound will travel further.

Richard Clough of 73 Academy Street asked how many complaints has the police department had since last July. He asked about the comparison between firearm safety and fireworks. He stated that he felt it is unfair to put the barrier in the middle the road permitting fireworks on one side and not the other. He said that safety and responsibility are up to the individual. It was said that there were two complaints regarding Display fireworks and that the ordinance does not cover Display fireworks only Consumer fireworks. He suggested adding Memorial Day and removing the map. He also mentioned the Russell Goodwin Farm and that because that property falls in the zone, functions there would not be allowed the use of consumer fireworks. He further commented that he enjoys lighting off fireworks and that he is always done by 11pm or 11:30pm.

Emily Harrison of Hooper Sands Road has lived in South Berwick for 1 year and the general area for 3 years. She serves in the military. She did online research on maine.gov, cdc.gov

and the world health website. She has a large dog who is scared of loud noises. Individuals can work to make their pets feel more secure. She said her research showed that nationwide there were only four deaths attributed to fireworks last year. The population of the country she said is 400 million making this number extremely minimal. She said that smoking actually caused 15 % of all fires and that only 9300 injuries were reported to be caused by fireworks. 40% of these were caused by illegal fireworks and 45% were children under the age of 14. She stated that these were probably ones that didn't go off or were hidden somewhere in the home which would indicate a need for more responsible parenting. She felt that this would be taking away a small freedom.

Rob Harper of Tamarack Drive repeated the question regarding how many complaints had been received and if that number had increased. He doesn't feel there is a need for this ordinance. He sees no basis for what he views as an infringement on rights. He asked about if this ordinance would affect the fireworks following the Strawberry Festival. He was informed that these are Display fireworks not covered by this ordinance. He stated that he would not follow this ordinance if enacted.

Wayne Wellwood of Emery's Bridge Road is completely against the ordinance. He has small children and animals and he enjoys lighting fireworks particularly when they are having a cookout. He spoke against the 48 hour permit as his work schedule would make this inconvenient. He generally only has Sundays off. He complained that he would not like to have an inspection done and wondered the reason for one if the town has no liability.

Trish English of 75 Academy Street moved here 28 years ago from Massachusetts. She moved here for the quiet. She loves fireworks but stated that growing up there were ordinances regarding them and she did not feel constrained by them. She said that when they are not regulated they can be disconcerting. If there are rules to govern them the public could better plan.

Tanya Steinhauer likes having the ability to shoot off fireworks although she doesn't herself. She asked if we could try not having an ordinance for another year and see what happens. She is surrounded by 100 acres yet is in the zone that would prohibit them. She has two dogs that are deathly afraid of loud noise and thunderstorms as well. She said that the fireworks might cause her to lose a little sleep but feels there is no need to have an ordinance yet.

Kyle Holton of Belle Marsh Road spoke against the ordinance. He called it a serious infringement of his rights. He talked about the open carrying of firearms. If the state says Consumer fireworks are legal than they should be just that. He asked about the number of injuries or fires caused by Consumer fireworks. He said there was zero proof of purpose for this ordinance. He said some in the crowd have property with land and want the right. He did not like the idea of the permit process or the inspection. He stated that this is too close to a violation of property. If the town assumes no liability than what is the purpose of the inspection? He said that if no permit is needed on 7/4 or 12/31 than what is the difference? Is there a magical shield over these two specific days where injuries and fires can't happen? He believes there is too much judge and jury to be under suspect for fireworks. He doesn't believe that a pet's stress free existence should come before his freedoms. He has a dog that doesn't like gunshots. He thinks this is coming about due to a few bad apples. Would this open the door for ordinances against hunting? Driving? Drinking? This is punishing the whole for the bad behaviors of the few. He wants this to go to a public ballot and everyone has the opportunity to vote.

Scott Landis of 80 Academy Street stated that he is in a minority position. He has voiced his concerns to the Council over the last few years and thanked the Council for taking on this difficult issue. He recognizes the challenge. He said that there had been a fair bit of talk about rights and freedoms. He went on to say that freedom of fireworks is not a basic

right and that as long as folks have gathered there have been rules to protect neighbors. He lived in northern Ontario for 10 years and used to hunt moose out his front door. This is clearly not something that he would consider doing here. Laws are to organize responsibly. Since consumer fireworks were legalized, they are set off in all months, all seasons, until late at night with no controls and no self-regulation. He understands that people enjoy them and some kids get a kick out of them but for others they cause extreme distress. It sounds like a battleground when trying to dinner in the summertime. Even moving indoors does not stop the noise. He has never been notified by any neighbors that they would be lighting off fireworks. How would they notify? He lives in a fairly congested area of town where there are 20 to 30 houses that would be impacted. How far does sound travel? It is wishful thinking that this will improve. He feels that the experiment has failed. In congested areas of town he believes the use should be regulated.

Chief George Gorman of Agamenticus Road said he has had no calls for injuries or fires caused by fireworks. He likes fireworks but hasn't lit them off himself in over a decade and a half. When fireworks used to be found in a dumpster at the transfer station, he would be called to go and set them off. It is bad that we have to regulate on sides of the street. The time frame of 9-5 to obtain a permit isn't going to work as no one is available after 4pm. Burn permits are not issued on class 3-4-5 days. By state law, burn permits are issued same day. Conditions can change drastically in 48 hours so this time frame won't work. He is worried more about the back part of town, the wooded area. The cost to put out a fire set by a lightning strike in that area was \$10,000. Some discussion followed about online fire permits. Mr. James stated that online they can be obtained for \$7. There is a computer program that will cost the Town \$75 a year for permits to be available online.

Jake Demaris of 51 Thurrell Road said that since no fires were caused by fireworks, the ordinance should be tabled. He said the Police Department is understaffed. They do a great job but it would overburden them to deal with this ordinance. He complained about horse feces in the road and maybe we should make an ordinance about that. In his mind there are ordinances upon ordinances and the Town is losing its small town roots.

Paul Steinhauer of Hill Drive says his property is in the grey area where he would not be allowed to have fireworks at any time. He has 100 acres behind him. Why can someone fire a shotgun in that area but not light fireworks. The map does not make sense to him. He said fireworks have been around for hundreds of years. For anyone who says it sounds like a war zone, he hopes that they have actually seen combat. He rides a motorcycle, but some push the limits of decibel rating. In summer months, loud music is played from vehicles. Where does it stop? He is concerned about the ability to man the ordinance. He believes 10pm is reasonable. The ordinance is prohibitive and infringes upon the people in those areas and causes additional overhead for the Town.

Elita Galvin of Main Street disagrees with penalizing some due to the problems caused by others. You can't regulate stupidity. This ordinance would be a drain on our resources. Fireworks were being lit even before they were legalized. She is more concerned about speeding.

David Wessling of 6 Springtree Lane enjoys lighting fireworks on the 4th of July and at family events. He would like to ask to table the ordinance. He pays taxes. He buys his fireworks in Maine and pays the taxes. He feels he is respectful to his neighbors and they to him. He cleans up after himself. Not everyone informs everyone. He has lived here 10 or 11 years and enjoys the quiet. The train wakes him up more than fireworks. He grew up near Logan Airport.

Sam Murray of Emery's Bridge Road thanked Emily Harrison for her research and her service in the armed forces. He has lived 18 or 19 years in South Berwick. He coached Mr. Kareckas' son and knows Ms. Demetracopoulos. He appreciates the efforts of the Council.

He is not in favor of the ordinance. There are some parts he feels are good and others that are not. He feels it should go on a referendum. He asked if the Councilors had gone door to door to find out how people feel about this issue. Mr. Kareckas explained that the Council has regular meetings and it is a wide open show. Communication is welcome. He complained that because he works he can't come to the meetings. He said parties are just as loud as fireworks. He also feels that July and August are the driest months and questioned Labor Day. He wants this to go to Town vote. He feels parents need to be responsible and the ones who get out of hand dealt with individually. If we are respectful and smart there are no problems. He plans to make amendments to the ordinance, mark it up and send it to Mr. Ellsworth.

Ralph Stevens of 79 Old South Road feels this is a personal responsibility. Limiting the times is fine, permits are not. If a fire is caused by an irresponsible person causing damage, they should be responsible. A number of people in attendance are veterans he said and they did not wear a uniform to have personal rights violated. He feels this is a violation.

Reinhold Holton of Emery's Bridge Road said some good points had been made. He has lived in South Berwick his whole life and has sense of community. He enjoys his neighbors. He states that South Berwick has the highest taxes in the area and in return he asks for a few liberties. He does not feel that one person's rights should be taken away for another's problems. He says the ordinance has holes. He feels it is an irritation ordinance with the purpose of restricting use of consumer fireworks because of the complaints of a few. He says he has received over 50 calls asking if he was coming to this meeting. He feels the number of people complaining is minute compared to the number of people having a liberty taken away by this ordinance. It is a waste of peoples time who could be home enjoying their families to be at this meeting. He discussed the map with one side of the road vs. the other. He works in Portsmouth and feels a permit is inconvenient. He doesn't light them but doesn't want his right taken away. He complained about horse feces in the road and bicycles on his way to the dump being more of an issue for him and why don't we talk ordinances for these issues. He wants to see this on a Town Ballot or Petition and wants it tabled.

Four emails were noted as having been received and shared with those present.

Craig Gove of Boyd's Corner Road asked the Council members if they lived in the restricted zone. Two live inside the zone. Three live outside the zone.

Richard Clough asked for clarification on when this will come back up. A workshop will be scheduled for next week or the next Council Meeting. He asked if there was more opportunity to send amendments, make additional comments or strike things out. Mr. Kareckas explained it is still an open item. It will be put on old business and possibly another Public Hearing will be held at some point.

Ms. Demetracopoulos said the Council was asked to seek a balance. Many are saying that fireworks are a right. She received a call from a person on Young Street regarding this issue asking what their right is as a taxpayer. She says there are rights and there are privileges. Residents have the right to enjoy their quiet and residents have the privilege of lighting off fireworks. If it was a right, towns could not regulate it. She said if you do take a tax map and look out 600' the congestion is obvious. Young Street has 54 households. Chestnut has 55 and Academy has 28. This is only counting single family dwellings. How do we balance? She invited residents to call her before 9pm.

Mr. Ellsworth announced that he will post the answers to questions raised on his Town Manager Q & A Forum located on the Town of South Berwick home page.

Cliff Cleary of 10 Spillane Hills is opposed to the ordinance. He stated that the Council represents everyone in town not just one or two and wants it to be put to a Town vote or there "will be trouble".

Emily Harrison spoke that the balance of quiet hours vs. hours disturbed has the quiet hours overriding the fireworks.

Elita Galvin spoke again saying that she has a problem with any regulation on what she can do peacefully on her own property especially on a state governed item.

Ralph Stevens of Old South Road asked how many of the Council members are veterans. He served so rights and privileges are in place. This ordinance takes away a freedom.

Michelle Stevens of Old Field Road feels that the Disorderly Conduct ordinance should cover this issue. She doesn't see the point except that everyone would get fined. She doesn't feel there are any facts on which to base the safety concerns. She complained about the inconvenience of getting a permit. They light fireworks to celebrate such milestones as losing a tooth.

Paula Reddon of 76 Academy Street asked if certain guns could be fired in her area. The response was shotgun only due to bullet travel. A shotgun bullet doesn't travel as far as a high speed rifle. She is all for this issue to go to a vote. She questioned why the budget goes on a ballot but fireworks goes on an ordinance.

Mr. Kareckas explained that we do the best for the most. There are some that feel like prisoners in their own home from the 1st to the 7th of July. One Parent Street where he lives it is quarter acres lots and still the fireworks go on and on. Maybe the regulation route isn't the right way to go. He thanked everyone for coming out and for their input which was needed. He said the Council is not enjoying this to which someone commented, "Then toss it".

Tamara Steinhauer said that if the goal is to do the best for the most, based on the turn on she feels the answer is pretty clear.

Reinhold Holton spoke about the firearm zone and spoke of page 2 on the state guidelines.

Rob Harper of Tamarack Drive talked of the Council being a representative body representing the community as a whole.

Sam Murray attended one of the first meetings regarding fireworks. He said the first complaint is from outside the map zone. The state has given boundaries. This ordinance to him does not address the reason it came up in the first place and that is Display fireworks.

Mr. Kareckas said there are quality of life issues in the village.

Ms. Demetracopoulos said the original discussions opened up a door for others to contact whether at a meeting or by contacting a Council member.

Mr. Abell thought there had been about 100 complaint calls.

Ms. Leber spoke of unofficial complaints. Mr. Wessley stated that how can there be unofficial complaints.

Chrystal Wellwood of Emery's Bridge Road is opposed. She was asked to keep the discussion to the ordinance. She started asking Council Members when their term was up and said maybe she would run.

Richard Clough says this has been an experiment for a year and a half. He reminded the room that the Fire Chief had spoken. He suggests that this ordinance was proposed and it is not a good one. He would like a public meeting, a referendum and a vote. For a quick public hearing, there are a lot of folks in attendance. I hope you take this into consideration. Don't forget how the sprinkler ordinance went down in flames. Goodnight.

Mr. Ellsworth addressed how the squeaky wheel does get heard. He did suggest that everyone sign up for the email updates on the website and they would be notified of public meetings and other important information as it is announced. He said that more people turned out for this hearing than for the vote on the \$6.5 million budget. True democracy is done by representation. He thanked everyone for coming and their input on this matter and asked that they address any questions to him using his new Town Manager Q & A Forum on the home page of the Town website.

The hearing was closed at 8:35pm.

Attest:

Deanna Remick
Asst to Town Manager

DRAFT

South Berwick Town Council June 9, 2015

Chairman John C. Kareckas called the meeting to order at 8:40pm. Councilors present included Jean Demetracopoulos, Russell H. Abell, Laura Leber, and John James. Town Manager Perry Ellsworth was also in attendance.

Approval of Minutes

1. Council 05-26-15: On a motion by Mr. Abell, seconded by Mr. James, it was unanimously voted to adopt the minutes as written.

Treasurer's Warrant

1. On a motion by Ms. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to sign the warrant dated 06/04/2015 in the amount of \$787,125.08.

Public Comment

1. None
- 2.
- 3.

Reports & Presentations

Town Manager's Report

- Discussed School Board Collaboration meeting June 10th
- Talked about 2nd Meeting to discuss Dispatch proposal from Kittery/possible regional dispatch being discussed with York, Kittery, Eliot, Berwick, South Berwick. A regional dispatch center would not be under Police control.
- A single plaque was received for the Shorey's Brook Bridge project Excellence in Public Works Award shared by Eliot and South Berwick.
-
-

Unfinished Business

1. None

New Business

1. On a motion by Mr. Abell, seconded by Mr. James, it was unanimously voted to sign the warrant for a Special Town Meeting to vote to appropriate and expend from the Undesignated General Fund Balance \$22,000 for the unexpected overdraft to the Employee Benefits Budget for 2014/2015 and \$15,000 to cover the unexpected overdraft in the Fire Department Budget for 2014/2015.
2. On a motion by Ms. Demetracopoulos, seconded by Mr. James, it was unanimously voted to waive the form bidding process for GPS Tracking system and authorize purchase from 2-Way Communications in the amount of \$10,724.74
3. On a motion by Mr. Abell, seconded by Ms. Demetracopoulos, it was unanimously voted to appoint Mr. Thomas McCullon as the South Berwick Representative to the Eastern Trail Committee.
4. On a motion by Ms. Demetracopoulos, seconded by Mr. Abell, it was unanimously voted to adjust the Town Manager's contract with a \$7,500 merit bonus.

Council Member Comments

1. Workshop scheduled for 6/16/15 at 6:30pm on Fireworks Ordinance
2. Ms. Demetracopoulos walked home from Berwick and noted a point of concern regarding empty liquor bottles lining the sides of Agamenticus Rd. and Corey Drive.
3. Mr. James mentioned the fireworks scheduled for 6/27/15 sponsored by SBRELL and Marshwood Youth Baseball.

4. Mr. Abell extended a thank you for all who have contributed to the discussions on the Fireworks Ordinance.
5. Mr. Kareckas noted that the path near Avesta and Central School will not be paved before the Strawberry Festival.
6. Mr. Ellsworth and Jon St. Pierre, Public Works will be walking Main Street and the Post Office to get the signage into this year's budget.

Adjournment

On a motion by Mr. James, seconded by Ms. Leber, it was unanimously voted to adjourn the meeting at 9:05pm

Attested:

Deanna Remick
Assist to Town Manager

DRAFT

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	-----Account-----	Date Paid	Amount
00036363	193407 SO MAINE PARENT AWARENESS	06/23/2015	-250.00
00036989	031862 JANE COWEN-FLETCHER	06/23/2015	-116.15
00037046	132500 SECRETARY OF STATE M/V	06/23/2015	27,372.58
00037047	240900 YORK COUNTY REGISTRY OF DEEDS	06/23/2015	1,520.00
00037048	189999 REFUNDS	06/23/2015	260.00
00037049	189999 REFUNDS	06/23/2015	330.00
00037050	189999 REFUNDS	06/23/2015	200.00
00037051	010336 AGGREGATE RECYCLING CORP	06/23/2015	3,920.34
00037052	010528 ALTON ROLLINSFORD LLC	06/23/2015	900.00
00037053	011300 APPLIED CONCEPTS INC	06/23/2015	5,912.00
00037054	011495 ATLANTIC RECYCLING EQUIP LLC	06/23/2015	575.00
00037055	020225 BAKER & TAYLOR	06/23/2015	206.73
00037056	021095 BARBARA BENNETT	06/23/2015	17.55
00037057	021375 H T BERRY COMPANY INC	06/23/2015	601.10
00037058	022850 BUSINESS EQUIPMENT UNLIMITED	06/23/2015	1,816.98
00037059	021668 BLOW BROS	06/23/2015	55.87
00037060	022240 GARY BOUCHER	06/23/2015	222.04
00037061	022503 SHARON BRASSARD	06/23/2015	61.13
00037062	022640 BURKE'S TREE SERVICE	06/23/2015	275.00
00037063	030500 CENTRAL MAINE POWER/CREDIT COLL	06/23/2015	194.00
00037064	030510 CENTRAL MAINE POWER	06/23/2015	3,750.36
00037065	030725 CITIZENS BANK (CHG)	06/23/2015	616.38
00037066	040445 JEAN DEMETRACOPOULOS	06/23/2015	26.46
00037067	041000 DOVER MOTOR MART FM	06/23/2015	430.63
00037068	041250 NICOLE DRAKE	06/23/2015	44.28
00037069	050798 ELIOT SMALL ENGINE REPAIR INC	06/23/2015	121.15
00037070	050802 PERRY ELLSWORTH	06/23/2015	568.29
00037071	060100 HOWARD P FAIRFIELD INC	06/23/2015	321.66
00037072	061510 FOSTERS DAILY DEMOCRAT	06/23/2015	357.03
00037073	070200 P GAGNON & SON INC	06/23/2015	53.00
00037074	071180 GROUP DYNAMIC INC	06/23/2015	143.00
00037075	191330 HANNAFORD'S	06/23/2015	182.53
00037076	080248 HANSCOM'S TRUCK STOP INC	06/23/2015	3,942.40
00037077	080450 HARVARD PILGRIM HEALTH CARE	06/23/2015	27,634.66
00037078	080500 BEVERLY HASTY	06/23/2015	20.70
00037079	080575 TREASURER, STATE OF MAINE	06/23/2015	360.00
00037080	080998 HOME DEPOT	06/23/2015	719.24
00037081	100150 JANETOS MARKET	06/23/2015	65.70
00037082	100380 JOHN DEERE LANDSCAPES	06/23/2015	343.40
00037083	100870 KENNEBUNK SAVINGS BANK	06/23/2015	139,612.29
00037084	120510 LAWSON PRODUCTS INC.	06/23/2015	82.70
00037085	120970 LIBBY SCOTT INC.	06/23/2015	12,339.60
00037086	121650 JAMES LOCKE	06/23/2015	50.00
00037087	122270 KENNETH LYNCH & SONS	06/23/2015	1,457.00
00037088	071170 M W GRENIER ENTERPRISES LLC	06/23/2015	150.00
00037089	130626 MAINE OXY/SPEC AIR GASES	06/23/2015	25.42
00037090	133225 JOSEPH T TOTON	06/23/2015	199.00
00037091	133195 MAINE TURNPIKE AUTHORITY	06/23/2015	4.90
00037092	133285 MARKET BASKET	06/23/2015	212.21
00037093	133795 MICK BODYWORKS INC	06/23/2015	116.74
00037094	134300 MAINE MUNICIPAL EMPLOYEES	06/23/2015	4,100.72
00037095	134663 MONTAGE ENTERPRISES INC	06/23/2015	262.80
00037096	140105 NAPA AUTO PARTS	06/23/2015	194.76
00037097	150175 OFFICE OF INFORMATION TECH A/P	06/23/2015	120.00
00037098	160050 PEMBROOKE OCCUPATIONAL HEALTH	06/23/2015	124.00
00037099	200700 PIKE INDUSTRIES INC	06/23/2015	282.50

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 23, 2015	Presentations
Agenda Item: York River Steering Committee presentation	
Department Head: Town Manager	
The York River Steering Committee will give a brief < 20 minute presentation about the national park service Wild and Scenic Study recently funded for the York River. Either CHUCK Ott or Karen Young will be the presenter.	
Town Manager's Recommendation:	
Requested Action:	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 23, 2015	UB #1
Agenda Item: Fireworks Ordinance	
Department Head:	
Further Action , if any, on the Fireworks Ordinance	
Town Manager's Recommendation:	
Requested Action: Town Council Decision	
Vote	

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: June 23, 2015	Item NB #1
Subject	
Board & Committee Appointments.	
Information	
Following is a list of board members with terms expiring on June 30, 2015. Board members were sent a letter in May asking if they wished to be re-appointed.	
<u>Assessment Review:</u> Richard Currier Nora Irvine	<u>Library Advisory Board:</u> David Gagnon
<u>Building Committee:</u> Tom Harmon Fred Wildnauer	<u>Planning Board:</u> Terrence Parker – NO, called 4/28/15 Warren Spencer
<u>Conservation Commission:</u> Pat Robinson Stephen Bayse	<u>Recreation Committee:</u> Jeff Hoerth Heather Holland
<u>Historic District Commission:</u> Mary Vaughn	<u>Zoning Board of Appeals:</u> Mark Lawrence
Staff Comments/Recommendation	
Requested Action	
Re-appoint board/committee members to June 30, 2018.	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 23, 2015	NB #2
Subject: Planning Board membership	
Information:	
As of July 1st, the Planning Board will have 4 regular members and 1 alternate member	
Staff Comments/Recommendation:	
Vote to move the alternate member to the regular voting member seat. Mr. Gove would be replacing Terence Parker as the full voting member, whose term was due on June 30, 2015.	
Requested Action:	
Motion & vote to appoint Manley Gove, Sr. to the Planning Board, as a full voting member, with a term of July 1, 2015 to June 30, 2018.	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 23, 2015	NB#3
Agenda Item: York River Study Committee Volunteer	
Department Head: Town Manager	
Town Manager's Recommendation:	
Appoint South Berwick volunteer to join the York River Steering Committee as the South Berwick Representative to the Committee	
Requested Action:	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 23, 2015	NB #4
Agenda Item: Transfer Station Professional Services	
Department Head Recommendation: Fern Houliares	
<p>The budget for 2013/2014 included money for professional services at the Transfer Station. The intent was the development of a conceptual redesign of the Transfer Station layout to provide for a more efficient flow. This work was to be done over a 3 year period, budgeting \$2,000 each year in 2013/2014, 2014/2015 and 2015/2016. Because the funds from 2013/2014 were not spent by June 30, 2014, the money was encumbered, allowing for its expenditure within the first few months of the next fiscal year (2014/2015). The Public Works director has determined that it is more beneficial to do the redesign in one phase rather than the 3 originally planned. Work is scheduled for the 2015/2016 year. In order to preserve the initial funds, the money previously held aside should be transferred to an administrative Designated account specifically for this purpose. The funds from the 2014/2015 budget would also be included in that account.</p>	
Town Manager's Recommendation	
Requested Action	
Set up administrative Designated Fund for Transfer Station Professional Services and transfer into it funds from 2013/2014 and 2014/2015.	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: June 23, 2015	Item # NB #5
Agenda Item: Budget Transfers	
Department Head Recommendation: Fern Houliares	
<p>Four departments will require a total transfer of \$14,200 from the Undesignated Fund to cover estimated expenditures through June 30. The attached memo lists the dollar breakdown and explanation.</p> <p>These transfers represent approximately .23% of the total 2014/2015 budget.</p> <p>Any funds approved but not ultimately spent will revert back to the Undesignated Fund.</p>	
Town Manager's Recommendation	
Requested Action	
Approve transfer from Undesignated Fund to departments per attached memo to cover budget overruns.	
Vote	

Date: June 18, 2015
To: Perry
From: Fern 
Re: Department Overruns

Based upon the Treasurer's warrants through June 23 and payroll through June 13, individual departments will need council transfers for over expenditures. The actual departments and amounts will not be determined until final adjustments are made by the auditors and myself. The following are the best estimates as of this date:

4230: Police	\$ 3,000	Part time wages (partially offset by savings in Overtime wages)
4250: Street Lights	\$ 4,200	Increase in electricity cost
4315: Public Facilities	\$ 2,000	Water for fields
4325: Town Garage	\$ 5,000	LP Gas (increased winter use)
Total	\$14,200	

These overages represent approximately one quarter of 1% of the total 2014/15 municipal budget. These overages will be offset by "savings" within other departments. Any funds approved but not expended will revert back to the Undesignated Fund.

Please include these Council transfers as an agenda item for the June 23rd meeting.

If you have any other questions, please let me know.