

South Berwick Town Council

July 14, 2015

Chairman John C. Kareckas called the meeting to order at 6:00pm. Councilors present included Jean Demetracopoulos and John James. Laura Leber arrived during the executive session. Town Manager Perry Ellsworth was also in attendance. Russell Abell was not present.

Executive Session

1. On a motion by Mrs. Demetracopoulos, seconded by Mr. James, it was unanimously voted to enter executive session at 6:01pm pursuant to 1MRSA §405.6A(1) for permitted deliberation to discuss a personnel issue.

Councilor James reported to the Clerk: On a motion by Mrs. Demetracopoulos, seconded by Mr. James, it was unanimously voted to end the executive session at 6:32pm and return to the regular meeting.

Approval of Minutes

1. Public Hearing HDC Ord 06-23-15: On a motion by Mrs. Demetracopoulos, seconded by Mr. James, it was unanimously voted to adopt the minutes as written.

2. Town Council 06-23-15: On a motion by Mrs. Demetracopoulos, seconded by Mrs. Leber, it was unanimously voted to adopt the minutes after deleting the word "perambulation" and adding "for setting three bounds" along the boundary with Wells, under the Town Manager's comments.

Treasurer's Warrant

1. On a motion by Mrs. Demetracopoulos, seconded by Mrs. Leber, it was unanimously voted to ratify the signing of the warrant dated June 30, 2015 in the amount of \$183,196.37.

2. On a motion by Mr. James, seconded by Mrs. Demetracopoulos, it was unanimously voted to the signing of the warrant dated July 9, 2015 in the amount of \$781,474.00.

Public Comment

1. Richard Clough, Academy St, commented that the sign for advertising tonight's meeting was not on the front lawn. He suggested using the school's sign across the street; it is larger and easier to read.

Reports & Presentations

1. Mr. Kareckas made reference to a memo from Charles Ott of the York River Study Committee. He stated that the Council needs to decide if the town will participate in the study and find a volunteer to serve on the committee. It was agreed to place the item on the next agenda for action.

2. Mr. Ellsworth read a letter received from Jonah Noble, Emery's Bridge Road. Jonah thanked the town for paving Emery's Bridge Rd; making it a much nicer ride to get ice-cream. He also sent drawings showing Emery's Bridge Rd before and after the work.

Town Manager's Report

-Recently met with the MDOT regarding the intersection of Routes 91 and 236. There will be changes made in the next 2-3 years.

-Commented about advice received from former Councilor Webster that 'he, Perry, should know the Codebook from one end to the other. This Codebook is what we live by. If we go by the Codebook we're not going to get in trouble'. Mr. Ellsworth went on to explain that he is responsible for the administration of the Codebook and although mistakes may be made they shouldn't occur on a regular basis. Mr. Ellsworth pledged "I and all the employees you'll approve later on (see new business #1) will follow this Codebook to the nth degree, no deviance, and I would expect the same from those that I work for as I do those that I work with."

-Paving the Young Street parking lot is scheduled for the 27th.

Unfinished Business

1. Mr. Kareckas made note that the Council's appeal to the Zoning Board of Appeals did not go through. [Business located at the corner of Old South Road and Route 236, The Chuck Wagon]. The Board did not find that the Council had standing because there was no "particularized injury" to the town.

Mr. Kareckas explained that the Council had voted and went through the appeal process with the ZBA. The Council does have the ability to act under the Administrative Code, Article I, section 3-7 to proceed with the investigation into the conduct of any office, department, or officer through itself or the Town Manager. He added that the Council can make inquiries or investigations, but its role is merely fact finding; it does not make any decisions or judgments.

Mr. Ellsworth stated that the inquiry is not to look any further at the business (The Chuck Wagon) it is to get the "sanctity of the book" back.

On a motion by Mrs. Leber, seconded by Mrs. Demetracopoulos, it was voted 3-1 (Mr. James opposed) to direct the Manager to pursue Town Administrative Code, Chapter 3, Article I, section 3-7, we order the Manger with the task of inquiry and fact finding with respect to the cited sections of Chapter 140.

Mrs. Demetracopoulos made note that this is not the first zoning issue to come before the Council. She then cited several past issues such as an ongoing Portland Street yard sale, insulation storage on Main Street, and a trash disposal issue off of Belle Marsh Road. She added that the inquiry is about the process and to determine if changes are necessary.

New Business

1. On a motion by Mrs. Leber, seconded by Mr. James, it was unanimously voted to affirm the slate of municipal officials for fiscal year 2016 as read by Mr. Kareckas:

Perry A. Ellsworth	Town Manager, Tax Collector, Treasurer, Road Commissioner
Barbara Bennett, CCM	Town Clerk, Registrar of Voters, Motor Vehicle Agent, IF&W Agent
Craig Skelton	Assessing Agent
Beverly J. Hasty	Deputy Tax Collector
Jon St. Pierre	Public Works Director
Joe Rousselle	Code Enforcement Officer, Plumbing Inspector, Health Officer
Kathy Pridham	General Assistance Administrator
Dana P. Lajoie	Police Chief, Constable
George E. Gorman	Fire Chief, Fire Warden
Blain Cote	Emergency Management Director
Karen Eger	Library Director
Sharon Brassard	Recreation Director
Harvey Barr	Animal Control Officer

2. On a motion by Mr. James, seconded by Mrs. Demetracopoulos, it was unanimously voted to approve a Solid Waste Hauler License for Casella Waste through June 30, 2015.

Council Member Comments

1. Mr. James:

-Family friendly fireworks the Friday before Strawberry Festival were well attended and went great.
 -Nine towns participated in the softball tournament over a 16 day period. York Little League won the District 4 Championship. Many of the visiting coaches commented that they liked the area and small town atmosphere. Local businesses have seen an increase due to the various teams being in town.

2. Mrs. Leber:

-Hoped everyone was having a great summer.

3. Mrs. Demetracopoulos:

-Stated that she appreciates and has benefited from the recent road work. Emery's Bridge Road is much nicer. She thanked the Public Works Department for its hard work.

-Gave her condolences to Mr. Ellsworth for the loss of another family member.

4. Mr. Kareckas:

-Ogunquit Road looks great.

Adjournment

On a motion by Mrs. Demetracopoulos, seconded by Mr. James, it was unanimously voted to adjourn the meeting at 7:15pm.

Attested:

Barbara Bennett, CCM

Draft

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	Account	Date Paid	Amount	
00037266	141140	TREASURER, STATE OF NH	07/28/2015	149.00
00037267	132500	SECRETARY OF STATE M/V	07/28/2015	38,097.99
00037268	090151	UNITED STATES TREASURY	07/28/2015	62.50
00037269	230700	TOWN OF WELLS	07/28/2015	42.00
00037270	160930	PORTLAND SEA DOGS	07/28/2015	210.00
00037271	189999	REFUNDS	07/28/2015	110.00
00037272	010585	AMAZON	07/28/2015	216.46
00037273	010740	AMERIFLEX	07/28/2015	468.00
00037274	020225	BAKER & TAYLOR	07/28/2015	722.90
00037275	022850	BUSINESS EQUIPMENT UNLIMITED	07/28/2015	1,435.78
00037276	021648	MARK BLANCHETTE	07/28/2015	255.00
00037277	022240	GARY BOUCHER	07/28/2015	13.80
00037278	022244	VICTORIA BOURRET	07/28/2015	1,200.00
00037279	022503	SHARON BRASSARD	07/28/2015	59.04
00037280	030510	CENTRAL MAINE POWER	07/28/2015	1,467.79
00037282	030920	CLEAN-O-RAMA	07/28/2015	202.50
00037283	031096	COCHECO VALLEY HUMANE SOCIETY	07/28/2015	50.00
00037284	031485	COMMUNICATION TECHNOLOGIES INC	07/28/2015	55.00
00037285	040300	DEMCO	07/28/2015	81.48
00037286	040520	DIGITAL INK PRINTING	07/28/2015	557.54
00037287	032710	D.J.'S MUNICIPAL SUPPLY	07/28/2015	268.97
00037288	060745	FIRETEC USED APPARATUS SALES	07/28/2015	1,495.00
00037289	061390	FORESTRY SUPPLIERS, INC.	07/28/2015	127.16
00037290	061675	FUNTOWN/SPLASHTOWN	07/28/2015	974.00
00037291	070210	GALLS LLC	07/28/2015	217.99
00037292	180478	GENEST PRECAST	07/28/2015	300.00
00037293	191330	HANNAFORD'S	07/28/2015	461.16
00037294	080248	HANSCOM'S TRUCK STOP INC	07/28/2015	644.15
00037295	080450	HARVARD PILGRIM HEALTH CARE	07/28/2015	29,928.44
00037296	080501	BRUCE HASTY'S PLUMB/HEATNG	07/28/2015	630.75
00037297	100150	JANETOS MARKET	07/28/2015	63.38
00037298	141367	KONE INC	07/28/2015	353.29
00037299	120260	DARREN LAPOINTE	07/28/2015	19.55
00037300	120510	LAWSON PRODUCTS INC.	07/28/2015	551.52
00037301	120970	LIBBY SCOTT INC.	07/28/2015	169,301.15
00037302	071170	M W GRENIER ENTERPRISES LLC	07/28/2015	130.00
00037303	125975	MAD SCIENCE OF MAINE	07/28/2015	355.00
00037304	131660	MAINE ASSN/ASSESSORS	07/28/2015	199.00
00037305	130670	MAINE RESOURCE/RECOVERY	07/28/2015	50.00
00037306	133195	MAINE TURNPIKE AUTHORITY	07/28/2015	11.35
00037307	133285	MARKET BASKET	07/28/2015	133.90
00037308	134200	MAINE MUNICIPAL ASSO (INS)	07/28/2015	58,736.35
00037309	140090	NADA GUIDES	07/28/2015	105.00
00037310	140235	NASRO	07/28/2015	40.00
00037311	140950	NEW ENGLAND STATE POLICE	07/28/2015	100.00
00037312	150040	O'BRIEN CONSTRUCTION, INC.	07/28/2015	150.00
00037313	160050	PEMBROOKE OCCUPATIONAL HEALTH	07/28/2015	62.00
00037314	160275	PHOENIX MANAGEMENT	07/28/2015	1,100.00
00037315	200700	PIKE INDUSTRIES INC	07/28/2015	1,545.04
00037316	160320	PINE TREE WASTE INC	07/28/2015	2,066.25
00037317	160692	POLAND SPRING	07/28/2015	73.13
00037318	161293	BRIDGET POTE	07/28/2015	8.05
00037319	170000	QUILL CORPORATION	07/28/2015	236.02
00037320	180430	RELIABLE EQUIPMENT	07/28/2015	900.00
00037321	180477	RICE'S AUTOMOTIVE CENTER	07/28/2015	44.75
00037322	190650	SEACOAST PRINTING	07/28/2015	200.00

Check Number	Account	Date Paid	Amount
00037323	190900 SEBASCO HARBOR RESORT	07/28/2015	218.00
00037324	132500 SECRETARY OF STATE M/V	07/28/2015	29,310.76
00037325	193408 SO MAINE PLANNING & DEV	07/28/2015	4,626.80
00037326	192920 SO BERWICK YOUTH CENTER	07/28/2015	173.94
00037327	192600 SO BERWICK PHARMACY	07/28/2015	11.77
00037328	192900 SO BERWICK WATER DISTRICT	07/28/2015	78,467.30
00037329	193619 SPRING HILL	07/28/2015	234.00
00037330	193640 STAPLES	07/28/2015	180.99
00037331	133107 TREAS.STATE OF MAINE/DEP	07/28/2015	180.00
00037332	201300 TWO-WAY COMMUNICATION SERV INC	07/28/2015	12,904.74
00037333	210620 US BANK EQUIPMENT FINANCE	07/28/2015	112.00
00037334	211500 VERIZON WIRELESS	07/28/2015	718.58
00037335	230300 WALMART COMMUNITY BRC	07/28/2015	197.01
00037336	230800 WEX BANK	07/28/2015	137.47
00037337	231203 WILDLIFE ENCOUNTERS LLC	07/28/2015	222.00
Total Not Prepaid			406,063.00
Total Prepaid			38,671.49
Grand Total			444,734.49

WARRANT NUMBER \$ 444,734.49 DATE 07/23/2015

* * * TREASURER'S WARRANT * * *

THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED ABOVE THE SUM SET AGAINST EACH NAME AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES NAMED IN THIS SCHEDULE.

TOWN COUNCIL:

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TOWN COUNCIL
Agenda Information Sheet

Meeting Date: July 28, 2015	Item # NB 1
Agenda Item: Town Code Book	
Department Head: Town Manager	
The Town Manager will report out on recent issues associated with Chapter 140 of the Town Code Book	
Town Manager's Recommendation:	
Requested Action:	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: July 28, 2015	Item # NB 2
Agenda Item: Property Tax Workshop	
Department Head: Town Manager	
Town Manager's Recommendation:	
Requested Action: Set date for Property tax Workshop. Town Manager suggests August 04, 2015 at 6:30 p.m.	
Vote	

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: July 28, 2015	Item # NB 3
Agenda Item: Workshops	
Department Head: Town Manager	
Town Manager's Recommendation:	
Open discussion about workshop needs and potential timeframe to cover them	
Requested Action:	
Vote	