

**South Berwick Town Council  
Public Hearing  
Chapter 96 Non-Stormwater Discharge Ordinance**

**May 24, 2016**

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

The purpose of the hearing was to receive public comment on the proposed amendments to Chapter 96, §5 Prohibition of non-stormwater discharges. The changes would add "as long as it does not cause or contribute to a violation of the State's water quality standards" in section B and add "and dechlorinated swimming pool discharges;" in subsection B(1).

No public comment was received.

Town Manager Ellsworth explained that we recently had our first significant state audit and the proposed changes are from the state.

Mr. Kareckas commented that some of the language seems redundant. The state is getting more specific with definitions. Mr. Kareckas also questioned subsections 2 & 3 in reference to the enforcement authority. He asked if it was defined in the ordinance. Mr. Ellsworth stated that he believed it was but had not reviewed the ordinance before the meeting.

The hearing was closed at 6:38pm.

Attest:

Barbara Bennett, CCM



**South Berwick  
Town Council Meeting  
May 24, 2016**

The following was reported to the Clerk:

Chairman John C. Kareckas called the meeting to order at 6:00pm. Councilors present included Russell H. Abell, John James, Laura Leber, and Thomas Chase. Town Manager Perry A. Ellsworth was also in attendance.

**Executive Session**

1. On a motion by Mrs. Leber, seconded by Mr. Chase, it was unanimously voted to enter executive session at 6:01pm pursuant to 1MRSA §405.6A to discuss the Town Manager's contract.

On a motion by Mr. Abell, seconded by Mrs. Leber, it was unanimously voted to end the executive session at 6:27pm.

On a motion by Mr. Chase, seconded by Mr. James, it was unanimously voted to recess the Council meeting at 6:27pm to accommodate the scheduled public hearing.

The Council meeting was reconvened at 6:39pm with the Clerk present.

**Approval of Minutes**

1. Council 05-10-16: On a motion by Mr. James, seconded by Mr. Chase, it was unanimously voted to adopt the minutes as written.

**Treasurer's Warrant**

1. On a motion by Mr. Abell, seconded by Mr. James, it was unanimously voted to sign the warrant dated May 19, 2016 in the amount of \$227,450.67.

**Public Comment**

None

**Town Manager's Report**

- There will be a paving update posted to the website each week.
- The listening session with the MDOT went well and was attended by about 20 residents. The Council will need to decide if it wants to request speed limit reductions on Route 236.
- Believes Berwick will renew its contract with us for dispatch services. Berwick still needs to vote on the issue and the item under new business should be tabled.
- The Memorial Day Parade will be at 11:00am. Anyone interested should assemble at the Town Hall around 10am.
- The Hike-Thru-History is tomorrow.
- The ribbon cutting at Avesta will be June 3rd at 11:00am.
- The vote on the school budget is Wednesday, May 25th at the high school.
- Will be out Friday and out off and on next week.

**New Business**

1. On a motion by Mr. Abell, seconded by Mr. James, it was unanimously voted to adopt the amendments to Chapter 96, section 5 of the Non-Stormwater Discharge Ordinance.

2. On a motion by Mr. James, seconded by Mr. Chase, it was unanimously voted to approve the renewal of The Links at Outlook Golf Club's liquor license and special amusement permit. Mrs. Leber abstained from voting because Mr. Flynn is a client.

3. On a motion by Mr. Abell, seconded by Mr. Chase, it was unanimously voted to authorize the Town Manager to enter into a contract with Berwick for Code Enforcement services for the fiscal year 2016-2017.

In response to Mr. Abell's question, Mr. Ellsworth stated that there are no significant changes to the contract.

4. On a motion by Mrs. Leber, seconded by Mr. Abell, it was unanimously voted to table action on a contract with Berwick for Dispatch services for the fiscal year 2016-2017, until the meeting of June 14th.

5. On a motion by Mr. Abell, seconded by Mrs. Leber, it was unanimously voted to extend the Manager's contract to June 30, 2018.

On a motion by Mr. Abell, seconded by Mr. Chase, it was unanimously voted to grant the Town Manager a merit bonus of \$9,000 to be taken from the undesignated fund balance.

6. The Council discussed the necessity to write-off unpaid real estate taxes from 2009-2013 and unpaid personal property taxes from 2013-2016. State law requires municipalities to assess property of an unknown owner for 20 years before foreclosing; but can only collect taxes back for three years.

On a motion by Mr. Abell, seconded by Mr. James, pursuant to 36 MRSA §841.3, it was unanimously voted to abate and write-off taxes from 2009/2010 to 2012/2013 for the following properties of Owners Unknown: Acct# O0008R, M05 Lot58 \$1183.25, Acct #O1920R, M02 L62 \$1245.20, Acct# G0280R, M02 Lot 43 \$1362.90, and Acct #O0009R, M04 L87 \$669.06.

On a motion by Mr. Abell, seconded by Mr. James, it was unanimously voted to abate and write-off the personal property taxes from 2013/3014 to 2015/2016 for Reo's Barber Shop, Acct #L0020P in the amount of \$84.40. The business is closing and collection of the tax is cost prohibitive.

7. Joseph Cuetara, Sr., VP Moors & Cabot, gave the Council an overview of the bond issuance process. His service includes assistance with structuring, originating, marketing, sale and closing of the bond issue.

On a motion by Mr. James, seconded by Mrs. Leber, it was unanimously voted to authorize the Town Manager to enter into an agreement with Moor's and Cabot to secure bonding for anticipated road projects over the next three years.

### **Councilor Comments**

1. Mr. James

-Wished everyone a safe and happy Memorial Day weekend.

2. Mr. Abell:

-Reminded everyone of the school budget vote at the high school on Wednesday at 7:00pm.

-He will not be able to attend the Hike-thru-History. He will be attending the Memorial Day parade with the Scouts.

3. Mr. Kareckas:

-The meeting with the DOT went well.

-He will not be able to attend the Hike-thru-History.

-He plans on being at the Memorial Day parade for 10:00am.

4. Mrs. Leber:

-Made note that she attended the 20th anniversary celebration of the Community Center.

-She will be able to attend the Hike-thru-History.

-Encouraged everyone to attend the school budget vote on Wednesday.

5. Mr. Chase:

-Wished everyone a wonderful Memorial Day.

-He will be attending the Hike-thru-History with his kids.

### **Adjournment**

On a motion by Mrs. Leber, seconded by Mr. Abell, it was unanimously voted to adjourn the meeting at 7:53pm.

Attest:

Barbara Bennett, CCM

TOWN OF SO. BERWICK  
CHECK REGISTER

Check Number	-----Account-----	Date Paid	Amount
00038898	132500 SECRETARY OF STATE M/V	06/14/2016	22,757.54
00038899	209999 TAX REFUNDS	06/14/2016	1,888.58
00038900	209999 TAX REFUNDS	06/14/2016	1,583.31
00038901	209999 TAX REFUNDS	06/14/2016	2,430.59
00038902	132500 SECRETARY OF STATE M/V	06/14/2016	21,616.35
00038903	189999 REFUNDS	06/14/2016	117.96
00038904	189999 REFUNDS	06/14/2016	122.90
00038905	010000 A-1 ENVIRONMENTAL SERV INC	06/14/2016	4,235.00
00038906	010285 ADMIRAL FIRE & SAFETY INC	06/14/2016	289.00
00038907	010336 AGGREGATE RECYCLING CORP	06/14/2016	2,149.19
00038908	010523 ALLEN'S DRILLING & BLASTING IN	06/14/2016	440.00
00038909	011250 TREASURER.STATE OF MAINE	06/14/2016	97.00
00038910	011422 KERA ASHLINE	06/14/2016	27.77
00038911	020225 BAKER & TAYLOR	06/14/2016	194.40
00038912	021095 BARBARA BENNETT	06/14/2016	101.78
00038913	022850 BUSINESS EQUIPMENT UNLIMITED	06/14/2016	236.00
00038914	216175 BJ HICKMAN	06/14/2016	375.00
00038915	021668 BLOW BROS	06/14/2016	55.00
00038916	022150 BOSTON CO.	06/14/2016	2,414.00
00038917	022704 BROWNELLS INC	06/14/2016	195.60
00038918	030510 CENTRAL MAINE POWER	06/14/2016	5,133.74
00038919	030552 CHASE & HAMLYN INC.	06/14/2016	3,775.50
00038920	030725 CITIZENS BANK (CHG)	06/14/2016	908.41
00038921	031355 TERRIE COLLINS	06/14/2016	100.00
00038922	031425 COLONIAL LIFE & ACCIDENT INS.	06/14/2016	1,396.00
00038923	031579 CONSTELLATION NEW ENERGY	06/14/2016	1,930.59
00038924	040120 DEAN & ALLYN INC	06/14/2016	97.75
00038925	032710 D J 'S MUNICIPAL SUPPLY	06/14/2016	2,154.82
00038926	040800 DOUCETTE EXCAVATING	06/14/2016	2,000.00
00038927	041000 DOVER MOTOR MART FM	06/14/2016	704.33
00038928	041250 NICOLE DRAKE	06/14/2016	448.53
00038929	041275 DEREK DREW	06/14/2016	165.00
00038930	050500 KAREN EGER	06/14/2016	41.96
00038931	060100 HOWARD P FAIRFIELD INC	06/14/2016	51.69
00038932	141000 FAIRPOINT COMMUNICATIONS	06/14/2016	1,175.89
00038934	060763 FISHER AUTO PARTS	06/14/2016	55.00
00038935	070200 P GAGNON & SON INC	06/14/2016	2,036.55
00038936	180478 GENEST PRECAST	06/14/2016	2,244.00
00038937	070600 GEORGE GORMAN	06/14/2016	156.60
00038938	071600 GYROS SMALL ENGINE REPAIR	06/14/2016	60.00
00038939	191330 HANNAFORD'S	06/14/2016	415.85
00038940	080248 HANSCOM'S TRUCK STOP INC	06/14/2016	1,393.33
00038941	081305 HARRISON SHRADER ENTERPRISES	06/14/2016	246.87
00038942	080501 BRUCE HASTY'S PLUMB/HEATNG	06/14/2016	902.31
00038943	080500 BEVERLY HASTY	06/14/2016	39.85
00038944	080518 HAYDEE'S PEST FREE MGMT	06/14/2016	45.00
00038945	080520 SAMMIE HAYNES	06/14/2016	840.00
00038946	080998 HOME DEPOT	06/14/2016	400.91
00038947	081394 HUSSEY EXCAVATION INC	06/14/2016	1,200.00
00038948	087005 IN STITCHES	06/14/2016	200.00
00038949	090120 INLAND FISHERIES & WILDLIFE	06/14/2016	3,675.86
00038950	090138 INVOICE CLOUD	06/14/2016	50.00
00038951	100150 JANETOS MARKET	06/14/2016	79.80
00038952	081000 HOPE STORES, INC	06/14/2016	1,184.14
00038953	100475 JORDAN EQUIPMENT CO	06/14/2016	154.34
00038954	120510 LAWSON PRODUCTS INC.	06/14/2016	65.85

Check Number	-----Account-----	Date Paid	Amount
00038955	120775 DOUGLAS LETELLIER	06/14/2016	169.99
00038956	120970 LIBBY SCOTT INC.	06/14/2016	94,609.23
00038957	071170 M W GRENIER ENTERPRISES LLC	06/14/2016	30.00
00038958	132400 MAINE SAD #35	06/14/2016	620,919.75
00038959	133228 THE MAINTENANCE CONNECTION INC	06/14/2016	137.04
00038960	133393 S.A. MCLEAN & SONS	06/14/2016	3,600.00
00038961	133379 MESSER TRUCK EQUIPT	06/14/2016	3,395.00
00038962	133795 MICK BODYWORKS INC	06/14/2016	1,886.15
00038963	134850 WENDY MORRISON	06/14/2016	71.97
00038964	140105 NAPA AUTO PARTS	06/14/2016	24.86
00038965	140600 NEPTUNE INC	06/14/2016	42.00
00038966	141400 NORTHERN DATA SYSTEMS INC	06/14/2016	281.92
00038967	150040 O'BRIEN CONSTRUCTION, INC.	06/14/2016	1,800.00
00038968	150025 OAKWOODS LUMBER INC	06/14/2016	128.00
00038969	150175 OFFICE OF INFORMATION TECH A/P	06/14/2016	120.00
00038970	150930 M H PARSONS & SONS LUMBER CO	06/14/2016	1,250.00
00038971	160265 PHILBRICKS SPORTS	06/14/2016	111.97
00038972	200700 PIKE INDUSTRIES INC	06/14/2016	16,471.16
00038974	160320 PINE TREE WASTE INC	06/14/2016	2,075.65
00038975	161293 BRIDGET POTE	06/14/2016	8.40
00038976	170000 QUILL CORPORATION	06/14/2016	447.25
00038977	180170 BOB RAY	06/14/2016	572.00
00038978	160692 READY REFRESH	06/14/2016	97.16
00038979	180205 REC 1	06/14/2016	100.00
00038980	180400 RED'S SHOE BARN INC	06/14/2016	192.58
00038981	180437 RENAUD INDUSTRIES LLC	06/14/2016	605.00
00038982	180940 AMY ROBERGE	06/14/2016	36.16
00038983	132500 SECRETARY OF STATE M/V	06/14/2016	15,270.84
00038984	191323 SHOEM CORP.	06/14/2016	682.50
00038985	191533 CRAIG SKELTON	06/14/2016	240.84
00038986	191620 SMART	06/14/2016	60.00
00038987	193408 SO MAINE PLANNING & DEV	06/14/2016	2,392.50
00038988	191916 SO BERWICK FIREFIGHTERS ASSOC	06/14/2016	107.19
00038989	192650 SO BERWICK SEWER DISTRICT	06/14/2016	77.00
00038990	193640 STAPLES	06/14/2016	328.52
00038991	194190 JOHN & MARLENE SUCCI LLC	06/14/2016	850.00
00038992	194240 KELLY SULLIVAN	06/14/2016	6.98
00038993	200200 TAYLOR RENTAL	06/14/2016	40.50
00038994	133105 TREASURER OF STATE/C.WPNS	06/14/2016	80.00
00038995	133109 TREAS,STATE OF MAINE,DOT	06/14/2016	65.00
00038996	201233 TRI-CITY DODGE, INC.	06/14/2016	332.78
00038997	201238 TRI-CITY TOOL CRIB	06/14/2016	1,162.50
00038998	201300 TWO-WAY COMMUNICATION SERV INC	06/14/2016	2,440.71
00038999	210595 URBAN TREE SERVICE	06/14/2016	3,375.00
00039000	230300 WALMART COMMUNITY BRC	06/14/2016	20.07
00039001	230800 WEX BANK	06/14/2016	1,548.95
00039002	240425 YORK AMBULANCE ASSN INC	06/14/2016	6,832.17
00039003	241103 YORK HOSPITAL	06/14/2016	364.00
00039004	241109 YORK POLICE DEPARTMENT	06/14/2016	36,745.00
00039005	240900 YORK COUNTY REGISTRY OF DEEDS	06/14/2016	114.00
Total Not Prepaid			868,660.50
Total Prepaid			50,517.23
Grand Total			919,177.73

Check Number	-----Account-----	Date Paid	Amount
--------------	-------------------	-----------	--------

WARRANT NUMBER	\$ 919,177.73	DATE 06/09/2016
.....	.....	.....

\* \* \* 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:

.....	.....
.....	.....
.....	.....
.....	.....

*Perry Allworth*      *Town Manager*  
*6/10/2016*



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

<b>Meeting Date: June 14, 2016</b>	<b>Reports &amp; Presentations</b>
<b>Agenda Item: Transfer Station presentation</b>	
<b>Department Head:</b> Jon St Pierre	
<b>Town Manager's Recommendation:</b>	
<p>We had a group of Engineers from UMO volunteer to look at a redesign of the Transfer Station under the direction of our PWD. They are ready to report out and have published a 180 page report which will be available at the Town Clerks Office. The presentation will be approximately 15 minutes long</p>	
<b>Requested Action:</b>	
<b>Vote</b>	



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

<b>Meeting Date: June 14, 2016</b>	<b>UB #1</b>
<b>Agenda Item: Dispatch Agreement</b>	
<b>Department Head: Town Manager</b>	
<b>Town Manager's Recommendation:</b>	
<b>Requested Action: Authorize the Town Manager to enter into a two year agreement with Berwick for Dispatch Services</b>	
<b>Vote</b>	

**AGREEMENT**

The AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 2016 by and between the Town of South Berwick, County of York, State of Maine, through its Town Manager and authorized by its Town Council, hereinafter referred to as South Berwick, and the Town of Berwick, County of York, State of Maine, through its Town Manager as authorized by its Board of Selectmen, hereinafter referred to as Berwick.

**WHEREAS**, South Berwick owns and operates a twenty-four (24) hour public safety communications center and has the capacity and facilities to furnish Berwick with twenty-four (24) hour public safety dispatch for its Police and Fire Departments and EMS, which shall include teletype services; records and modem communications to include development, Police and Fire, mobile terminals and improved communications.

**WHEREAS**, Berwick desires to contract with South Berwick for the provision of twenty-four (24) hour dispatch service for its Police and Fire Departments; and

**NOW THEREFORE** for the consideration stated below, South Berwick agrees to provide dispatch services to Berwick, subject to the following terms:

1. This AGREEMENT is **valid for two (2) years** beginning the first day of July, 2016 and ending the thirtieth (30th) day of June 2018
2. This AGREEMENT is contingent upon the approval of funding, by voters at the Town of Berwick's Annual Town Meeting; it is mutually agreed that the Town of Berwick shall not be penalized should the voters fail to approve funding for this AGREEMENT at said meeting; likewise, it is mutually agreed that, should the voters of the Town of Berwick fail to approve funding for this AGREEMENT at said meeting, this AGREEMENT shall be considered to be void as of the first day of the fiscal year for which funding was not approved, and the Town of South Berwick shall not be responsible to provide any service for any length of time for which it is not compensated, as provided in #4 herein;
3. During the term of this AGREEMENT, from July 1, 2016 through June 30, 2017 and July 01, 2017 through June 30, 2018, Berwick agrees to pay an annual fee of **\$168,000**.
4. Berwick agrees to pay South Berwick in twelve installments, due to be paid during each month of the AGREEMENT;
5. Berwick agrees that South Berwick, under the terms of this AGREEMENT, is under no obligation to provide said dispatch service to other public agencies within said Berwick -- except that it is agreed that South Berwick shall provide notifications as needed to Berwick's contracted ambulance service provider (at the time this AGREEMENT is signed, said contractor being American Ambulance); will provide all emergency services covered as required by Police and Fire;
6. This AGREEMENT may be terminated by either party hereto, at any time during the term of the AGREEMENT, by providing a one hundred and eighty (180) day written notice to the other party -- said notice being provided to the Town Manager of the other municipality;
7. It is agreed that, in the event Berwick desires to extend this AGREEMENT beyond **two (2) years**, the fee for the services, and all other items provided for herein, shall be negotiable;
8. South Berwick agrees to seek input from Berwick prior to hiring new dispatchers and **to collaborate with South Berwick in the future as to maintaining operations in South Berwick or making a unified move to another dispatch center. This does not extinguish the opportunity to terminate the agreement as described in #6.**
9. **Total cost to Berwick shall include annual PSAP fees.** Should Berwick terminate this agreement per line #6, Berwick will assume responsibility for the pro-rated cost of PSAP fees.

It is agreed and understood that this written AGREEMENT contains all the terms between the parties, and any modifications thereof shall be in writing and agreed to by both parties.

IN WITNESS WHEREOF, the Town of South Berwick, through its Town Manager and authorized by its annual approved budget, and the Town of Berwick, through its Town Manager as authorized by its Board of Selectmen, have hereunto set their hands and seals on the date first contained herein.

<hr/>		<hr/>
Perry A. Ellsworth, Town Manager (South Berwick)	Date	Witness
<hr/>		<hr/>
Stephen G. Eldridge MPA Town Manager (South Berwick)	Date	Witness

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

<b>Meeting Date: June 14, 2016</b>	<b>NB #1</b>
<b>Agenda Item:</b> Transfers from Undesignated fund balance	
<b>Department Head:</b> Town Manager	
<b>Town Manager's Recommendation:</b>	
The Fire Department budget will be overrun by \$9500 due to additional fire calls primarily. The Planning Budget will be overrun due to additional needs for Professional services.	
<b>Requested Action:</b> Motion to transfer \$9500 from the undesignated fund to account 4220-1040 (Fire Dept. part-time wages)  Motion to transfer \$6000 from the undesignated fund to account 4170-2060 (Planning -Professional Services)	
<b>Vote</b>	



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

<b>Meeting Date: June 14, 2016</b>	<b>NB #2</b>
<b>Agenda Item: Road Bond</b>	
<b>Department Head:</b> Town Manager	
<b>Town Manager's Recommendation:</b>	
We will have our bond requests back on June 14 and will have picked the best interest rate to move forward	
<b>Requested Action:</b> Motion to allow the Town Manager to move forward with the approved Road Bond	
<b>Vote</b>	