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Town of South Berwick Annual Warrant 2009

South Berwick, Me.

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TOWN OF SOUTH BERWICK
WARRANT
2009/2010

State of Maine

County of York, ss.

TO: Sidney Stevens, 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 at the R. P. Gagnon Assembly Hall at the Town Hall on Maine Street in said Town on Monday, the 1st day of June 2009, at 6:30 o'clock in the evening, then and there to act on the following articles:

ARTICLE 1 To elect a moderator to preside at said meeting.
Election to take place at 6:30pm. Business session will be held immediately following.

ARTICLE 2 To see if the Town will authorize the Town Council to dispose of tax acquired property in any manner in which the Town Council deems to be in the best interests of the Town.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 3 To see if the Town will vote to authorize the Tax Collector to charge and collect interest at a rate of nine (9) percent per annum on all unpaid taxes not paid by the due dates, with one-half of the taxes due on September 30, 2009 and one-half due on March 31, 2010.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 4 To see if the Town will vote to authorize the Tax Collector to accept prepayment of taxes not yet due or assessed. Any excess paid in over the amount finally assessed shall be repaid at zero (0) percent interest.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 5 To see if the Town will vote to authorize the Tax Collector to institute an eight (8) month payment plan known as the "Tax Club", with interest waived for all members of the Club making regular payments in accordance with the rules and regulations governing said Club.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 6 To see if the Town will vote to set the rate of interest paid on overpayment of taxes due to abatement at five (5) percent per annum per 36MRSA/506A.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 7 To see if the Town will vote to appropriate from undesignated fund the payment of property tax abatements (and applicable interest) granted during the fiscal year.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 8 To see what sum the Town will vote to raise and/or appropriate for the Police Dept.

| | |
|-------------------|-------------|
| Police Department | \$ 705,464 |
| Animal Control | 9,648 |
| Dispatch Center | 286,613 |
| Total | \$1,001,725 |

TOWN COUNCIL RECOMMENDS:
Raise and appropriate from general taxation \$1,001,725

This article represents approximately \$.97 of the total estimated tax rate.

ARTICLE 9 To see what sum the Town will vote to raise and/or appropriate for the Fire Dept.

| | |
|----------------------------------|------------|
| Fire Department | \$ 168,937 |
| Emergency Management Services | 5,213 |
| Emergency/Rescue Services | 80,000 |
| Water Assessment/Fire Protection | 299,735 |
| Total | \$ 553,885 |

TOWN COUNCIL RECOMMENDS:
Raise and appropriate from general taxation \$ 553,885

This article represents approximately \$.54 of the total estimated tax rate.

ARTICLE 10 To see what sum the Town will vote to raise and/or appropriate for the Public Works Dept.

| | |
|----------------------------|-------------|
| Town Hall | \$ 73,500 |
| Community Center | 69,217 |
| Highway | 638,073 |
| Public Facilities | 37,550 |
| Town Garage | 12,450 |
| Transfer Station | 273,554 |
| Solid Waste Transportation | 76,638 |
| Total | \$1,180,982 |

TOWN COUNCIL RECOMMENDS:
Raise and appropriate from general taxation \$1,180,982

This article represents approximately \$1.15 of the total estimated tax rate.

ARTICLE 11: To see what sum the Town will vote to raise and/or appropriate for Capital Improvements – Roads.

| | |
|-------|------------|
| Roads | \$ 200,000 |
| Total | \$ 200,000 |

TOWN COUNCIL RECOMMENDS:

| | |
|---|------------|
| Appropriate from DOT Highway Block Grant | \$ 74,600 |
| AND | |
| Appropriate from DOT Highway Block Grant Residual | \$ 1,585 |
| AND | |
| Raise and appropriate from general taxation | \$ 123,815 |

This article represents approximately \$.12 of the total estimated tax rate.

ARTICLE 12: To see what sum the Town will vote to raise and/or appropriate for General Government.

| | |
|-----------------------------|-------------|
| Town Council | \$ 3,000 |
| Town Manager | 149,675 |
| Control/Collection | 187,943 |
| Computer | 34,845 |
| Administration | 156,619 |
| Tax Assessment | 96,197 |
| Employee Benefits | 668,320 |
| Street Lights | 43,000 |
| 1991 CIP Debt | 56,000 |
| Community Center Debt | 98,247 |
| Young Street Debt | 59,106 |
| Compensated Absence Reserve | 20,000 |
| Total | \$1,572,952 |

TOWN COUNCIL RECOMMENDS:

| | |
|---|-------------|
| Raise and appropriate from general taxation | \$1,572,952 |
|---|-------------|

This article represents approximately \$1.53 of the total estimated tax rate.

ARTICLE 13. To see what sum the Town will voted to raise and/or appropriate for the Records Dept.

| | |
|------------|-----------|
| Town Clerk | \$ 62,697 |
| Total | \$ 62,697 |

TOWN COUNCIL RECOMMENDS:

| | |
|---|-----------|
| Raise and appropriate from general taxation | \$ 62,697 |
|---|-----------|

This article represents approximately \$.06 of the total estimated tax rate.

ARTICLE 14. To see what sum the Town will vote to raise and/or appropriate for Code Enforcement and Health Depts.

| | |
|------------------------------|------------|
| Code Enforcement | \$ 62,483 |
| Planning | 87,776 |
| Economic Development | 2,000 |
| Historic District Commission | 250 |
| Zoning Board of Appeals | 160 |
| Total | \$ 152,669 |

TOWN COUNCIL RECOMMENDS:

| | |
|---|------------|
| Raise and appropriate from general taxation | \$ 152,669 |
|---|------------|

This article represents approximately \$.15 of the total estimated tax rate.

ARTICLE 15. To see what sum the Town will vote to raise and/or appropriate for Public Welfare.

| | |
|----------------------------|-----------|
| Social Services | \$ 69,471 |
| Social/Civic Contributions | 4,685 |
| Total | \$ 74,156 |

TOWN COUNCIL RECOMMENDS:

| | |
|---|-----------|
| Raise and appropriate from general taxation | \$ 74,156 |
|---|-----------|

This article represents approximately \$.07 of the total estimated tax rate.

ARTICLE 16. To see what sum the Town will vote to raise and/or appropriate for the Recreation/Parks and Conservation Depts.

| | |
|-------------------------|-----------|
| Recreation | \$ 64,013 |
| Conservation Commission | 4,850 |
| Total | \$ 68,863 |

TOWN COUNCIL RECOMMENDS:

| | |
|---|-----------|
| Raise and appropriate from general taxation | \$ 68,863 |
|---|-----------|

This article represents approximately \$.07 of the total estimated tax rate.

ARTICLE 17. To see what sum the Town will vote to raise and/or appropriate for the Library.

| | |
|---------|------------|
| Library | \$ 109,708 |
| Total | \$ 109,708 |

TOWN COUNCIL RECOMMENDS:

| | |
|---|------------|
| Raise and appropriate from general taxation | \$ 109,708 |
|---|------------|

This article represents approximately \$.11 of the total estimated tax rate.

ARTICLE 18. To see what sum the Town will vote to raise and/or appropriate for Capital Improvements - Reserves

| | |
|----------------------------|-----------|
| Highway Equipment | \$ 55,000 |
| Office Equipment | 10,250 |
| Police Equipment | 5,000 |
| Transfer Station Equipment | 5,000 |
| Town Buildings | 15,000 |
| Total | \$ 90,250 |

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation \$ 90,250

This article represents approximately \$.09 of the total estimated tax rate.

ARTICLE 19: To see what sum the Town will vote to raise and/or appropriate for Capital Improvements - Roads.

| | |
|-------|------------|
| Roads | \$ 250,000 |
| Total | \$ 250,000 |

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation \$ 250,000

This article represents approximately \$.40 of the total estimated tax rate.

ARTICLE 20. To see what sum the Town will vote to appropriate from Excise Taxes, Non-Tax General Fund Revenues, Revenue Sharing, and Homestead Exemption Reimbursement, to use toward the 2009/2010 Budget Appropriations, thereby decreasing the amount to be raised by taxation.

TOWN COUNCIL RECOMMENDS THE FOLLOWING APPROPRIATIONS:

| | |
|-----------------------------------|-------------|
| Excise Taxes | \$ 999,700 |
| Non-Tax General Fund Revenues | 619,267 |
| State Revenue Sharing | 475,000 |
| Revenue Sharing Residual | 66,265 |
| Homestead Exemption Reimbursement | 115,000 |
| Total | \$2,275,232 |

ARTICLE 21: To see if the Town will vote to increase the property tax levy limit of \$2,790,948 established for the Town of South Berwick by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit.

ARTICLE 22. To see if the Town will vote to adjourn the Town Meeting.

Given under our hands in the Town of South Berwick, this 27th day of April 2009 A.D.

/s/ _____
Jean Demetracopoulos

/s/ _____
David E. Webster

/s/ _____
Michelle Kareckas

/s/ _____
Gerald W. MacPherson, Sr.

/s/ _____
David Burke

STATE OF MAINE
RETURN

COUNTY OF YORK, SS

I CERTIFY THAT I HAVE NOTIFIED THE VOTERS OF THE TOWN OF SOUTH BERWICK OF THE TIME AND PLACE OF THE ANNUAL TOWN BUDGET MEETING BY POSTING AN ATTESTED COPY OF THE WARRANT AT:

COMMUNITY CENTER
REO'S BARBERSHOP
SOUTH BERWICK LIBRARY
TOWN HALL
U.S. POST OFFICE

ALL CONSPICUOUS PLACES WITHIN SOUTH BERWICK, ON MAY 14, 2009.

/s/ _____
Sidney Stevens, Resident

ATTEST TO BE A TRUE COPY:


Barbara Bennett, CCM
Town Clerk

**TOWN OF SOUTH BERWICK
TOWN MEETING
JUNE 1, 2009**

Pursuant to the foregoing warrant, the inhabitants of the Town of South Berwick, qualified to vote in Town affairs, assembled at the Town Hall June 1, 2009 at 6:30pm and transacted the following business. The meeting was called to order by the Clerk at 7:00pm.

ARTICLE 1: Thomas Harmon was nominated as moderator, received four votes of four votes cast, was elected and duly sworn by the Town Clerk. Mr. Harmon announced that the meeting would be conducted in accordance with the 2005 edition of the Maine Moderators Manual.

The business session commenced with the presentation of our National and State Colors by representatives of the South Berwick Fire and Police Departments, and the reciting of the Pledge of Allegiance to the Flag.

Council members present included Chairman Jean Demetracopoulos, Michelle Kareckas, David Burke, Gerald W. MacPherson, Sr., and David E. Webster. Town Manager John B. Schempf was also in attendance. There were approximately 291 voters present.

ARTICLE 2: On a motion by Gerald MacPherson, seconded by David Burke, it was voted to authorize the Town Council to dispose of tax acquired property in any manner in which the Town Council deems to be in the best interests of the Town.

Suzanne Roberge of Berwick Rd, asked if the Council has discussed disposing of any of the approximately 30 miscellaneous properties owned by the town.
Mrs. Demetracopoulos stated that the Council has not discussed it.

ARTICLE 3: On a motion by David Webster, seconded by Jean Demetracopoulos, it was voted to authorize the Tax Collector to charge and collect interest at a rate of nine (9) percent per annum on all unpaid taxes not paid by the due dates, with one-half of the taxes due on September 30, 2009 and one-half due on March 31, 2010. There was no discussion.

ARTICLE 4: On a motion by Michelle Kareckas, seconded by Gerald MacPherson, it was voted to authorize the Tax Collector to accept prepayment of taxes not yet due or assessed. Any excess paid in over the amount finally assessed shall be repaid at zero (0) percent interest. There was no discussion.

ARTICLE 5: On a motion by David Burke, seconded by David Webster, it was voted to authorize the Tax Collector to continue an eight (8) month payment plan known as the "Tax Club", with interest waived for all members of the Club making regular payments in accordance with the rules and regulations governing said Club. There was no discussion.

ARTICLE 6: On a motion by Jean Demetracopoulos, seconded by Michelle Kareckas, it was voted to set the rate of interest paid on overpayment of taxes due to abatement at five (5) percent per annum as per MRSA36/506A. There was no discussion.

ARTICLE 7: On a motion by Gerald MacPherson, seconded by David Burke, it was voted to appropriate from the undesignated fund the payment of property tax abatements (and applicable interest) granted during this fiscal year. There was no discussion.

ARTICLE 8: Jean Demetracopoulos made a motion to raise and appropriate \$1,001,725 from general taxation for the Police Department. David Webster seconded the motion.

Mrs. Demetracopoulos gave an overview of the proposed budget. The 09/10 budget represents a reduction in revenues of \$64,000. Expenses are presented in 2 facets. First, Articles 1-18 and 20 cover the overall operating expenses and represent a zero tax rate increase. Cuts made in the budget include a decrease in transfer station staff hours, partially funding office equipment purchases in a CIP account, elimination of merit increases, reduction in the COLA from 3.85% to 2.5%, elimination of the unfilled police officer position, downsizing one public works position from 40 hours to 20 hours, and in response to residents concerns with employee health care costs, the Town changed insurance carriers and now requires all employees to pay 15% of the cost. (Saving approximately \$63,000). Secondly, Article 19 seeks to address road infrastructure responsibilities and re-establish the total road CIP to the previous funding level of \$450,000. Passage of Article 19 would require an override of the LD1 cap through passage of Article 21.

Clifford Cleary of Spillane's Hill, asked about the disposition of cruisers being taken out of the rotation. Mrs. Demetracopoulos stated that when the Police Dept. replaces a cruiser "they are pretty well pooped by the time we're done with them."

The original motion passed.

ARTICLE 9: Michelle Kareckas made a motion to raise and appropriate \$553,885 from general taxation for the Fire Department. David Burke seconded the motion.

Tamre Steinhauer of Hill Dr, Audrey Fortier of Rodier Rd, Suzanne Roberge, and Karen Webster of Tamarack Dr all participated in the discussion. Concerns expressed included the Town "donating" to the rescue squad, the rescue squad's billing practices, their non-profit status, whether the Town should look at contracting the service, and the need to replace one of the ambulances this year.

Doug Cummings, Rescue Chief, was allowed to address concerns: Chief Cummings stated that the operating costs are about \$300,000 and there are about 600-700 calls a year, mostly during the day. The Town's portion helps to offset full-time wages for daytime coverage when volunteers are working their own jobs. He also explained that the purchase of a new ambulance has already been put off for a couple of years.

Russell Laporte of Waterside Ln, asked why we can't have a volunteer Fire Department. Mr. Schempf explained that we are required to reimburse firefighters for their work to be covered by the insurance. We are also obligated to cover their training expenses. Mr. Schempf added that the Fire Chief has been a part-time employee for a long time.

Tamre Steinhauer made a motion to amend by reducing Article 9 by \$10,000 for a total of \$543,885. Malcolm Kenney of Agamenticus Rd, seconded the motion.

John Rudolph of Oldfields Rd, stated that it was not the place to cut the budget.

Richard Clough of Academy St, stated the amount cut could be used toward the roads.

The motion to amend to decrease Article 9 by \$10,000 failed with a hand vote of 89 in favor 193 opposed.

The original motion passed.

ARTICLE 10: Gerald MacPherson made a motion to raise and appropriate \$1,180,982 from general taxation for the Public Works Department. Jean Demetracopoulos seconded the motion.

Paul Steinhauer of Hill Dr, stated that roads need to be tended. He questioned whether recreational fields/facilities capital improvement funds could be used toward current expenses. He added that user fees might help. Audrey Fortier also questioned the use of CIP funds for current expenses. Mr. Schempf explained that you can not use capital reserve funds to cover operating expenses.

Richard Clough made a motion to amend by reducing Article 10 by \$15,000 for a total of \$1,165,982. Norman Fortier of Rodier Rd, seconded the motion.

The motion to amend to decrease Article 10 by \$15,000 passed with a hand vote.

The original motion, as amended to the amount of \$1,165,982 passed.

ARTICLE 11: David Webster made a motion to raise and appropriate \$74,600 from DOT Highway Block Grant and \$1,585 from DOT Highway Block Grant Residual and \$123,815 from general taxation for a total of \$200,000 for Capital Improvements – Roads. David Burke seconded the motion. There was no discussion.

The original motion passed.

ARTICLE 12: Gerald MacPherson made a motion to raise and appropriate \$1,572,952 from general taxation for General Government. Jean Demetracopoulos seconded the motion.

Richard Clough made a motion to amend by reducing Article 12 by \$10,000 for a total of \$1,562,952. Clifford Cleary seconded the motion. Mr. Clough recommended that the cut be taken from the uncompensated absence reserve. Norman Fortier asked what was the goal for the reserve balance. It was explained that the current liability is \$175,000-\$200,000.

The motion to amend to decrease Article 12 by \$10,000 passed with a hand vote of 168 in favor and 113 opposed.

David Sanborn of Rodier Rd, questioned the amount of the Town Manager's salary. It was explained that the Manager's salary is less than \$100,000. The line includes the Assistant's salary.

Paul Steinhauer, Kevin Kareckas of Parent St, and Norman Fortier all commented.

The original motion as amended to the amount of \$1,562,952 passed.

ARTICLE 13: David Burke made a motion to raise and appropriate \$62,697 from general taxation for the Records Department. David Webster seconded the motion.

Mr. Burke asked that the article pass as read.

The original motion passed.

ARTICLE 14: David Webster made a motion to raise and appropriate \$152,669 from general taxation for Code Enforcement and Health Departments. Michelle Kareckas seconded the motion. There was no discussion.

The original motion passed.

ARTICLE 15: Michelle Kareckas made a motion to raise and appropriate \$74,156 from general taxation for the Public Welfare Department. Gerald MacPherson seconded the motion. There was no discussion.

The original motion passed.

ARTICLE 16: David Burke made a motion to raise and appropriate \$68,863 from general taxation for Recreation/Parks and Conservation Department. David Webster seconded the motion. There was no discussion.

The original motion passed.

ARTICLE 17: Michelle Kareckas made a motion to raise and appropriate \$109,708 from general taxation for the Library. Jean Demetracopoulos seconded the motion. There was no discussion.

The original motion passed.

ARTICLE 18: Jean Demetracopoulos made a motion to raise and appropriate \$90,250 from general taxation for Capital Improvements Reserve. David Burke seconded the motion.

Richard Clough made a motion to amend by reducing Article 18 by \$20,000 for a total of \$70,250. Eric Pelchat of Front St, seconded the motion. Mr. Clough recommended the cuts be made as follows: \$10,000 from highway equip, \$5,000 from town buildings, \$2,500 from office equipment, and \$2,500 from police equipment.

Cliff Cleary, Virginia Jennings of Earls Rd, Karen Webster, Eric Pelchat, and Norman Fortier expressed their support for the amendment. John Kareckas of Parent St, and John Rudolph urged defeat of the amendment.

On a motion by Barbara Bennett of Main St, seconded by Patricia Robinson of Brattle St, it was voted to move the question.

The motion to amend to decrease Article 18 by \$20,000 passed.

The original motion as amended to the amount of \$70,250 passed.

ARTICLE 19: Gerald MacPherson made a motion to raise and appropriate \$250,000 from general taxation for Capital Improvements – Roads. Michelle Kareckas seconded the motion.

Norman Fortier stated that we are currently about \$73,000 under the LD1 tax cap; and made a motion to amend by reducing Article 19 by \$132,000 for a total of \$118,000. Richard Clough seconded the motion.

Norman Fortier, Richard Clough, Evan Liberman of Emery's Bridge Rd, Fred Wildnauer of Witchtrot Rd, Cliff Cleary, Bill Page of Wild Rose Ln, Virginia Jennings, Karen Webster, and Brian Dowd of Witchtrot Rd all participated in the discussion. The general consensus of the speakers was not in favor of the override. Mr. Schempf explained that with the preceding cuts and if this amendment passes, we will remain below the LD1 tax cap.

The motion to amend to decrease Article 19 by \$132,000 passed.

The original motion as amended to the amount of \$118,000 passed.

ARTICLE 20: David Burke made a motion to raise and appropriate \$999,700 from Excise Taxes, \$619,267 from Non-Tax General Fund Revenues, \$475,000 from State Revenue Sharing, \$66,265 from State Revenue Sharing Residual, and \$115,000 from Homestead Exemption Reimbursement for a total of \$2,275,232 to use toward the 2009/2010 Budget Appropriations, thereby decreasing the amount to be raised by taxation. Michelle Kareckas seconded the motion. There was no discussion.

The original motion passed.

ARTICLE 21: The moderator announced that it is required to vote on article 26 by written ballot. Discussion ensued as to the necessity of the article due to the preceding articles not creating a need to override the LD1 limit. The moderator announced that the article must be disposed of.

Jean Demetracopoulos made a motion to consider an increase in the property tax levy limit of \$2,790,948 established for the Town of South Berwick by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit. Gerald MacPherson seconded the motion.

The original motion failed.

ARTICLE 22: The meeting adjourned at 9:15pm.

Attest: 
Barbara Bennett, CCM

***Clerk's notes**

-Article 10 reduced by \$15,000
4315-2280 reduced by \$13,000
4310-1045 reduced by \$2,000

-Article 12 reduced by \$10,000
4850-2820 reduced by \$10,000

-Article 18 reduced by \$20,000
4855-2920 reduced by \$5,000
4855-2980 reduced by \$5,000
4855-2990 reduced by \$5,000
4855-4210 reduced by \$5,000

-Article 19 reduced by \$132,000
4855-4250 reduced by \$132,000

Total reductions as voted \$177,000