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Town of South Berwick Annual Warrant 2010

South Berwick, Me.

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TOWN OF SOUTH BERWICK
WARRANT
2010/2011

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 R. P. Gagnon Assembly Hall at the Town Hall on Main Street in said Town on Tuesday, the 1st day of June 2010, at 6:00 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 6:30 pm. 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 seven (7) percent per annum on all unpaid taxes not paid by the due dates, with one-half of the taxes due on September 30, 2010 and one-half due on March 31, 2011.

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 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.

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 three (3) percent per annum as per MRSA36/506A.

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 this fiscal year.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 8: To see if the Town will vote to appropriate a sum not to exceed \$960,000 for the purpose of Road Construction (approx \$400,000), Town Hall Repairs/Upgrades (approx \$110,000), Road match for State RT 236 project (approx \$133,000), Young Street property stabilization/protection (approx \$200,000), Public Safety Communication Repeater (approx \$30,000) and Maine Municipal Bond Bank Reserve/Replacement Fund (approx \$87,000) and, in order to fund said appropriation, (1) to authorize the Treasurer and Chairperson of the Town Council to issue general obligation securities of the Town of South Berwick (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$960,000 for a term not to exceed 20 years, at an interest rate not to exceed 5% with an annual principal and interest payment not to exceed \$59,000, and (2) to delegate to the Treasurer and the Chairperson of the Town Council the discretion to fix the date(s), places(s) of payment, form and other details of said securities, including execution and delivery of said securities, and to provide for the sale thereof.

FINANCIAL STATEMENT
TOWN OF SOUTH BERWICK

1.	<u>Total Town Indebtedness</u>	
	A. Bonds outstanding as of June 30, 2009	\$1,243,659.57
	B. Bonds authorized and unissued	\$ 0.00
	C. Bonds to be issued if this vote is approved	\$ 960,000.00
	Total	\$2,203,659.57

**TOWN OF SOUTH BERWICK
SPECIAL TOWN MEETING
APRIL 27, 2010**

Pursuant to the foregoing warrant, the inhabitants of the Town of South Berwick, qualified to vote in Town affairs, assembled at the Town Hall April 27, 2010 at 6:30pm and transacted the following business.

ARTICLE 1: Thomas Harmon was nominated as moderator, received three votes, 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.

Council members present included Chairman David Burke, Jean Demetracopoulos, Michelle Kareckas, Gerald W. MacPherson, Sr., and David H. Webster. Town Manager John B. Schempf was also in attendance. There were approximately 22 voters present.

ARTICLE 2: On a motion by David Burke, seconded by Michelle Kareckas, it was unanimously voted to appropriate and expend \$25,000 from the Undesignated General Fund for professional services to create Tax Increment Financing (TIF) Districts.

In response to a question by resident Suzanne Roberge of Berwick Rd the Town Manager explained that the funds were to cover legal expenses. He added that the funds would be recouped from the TIFs.

ARTICLE 3: On a motion by Jean Demetracopoulos, seconded by Michelle Kareckas, it was voted to appropriate and expend \$17,000 from the Undesignated General Fund to cover the overdraft in the Police budget due to the Union contract completed and signed February 23, 2010 and retroactive to July 1, 2009.

Richard Clough, Academy St, asked if the \$17,000 was due to retroactive wage increases. He also asked if the Union had been asked to take no wage increases like other Town employees. Mr. Schempf stated that the increase is retroactive wages and this is the Union compromise.

ARTICLE 4: On a motion by Gerald MacPherson, Sr., seconded by Jean Demetracopoulos, it was voted (by hand count) 14 to 7 to appropriate and expend \$11,000 from the Undesignated General Fund to cover the overdraft in the Dispatch budget due to the Union contract completed and signed February 23, 2010 and retroactive to July 1, 2009.

David E. Webster, Tamarack Dr, stated that the dispatch budget approved at last year's budget meeting included a wage increase. He then asked if this increase is above & beyond that. Mrs. Demetracopoulos stated that last year's increase was COLA (Cost of Living Adjustment) and this is in addition to that increase.

ARTICLE 5: On a motion by Barbara Bennett, seconded by Michelle Kareckas, it was voted to adjourn the meeting at 6:45pm.

Attest:


Barbara Bennett, CCM

2. Costs

At an estimated interest rate of 3%, with a term not to exceed 20 years, the estimated costs of this bond issue will be:

Principal:	\$ 960,000.00
Interest	\$ 305,000.00
Total Debt Service:	\$1,265,000.00

3. Validity

The validity of the bond and of the voters' ratification of the bond may not be affected by any errors in the above estimates. If the actual amount of the total debt service of the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

s/
John B. Schempf, Treasurer Town of South Berwick

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 9. To see what sum the Town will vote to raise and appropriate for additional CIP Debt.

CIP Debt Payment	\$ 13,500
Total	\$ 13,500

TOWN COUNCIL RECOMMENDS:

Raise and/or appropriate from general taxation and other sources **ONLY IF ARTICLE 8 RE: BONDING PASSES**

\$ 13,500

ARTICLE 10. To see what sum the Town will vote to raise and appropriate for additional Capital Improvements – Roads and Reserves.

Roads	\$ 118,000
Municipal Facilities Reserve	10,000
Fire Equipment	7,500
Police Equipment	10,000
Office Equipment	15,000
Total	\$ 160,500

TOWN COUNCIL RECOMMENDS:

Raise and/or appropriate from general taxation and other sources **ONLY IF ARTICLE 8 RE: BONDING FAILS**

\$ 160,500

ARTICLE 11. To see what sum the Town will vote to raise and appropriate for Police Department.

Police Department	\$ 744,150
Animal Control	9,748
Dispatch Center	321,289
Total	\$1,075,187

TOWN COUNCIL RECOMMENDS:

Raise and/or appropriate from general taxation and other revenue sources

\$1,075,187

ARTICLE 12. To see what sum the Town will vote to raise and appropriate for Fire Department.

Fire Department	\$ 169,707
Emergency Management Services	5,513
Emergency/Rescue Services	86,972
Water Assessment/Fire Protection	299,735
Total	\$ 561,927

TOWN COUNCIL RECOMMENDS:

Raise and/or appropriate from general taxation and other revenue sources

\$ 561,927

ARTICLE 13. To see what sum the Town will vote to raise and appropriate for Public Works Department.

Town Hall	\$ 73,449
Community Center	69,047
Highway	636,506
Public Facilities	30,550
Town Garage	13,490
Transfer Station	267,450
Solid Waste Transportation	74,727
Total	\$ 1,165,219

TOWN COUNCIL RECOMMENDS:
Raise and/or appropriate from general taxation
and other revenue sources \$ 1,165,219

ARTICLE 14. To see what sum the Town will vote to appropriate from Undesignated Fund Balance and Department of Transportation Highway Block Grant funds for Capital Improvements – Roads.

Roads \$ 200,000
Total \$ 200,000

TOWN COUNCIL RECOMMENDS:
Appropriate from DOT Highway Block Grant \$ 74,400
and
Appropriate from Undesignated Fund Transfer 125,600

ARTICLE 15. To see what sum the Town will vote to raise and appropriate for General Government.

Town Council \$ 3,000
Town Manager 150,880
Control/Collection 186,456
Computer 38,409
Administration 156,230
Tax Assessment 96,196
Employee Benefits 735,695
Street Lights 43,000
1991 CIP Debt 52,338
Community Center Debt 93,901
Young Street Debt 57,585
Compensated Absence Reserve 20,000
Total \$ 1,633,690

TOWN COUNCIL RECOMMENDS:
Raise and/or appropriate from general taxation
and other revenue sources \$ 1,633,690

ARTICLE 16. To see what sum the Town will vote to raise and appropriate for the Records Department.

Town Clerk \$ 62,743
Total \$ 62,743

TOWN COUNCIL RECOMMENDS:
Raise and/or appropriate from general taxation
and other revenue sources \$ 62,743

ARTICLE 17. To see what sum the Town will vote to raise and appropriate for Code Enforcement and Health Departments.

Code Enforcement \$ 62,483
Planning 48,477
Historic District Commission 250
Zoning Board of Appeals 160
Total \$ 111,370

TOWN COUNCIL RECOMMENDS:
Raise and/or appropriate from general taxation
and other revenue sources \$ 111,370

ARTICLE 18. To see what sum the Town will vote to raise and appropriate for Public Welfare Department.

Social Services \$ 69,913
Social/Civic Contributions 3,885
Total \$ 73,798

TOWN COUNCIL RECOMMENDS:
Raise and/or appropriate from general taxation
and other revenue sources \$ 73,798

ARTICLE 19. To see what sum the Town will vote to raise and appropriate for Recreation/Parks and Conservation Departments.

Recreation	\$ 64,388
Conservation Commission	4,850
Total	\$ 69,238

TOWN COUNCIL RECOMMENDS:

Raise and/or appropriate from general taxation
and other revenue sources \$ 69,238

ARTICLE 20. To see what sum the Town will vote to raise and appropriate for the Library.

Library	\$ 111,320
Total	\$ 111,320

TOWN COUNCIL RECOMMENDS:

Raise and/or appropriate from general taxation
and other revenue sources \$ 111,320

ARTICLE 21. To see what sums the Town will vote to appropriate from Undesignated Fund Balance and raise and appropriate from general taxation and other revenue sources for Capital Improvements - Reserves.

Highway Equipment	\$ 55,000
Office Equipment	8,000
Fire Equipment	22,500
Total	\$ 85,500

TOWN COUNCIL RECOMMENDS:

Appropriate from Undesignated Fund Transfer
and \$ 20,400
Raise and/or appropriate from general taxation
and other revenue sources \$ 65,100

ARTICLE 22. To see what sum the Town will vote to apply from Excise Taxes, Non-Tax General Fund Revenues, Revenue Sharing, BETE Reimbursement and Homestead Exemption Reimbursement to use toward the 2010/2011 Budget Appropriations, thereby decreasing the amount to be raised by taxation.

TOWN COUNCIL RECOMMENDS THE FOLLOWING APPLICATIONS:

Excise Taxes	\$ 999,900
Non-Tax General Fund Revenues	625,195
State Revenue Sharing	375,000
State Revenue Sharing Residual	66,650
Homestead Exemption Reimbursement	135,000
BETE Reimbursement	7,000
Total	\$ 2,208,745

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 23. To see if the Town will vote to increase the property tax levy limit of \$2,881,751 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.

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 24. 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 2010 A.D.

s/
David Burke

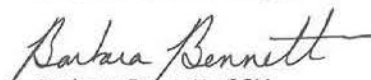
s/
Michelle Kareckas

s/
David H. Webster

s/
Jean Demetracopoulos

s/
Gerald W. MacPherson Sr.

Attest to be a true copy:


Barbara Bennett, CCM

**TOWN OF SOUTH BERWICK
TOWN MEETING
JUNE 1, 2010**

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, 2010 at 6:00pm and transacted the following business. The meeting was called to order by the Clerk at 6:30pm.

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.

Council members present included Chairman David Burke, Jean Demetracopoulos, Michelle Kareckas, Gerald W. MacPherson, Sr., and David H. Webster. Town Manager John B. Schempf was also in attendance. There were approximately 121 voters present.

Chairman Burke gave a brief overview of the proposed budget. A new approach to funding several capital projects by bonding is suggested in article 8. This would make up for reducing the Capital Improvement Accounts over the last several years. The Planner position has been eliminated; and non-union employees will not receive any wage increases. The county assessment is up about \$13,165 and the school assessment has decreased by about \$84,865.

ARTICLE 2: On a motion by Gerald MacPherson, Sr., seconded by Jean Demetracopoulos, 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. No discussion.

ARTICLE 3: On a motion by David H. Webster, seconded by David Burke, it was voted to authorize the Tax Collector to charge and collect interest at a rate of seven (7) percent per annum on all unpaid taxes not paid by the due dates, with one-half of the taxes due on September 30, 2010 and one-half due on March 31, 2011. No discussion.

ARTICLE 4: On a motion by Michelle Kareckas, seconded by Jean Demetracopoulos, 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. No discussion.

ARTICLE 5: On a motion by David Burke, seconded by Jean Demetracopoulos, 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. 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 three (3) percent per annum as per MRSA36/506A.

Virginia Jennings, Earls Rd asked why people overpaying their taxes receive a lower rate than that being charged to people paying late. It was explained that the interest rates are governed by state law.

ARTICLE 7: Michelle Kareckas made a motion to appropriate from the undesignated fund the payment of property tax abatements (and applicable interest) granted during this fiscal year. Gerald MacPherson, Sr. seconded the motion.

David E. Webster, Tamarack Dr, questioned the omission of an amount in the article and stated that the amount of overlay should be significantly lower than last year.

Richard Clough, Academy St, asked for the amount of abatements granted this year. Bookkeeper Fern Houliars stated it is about \$3200.

Article 7 passed as written.

ARTICLE 8: Gerald MacPherson, Sr. made a motion to appropriate a sum not to exceed \$960,000 for the purpose of Road Construction (approx \$400,000), Town Hall Repairs/Upgrades (approx \$110,000), Road match for State RT 236 project (approx \$133,000), Young Street property stabilization/protection (approx \$200,000), Public Safety Communication Repeater (approx \$30,000) and Maine Municipal Bond Bank Reserve/Replacement Fund (approx \$87,000) and, in order to fund said appropriation, (1) to authorize the Treasurer and Chairperson of the Town Council to issue general obligation securities of the Town of South Berwick (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$960,000 for a term not to exceed 20 years, at an interest rate not to exceed 5% with an annual principal and interest payment not to exceed \$59,000, and (2) to delegate to the Treasurer and the Chairperson of the Town Council the discretion to fix the date(s), places(s) of payment, form and other details of said securities, including execution and delivery of said securities, and to provide for the sale thereof.

Richard Clough thanked Chairman Burke for allowing more public input during the budget process. Mr. Clough asked if the Council had set a priority list for the bond projects if the interest rate and payment amount have to be adjusted. The Town Manager stated that it has not been discussed and explained that both the interest rate and payment amount must be met. Mr. Clough also made note that the new bond payment would be covered because the 1991 CIP debt is being retired.

David Burke stated that he is generally not in favor of borrowing, however, current conditions are favorable; "money now is cheap".

Virginia Jennings stated that she is in favor of the proposed projects but not in favor of borrowing.

Article 8 passed as written.

ARTICLE 9: David H. Webster made a motion to raise and appropriate \$13,500 from general taxation and other sources for additional CIP debt. Michelle Kareckas seconded the motion.

Richard Clough asked for an explanation of the article. David H. Webster stated that this would be the first interest payment on the bond (passed in article 8).

Article 9 passed as written.

ARTICLE 10: The Moderator explained that this article was not needed because article 8 passed. Richard Clough questioned the procedure and the disposition of the article. Richard Clough made a motion to table the article indefinitely. Jeraldine Clough seconded the motion. The Moderator again explained that no motion or vote was necessary. No action was taken on the article.

ARTICLE 11: Jean Demetracopoulos made a motion to raise and appropriate from general taxation and other revenue sources \$1,075,187 for the Police Department. Michelle Kareckas seconded the motion.

David E. Webster asked that since the non-union employees were not getting raises were the union employees asked to forego theirs. Manager Schempf stated that the union contract was negotiated late in the year and he did not ask them to forego their increases. Mr. Schempf added that the union employees received 0% Cost-of-Living last year and only a 1% COLA this year. [Clerk's note: Last year's COLA was included in the new contract and is being paid retroactively back to July 2009. No mention of merit increases was made.]

Article 11 passed as written.

ARTICLE 12: On a motion by Michelle Kareckas, seconded by David H. Webster, it was voted to raise and appropriate \$561,927 from general taxation and other revenue sources for the Fire Department. No discussion.

ARTICLE 13: Gerald MacPherson made a motion to raise and appropriate \$1,165,219 from general taxation and other revenue sources for the Public Works Department. Jean Demetracopoulos seconded the motion.

David E. Webster questioned the Pay-As-You-Throw offset to the transfer station. He also asked why the Regional Maintenance Facility was not included in the article. Mr. Schempf explained that the PAYT is general revenue. The maintenance facility is self-funded; currently running at a profit. Mr. Schempf also explained, in response to Mr. Webster's question, that the mechanic's wages and benefits are paid from the facilities income.

Ruth Boston, Emery Bridge Rd, asked what the Public Facilities are in the article. Mr. Schempf stated that they are everything owned by the Town not already listed in the article.

Article 13 passed as written.

ARTICLE 14: David H. Webster made a motion to raise and appropriate \$74,400 from the DOT Highway Block Grant and \$125,600 from Undesignated Fund transfer for a total of \$200,000 for Capital Improvements – Roads. Michelle Kareckas seconded the motion.

Richard Clough received confirmation that the passage of this article and the amount approved in article 8 totals \$600,000 for roads.

Article 14 passed as written.

ARTICLE 15: On a motion by Gerald MacPherson, Sr., seconded by Jean Demetracopoulos, it was voted raise and appropriate \$1,633,690 from general taxation and other revenue sources for General Government. No discussion.

ARTICLE 16: On a motion by David Burke, seconded by Gerald MacPherson, Sr., it was voted to raise and appropriate \$62,743 from general taxation and other revenue sources for the Records Department. No discussion.

ARTICLE 17: David H. Webster made a motion to raise and appropriate \$111,370 from general taxation and other revenue sources for Code Enforcement and Health Departments. David Burke seconded the motion.

Richard Clough questioned the logic behind eliminating the Planner position even though the budget would be under the LD1 cap. David H. Webster explained that this is not the first time the Planner position has been eliminated; there hasn't been a lot of activity in Town and the Council felt the reduction was justified. Southern Maine Regional Planning will act as a contracted consultant.

Article 17 passed as written.

ARTICLE 18: On a motion by Michelle Kareckas, seconded by David H. Webster, it was voted to raise and appropriate \$73,798 from general taxation and other revenue sources for Public Welfare. No discussion.

ARTICLE 19: David Burke made a motion to raise and appropriate \$69,238 from general taxation and other revenue sources Recreation/Parks and Conservation Departments. Jean Demetracopoulos seconded the motion.

Paul Steinhauer, Hill Dr, questioned the necessity of the amount considering there is still \$66,107 left in the capital account. He also asked if there is a plan for the use of the capital funds. Chairman Burke stated that there is no plan in place for use of the capital funds.

Article 19 passed as written.

ARTICLE 20: On a motion by Michelle Kareckas, seconded by David H. Webster, it was voted to raise and appropriate from general taxation and other revenue sources \$111,320 for the Library. No discussion.

ARTICLE 21: On a motion by Jean Demetracopoulos, seconded by Gerald MacPherson, Sr., it was voted to appropriate \$20,400 from the Undesignated Fund Transfer and \$65,100 from general taxation and other revenue sources, for a total of \$85,500 for Capital Improvements – Reserves. No discussion

ARTICLE 22: On a motion by David Burke, seconded by David H. Webster, it was voted to apply \$999,900 from Excise Taxes, \$625,195 from Non-Tax General Fund Revenues, \$375,000 from State Revenue Sharing, \$66,650 from State Revenue Sharing Residual, \$135,000 from Homestead Exemption Reimbursement, and \$7,000 from BETE Reimbursement for a total of \$2,208,745 to use toward the 2010/2011 Budget Appropriations, thereby decreasing the amount to be raised by taxation. No discussion.

ARTICLE 23: The Moderator explained that, according to legal counsel, action on this article is not necessary because the preceding articles did not exceed the LD1 limit.

Richard Clough asked the Council to consider keeping the tax rate level since the LD1 limit was not exceeded. He also asked the Council to set a low amount for the overlay.

John Kareckas, Parent St, stated that Mr. Clough's questions were out of order, having nothing to do with the article at hand and asked the Moderator to rule out any vote on the issue.

No action taken on article 23.

ARTICLE 24: On a motion by Gerald MacPherson, Sr., seconded by Jean Demetracopoulos it was voted to adjourn the meeting at 7:27pm.

Attest: 
Barbara Bennett, CCM