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Town of South Berwick Annual Warrant 2011

South Berwick, Me.

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TOWN OF SOUTH BERWICK
WARRANT
2011/2012

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 7th day of June 2011, 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 p.m. 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, 2011 and one-half due on March 31, 2012.

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 what sum the Town will vote to raise and appropriate for Police Services.

Police Department	\$ 778,684
Animal Control	9,865
Dispatch Center	337,372
Total	\$ 1,125,921

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation and other revenue sources	\$ 1,125,921
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ARTICLE 9. To see what sum the Town will vote to raise and appropriate for Emergency Services.

Fire Department	\$ 174,305
Emergency Management Services	5,905
Emergency/Rescue Services	84,000
Water Assessment/Fire Protection	299,735
Total	\$ 563,945

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation and other revenue sources	\$ 563,945
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ARTICLE 10. To see what sum the Town will vote to raise and appropriate for Public Works Department.

Town Hall	\$ 77,852
Community Center	76,261
Highway	708,920
Public Facilities	34,550
Town Garage	14,650
Transfer Station	296,954
Solid Waste Transportation	80,550
Total	\$ 1,289,737

**MUNICIPAL ELECTION RETURN OF VOTES CAST
NOVEMBER 2, 2010**

Registered Voters:	5137	Turnout: 56%
New registrations on Election Day:	77	
Total ballots cast:	2899	
Regular ballots cast:	2557	
Absentee ballots cast:	342	
Absentee ballots issued	414	

ARTICLE 1:

Robert Wickstrom elected and sworn as moderator.

ARTICLE 2:

TOWN COUNCIL 3 YR:

1616 Burke, David D.
1456 Kareckas, John C.
1408 Pelchat, Eric
1262 Blanks
56 Write Ins

SAD #35 DIRECTOR:

2227 Breed, Ellen B.
612 Blanks
60 Write Ins

No write-in votes were cast for anyone whose name was already printed on the ballot

*For the Council race voters were able to vote for 2 candidates. If a voter only voted for 1 candidate, the other "unused" vote is counted as a blank.

Question 1:

Yes	1521
No	1318
Blanks	60

A True Copy Attested:


Barbara Bennett, CCM
Town Clerk

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation
and other revenue sources \$ 1,289,737

- ARTICLE 11. To see what sum the Town will vote to appropriate from Department of Transportation Highway Block Grant funds and raise and appropriate from general taxation and other revenue sources for Capital Improvements – Roads.

Roads \$ 250,000
Total \$ 250,000

TOWN COUNCIL RECOMMENDS:

Appropriate from DOT Highway Block Grant \$ 74,436
and
Raise and appropriate from general taxation
and other revenue sources \$ 175,564

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

Town Council \$ 3,300
Town Manager 151,047
Control/Collection 197,471
Computer 38,470
Administration 161,493
Tax Assessment 97,941
Employee Benefits 758,175
Street Lights 43,000
Compensated Absence Reserve 30,000
Total \$ 1,480,897

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation
and other revenue sources \$ 1,480,897

- ARTICLE 13. To see what sum the Town will vote to appropriate from Bond Refund and raise and appropriate from general taxation and other revenue sources for Debt Service.

Community Center Debt \$ 89,556
Young Street Debt 56,180
2010 CIP Debt 45,588
Library Construction Debt 167,834
Total \$ 359,158

TOWN COUNCIL RECOMMENDS:

Appropriate from Bond Refund \$ 8,100
and
Raise and appropriate from general taxation
and other revenue sources \$ 351,058

- ARTICLE 14. To see what sum the Town will vote to raise and appropriate for the Records Department.

Town Clerk \$ 65,316
Total \$ 65,316

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation
and other revenue sources \$ 65,316

- ARTICLE 15. To see what sum the Town will vote to raise and appropriate for Code Enforcement and Health Departments.

Code Enforcement \$ 65,632
Planning 44,783
Historic District Commission 250
Zoning Board of Appeals 160
Total \$ 110,825

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation
and other revenue sources \$ 110,825

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

Social Services \$ 78,071
Social/Civic Contributions 3,795
Total \$ 81,866

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation
and other revenue sources \$ 81,866

ARTICLE 17. To see what sum the Town will vote to raise and appropriate for Recreation/Parks and Conservation Departments.

Recreation	\$ 65,647
Conservation Commission	5,100
Total	\$ 70,747

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation and other revenue sources	\$ 70,747
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ARTICLE 18. To see what sum the Town will vote to raise and appropriate for the Library.

Library	\$ 119,620
Total	\$ 119,620

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation and other revenue sources	\$ 119,620
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ARTICLE 19. To see what sums the Town will vote to raise and appropriate for Capital Improvements - Reserves.

Highway Equipment	\$ 100,000
Office Equipment	16,000
Fire Equipment	22,000
Transfer Station	10,000
Town Buildings	12,000
Total	\$ 160,000

TOWN COUNCIL RECOMMENDS:

Raise and appropriate from general taxation and other revenue sources	\$ 160,000
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ARTICLE 20. To see what sum the Town will vote to appropriate from the Wentworth Fund for Capital Improvements - Fire Equipment Reserve.

Fire Equipment	\$ 16,000
Total	\$ 16,000

TOWN COUNCIL RECOMMENDS:

Appropriate from Wentworth Fund	\$ 16,000
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ARTICLE 21. 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 2011/2012 Budget Appropriations, thereby decreasing the amount to be raised by taxation.

TOWN COUNCIL RECOMMENDS THE FOLLOWING APPLICATIONS:

Excise Taxes	\$ 1,000,000
Non-Tax General Fund Revenues	662,042
State Revenue Sharing	375,000
Homestead Exemption Reimbursement	125,000
BETE Reimbursement	12,000
Total	\$ 2,174,042

TOWN COUNCIL RECOMMENDS: Adoption

ARTICLE 22. To see if the Town will vote to increase the property tax levy limit of \$ 3,000,599 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 23. To see if the Town will vote to adjourn the Town Meeting.

Given under our hands in the Town of South Berwick, this 26th day of April 2011 A.D.

S/
David Burke

S/
Jean Demetracopoulos

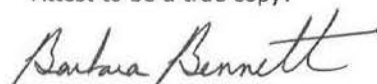
S/
Gerald W. MacPherson Sr.

S/
David H. Webster

S/
John Kareckas

Resident Joseph Rousselle posted this warrant on May 27, 2011 in the following places:
Community Center, Library, Reo's Barbershop, Town Hall, US Post Office.

Attest to be a true copy:


Barbara Bennett, CCM
Town Clerk

**TOWN OF SOUTH BERWICK
TOWN MEETING
JUNE 7, 2011**

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 7, 2011 at 6:00pm and transacted the following business. The meeting was called to order by the Clerk at 6:30pm.

Council members present included Chairman David Burke, Jean Demetracopoulos, Gerald W. MacPherson, Sr., and John C. Kareckas. Town Manager Perry A. Ellsworth was also in attendance. Councilor David H. Webster was not present. There were approximately 100 voters present.

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

ARTICLE 2: On a motion by Gerald MacPherson, 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.

ARTICLE 3: On a motion by Jean Demetracopoulos, seconded by John Kareckas, 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 September 30, 2011 and one-half due on March 31, 2012.

ARTICLE 4: On a motion by John Kareckas, seconded by David Burke, 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.

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.

ARTICLE 6: On a motion by Jean Demetracopoulos, seconded by John 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 MRSA 36 §506A.

ARTICLE 7: On a motion by John Kareckas, seconded by Jean Demetracopoulos, it was voted to appropriate from undesignated fund the payment of property tax abatements (and applicable interest) granted during this fiscal year.

ARTICLE 8: Jean Demetracopoulos made a motion to raise and appropriate \$1,125,921 from general taxation and other revenue sources for Police Services. John Kareckas seconded the motion.

-Clifford Cleary, Spillane's Hill, asked how many full time employees the department has. The Police Department has 8 full-time and Dispatch has 4 full-time.

-Andrew Purgiel, Tamarack Dr, asked what percent wage increase police and dispatch were receiving according to their union contract. Town Manager Ellsworth stated they are receiving a total increase of 3.9%.

-David E. Webster, Tamarack Dr, questioned the total amount of the increase and stated it seemed to be more than 3.9%. Fern Houliars, Finance Director, stated that the increase totals \$14,489.00.

Article 8 passed as written.

ARTICLE 9: John Kareckas made a motion to raise and appropriate \$563,945 from general taxation and other revenue sources for Emergency Services. Gerald MacPherson seconded the motion.

There was no discussion. Article 9 passed as written.

ARTICLE 10: Gerald MacPherson made a motion to raise and appropriate \$1,289,737 from general taxation and other revenue sources for the Public Works Department. David Burke seconded the motion.

-Clifford Cleary asked how many full-time employees were in the Highway Department. Highway has 5 full-time and 1 part-time. The Transfer station has 1 full-time employee and 6 part-time.

-Malcolm Kenney, Agamenticus Rd, asked if the driver was included in the Highway Department. No, he is in the Solid Waste Transportation budget.

-Richard Clough, Academy St, questioned why there were funds allotted in several different sections of the budget for town hall repairs. Manager Ellsworth explained that funds from the bond (approved at Town Meeting in June 2010) and Capital Improvements are for major projects. General repairs such as boiler repairs or replacing door handles are incidental and cannot be taken from CIP or the bond which was approved for specific projects.

Article 10 passed as written.

ARTICLE 11: David Burke made a motion to appropriate \$74,436 from DOT Highway Block Grant and raise and appropriate \$175,564 from general taxation and other revenue sources, for a total of \$250,000, for Capital Improvements – Roads. Jean Demetracopoulos seconded the motion.

-Albert Roberge, Butler St, asked what "other revenue sources" were. Manager Ellsworth explained that other revenue sources would cover grants, such as FEMA and gifts.

Article 11 passed as written.

ARTICLE 12: Gerald MacPherson made a motion to raise and appropriate \$1,480,897 from general taxation and other revenue sources for General Government. John Kareckas seconded the motion.

-Richard Clough asked what the average benefit package cost per employee. He then stated that the council has been asked for several years to break out the cost of benefits by department. Gerald MacPherson stated that the article only represents \$1.52 on the Town's tax rate. Jean Demetracopoulos stated that the warrant is constructed the way it is because Mr. Clough questioned it several years ago so the Council contacted the Town Attorney. The Town Attorney, after reviewing the Town Charter, suggested the current format.

-Eric Pelchat, Front St, stated that the public was told that benefits would be broken out, but that hasn't been done yet. Manager Ellsworth stated that information breaking down benefits by department is available in the office.

-Richard Clough commented that the Attorney was contacted to do away with lumping departments together in a single warrant article and had nothing do with breaking-out benefits by department. He added that he believes Town employees deserve what they are getting. His goal is to make it more transparent.

-Cliff Cleary asked what the Town Office hours were. The Clerk stated the Business Office was open Mon 9-4, Tue 12-5, Thu 9-6, and Fri 9-3.

Article 12 passed as written.

ARTICLE 13: John Kareckas made a motion to appropriate \$8,100 from Bond Refund and to raise and appropriate \$351,058 from general taxation and other revenue sources, for a total of \$359,158 for Debt Service. David Burke seconded the motion.

-Virginia Jennings, Earls Rd, asked what the Bond Refund was. It was explained that the Town will receive a portion of money back as part of the process of selling the Library Bond.

-Andrew Purgiel asked how much has been raised by the non-profit group toward the library, how much was bonded, and what happens if the group doesn't raise its share. Manager Ellsworth explained that the total project cost is \$2.2-\$2.3 million. In November 2010 voters approved a \$1.5 million bond, June 2010 Town Meeting Bond library portion was \$167,000 and the numbers from the Friends of the Library are not available. He added that he expects to have \$1.8 million available when the project goes to bid.

Article 13 passed as written.

ARTICLE 14: David Burke made a motion to raise and appropriate \$65,316 from general taxation and other revenue sources for the Records Department. Jean Demetracopoulos seconded the motion.

There was no discussion. Article 14 passed as written.

ARTICLE 15: Jean Demetracopoulos made a motion to raise and appropriate \$110,825 from general taxation and other revenue sources for Code Enforcement and Health Departments. Gerald MacPherson seconded the motion.

There was no discussion. Article 15 passed as written.

ARTICLE 16: Gerald MacPherson made a motion to raise and appropriate \$81,866 from general taxation and other revenue sources for the Public Welfare Department. David Burke seconded the motion.

There was no discussion. Article 16 passed as written.

ARTICLE 17: David Burke made a motion to raise and appropriate \$70,747 from general taxation and other revenue sources for the Recreation/Parks and Conservation Departments. John Kareckas seconded the motion.

There was no discussion. Article 17 passed as written.

ARTICLE 18: John Kareckas made a motion to raise and appropriate \$119,620 from general taxation and other revenue sources for the Library. Gerald MacPherson seconded the motion.

-Cliff Cleary asked what the hours at the Library were. Mon & Wed 1-8, Tue & Thur 10-5, Fri 1-5, and Sat 9-12:45. Mr. Cleary then commented that the Library is open more than the Town Hall. Jean Demetracopoulos stated that the Library is able to be open more because of volunteers.

Article 18 passed as written.

ARTICLE 19: Gerald MacPherson made a motion to raise and appropriate \$160,000 from general taxation and other revenue sources for Capital Improvements – Reserves. Jean Demetracopoulos seconded the motion.

There was no discussion. Article 19 passed as written.

ARTICLE 20: Jean Demetracopoulos made a motion to appropriate \$16,000 from the Wentworth Fund for Capital Improvements – Fire Equipment Reserve. David Burke seconded the motion.

There was no discussion. Article 20 passed as written.

ARTICLE 21: David Burke made a motion to apply \$1,000,000 from Excise Taxes, \$662,042 from Non-Tax General Fund Revenues, \$375,000 from State Revenue Sharing, \$125,000 from Homestead Exemption Reimbursement, \$12,000 from BETE Reimbursement for a total of \$2,174,042 to use toward the 2011/2012 budget appropriations, thereby decreasing the amount to be raised by taxation. Jean Demetracopoulos seconded the motion.

There was no discussion. Article 21 passed as written.

ARTICLE 22: Jean Demetracopoulos made a motion to increase the property tax levy limit of \$3,000,599 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. John Kareckas seconded the motion.

-Richard Clough urged a no vote on article 22 since the tax levy limit is set by State Statute. He also recommended the use of the undesignated fund balance. He added that South Berwick wouldn't suffer a significant loss in tax revenue because we don't have a single large tax payer. Mr. Clough stated that the Council could go to special town meeting to appropriate additional funds when needed.

-Mr. Clough moved the question. Eric Pelchat seconded. The motion to limit debate failed without a 2/3 majority vote of 59 yes and 41 no.

-William Straub, Brattle St, commented that it was ironic that the prior articles were all overwhelmingly approved and now there is an urging to vote no on this article. He stated that municipal government costs what it costs; and the Council has proposed a responsible budget that is balanced and very frugal. He added that a no vote could mean people losing their jobs.

-David Burke stated that the Council did review each departmental budget and was unified in the end. The library bond passed (Nov 2010) by a close vote creating a budget increase and the Council agreed to do something about roads. He went on to say that no one can predict future costs, such as fuel. Mr. Burke went on to thank Town employees for foregoing their raises and longevity pay for the past couple of years to help get things back on track. Their sacrifices have helped put the Town in a better fiscal position.

-John Kareckas stated that it is difficult to predict future costs and the Council had to make some hard guesses. A safe cushion is needed to continue to keep the undesignated fund balance at healthy levels. He added that he hopes everyone would support the budget because it represents the true cost of running the Town.

-Michelle Kareckas, Parent St, asked what the effect would be if \$500,000 was taken from the undesignated fund. Fern Houliars, Finance Director, stated that since articles cannot be increased, using the undesignated fund would increase article 21. Mrs. Kareckas stated that unforeseen things can happen and urged a yes vote on article 22.

-Mrs. Kareckas moved the question. William Straub seconded. The motion to limit debate passed with a 2/3 majority vote of 63 yes to 30 no.

Article 22 failed with a written ballot vote of 45 yes to 56 no.

ARTICLE 23: On a motion by John Kareckas, seconded by Richard Clough, it was voted to adjourn the meeting at 7:55pm.

Attest:


Barbara Bennett, CCM