

OFFICIAL BALLOT  
ANNUAL TOWN ELECTION  
BERWICK, MAINE  
July 14, 2020

Town Clerk

FOR SELECTMAN/ASSESSOR/OVERSEER OF THE POOR

FOR 3 YEARS VOTE FOR 2

Mark Pendergast

Thomas Wright

\_\_\_\_\_  
WRITE IN

FOR MEMBER MSAD 60 BOARD OF DIRECTORS

FOR 3 YEARS VOTE FOR 1

Denise Mallett

\_\_\_\_\_  
WRITE IN

ARTICLES

ARTICLE 3

Shall the Town vote to adopt the proposed amendments to the Land Use Ordinance? (Exhibit A attached hereto).

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 4

Shall the Town vote to adopt the proposed amendments to the Land Use Ordinance regarding Adult Use Marijuana? (Exhibit B attached hereto).

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 5

Shall the Town vote to adopt the proposed addition of the Marijuana Establishment Licensing Ordinance to the Land Use Ordinance regarding Marijuana Establishments? (Exhibit C attached hereto).

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 6

Shall the Town vote to adopt the proposed amendment to the Subdivision Regulations? (Exhibit D attached hereto)

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 7

Shall the Town vote to adopt the proposed Rezoning Request for 1 Lot at 20 Rochester Street from R1 to C/I and Village Overlay District? (Exhibit E attached hereto)

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 8

Shall the Town vote to adopt the proposed Recreation Master Plan? (Exhibit F attached hereto).

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 9

Shall the Town vote to use up to **\$2,900,000** from estimated revenues to reduce the amount to be raised by taxation in Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 10

Shall the Town vote to raise and appropriate the sum of **\$346,325** for the General Expense Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**NOTE:** This Account will be used to fund a variety of general expenses which are not easily classified from an accounting perspective under other departments, including a variety of required insurance premiums, audit services, legal services rendered by the Town Attorney, streetlights, traffic signals, interest on returned escrow balances, and miscellaneous expenditures requested from the Board of Selectmen.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 11

Shall the Town vote to raise and appropriate the sum of **\$411,431** for the Town Administration Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 12

Shall the Town vote to raise and appropriate the sum of **\$297,482** for the Town Clerk Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 13

Shall the Town vote to raise and appropriate the sum of **\$202,800** for the Planning Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 14

Shall the Town vote to raise and appropriate the sum of **\$114,400** for the Assessor's Office Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 15

Shall the Town vote to raise and appropriate the sum of **\$180,150** for the Town Hall Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 16

Shall the Town vote to raise and appropriate the sum of **\$10,000** for the General Assistance Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 17

Shall the Town vote to raise and appropriate the sum of **\$1,997,749** for the Police Department Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 18

Shall the Town vote to raise and appropriate the sum of **\$1,091,148** for the Fire Department Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 19

Shall the Town vote to raise and appropriate the sum of **\$1,141,833** for the Public Works Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 20

Shall the Town vote to raise and appropriate the sum of **\$297,662** for the Berwick Public Library Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

ARTICLE 21

Shall the Town vote to authorize the expenditure of all revenues received from the State of Maine Urban/Rural Initiative Program for Fiscal Year 2020/2021 for road improvements as authorized by the Program with unspent balances to be carried forward each year?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

## ARTICLE 22

Shall the Town vote to raise and appropriate the sum of **\$546,317** for the Refuse Disposal Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**NOTE:** This Account will be used to fund the operations of the Berwick Transfer Station during Fiscal Year 2020/2021.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

## ARTICLE 23

Shall the Town vote to raise and appropriate from taxes the sum of **\$120,901** and appropriate the sum of **\$100,000** from the existing Recreation Revenue account for a total of **\$220,901** for the Recreation Account for Fiscal Year 2020/2021, which begins July 1, 2020? The current balance in the Recreation Revenue account is **\$151,817**.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

## ARTICLE 24

Shall the Town vote to raise and appropriate the sum of **\$542,037** for Debt Service to cover this appropriation for Fiscal Year 2020/2021, which begins July 1, 2020 and as authorized by the passage of Article 31 & 32 at the 2016 Annual Town Meeting and Article 5 at the November 6, 2018 Referendum Election?

**NOTE:** The voters approved the issuance of general obligation bonds up to \$1,000,000 for two fire trucks and up to \$125,000 for new windows in the Town Hall auditorium and repair of the Town Hall clock. The voters approved the issuance of general obligation bonds not to exceed \$6,000,000 for the design, construction and improvements of a new fire station and the design, construction and improvements for a police department building renovation.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

## ARTICLE 25

Shall the Town vote to raise and appropriate the sum of **\$26,450** for the Community/Agency Appropriations Account for Fiscal Year 2020/2021, which begins July 1, 2020?

**NOTE:** This account will be used to make contributions to and at the request of the following outside agencies or purposes: COAST Bus Service, American Legion Citizen Recognition Dinner, Memorial Day, Holiday Decorations, York County Shelter and the Seacoast Shipyard Association.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

## ARTICLE 26

Shall the Town vote to raise and appropriate the sum of **\$196,388** for the annual Fire Protection (i.e., fire hydrants) costs for Fiscal Year 2020/2021, which begins July 1, 2020?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

## ARTICLE 27

Shall the Town vote to raise and appropriate the sum of **\$100,000** for the purpose of investing in the capital purchase and replacement of Fire Department apparatus and vehicles for Fiscal Year

2020/2021 and place this amount into the Fire Department Capital account established for this purpose, with any unspent balances to carry forward each year until fully expended?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 28

Shall the Town vote to appropriate the sum of \$600,000 from Unassigned Fund Balance for Fiscal Year 2020/2021 and authorize its use for road, bridge, and sidewalk construction and repairs, as well as Town parking lots and public ways, and including expenses for curbing, drainage and engineering fees when required, with the funds to be used in conjunction with the State of Maine Urban/Rural Initiative Program, and with unspent balances to be carried forward each year?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 4:0**

### ARTICLE 29

Shall the Town vote to raise and appropriate the sum of \$20,000 as the first lease payment for the purchase of one new police cruiser for Fiscal Year 2020/2021, which begins July 1, 2020 and place this amount into the Police Capital Equipment account established for this purpose with unspent balances to be carried forward each year until fully expended and authorize the Board of Selectmen to enter into a lease purchase agreement on terms it deems appropriate with the balance to be repaid over a period of no longer than five (5) years?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 30

Shall the Town vote to raise and appropriate the sum of \$42,000 for Fiscal Year 2020/2021, which begins July 1, 2020, and authorize its use to continue addressing storm drainage system outfall issues identified by the Maine DEP during an audit of the Town's stormwater drainage system, and place this amount into the Planning Capital Reserve account established for this purpose with unspent balances to be carried forward each year until fully expended?

**NOTE:** If approved these funds will be used for the design work on outfall 8 located on First Street and the eventual repairs as determined by the design work.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 31

Shall the Town vote to raise and appropriate the sum of \$20,000 and authorize the Board of Selectmen to hold it in a Contingency Account and to use it to meet unanticipated expenses and emergencies that might occur during the Fiscal Year 2020/2021, which begins July 1, 2020 and with unspent balances to be carried forward each year?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 32

Shall the Town vote to raise and appropriate the sum of \$24,000 for the Federal Stormwater Program for Fiscal Year 2020/2021, which begins July 1, 2020 and place this amount into the account established for this purpose with unspent balances to be carried forward each year until fully expended?

**NOTE:** This Account will be used for the purpose of implementing State and Federal permitting requirements for discharges from municipal separate stormwater sewer systems (MS4s).

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 33

Shall the Town vote to raise and appropriate the sum of **\$3,750** for Economic Development purposes for Fiscal Year 2020/2021, which begins July 1, 2020 and place this amount into the account established for this purpose with unspent balances to be carried forward each year until fully expended?

**NOTE:** The Envision Berwick Committee working through the Town's Planning Department will contract for technical assistance, grant writing assistance, consultant assistance to develop financial options, purchase site amenities, allowance for printing and mailings, match grant funds, and to leverage other funding that the Town is eligible to apply for. Also, any grant match or any funds used to advance the implementation of the Comprehensive Plan, as Amended, will be approved by the Board of Selectmen.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 34

Shall the Town vote to raise and appropriate the sum of **\$1,000** for Emergency Management for Fiscal Year 2020/2021, which begins July 1, 2020 and place this amount into the account established for this purpose with unspent balances to be carried forward each year until fully expended?

**NOTE:** This Account will be used for the purpose of funding expenses like provision of shelter, food supplies and other associated costs during emergencies which occur within the Town.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 35

Shall the Town vote to appropriate the sum of **\$62,500** from the Unassigned Fund Balance for Self-Contained Breathing Apparatus (SCBA), Personal Protective Gear, Mobile Radio, and Cardiopulmonary Resuscitation (CPR) equipment for Fiscal Year 2020/2021, which begins July 1, 2020 and place this amount in the account established for this purpose with unspent balances to be carried forward each year until fully expended?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 36

Shall the Town vote to appropriate the sum of **\$100,000** from the Unassigned Fund Balance for the for Fiscal Year 2020/2021, which begins July 1, 2020 for fuel tank replacement at Public Works as required by DEP?

**NOTE:** Fuel Tanks will be replaced in July 2020.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 37

Shall the Town vote to raise and appropriate the sum of **\$15,000** for the Unfunded Liabilities Account for Fiscal Year 2020/2021, which begins July 1, 2020 and place this amount in the account established for this purpose with unspent balances to be carried forward each year until fully expended?

**NOTE:** This Account will be used to satisfy existing obligations to employees who have accrued compensated absences such as vacation time or sick time, if and when such entitlements must be paid out upon employee departure from the Town's staff. The current balance in this account is **\$106,235** and the Town's compensated absences balance as of June 30, 2019 was **\$301,033**.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 38

Shall the Town vote to raise and appropriate the sum of **\$25,000** for the for Fiscal Year 2020/2021, which begins July 1, 2020 and consecutive fiscal years for grant matching funds to be placed into this account and carried forward each year?

**NOTE:** This funding will be used for 20% matching funds for KACTS (Kittery Area MPO), MDOT (Maine Dept. of Transportation) road programs, and Community Development Block Grants if awarded.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 39

Shall the Town vote to appropriate the sum of **\$41,600** from the Unassigned Fund Balance for Fiscal Year 2020/2021, which begins July 1, 2020 and authorize its use for the purchase of Police Department capital items (including radios, taser equipment, fire arms replacement, furniture, 3 laptop replacements, server and modems)?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 40

Shall the Town vote to appropriate a sum not to exceed **\$120,000** from the Unassigned Fund Balance for Fiscal Year 2020/2021, which begins July 1, 2020 and authorize its use for the installation of radiant heat in the apparatus bay of the new fire station?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 41

Shall the Town vote to appropriate the sum of **\$50,000** from the Unassigned Fund Balance for Fiscal Year 2020/2021, which begins July 1, 2020 and authorize placing it in the Recreation Reserve Account to be used for Capital Projects?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

### ARTICLE 42

Shall the Town vote to authorize the Board of Selectmen to enter into a purchase and sale agreement with landowners for the purchase of property that allows the expansion of Memorial Field.

**NOTE:** Funding for the purchase will be used from Impact Fees that are allowed to be used for these types of community projects.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

**ARTICLE 43**

Shall the Town vote to authorize the use of interest money from the Lena Clark Trust Fund Interest Account when there are major repairs or maintenance needs at the Town Hall?

**NOTE:** The Trust Fund was established to take care of the Town Hall. Interest from the Trust Fund is in an Investment Account with LPL Investments through Quadripoint Investment Management. The interest balance as of June 30, 2019 was **\$99,766**, which was the close of the prior Fiscal Year. Interest funds are not used for every day repair or maintenance costs but instead are being allowed to accumulate for one time or major unforeseen repairs or expenses. Approval of this Article will authorize these kinds of expenditures from the Interest Account should it become necessary to make them during Fiscal Year 2020/2021.

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

**ARTICLE 44**

Shall the Town vote to charge interest on unpaid taxes at the rate of **9.00%** per annum, and to set the date when taxes committed for Fiscal Year 2020-2021 (July 1, 2020 through June 30, 2021) become due and payable as October 15, 2020 and April 15, 2021, with said interest to be collected after October 16, 2020 and April 16, 2021, and allow the Tax Collector to accept prepayment of taxes prior to the Tax Commitment Date?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**

**ARTICLE 45**

Shall the Town Vote to set an interest rate of **4.00%** as allowed by state law as the rate to be paid to taxpayers who pay amounts in excess of amounts finally assessed and authorize any such interest paid, uncollectable taxes or abatements granted to be charged against the annual overlay?

**THE BOARD OF SELECTMEN RECOMMENDS YES VOTE 5:0**