South Berwick Town Council Public Hearing Zoning – Table A July 11, 2023

Chair Mallory Cook opened the hearing at 6:35pm. Councilors present included Jeffrey Minihan, John James, Jessica Cyr, and Melissa Costella. Town Manager Tim Pellerin and Assistant Town Manager Jennifer Janelle were also in attendance.

The purpose of the hearing was to receive public comment on the proposed change to the Zoning Ordinance Land Use Table A. The proposed change would allow for municipal buildings in all zones.

-Cliff Cleary, Spillane's Hill, stated that municipal buildings should stay in the center of town.

-Paul Steinhauer, Hill Dr, asked if this was an issue when the Police Station was built. He also commented that it was too early to make this change, (since there have been no decisions regarding town hall).

-Mr. Pellerin explained that staff discussion did start because of town hall, but it was determined that our ordinance does not reference municipal buildings. Municipal buildings include town halls, fire stations, police stations, highway garages, and salt sheds amongst others. Under Home Rule Authority the Town does not need to make this ordinance change; and municipal buildings may be built where the Town deems necessary, such as the Police Station. Staff reviewed all town buildings and proposed the change to the Planning Board and the Board agreed. In an effort for more transparency the consensus was that the Town should adhere to the same ordinances we require our residents to adhere to.

-Tamre Steinhauer, Hill Dr, asked if there is a plan to review all ordinances. Mr. Pellerin stated "yes, but there is a financial cost and was not budgeted."

-Mrs. Costella stated that it was good to learn about Home Rule, she was not aware of it. She asked if we are a business, municipal buildings stay in the business zones.

No one on zoom wished to comment.

The hearing was closed at 6:34pm.

Attest:

Barbara Bennett, CCM

South Berwick Town Council Meeting July 11, 2023

The Chair reported the following to the Clerk:

Chair Mallory Cook called the meeting to order at 6:17pm. Councilors present included John James, Jeffrey Minihan, Jessica Cyr, and Melissa Costella.

EXECUTIVE SESSION

1. On a motion by Mr. James, seconded by Mrs. Costella, it was unanimously voted to enter executive session at 6:17pm pursuant to 1MRSA §405.6A, to discuss a personnel issue.

On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to end the executive session at 6:35pm.

The regular meeting was convened at 6:35pm with the Clerk, Town Manager and Assistant Town Manager present.

Approval of Minutes

1. Town Council 06-27-23: On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to adopt the minutes as written.

2. Public Hearing 06-28-23: On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to adopt the minutes after deleting 'Kemble' from Abigail Sherwood Kemble, in the 12th bullet.

Treasurer's Warrant

1. On a motion by Mrs. Cook, seconded by Mr. Costella, it was unanimously voted to sign the warrant dated June 30, 2023 in the amount of \$59,186.77.

2. On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to sign the warrant dated July 6, 2023 in the amount of \$116,529.73. [This warrant is for FY 22/23]

3. On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to sign the warrant dated July 6, 2023 in the amount of \$926,648.62. Note was made that this includes the new monthly school payment of over \$752,000. [This is the first warrant for FY 23/24]

Public Comment

1. Cliff Cleary, Spillane's Hill, stated that he doesn't want to spend a lot of money, but would like to see new 'Welcome to South Berwick' signs when entering town.

2. Abigail Sherwood, Tamarack Dr, thanked the Recreation Dept. for great summer camp programs. She also asked if the Town could take traffic calming measures at the intersection of Old Mill and Route 236.

New Business

1. Mr. Minihan stated that there were some good points made during the public hearing on the 28th. He also noted that this change is forward thinking. [It was explained during the earlier public hearing that this change is not specific to a new town hall. Mr. Pellerin explained that due to Home Rule, the Town has the authority to construct municipal buildings where needed. However, for transparency and fairness to residents, consensus was to change the ordinance. The change would make it clear that municipal buildings, such as an additional fire station, highway garage, etc. can be erected where and when it is appropriate.]

On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted to amend the Zoning Ordinance Table A, by allowing Municipal Buildings to all zones.

2. On a motion by Mr. James, seconded by Mrs. Costella, it was unanimously voted to renew the liquor license for Engrain.

3. On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to grant a Special Amusement Permit to the Stage House Inn.

4. The Council discussed the addendum to the Sebago Technics Traffic Study. The MDOT required more information regarding roundabouts as an option. MDOT being involved opens more opportunities for federal and state funding.

On a motion by Mr. James, seconded by Mr. Minihan, it was unanimously voted to accept the report with the addendum as presented.

5. VFW Post 5744 has made a formal request to have South Berwick become a Purple Heart Town. This would show community support and honor our veterans who are Purple Heart recipients. Mrs. Costella stated that she didn't want to burden the VFW with the expense of the proposed signs and suggested that the Town cover the cost. Mr. Pellerin added that we would also help with the installation.

On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted for South Berwick to become a Purple Heart Town and pay for the signage (\$300.18) from the Town Council account.

The Clerk will provide a proclamation for the Council to sign at the next meeting.

6. On a motion by Mrs. Cook, seconded by Mr. James, it was unanimously voted to appoint Robert Eger to the Zoning Board of Appeals with a term to expire June 30, 2025.

On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to appoint Zach Nobel to the Planning Board, as an alternate member, with a term to expire June 30, 2026.

On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted to appoint James Cleary to the Board of Assessment Review with a term to expire June 30, 2024.

On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted to appoint Paul Steinhauer to the Board of Assessment Review with a term to expire June 30, 2025.

On a motion by Mrs. Cook, seconded by Mrs. Costella, it was unanimously voted to appoint Ben Thompson to the Board of Assessment Review with a term to expire June 30, 2026.

7. On a motion by Mrs. Cook, seconded by Mr. Minihan, it was unanimously voted to hold a workshop on Tuesday, August 1st at 6:00pm, to discuss the town hall. The public is welcome to attend, but no public input will be taken.

Town Manager's Report

-Highway: Completed Park Street drainage and base paving. Widening the cul-de-sac and moving the sidewalk on Winding Brooke Lane. Working on the MMA insurance punch list. -Police: 6 arrests, 5 accidents, and 29 traffic stops. Arrests and call volume is higher than usual. Chief Ruger and Lt. Upton will be completing the FBI LEEDA training next week. National Night Out will be August 1st at Bogg Field in York.

-Fire: 17 calls; YTS 296. Using the Red Barn for training prior to its demolition. Hose and ladder inspections are complete.

-Code: Issued 5 building permits and 2 plumbing permits. Conducted 23 inspections.

-Planning: Held 2 public hearings. The ZBA had 1 administrative appeal.

-Library: Hosted childen's author Matt Esenwine on the 5th. Updating the non-fiction book section. Organizing the cake pans for the lending program. Looking to add instruments and tools to the lending program.

-Recreation: Summer camps are going very well. Adult Yoga & Zumba are going strong. The seniors will have Crazy Hat Day lunch on the 12th and a clambake at Foster's on the 19th.

-Assessing: The July 6th start-up meeting with KRT Appraisals went well. They will be starting inspections late in the summer. LD130 has passed, which sunsets LD 290 (Tax Stabilization Program). Working on value updates and personal property updates. Finishing map changes from April 1, 2023. Working on ownership changes.

-Town Clerk: Working on several vital records issues. The Automatic Voter Registration system through Motor Vehicles is going well. Almost 100 people from South Berwick have utilized the system since its inception last year. The office has issued 625 transfer station stickers thus far.

-Transfer Station: The 2 new attendants are working out well; morale has improved. Dan is working on improvements in the office and breakroom.

-Economic Development: Comp Plan Update phases 1 & 2 are complete. Phase 3 should be completed in January 2024. Continue to seek grants for various Town projects.

-Finance/HR: Sending out Tax Club applications. Working on year end. The audit is scheduled for the end of September. Working on controllable risks for the MMA Risk Management Property Survey.

-Administration: Met with the Planning Board Chair and Attorney. Waiting for approval from Efficiency Maine so we can complete the new lighting at the Community Center and Library. Jay & Jennifer have met with the FEMA Rep; we should be receiving \$105,000. The security cameras at the Transfer Station will be updated. Property card information will soon be available on the website.

Councilor Comments

1. Ms. Cyr:

-Made note that there is a collection box in the Town Hall lobby for the food pantry.

-Reminded everyone of the Comp Plan Update meeting on July 24th.

-Thanked staff for getting the 'Town Hall Project' page set up on the website.

2. Mrs. Cook:

-Thanked everyone that came to the public hearing for the town hall building. She added that she hoped it cleared up some questions and misconceptions.

-Commented that both she and Mr. Minihan will be attending the next meeting via Zoom. Mr. James will Chair the meeting.

Adjournment

On a motion by Mr. James, seconded by Mrs. Costella, it was unanimously voted to adjourn the meeting at 7:55pm.

Attest:

Barbara Bennett, CCM

A / P Warrant

Bank: KENNEBUNK - Operating

South Berwick-2023 9:53 AM

			_ 311111 14			
Туре	Check	Amount	Date	Wrnt	Paye	PC
P	46842	7,327.49	07/13/23	80		CARD MEMBER SERVICE
R	46844	1,517.62	07/20/23	80		CHAPPELL TRACTOR
R	46845	440.00	07/20/23	80		CONVENIENTMD LLC
R	46846	168.49	07/20/23	80		DEB & DUKE MONOGRAMMERS
R	46847	185.00	07/20/23	80		DELCOURT, RAY
R	46848	200.00	07/20/23	80		FADDEN CUSTOM PEST SERVICES LLC
R	46849	408.00	07/20/23	80		FIRE TECH & SAFETY OF NE, INC
R	46850	780.00	07/20/23	80		GREAT EAST CRUSHING
R	46851	51.90	07/20/23	80		GREAT WORKS INTERNET-GWI
R	46852	250.00	07/20/23	80		HUSSEY EXCAVATION INC
R	46853	175.13	07/20/23	80		INGRAM LIBRARY SERVICES
R	46854	1,090.19	07/20/23	80		J.M. HAYDEN EQUIPMENT LLC
R	46855	920.00	07/20/23	80		LAKES REGION FIRE APPARATUS INC.
R	46856	14,934.04	07/20/23	80		LIBBY SCOTT INC.
R	46857	5,169.96	07/20/23	80		MAINE DEPARTMENT OF INLAND FISHERIES AND
		·			WILD	
R	46858	400.00	07/20/23	80	0610	MAINE FIRE CHIEFS ASSOCIATION
R	46859	476.00	07/20/23	80	0082	MAINE RESOURCE RECOVERY
R	46860	20.55	07/20/23	80		MAINE TURNPIKE AUTHORITY
R	46861	291.32	07/20/23	80		MMEHT
R	46862	1,459.40	07/20/23	80	0650	NEW ENGLAND BARRICADE CO
R	46863	1.75	07/20/23	80	0128	NH EZ-PASS CSC
R	46864	25,489.71	07/20/23	80	0088	P GAGNON & SONS INC
R	46865	94.60	07/20/23	80	0145	PETTY CASH - TOWN OFFICE
R	46866	16,119.47	07/20/23	80	0572	PINE TREE WASTE, INC
R	46867	400.00	07/20/23	80	1148	QUINN, NICK
R	46868	103.49	07/20/23	80		REDS SHOE BARN
R	46869	4,569.20	07/20/23	80	0195	SOUTHERN MAINE PLANNING & DEVLOPMENT, INC
R	46870	1,080.41	07/20/23	80	0041	STAPLES
R	46871	339.96	07/20/23	80	0936	STAPLES-LIBRARY ACCOUNT
R	46872	1,075.00	07/20/23	80		TOPCON SOLUTIONS STORE
R	46873	67.00	07/20/23	80	0180	Treasurer, State of Maine
R	46874	195.20	07/20/23	80	0827	Treasurer, State of Maine DR&Vital Statistics
	Total	85,800.88				
				Count		
			Check		32	
				5		
			Voids		0	
Melie	sa Costella			Tohn Tomo		
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A / P Warrant

Bank: KENNEBUNK - Operating

South Berwick 11:03 AM

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Туре	Check	Amount	Date	Wrnt	Paye	
Р	46838	12,421.60	07/11/23	5		BUREAU OF MOTOR VEHICLES
Р	46839	95.00	07/12/23	5		TOWN OF KITTERY
Р	46840	50.00	07/12/23	5		Treasurer, State of Maine
Р	46841	369.68	07/13/23	5		TREASURER STATE OF MAINE
Р	46843	21,657.77	07/18/23	5		BUREAU OF MOTOR VEHICLES
R	46875	4,735.00	07/20/23	5		A MERRIE SWEEPE CHIMNEY SERVICE
R	46876	64.00	07/20/23	5		AHM-NORTHERN LIGHT DRUG TESTING
R R	46877 46878	750.00	07/20/23	5		AMERICAN RED CROSS
R		450.00	07/20/23	5		AMERIFLEX
R	46879 46880	4,495.00 500.00	07/20/23 07/20/23	5 5		BUSINESS EQUIPMENT UNLIMITED CARING UNLIMITED
R	46881	429.88	07/20/23	5		CINTAS CORP
R	46882	67,320.68	07/20/23	5		City of Sanford
R	46883	525.80	07/20/23	5		COLONIAL LIFE & ACCIDENT INS.
R	46884	3,000.00	07/20/23	5		DIRIGO SAFETY, LLC
R	46885	700.00	07/20/23	5		EASTERN TRAIL MANAGEMENT DIST
R	46886	1,425.00	07/20/23	5		EQUATURE
R	46887	424.00	07/20/23	5		FASTENER WAREHOUSE
R	46888	1,606.00	07/20/23	5		GENEST PRECAST
R	46889	1,453.96	07/20/23	5		GREAT WORKS INTERNET-GWI
R	46890	94.50	07/20/23	5		GROUP DYNAMIC, INC.
R	46891	994.92	07/20/23	5		H.T. BERRY COMPANY, INC.
R	46892	70.00	07/20/23	5		LAMPREY, STEPHEN
R	46893	12,351.75	07/20/23	5		MAINE MUNICIPAL ASSOCIATION
R	46894	5,603.94	07/20/23	5		MAINE MUNICIPAL ASSOCIATION
R	46895	400.35	07/20/23	5	0129	MAINE SAD 35
R	46896	40.00	07/20/23	5		MAINE WELFARE DIRECTORS ASSOCIATION
R	46897	219.83	07/20/23	5		MTCMA
R	46898	193.68	07/20/23	5	0650	NEW ENGLAND BARRICADE CO
R	46899	444.51	07/20/23	5		NORTHEAST HYDRAULICS INC
R	46900	76.41	07/20/23	5		OFFICE OF INFORMATION TECH A/P
R	46901	650.05	07/20/23	5	0172	PERMA-LINE CORPORATION
R	46902	2,433.22	07/20/23	5		PIKE INDUSTRIES INC
R	46903	75.00	07/20/23	5		POPE MEMORIAL HUMAN SOCIETY
R	46904	4,980.69	07/20/23	5		POWERDMS, INC
R	46905	92.14	07/20/23	5		SANEL AUTO PARTS
R	46906	200.00	07/20/23	5		SCHUMACHER CREATIVE DESIGN
R	46907	63.15	07/20/23	5		SEACOAST FIRST AID & SAFETY
R	46908	1,040.00	07/20/23	5		SHOEM CORP
R	46909	6,000.00	07/20/23	5		SOUTH BERWICK CEMETERY ASSOCIATION
R	46910	300.00	07/20/23	5		SOUTHERN MAINE AGENCY ON AGING
R	46911	812.50	07/20/23	5		U.S Postal Service
R	46912	668.44	07/20/23	5		VERIZON WIRELESS
R	46913	57.00	07/20/23	5		YORK COUNTY REGISTRY OF DEEDS
R	46914	230.00	07/20/23	5	1181	YORK REGION CHAMBER OF COMMERCE

South Berwick

11:03 AM			•	P Warra	Page 2	
Туре		Amount 160,565.45	Date	Wrnt	Рауее	
				Count		
			Checks		45	
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Mallo	ory Cook					
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			т т	OWN MAN		

PROCLAMATION

Purple Heart Town

Whereas, The Town of South Berwick, Maine and our community have a great admiration and the utmost gratitude for all the men and women who have, and are, selflessly serving their country and this community in the Armed forces; and Whereas, Veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm's way for the good of all; and, Whereas, the contributions and sacrifices of the men and women who served the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by

our citizens; and

Whereas, many men and women in uniform have given their lives while serving in the Armed Forces; and

Whereas, citizens of our country have received the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and

Whereas, the Town of South Berwick seeks to remember and recognize veterans who are recipients of the Purple Heart Medal; and

Whereas, we proclaim the Town of South Berwick, Maine to be a Purple Heart Town, honoring the service and sacrifice of our nation's men and women in uniform, wounded or killed by the enemy while serving to protect our freedoms.

THEREFORE, BE IT ORDAINED BY THE TOWN OF SOUTH BERWICK, MAINE as follows:

Now, therefore, be it resolved on this 25th day of July 2023, We, The Town Council for the Town of South Berwick supports the Town of South Berwick becoming a Purple Heart Town in recognition of our communities Purple Heart Medal recipients.

Mallory Cook, Chair

Jeffery Minihan, Vice-Chair

John James

Jessica Cyr

Melissa Costella

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: July 25, 2023	NB #1					
Agenda Item: New liquor license & Special Amusement Permit for Happy Valley LLC						
Informational:						
Possible actions: -Approve as is. -Deny, based on findings as listed in §2 on pages 7 & 8 of the app. -Set public hearing date. The Special Amusement Permit is tied to the liquor license and would have the same expiration date.						
Town Manager's Recommendation:						
Requested Action:						
Council wishes.						



STATE OF MAINE DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Division Use Only						
License No:						
Class:	By:					
Deposit Date:						
Amt. Deposited:						
Payment Type:						
OK with SOS:	Yes 🗆	No 🗆				

Legal Business Entity Applicant Name (corporation, LLC):	Business Name (D/B/A):
HAPPY VALLEY LLC	
Individual or Sole Proprietor Applicant Name(s):	Physical Location:
	406 MAIN STREET, SOUTH BERWICK, ME
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: HAPPYVALLEYSOUTHBERWICK@GMAIL.COM
Telephone # Fax #:	Business Telephone # Fax #:
(207) 420-8707	(207) 420-8707
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #:
93-2356076	1009-8646
Retail Beverage Alcohol Dealers Permit:	Website address:
	WWW.HAPPYVALLEYSOUTHBERWICK.COM

1. New license or renewal of existing license?

New Expected Start date: <u>08/15/2023</u>

□ Renewal

 \mathbf{X}

Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food:\$ 0.00Beer, Wine or Spirits:\$ 0.00Guest Rooms:\$ 0.00

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

Malt Liquor (beer) Wine D Spirits

4. Indicate the type of license applying for: (choose only one)

X	Restaurant (Class I, II, III, IV)		Class (Class	A Restaurant/Lounge s XI)		Class (Class	A Lounge X)
	Hotel (Class I, II, III, IV)		Hotel (Class	– Food Optional s I-A)		Bed & Breakfast (Class V)	
	Golf Course (included opt (Class I, II, III, IV)	ional licer	ises, plea	ase check if apply)	Auxiliary		Mobile Cart
	Tavern (Class IV)			Other:			
	Qualified Caterer			Self-Sponsored Even	ts (Qualified C	aterers	Only)
	<u>Refe</u>	<u>er to Secti</u>	on V <u>fo</u> r	the License Fee Schedule of	<u>n page 9</u>		

5. Business records are located at the following address:

62 ROE FIELDS DRIVE, SOUTH BERWICK, MAINE 03908

6.	Is the licensee/applicant(s) citizens of the United States?	$m{X}$	Yes	No
7.	Is the licensee/applicant(s) a resident of the State of Maine?	X	Yes	No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

X	Yes		No	If Yes, complete Section VII at the end of this application
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- 9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?
 - \Box Yes X No
 - \Box Not applicable licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

	Yes	eq	No						
If yes,	If yes, please provide details:								

11. Do you own or have any interest in any another Maine Liquor License? \Box Yes X No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name		DOB	Place of Birth
ROXANNE POULIN		06/29/1989	YORK, ME
Residence address on all the above for prev	ious 5 years		
Name	Address:		
ROXANNE POULIN	62 ROE 1	FIELDS DRIVE, S	SOUTH BERWICK, ME
Name	Address:		
Name	Address:		
Name	Address:		

13.	Will any	law	enforcement	officer	directly	benefit	financiall	y from	this license,	if issued?

\Box Yes X No	
If Yes, provide name of law enforcement officer	and department where employed:
 4. Has the licensee/applicant(s) ever been convicted of the United States? □ Yes X No 	any violation of the liquor laws in Maine or any State of
If Yes, please provide the following information format.	n and attach additional pages as needed using the same
lame:	Date of Conviction:
Offense:	Location:
Disposition:	
If Yes, please provide the following information format.	n and attach additional pages as needed using the same
Name:	Date of Conviction:
Offense:	Location:
Disposition:	
6. Has the licensee/applicant(s) formerly held a Maine	liquor license? 🗆 Yes 💢 No
7. Does the licensee/applicant(s) own the premises?	\Box Yes \Join No
If No, please provide the name and address of the	e owner:
CAPONERA LLC of 62 ROE FIELDS DRIVE,	SOUTH BERWICK, MAINE

- 18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: ______
- 19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

INSIDE OF BUILDING AND

OUTSIDE OF BUILDING ON UPPER AND LOWER PATIO WITHIN FENCED IN AREA.

20. What is the distance from the premises to the <u>nearest</u> school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: SOUTH BERWICK FREE BAPTIST CHURCH

Distance: 0.25 MILES

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 18 JULY 2023

fannepon

Signature of Duly Authorized Person

ROXANNE POULIN Printed Name Duly Authorized Person Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: ______
Who is approving this application?
Dated: Municipal Officers of ______
County Commissioners of ______County

Please Note: The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title					

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C.Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D.Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E.A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G.After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its <u>Retail Beverage Alcohol Dealers</u> permit. See the TTB's website at <u>https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers</u> for more information.

Section V: Fee Schedule

<u>Filing fee required.</u> In addition to the license fees listed below, a filing fee of \$10.00 must be <u>included</u> with all applications.

<u>Please note:</u> For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

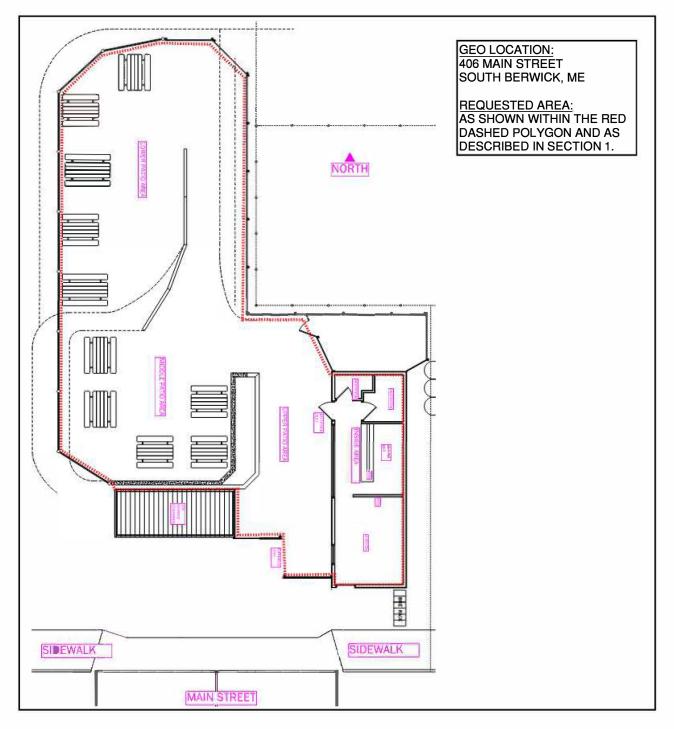
Class of LicenseType of liguor/Establishments includedFeeClass IFor the sale of liquor (malt liquor, wine and spirits)\$ 900.00This class includes: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges;
Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified
Caterers

- Class I-AFor the sale of liquor (malt liquor, wine and spirits)\$1,100.00This class includes only hotels that do not serve three meals a day.\$1,200.00
- Class II For the Sale of Spirits Only \$ 550.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.
- Class III For the Sale of Wine Only \$ 220.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.
- Class IV For the Sale of Malt Liquor Only \$ 220.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.
- Class III and IV For the Sale of Malt Liquor and Wine Only \$ 440.00 This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.
- Class VFor the sale of liquor (malt liquor, wine and spirits)\$ 495.00This class includes only a Club without catering privileges.\$ 2,200.00Class XFor the sale of liquor (malt liquor, wine and spirits)\$ 2,200.00This class includes only a Class A Lounge\$ 1,500.00
 - This class includes only a Restaurant Lounge

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

- 1. Exact legal name: HAPPY VALLEY LLC
- 2. Doing Business As, if any: ______
- 3. Date of filing with Secretary of State: <u>10/17/2022</u> State in which you are formed: <u>MAINE</u>
- 4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:
- 5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
ROXANNE POULIN	62 ROE FIELDS DRIVE, SOUTH BERWICK, MAINE 03908	06/29/1989	MEMBER-MANAGER	50.0000
SAM FLINKSTROM	62 ROE FIELDS DRIVE, SOUTH BERWICK, MAINE 03908	05/19/1990	MEMBER-MANAGER	50.0000

(Ownership in non-publicly traded companies must add up to 100%.)

SPECIAL AMUSEMENT PERMIT APPLICATION

AS DEFINED IN SECTION 201 OF THE TOWN OF SOUTH BERWICK SPECIAL AMUSEMENT ORDINANCE, NO LICENSEE FOR THE SALE OF LIQUOR TO BE CONSUMED ON THE LICENSED PREMISES SHALL PERMIT, ON THE LICENSED PREMISES, ANY MUSIC, EXCEPT RADIO OR OTHER MECHANICAL DEVICE, ANY DANCING OR ENTERTAINMENT OF ANY SORT UNLESS THE LICENSEE SHALL HAVE FIRST OBTAINED FROM THE MUNICIPALITY IN WHICH THE LICENSED PREMISES ARE SITUATED A SPECIAL AMUSEMENT PERMIT SIGNED BY AT LEAST A MAJORITY OF THE MUNICPAL OFFICERS.

YOUR APPLICATION FOR A SPECIAL AMUSEMENT PERMIT SHOULD BE FILED ON THIS FORM WITH THE TOWN CLERK. PAYMENT OF A \$35 FEE IS REQUIRED AT THE TIME THE APPLICATION IS FILED. A COPY OF THE SPECIAL AMUSEMENT PERMIT ORDINANCE IS AVAILABLE UPON REQUEST FROM THE SOUTH BERWICK TOWN CLERK.

THE TOWN COUNCIL SHALL, PRIOR TO GRANTING A PERMIT, HOLD A PUBLIC HEARING WITHIN 30 DAYS OF THE DATE YOU FILE YOUR COMPLETED APPLICATION AT WHICH TIME TESTIMONY WILL BE RECEIVED FROM YOU OR YOUR DESIGNATED AGENT AND/OR ANY INTERESTED MEMBER OF THE PUBLIC. FAILURE TO ATTEND THE PUBLIC HEARING MAY RESULT IN A DELAY IN ISSUING THE PERMIT.

* * * * * *

Name of Applicant for Permit: <u>Roxanne</u> Poulin
Address of Applicant: 406 Main Street
Telephone # of Applicant: 603 498 6432
Name of Business to be Conducted: <u>Happy Valley</u> , Luc
Address of Business: 406 Main Street
Telephone # of Business: 207 420 8707
Nature of Business: beer + wine garden / nestaurant
•

Is Business a Corporation, Partnership or Proprietorship? (Circle One)

Type of Entertainment Planned: <u>live music</u>

Has Applicant ever had a license to conduct the Business described herein denied or revoked or has Applicant or any partner or corporate officer ever been convicted of a felony? $\gamma \circ$

If yes, please provide full details on reverse side of this Application.

Current Liquor License #: _____

Signature	voramen	onli	Date	7/20/2	3
-	- (° -)				



Town of South Berwick

180 MAIN STREET SOUTH BERWICK, MAINE 03908-1535 TEL 207 384 3300 FAX 207 384 3303

Cannabis Establishment License
Date License Issued: Date License Expires:
Name: Ron Fousck
Business or DBA Name: Easy Going Maine, UC
Physical Address: 297 Mayn Street

This license granted is subject to all local and state laws, ordinances and regulations that are all being met. The Town of South Berwick reserves the right to revoke this license if the standards are not being met in accordance to the Town of South Berwick Zoning Ordinance.

This license is not transferable and must be posted in a conspicuous place.

Town Council Chair

Town Seal

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: 7/25/2023	NB #3
Agenda Item: RFP	
Informational:	
A Final Downtown Revitalization Plan must be in downtown TIF can be established, or to be eligi grants funding for the project/s.	•
Town Manager's Recommendation:	
To allow the Town Manager to move forward wi Downtown Revitalization Plan, as budgeted for plan.	
Requested Action:	
To make a motion: To allow the Town Manager to move forward wi Downtown Revitalization Plan, per the budget fo plan.	
Vote	

South Berwick TIF Budget, Earmarks & Multi-Year Projections

FY24 through FY26

						- tin oug				_							
ACCT.	DESCRIPTION	FY23	FY24	FY2	′24	FY24	FY25		FY25		FY25		FY26		FY26		FY26
		Projected	Projected	Anticip	ipated	Projected	Projected	A	nticipated	F	Projected	F	Projected	A	nticipated	P	rojected
		Year End	Growth	Budget	t Needs	Year End	Growth	Bud	dget Needs	•	Year End		Growth	Bud	dget Needs	Y	ear End
		Balance				Balance			•		Balance				•	E	Balance
TIF #1	Punkintown TIF District	\$ 1,165,000	\$ 541,000	\$ 92	26,683	\$ 779,318	\$ 600,000	\$	912,500	\$	466,818	\$	675,000	\$	441,500	\$	700,318
TIF #2	Transit-Oriented TIF District	\$ -	\$ 66,000		47,500	\$ 18,500		\$	47,500		37,000	\$	66,000	\$	61,000	\$	42,000
τοται	TIF Districts	\$ 1,165,000	¢ 607.000	¢ 07	74,183	¢ 707 919	\$ 666,000	¢	960,000	¢	503,818	4	741,000	¢	502,500	ę	742,318
TUTAL	TIF DISTICTS	φ 1,105,000	\$ 607,000	\$ 91	14,103	\$ 191,010	\$ 000,000	φ	900,000	φ	505,010	φ	741,000	Φ	502,500	φ	142,310
						LINE ITEM BA	CKIID										
TIF #1	Punkintown																
••• "•		FY24 Propose	d Budaet														
		Economic and		Developm	nent Dep	artment		\$	183,020								
		Economic Deve	elopment Rela	ated / Pro	orated T	own Salaries		\$	153,663								
		Economic Deve	elopment Rela	ated / Ov	verhead,	Capital, Studie	s	\$	37,500								
		Earmark for Rt.	. 236 / Main S	Street Tra	affic Impr	ovements		\$	500,000								
		Legal Fees						\$	2,500								
		Downtown Rev	italization Pla	an				\$	25,000								
		Wayfinding / To	own-wide Sig	nage				\$	25,000								
																\$	926,683
		FY25 Anticipat														\$	3,088,942
		Economic and						\$	200,000								
		Economic Deve						\$	174,000								
		Economic Deve					s	\$	37,500								
		Earmark for Rt.	236 / Main S	Street Tra	affic Impr	ovements		\$	500,000								
		Legal Fees						\$	1,000							•	
																\$	912,500
		FY26 Anticipat	<u> </u>													\$	3,041,667
		Economic and			•			\$	220,000								
		Economic Deve						\$	183,000								
		Economic Deve	elopment Rela	ated / Ov	verhead,	Capital, Studie	s	\$	37,500								
		Legal Fees						\$	1,000								444 500

\$ 441,500 \$ 1,471,667

NOTE: The ultimate goal of a TIF District is to provide revenue to invest in projects, programs, municipal expenditures that are related to economic development, and to make our community a very attractive place for businesses and residents to live and work in.

TIF #2 Transit-Oriented

FY24 Proposed Budget		
Downtown Façade Improvement Grant Program	\$	30,000
Downtown Improvements	\$	15,000
Legal Fees	\$	2,500
FY25 Anticipated Budget Needs		
Downtown Façade Improvement Grant Program	\$	30,000
Downtown Improvements	\$	15,000
Legal Fees	\$	1,000
FY26 Anticipated Budget Needs		
Downtown Façade Improvement Grant Program	\$	45,000
Downtown Improvements	\$	15,000
Legal Fees	^	1,000

46,000 153,333 \$ \$ 61,000 203,333 \$ \$

47,500 158,333

\$ \$

Dept/Div	ACCOUNT	DESCRIPTION	FY23	FY24	Difference
510-5110	100-1010	Salaries & Wages			
		Salary Sharing	\$110,000	\$122,288	\$12,288
		Payroll Taxes	\$12,100	\$13,000	\$900
		Insurance/Retirement	\$49,000		
			\$171,100	\$186,288	\$15,188
		Benefits & Other Costs			
	200-2070	Training	\$1,000	\$1,000	\$0
	200-2071	Travel Allowance	\$5,000	\$5,000	\$C
	200-2072	Phones	\$0	\$900	\$900
	200-2073	Dues	\$500	\$1,305	\$805
	200-2090	Employee Expenses	\$1,000	\$500	-\$500
			\$7,500	\$8,705	\$1,205
		Contracted Services			
	300-3010	Contracted Services	\$3,000	\$2,160	-\$840
	300-3040	Printing	\$0	\$500	\$500
	300-3050	Advertising	\$0	\$1,000	\$1,000
			\$3,000	\$3,660	\$660
		Supplies & Other Expenses			
	600-6010	Supplies & Other Expenses	\$1,000	\$500	-\$500
	600-6220	Publications/Subscriptions	\$500	\$0	-\$500
	600-6250	Bank Fees	\$0	\$0	\$0
			\$1,500	\$500	-\$1,000
		Equipment & Assets			
	700-7120	Furniture & Fixtures	\$0	\$1,000	\$1,000
			\$0	\$1,000	\$1,000
		TOTAL Econ & Comm Dev Dept Budget	\$183,100	\$200,153	\$17,053

Qualified General Fund Expenditures rated Salaries	Pro- General Fund Cost	Pro-rated Amount Eligible	Net Shift to TIF
Town Manager	\$135,875	25%	\$33,969
Town Manager's Executive Assistant	\$48,837	10%	\$4,884
Assistant Town Manager / Finance Director	\$118,700	30%	\$35,610
Finance Assistant	\$39,680	10%	\$3,968
Planner	\$65,000	75%	\$48,750
Codes Officer / Planning	\$81,734	15%	\$12,260
Assessor (60% total salary for South Berwick)	\$60,000	15%	\$9,000
Assessing Assistant	\$34,813	15%	\$5,222
TOTAL PRO-RATED TOWN SALARIES	\$584,639	1070	\$153,663

Qualified General Fund Expenditures Overhead & Capital Options	General Fund Cost	Pro-rated Amount Eligible	Net Shift to TIF
Capital, Bond Payments, Infrastructure			
Firetruck - pro-rated Highway Equipment Roads / Bond / Improvements	\$95,000 \$130,000 \$272,000	12.5% 12.5% 0%	\$11,875 \$16,250 \$0
TOTAL CAPITAL			\$28,125
Plans, Studies, Supported Entities Comprehensive Plan	\$12,000	78%	\$9,375
TOTAL PLANS, STUDIES & SUPPORTED EN	TITIES		\$9,375
TOTAL OPTIONS			\$37,500

				-	Custon	n Budget Re	port			
	17/18	18/19	19/20	20/21	21/22	22/23	22/23	23/24	23/24	23/24
	Actual	Actual	Actual	Actual	Actual	BUDGET	12/31/2022	Request	Differend	e Comments
Dept/Div.: 510-5110 ECONOMIC DEVELO	PMENT						50%			
SALARIES & WAGES										
100-1010 SALARY					0	110,000	38,461	124,015	\$ 14,0	15 Salary
Salary Sharing										
Payroll Taxes						12,100		13,000	\$ 9	00
Insurance/Retirement						49,000		32,100	\$ (16,9	00)
	0	0	0	0	0	171,100	38,461	169,115		
BENEFITS & OTHER EE COSTS										
200-2070 TRAINING						1,000		1,000	\$-	
200-2071 TRAVEL ALLOWANCE						5,000		5,000	\$-	seminars, travel
200-2072 Phones								900	\$ 9	00 \$75/month phone stipend
200-2073 DUES						500		1,305	\$ 8	05 MEREDA \$300
200-2090 EMPLOYEE EXPENSES						1,000		500	\$ (5	00)
	0	0	0	0	0	7,500	0	8,705		
CONTRACTED SERVICES										
300-3010 CONTRACTED SERVICE						3,000	350	2,200	\$ (8	00) Adobe Pro \$260 per year - Consultants \$1750 - Zoom \$150
300-3040 PRINTING								500	\$ 5	00
300-3050 ADVERTISING								1,000	\$ 1,0	00
	0	0	0	0	0	3,000	350	3,700		
SUPPLIES & OTHER EXP										
600-6010 SUPPLIES						1,000	1,000	500	\$ (5	00)
600-6220 PUBLICATIONS/SUBSCRIPTIONS						500		0	\$ (5	(00
600-6250 BANK FEES									\$-	
	0	0	0	0	0	1,500	1,000	500		
EQUIPMENT & ASSETS										
700-7120 FURNITURE & FIXTURES								1,000	\$ 1,0	00 New Conference Table/Chairs
	0	0	0	0	0	0	0	1,000		
GRAND TOTAL	0	0	0	0	0	183,100	39,811	183,020	()	Decrease
										(80)
Draft										0.0%
Revision 13	Benefits \$44,800									
Salary Changes Operating Changes				(1,985)						
				1,905						

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: July 25, 2023	NB #4		
Agenda Item: ZBA resignation			
Informational:			
See attached email from James Mundy			
Town Manager's Recommendation:			
Requested Action:			
Council wishes			
Vote			

James Mundy 27 Paul Street South Berwick, ME 03908

July 14, 2023

VIA EMAIL

South Berwick Town Council

Dear Council Members:

Please treat this letter as notice of my resignation from the South Berwick Zoning Board of Appeals, effective immediately. It has been a pleasure to serve on the Board with members of our community and I appreciated the opportunity.

Sincerely, James Mundy