

TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

Board of Selectmen Agenda Village Fire Station – 32 North Street April 09, 2015 – 6 PM

1. Call to Order.
2. **6:00 pm** Executive Session pursuant to 1 M.R.S.A. Section 405, 6 (E) consultation between a body or agency and its attorney concerning the legal rights and duties of the body or agency.
3. Joint meeting with Budget Board for final budget recommendations for fiscal year 2016 budget.
 - a. Authorization of warrant articles
4. Approve the March 26, 2015, selectmen meeting minutes.
5. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.).
6. Consider a renewal liquor license application submitted by US Hotels New England LLC, US Hotels New England Management Corp, d.b.a. The Breakwater Spa, 127 Ocean Ave.
7. Authorization of Audit Contract.
8. Authorize QuitClaim Deed for property located at Map 25, Block 5, Lot 8B (Nassau Tower Realty).
9. Authorize land purchase contract for property located at Map 24, Block 2, Lot 7A.
10. Final vote of approval on ordinances for June Town Meeting Warrant Articles.
 - a. Amendment to the Land Use Ordinance concerning resident mixed use standard.
 - b. Amendment to the Land Use Ordinance concerning revised lot area definition.

- c. Amendment to the Land Use Ordinance concerning commercial ADA/accessibility issue.
 - d. Amendment to the Land Use Ordinance concerning SLZ Map revision Cape Porpoise Square
 - e. Amendment to the Land Use Ordinance concerning permitted use structures.
 - f. Amendment to the Land Use Ordinance concerning Land Use Ordinance errors.
 - g. Amendments to Dog Ordinance.
- 11. Accept RSU Maine PERS refund.
 - 12. Adopt the Goose Rocks Beach Parking Sticker Rules/Regulations.
 - 13. Accept \$150.00 donation from the United Way of York County to the Kennebunkport emergency fuel/food account.
 - 14. Other business.
 - a. Southern Maine Veteran's Memorial Cemetery Association.
 - 15. Approve the April 9, 2015, Treasurer's Warrant.
 - 16. Executive Session pursuant to 1 M.R.S.A. Section 405, 6 (A) regarding personnel.
 - 17. Adjournment

TOWN OF KENNEBUNKPORT

TOWN WARRANT ANNUAL TOWN MEETING June 9 and 13, 2014

State of Maine

County of York, SS

To: April Dufoe, a resident of the Town of Kennebunkport, in the County of York, State of Maine.

GREETINGS:

You are hereby required in the name of the State of Maine to notify and warn the voters of the Town of Kennebunkport in said County of the Town Meeting described in this warrant.

To the voters of Kennebunkport: You are hereby notified that the Annual Town Meeting of this municipality will be held at the Village Fire Station, 32 North Street in said Town on Tuesday, the ninth day of June A.D. 2015, at 8:00 o'clock in the forenoon for the purpose of acting on Articles numbered one (1) and one a (1a) and Questions 1 through 7 as set out below. The polls for voting on Articles 1 and 1a and Questions 1 through 7 shall be opened immediately after election of the Moderator at 8:00 a.m. on June 9, 2015, and shall close at 8:00 p.m. While the polls are open, the Registrar of Voters will hold office hours to accept the registration of any person eligible to vote, to accept new enrollments, and to make any necessary corrections or changes to any names or addresses on the voting list. The continuation of said meeting will be held at the auditorium of the Consolidated School building in said Town on Saturday, the thirteenth day of June A.D. 2015, at 9:00 o'clock in the forenoon for the purpose of acting on Articles numbered 2 through 59 as set out below.

ARTICLE 1. To choose a Moderator to preside at said meeting.

ARTICLE 1a. To elect under the provisions of Title 30-A, M.R.S.A. Section 2528, the following Town Officers: two Selectmen, Assessors, and Overseers of the Poor, each for a term of three years, one Director of R.S.U. #21, for a term of three years, one Trustee of Kennebunk, Kennebunkport and Wells Water District, for a term of three years and one At-Large Member of the Beach Advisory Committee, for a term of three years and to vote on the following referendum Questions 1 through 7:

QUESTION 1 AMENDMENT TO THE LAND USE ORDINANCE CONCERNING RESIDENTIAL MIXED USE STRUCTURES

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning Residential Mixed Use Structures" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will allow, within certain designated zones and with certain limitations, two principal uses – a residential use combined with a commercial use to be blended and located within a single principal building on a lot without requiring a doubling of the minimum lot size.]

QUESTION 2
AMENDMENT TO THE LAND USE ORDINANCE CONCERNING
THE DEFINITION OF LOT AREA

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning the Definition of Lot Area" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will revise the definition of lot area used when calculating allowable lot coverage by excluding beach areas in that calculation.]

QUESTION 3
AMENDMENT TO THE LAND USE ORDINANCE CONCERNING PERFORMANCE
STANDARDS OF HOTELS, MOTELS, BED & BREAKFASTS AND INNS

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning Performance Standards of Hotels, Motels, Bed & Breakfasts and Inns" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will allow existing non-conforming Hotels, Motels, Bed & Breakfasts and Inns to construct ADA and Life Safety compliant stairwells and elevator shafts without the need for a variance.]

QUESTION 4
AMENDMENT TO THE LAND USE ORDINANCE CONCERNING
THE OFFICIAL SHORELAND ZONING MAP

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning the Official Shoreland Zoning Map" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will revise an existing stream buffer in Cape Porpoise Square to reflect the actual stream boundaries.]

QUESTION 5
AMENDMENT TO THE LAND USE ORDINANCE CONCERNING
CERTAIN PERMITTED USE STRUCTURES

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning Certain Permitted Use Structures" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will remove Planning Board Site Plan review requirements for permitted structures associated with agriculture, farm stands or storage and repair of fishing equipment.]

QUESTION 6
AMENDMENT TO THE LAND USE ORDINANCE CONCERNING
ERRORS AND OMISSIONS

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning Certain Typographical Errors and Omissions" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will correct certain typographical errors and omissions from past warrant articles.]

QUESTION 7
AMENDMENT TO THE DOG ORDINANCE

Shall an ordinance entitled "June, 2015 Amendment to the Dog Ordinance" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will repeal and replace the Dog Ordinance adopted June 9, 1976.]

Article 2: To see if the Town will vote to authorize the Town Treasurer, with the advice and approval of the Municipal Officers on behalf of the Town to sell and dispose of Real Estate acquired by the Town for nonpayment of taxes thereon, and to execute quitclaim deeds on such terms as they deem advisable, and to authorize the Treasurer to discharge unmatured liens on payment of taxes, interest and costs. All Real Estate to be sold by the Town for nonpayment of taxes to persons who were not the former owners thereof must be properly identified and advertised for sealed bids at least twice in any local newspaper, namely the Portland Press Herald, Biddeford Journal Tribune, or the York County Coast Star, the first advertisement to be not more than thirty days before the deadline for submitting bids and the last not less than fifteen days before said deadline. Former owners of Real Estate, as described above, shall be given first refusal to buy the property provided all back taxes, interest and lien costs have been paid. Notification of sale and request for sealed bids shall be publicly posted fifteen days prior to said deadline in three places within the Town, namely, the Town Office, the area known as the "Cape Square", and Goose Rocks Beach Fire Station. Opening of sealed bids shall be open to the public and held within fifteen days after the deadline for submitting bids. The date, time, and place of opening the bids must be included in the newspaper advertisements.

Selectmen recommend adoption of this article – Voted .

Article 3: To see if the Town will vote to authorize the Town Treasurer, with the advice and approval of the Municipal Officers on behalf of the Town, to waive the foreclosure of any tax lien mortgage by recording a waiver of foreclosure in the York County Registry of Deeds for any real estate title to which they deem not in the best financial interest of the Town to hold, said authorization to waive not to prevent the Town Treasurer, with the advice and approval of the Municipal Officers, from later foreclosing on said tax lien pursuant to law, as they deem advisable.

Selectmen recommend adoption of this article – Voted .

Article 4: To see if the Town will vote to make all real and personal property taxes due and payable upon presentment of bills and to charge seven percent (7.00%) per annum on the first half if unpaid after September 10, 2015 (or 45 days after the date of commitment if commitment is after July 23, 2015) and on the second half if unpaid after March 10, 2016.

Selectmen recommend adoption of this article – Voted .

Article 5: To see if the Town will vote to set the interest rate to be paid by the town on abated taxes at five percent (5.00%) for the fiscal year 2016.

Selectmen recommend adoption of this article – Voted .

Article 6: To see if the Town will vote to authorize the Selectmen to accept easement deeds on behalf of the Town granting the Town the right to plant and maintain certain trees on private property located within the Town.

Selectmen recommend adoption of this article – Voted .

Article 7: To see if the Town will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. § 506.

Selectmen recommend adoption of this article – Voted .

Article 8: To see if the Town will vote to authorize the Selectmen to accept unconditional and conditional gifts of money or property on behalf of the Town, other than gifts of sewer extensions, subject to ratification by the Town at an annual or special town meeting held within one year of the Selectmen's acceptance, except that such ratification shall not be required for a donation of money to the Town to supplement a specific appropriation already made, to reduce the tax assessment, or to reduce the permanent debt.

Selectmen recommend adoption of this article – Voted .

Article 9: To see if the Town will vote to authorize the transfer of unencumbered surplus fund balance on June 30, 2015, for the Administration account, such unencumbered surplus fund balance to be estimated at \$10,000, but not to exceed the actual unencumbered balance for said purposes existing as of June 30, 2015.

Selectmen recommend adoption of this article – Voted .

Budget Board recommends adoption of this article – Voted .

Article 10: To see if the Town will vote to authorize the transfer of unencumbered surplus fund balance on June 30, 2015, for the Administration capital expense account, such unencumbered surplus fund balance to be estimated at \$14,900, but not to exceed the actual unencumbered balance for said purposes existing as of June 30, 2015.

Selectmen recommend adoption of this article – Voted .

Budget Board recommends adoption of this article – Voted .

Article 11: To see if the Town will vote to authorize the transfer of unencumbered surplus fund balance on June 30, 2015, for the Legal Fees account, such unencumbered surplus fund balance to be estimated at \$75,000, but not to exceed the actual unencumbered balance for said purposes existing as of June 30, 2015.

Selectmen recommend adoption of this article – Voted .

Budget Board recommends adoption of this article – Voted .

Article 12: To see if the Town will vote to authorize the transfer of unencumbered surplus fund balance on June 30, 2015, for the Government Wharf dredging project, such unencumbered surplus fund balance to be estimated at \$200,000, but not to exceed the actual unencumbered balance for said purposes existing as of June 30, 2015.

Selectmen recommend adoption of this article – Voted .

Budget Board recommends adoption of this article – Voted .

Article 13: To see what sum the Town will vote to raise and appropriate for the Administration account.

Amount requested: \$816,653

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 14: To see what sum the Town will vote to raise and appropriate for the Administration capital expense account.

Amount requested: \$42,500

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 15: To see what sum the Town will vote to raise and appropriate for the Planning and Development account.

Amount requested: \$330,993

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 16: To see what sum the Town will vote to raise and appropriate for the Zoning Board of Appeals account.

Amount requested: \$530

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 17: To see what sum the Town will vote to raise and appropriate for the Conservation Commission account.

Amount requested: \$1,200

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 18: To see what sum the Town will vote to raise and appropriate for the Growth Planning account.

Amount requested: \$3,450

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 19: To see what sum the Town will vote to raise and appropriate for the Insurance account.

Amount requested: \$129,908

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 20: To see what sum the Town will vote to raise and appropriate for the Community Development account.

Amount requested: \$26,542

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 21: To see what sum the Town will vote to raise and appropriate for the Police Department account.

Amount requested: \$1,386,253

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 22: To see what sum the Town will vote to raise and appropriate for the Police Department capital expense account.

Amount requested: \$29,500

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 23: To see what sum the Town will vote to raise and appropriate for the Communications Department account.

Amount requested: \$421,672

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 24: To see what sum the Town will vote to raise and appropriate for the Communications Department capital reserve account.

Amount requested: \$100,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 25: Do you favor authorizing the Board of Selectmen to issue general obligation bonds or notes in the name of the Town of Kennebunkport in a principal amount not to exceed \$400,000 for a term not to exceed 10 years, which bonds or notes may be made callable, and to use the proceeds of said bonds or notes to pay for costs of an addition and renovations to the Police Department and Communications building?

Selectmen recommend the adoption of this article – Voted .

Budget Board recommends the adoption of this article – Voted .

TOWN OF KENNEBUNKPORT FINANCIAL STATEMENT

1. Total Town Indebtedness

Bonds Outstanding and Unpaid	\$ 1,100,001.00
Bonds Authorized but Unissued	\$ 0.00
Bonds to be Issued if this Article is Approved	\$ 400,000.00
Total:	\$ 1,500,001.00

2. Estimated Costs of Proposed Bonds

At an estimated interest rate of two and a half percent (2.5%), for a 10-year term, the estimated costs of this bond issue will be:

Principal	\$400,000.00
Interest	\$ 44,470.00
Total Principal & Interest to be Paid at Maturity	\$ 444,470.00

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above Estimated Costs of Proposed Bonds. If the actual amount of the total debt service for 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.

Jennifer L. Lord, Treasurer
Town of Kennebunkport

Article 26: To see what sum the Town will vote to raise and appropriate for the Fire Services account.

Amount requested: \$378,495

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 27: To see what sum the Town will vote to raise and appropriate for the Fire Services capital expense and reserve account.

Amount requested: \$180,500

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 28: To see what sum the Town will vote to raise and appropriate for the Kennebunkport Emergency Medical Services account.

Amount requested: \$108,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 29: To see what sum the Town will vote to raise and appropriate for the Emergency Management account.

Amount requested: \$750

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 30: To see what sum the Town will vote to raise and appropriate for the Animal Control account.

Amount requested: \$14,201

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 31: To see what sum the Town will vote to raise and appropriate for the Harbor Master account.

Amount requested: \$20,772

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 32: To see what sum the Town will vote to raise and appropriate for the Piers, Rivers and Harbors reserve account.

Amount requested: \$100,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 33: To see what sum the Town will vote to raise and appropriate for the Solid Waste account.

Amount requested: \$452,169

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 34: To see what sum the Town will vote to raise and appropriate for the Health Department account.

Amount requested: \$172,246

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 35: To see what sum the Town will vote to raise and appropriate for the Welfare account.

Amount requested: \$3,200

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 36: To see what sum the Town will vote to raise and appropriate for the Social Service Agency account.

Amount requested: \$25,700

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 37: To see what sum the Town will vote to raise and appropriate for the Shellfish Conservation account.

Amount requested: \$4,305

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 38: To see what sum the Town will vote to raise and appropriate for the Public Restrooms account.

Amount requested: \$32,500

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 39: To see what sum the Town will vote to raise and appropriate for the Public Works Department account.

Amount requested: \$746,647

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 40: To see what sum the Town will vote to raise and appropriate for the Public Works Department capital expense and reserve account.

Amount requested: \$144,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 41: To see what sum the Town will vote to raise and appropriate for the Road Improvement capital expense and reserve account.

Amount requested: \$640,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 42: To see what sum the Town will vote to raise and appropriate for the Sidewalk Improvement capital expense and reserve account.

Amount requested: \$75,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 43: To see what sum the Town will vote to raise and appropriate for the Mechanic account.

Amount requested: \$105,876

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 44: To see what sum the Town will vote to raise and appropriate for the Utilities account.

Amount requested: \$172,150

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 45: To see what sum the Town will vote to raise and appropriate for the Conservation Shade Tree account.

Amount requested: \$33,788

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 46: To see what sum the Town will vote to raise and appropriate for the Cemetery account.

Amount requested: \$14,140

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 47: To see what sum the Town will vote to raise and appropriate for the Recreation Department account.

Amount requested: \$335,853

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 48: To see what sum the Town will vote to raise and appropriate for the Recreation Department capital expense and reserve account.

Amount requested: \$25,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 49: To see what sum the Town will vote to raise and appropriate for the Louis T. Graves Memorial Public Library account.

Amount requested: \$117,500

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted .

Article 50: To see what sum the Town will vote to raise and appropriate for the Cape Porpoise Community Library account.

Amount requested: \$12,675

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 51: To see what sum the Town will vote to raise and appropriate for the Parson's Way account.

Amount requested: \$3,500

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 52: To see what sum the Town will vote to raise and appropriate for the Local Circuit Breaker expense and reserve account.

Amount requested: \$20,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 53: To see what sum the Town will vote to raise and appropriate for the Contingency expense and reserve account for unanticipated expenses of the Town's operation.

Amount requested: \$144,742

Selectmen recommend the amount requested – Voted 3-0-1.

Budget Board recommends the amount requested – Voted 9-0.

Article 54: To see what sum the Town will vote to raise and appropriate for the Miscellaneous Agencies account.

Amount requested: \$8,281

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted .

Article 55: To see what sum the Town will vote to raise and appropriate for the payment of Bonds, Notes and Interest.

Amount requested: \$308,412

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 56: To see what sum the Town will vote to raise and appropriate for the Legal Fees account.

Amount requested: \$138,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 57: To see what sum the Town will vote to raise and appropriate for the Goose Rocks Beach Advisory Reserve account and to authorize the Selectmen to disburse such funds as they deem necessary on behalf of the Town.

Amount requested: \$35,000

Selectmen recommend the amount requested – Voted 4-0.

Budget Board recommends the amount requested – Voted 9-0.

Article 58: To see if the Town will vote to appropriate the sum of \$2,155,820 from estimated non-property tax revenues to reduce the property tax commitment, together with all categories of funds, which may be available from the federal government, and to also use \$300,000 from undesignated fund balance to reduce the property tax commitment.

Selectmen recommend adoption of the article – Voted .

Budget Board recommends adoption of the article – Voted .

Article 59: Shall the Town vote to authorize the Selectmen to apply for, accept and expend from the following categories of funds as provided by the State of Maine: Municipal Revenue Sharing, Educational Certification Block Grant, Educational Tax Relief Grant, Public Library State Aid, Urban Rural Road Initiative Program, Civil Emergency Funds, Snowmobile Registration Funds, Tree Growth Reimbursement, General Assistance Reimbursement, Veterans Exemption Reimbursement, Department of Economic & Community Development Grant Program, Maine Emergency Management Agency, Homestead Exemption Reimbursement, and all other state and federal grants and funds including, when necessary, the authority to sign grant contracts, documents or other paperwork?

Selectmen recommend adoption of the article – Voted .

Budget Board recommends adoption of the article – Voted .

HEREOF FAIL NOT TO MAKE DUE SERVICE of this Warrant and a return of your doing thereon,
at a time and place of said meeting.

GIVEN UNDER OUR HANDS this 23rd day of April, 2015, Kennebunkport, Maine.

Edward W. Hutchins, II

Stuart E. Barwise

Allen A. Daggett

Sheila W. Matthews-Bull

Patrick A. Briggs

A majority of the Selectmen of the Town of Kennebunkport, Maine

A true copy of the warrant attest:

April Dufoe, Town Clerk

**Town of Kennebunkport
Selectmen/Budget Board Meeting
March 26, 2015
6 p.m. – Village Fire Station – 32 North Street**

Minutes of the Selectmen's Meeting of March 26, 2015

Selectmen attending: Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Ed Hutchins

Selectman absent: Sheila Mathews-Bull

Others: Judy Barrett, Barbara Barwise, Michael Claus, Carol Cook, Michael Davis, Richard Driver, April Dufoe, Werner Gilliam, David James, Jen Lord, Allan Moir, Chris Perry, Craig Sanford, Roger Seavey, Laurie Smith and others

1. Call to Order.

Chair Daggett called the meeting to order at 6:10 PM.

2. Continue to review fiscal year 2016 budgets and take all recommendation votes.

The Board of Selectmen reviewed the budget requests and made recommendations.

Motion by	Seconded by				
Selectmen	Selectman	to approve	for the		Vote:
Hutchins	Barwise	816,653.00	Administration	account	4-0
Hutchins	Barwise	530.00	Zoning Board of Appeals	account	4-0
Hutchins	Barwise	1,200.00	Conservation Commission	account	4-0
Hutchins	Barwise	3,450.00	Growth Planning	account	4-0
Barwise	Hutchins	138,000.00	Legal fees	account	4-0
Barwise	Hutchins	129,908.00	Insurance	account	4-0
Barwise	Hutchins	26,542.00	Community Development	account	4-0
Barwise	Hutchins	330,993.00	Planning & Development	account	4-0
Barwise	Hutchins	1,386,253.00	Police dept	account	4-0
Hutchins	Barwise	421,672.00	Communications	account	4-0
Barwise	Hutchins	378,495.00	Fire dept	account	4-0
Barwise	Hutchins	108,000.00	KEMS	account	4-0
Barwise	Hutchins	750.00	Emergency Management	account	4-0
Barwise	Hutchins	14,201.00	Animal Control	account	4-0

Selectmen's Meeting**- 2 -****March 26, 2015**

Barwise	Hutchins	20,772.00	Harbor Master	account	4-0
Barwise	Hutchins	452,169.00	Solid Waste	account	4-0
Barwise	Hutchins	172,246.00	Health	account	4-0
Barwise	Hutchins	3,200.00	Welfare	account	4-0
Barwise	Hutchins	25,700.00	Social Services	account per Budget Board's recommendations to increase Church Outreach by \$250 for a total of \$2500	4-0
					4-0
Barwise	Hutchins	4,305.00	Shellfish Conservation	account	4-0
Barwise	Hutchins	32,500.00	Public Restrooms	account	4-0
Barwise	Hutchins	746,647.00	Highway dept	account	4-0
Hutchins	Barwise	105,876.00	Mechanic	account	4-0
Hutchins	Barwise	172,150.00	Utilities	account	4-0
Hutchins	Barwise	33,788.00	Conservation Shade Tree	account	4-0
Hutchins	Barwise	14,140.00	Cemetery	account	4-0
Hutchins	Barwise	335,853.00	Recreation	account	4-0
Hutchins	Briggs	117,500.00	Graves Library	account	4-0
Hutchins	Barwise	12,675.00	Cape Porpoise Library	account	4-0
Barwise	Hutchins	3,500.00	Parsons Way	account	4-0
Barwise	Hutchins	35,000.00	GRB Advisory Reserve	account	4-0
Hutchins	Barwise	20,000.00	Local Circuit Breaker	account	4-0
Barwise	Hutchins	8,281.00	Miscellaneous Agencies	account	4-0
Barwise	Hutchins	42,500.00	CO - Administration	account	4-0
Hutchins	Barwise	29,500.00	CO - Police	account	4-0
Hutchins	Barwise	100,000.00	CO - Communications	account	4-0
Barwise	Hutchins	180,500.00	CO - Fire	account	4-0
Barwise	Hutchins	144,000.00	CO - Highway	account	4-0
Barwise	Hutchins	640,000.00	CO - Road Improvement	account	4-0
Barwise	Hutchins	75,000.00	CO - Sidewalk construction	account	4-0
Hutchins	Barwise	25,000.00	CO - Recreation	account	4-0
Hutchins	Barwise	100,000.00	CO - "Piers	account	4-0
Barwise	Hutchins	308,412.00	Debt Service	account	4-0

There was discussion regarding the contingency account. Werner Gilliam, director of planning and development, said \$12,000 was spent for Ranson Environmental to review the FEMA flood maps and make sure the FEMA statistics were correct. An analysis was done, and they were not able to defend the decrease in elevation. He is waiting for a scientific resolution process and the outcome of FEMA's reaction to a study performed in Plymouth, Massachusetts. He said another potential study at Goose Rocks could cost \$28,000. He expects a report from Plymouth in a month and a half.

Selectmen Hutchins opposed spending more money for a Goose Rocks study.

Town Manager Laurie Smith said the Board has two options: to either add money to contingency now or move forward. If the second option is selected and more money is needed, they would need to have a special town meeting to add it to contingency.

Motion by Selectman Barwise, seconded by Selectman Briggs, to add \$30,000 to the contingency account for a total of \$144,742. **Vote:** 3-0-1/Selectman Hutchins abstained.

The Board took a short break from 6:35 PM to 6:40 PM.

3. Approve the March 12, and 19, 2015, selectmen meeting minutes.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the March 12, 2015, meeting minutes. **Vote:** 4-0.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the March 19, 2015, meeting minutes. **Vote:** 4-0.

4. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.).

There were no comments.

5. Consider a renewal liquor license application submitted by Robert and Stephanie Fischer, d.b.a. Mabels Inc., 124 Ocean Avenue.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the renewal liquor license application submitted by Robert and Stephanie Fischer, d.b.a. Mabels Inc., 124 Ocean Avenue. **Vote:** 4-0.

6. Consider a renewal application for a liquor license submitted by the Seaside Hotel Association, L.T.D., d.b.a. Nonantum Resort, 95 Ocean Avenue.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the liquor license submitted by the Seaside Hotel Association, L.T.D., d.b.a. Nonantum Resort, 95 Ocean Avenue. **Vote:** 4-0.

7. Consider a renewal application for a special amusement permit submitted by the Tina Hewett-Gordon, Seaside Hotel Association, L.T.D., d.b.a. Nonantum Resort, 95 Ocean Avenue.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve

the renewal application for a special amusement permit submitted by the Tina Hewett-Gordon, Seaside Hotel Association, L.T.D., d.b.a. Nonantum Resort, 95 Ocean Avenue. **Vote:** 4-0.

Selectman Briggs added that all of these locations were inspected by the police, code and fire departments.

8. Consider the following proposed Warrant Articles for the June 9, 2015, Town Meeting Warrant.

a. Proposed amendment to the Land Use Ordinance concerning resident mixed use standard.

Mr. Gilliam said there were no changes to this ordinance since the last meeting.

b. Proposed amendment to the Land Use Ordinance concerning revised lot area definition.

Mr. Gilliam said there were no changes to this ordinance since the last meeting.

c. Proposed amendment to the Land Use Ordinance concerning commercial ADA/accessibility issue.

Mr. Gilliam said there were no changes to this ordinance since the last meeting.

d. Proposed amendment to the Land Use Ordinance concerning SLZ Map revision Cape Porpoise Square

Mr. Gilliam said there were no changes to this ordinance since the last meeting.

e. Proposed amendment to the Land Use Ordinance concerning Permitted use structures.

Mr. Gilliam said there were no changes to this ordinance since the last meeting.

f. Proposed amendment to the Land Use Ordinance concerning Land Use Ordinance errors.

Mr. Gilliam said there were no changes to this ordinance since the last meeting.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to move

forward with all of the Land Use Ordinances for June Town Meeting. **Vote:** 4-0.

g. Proposed amendments to Dog Ordinance.

Barbara Barwise mentioned that Richard Driver wanted the proposed Dog Ordinance to specify dogs must be on leash on public and private roads since some driveways are private roads.

Ms. Smith said she thinks using road works.

Police Chief Craig Sanford added he would assume that if a police officer saw a dirt road with only one house, he would know it is a driveway.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to move forward with the proposed Dog Ordinance for June Town Meeting. **Vote:** 4-0.

9. Consider recommendation from Administrative Code Committee that the ZBA be changed to five members and two alternates, and add a quorum requirement for Planning Board and ZBA.

Ms. Smith said that when she started employment here last year, a proposal was on the table to combine the Zoning Board of Appeals (ZBA) and the Board of Assessment Review because the membership was low and recruiting members is difficult, and they meet infrequently. This issue was sent to the Administrative Code. The Administrative Code Committee decided against combining the two Boards because they handle unrelated matters under different statutes and ordinances.

After reviewing the proposal, the Committee concluded that a change in the composition of the ZBA was warranted. It recommended changing the composition of the ZBA to five members and two alternates, with four members constituting a quorum; and that four members shall also constitute a quorum of the Planning Board.

The Selectmen did not wish to make the changes recommended by the Administrative Code Committee.

10. Appoint Town Officers.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to appoint the following Town Officers:

Animal Control Officer
Assessor's Agent
Code Enforcement Officer
Asst. Code Enforcement Officer
Plumbing Inspector

David R. Conway
Donna Moore Hays, CMA
Werner D. Gilliam
Wayne B. Mathews
Werner Gilliam

Plumbing Inspector	Wayne B. Mathews
Constable	April Dufoe
Emergency Management Director	James E. Burrows
Fire Inspector	Allan K. Moir
Harbor Master-Cape Porpoise	Lee F. McCurdy
Harbor Master-Kennebunk River	Ray Billings
Health Officer	Judith A. Barrett
Public Access Officer	April Dufoe
Registrar of Voters	April Dufoe
Road Commissioner	Michael W. Claus
Shellfish Warden	Terry W. Baron
Street Naming & Numbering Delegate	James E. Burrows
Tax Collector	Laurie A. Smith
Town Clerk	April Dufoe
Town Forester	Patrick A. Briggs
Treasurer	Jennifer L. Lord
Tree Warden	Karen A. Schlegel

Vote: 4-0.

11. Set the 2015 fees for Goose Rocks Beach parking stickers.

Current fees are:

Resident seasonal	\$5.00
Nonresident daily	\$12.00
Nonresident weekly	\$50.00
Nonresident seasonal	\$100.00

Motion by Selectmen Hutchins, seconded by Selectman Barwise, to only change the 2015 Goose Rocks Beach nonresident, daily, parking sticker fee to \$15.00 and to keep the rest of the fees as they are. **Vote:** 4-0.

12. Meet as Assessors to consider the following abatement requests:

Property Owner	Location	Map	Blk	Lot(s)	Tax Abatements 2015
CKM Realty Trust	272 Mills RD	37	2	2/2B	Denied
CKM Realty Trust	272 Mills RD	37	2	2/C9	Denied
CKM Realty Trust	272 Mills RD	37	2	2/1D	Denied

Motion by Selectman Barwise, seconded by Selectman Hutchins, to deny the abatement requests made by CKM Realty Trust for properties located at Map 37, block 2, and lots 2/2B, 2/C9, and 2/1D. **Vote:** 4-0.

13. Consideration of Maintenance Cleaning Contract

Ms. Smith said she has met with a local cleaning company and received a

proposal that is similar in price to the current contract the Town has with Capital Cleaners:

Building	John's Maintenance Cleaning Annual Fee	Capital Contractors Annual Fee
Dock Square Restrooms	\$13,864	\$12,792
Town Hall	\$ 8,320	\$10,785
Village Fire Station	\$ 1,920	\$ 890

The difference in the fees for the Village Fire Station are due to the quality of cleaning and frequency. She negotiated costs for a thorough semiannual cleaning of \$300 for Town Hall and \$350 for the Village Fire Station. There will also be a cost of \$500 for Town Hall floors and \$600 for floors for Village Fire Station, and \$150 for windows.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to authorize the Town Manager to hire John's Maintenance & Cleaning Service, LLC. **Vote:** 4-0.

14. Other business.

Richard Driver said he was concerned with the definition of roads in the Land Use Ordinances. He was not present when the Board addressed the Dog Ordinance proposal earlier in the meeting. He recommended adding a definition of road, because he felt that road does not include driveways. He wanted the Dog Ordinance to state that dogs should be leashed on "roads including private roads that service more than two residents."

The Selectmen agreed that this definition should be changed in the Land Use Ordinance and not the Dog Ordinance.

Ms. Smith reminded everyone of the April 20 deadline for the State of Maine Property Tax and Fairness Credit Program.

15. Approve the March 26, 2015, Treasurer's Warrant.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the March 26, 2015, Treasurer's Warrant. **Vote:** 4-0.

16. Executive session pursuant to 1MRSA §405 6 (c) regarding the disposition of town property.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to go into executive session pursuant to 1MRSA §405 6 (c) regarding the disposition of town property. **Vote:** 4-0.

The Board went into executive session at 7:19 PM and came out of executive

session at 7:43 PM. No action was taken.

17. Adjournment

Motion by Selectman Barwise, seconded by Selectman Hutchins, to adjourn.

Vote: 4-0.

The meeting was adjourned at 7:43 PM.

Submitted by Arlene McMurray
Administrative Assistant

Breakwater Spa

(6)

This application has been reviewed and approved by the following Municipal Officials,
whose signatures are on file with the Town Clerk:

✓

Police Chief

✓

Fire Inspector

✓

Code Enforcement Officer

April Dufae, Town Clerk

MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS

KNOW ALL BY THESE PRESENTS THAT the Inhabitants of the Town of Kennebunkport, a body corporate and politic located in York County, State of Maine, for consideration paid, release to Nassau Tower Realty LLC, a certain parcel of land with buildings thereon, if any, located in the Town of Kennebunkport, York County, State of Maine, identified as follows:

Map Lot 025-005-008B, on the Town Assessors' maps for Kennebunkport, which are on file at the municipal office, being the same premises described in Town of Kennebunkport liens dated July 9, 2013 and July 11, 2014, recorded in the York County Registry of Deeds in Book 16643 Page 251 and Book 16851, Page 908, respectively.

The Inhabitants of the Town of Kennebunkport have caused this instrument to be signed in its corporate name by Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Edward W. Hutchins II and Sheila W. Matthews-Bull, its Municipal Officers duly authorized.

Witness our hands and seals this 9th day of April, 2015.

Inhabitants of the Town of Kennebunkport

Witness

Witness

Witness

Witness

Witness

ACKNOWLEDGEMENT

State of Maine
York, County, ss.

April 9, 2015

Then personally appeared before me the above-named Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Edward W. Hutchins II and Sheila W. Matthews-Bull Municipal Officers of the Town of Kennebunkport, and acknowledged the foregoing to be their free act and deed in their said capacity and the free act and deed of the Inhabitants of said Municipality.

Before me,

9

TOWN OF KENNEBUNKPORT
LAND PURCHASE INSTALLMENT CONTRACT
(33 M.R.S.A. ss 481 et seq.)

NOTICE TO PURCHASER – This is a legally binding contract. If you do not understand it, seek legal advice before signing it.

THIS LAND PURCHASE INSTALLMENT CONTRACT (hereinafter "the Contract") is entered into by and between the Town of Kennebunkport (VENDOR), whose post office address is PO Box 566 Kennebunkport, ME and Lisa Tito (PURCHASER), whose post office address is 225 Beachwood Ave, Kennebunkport, ME. For mutual consideration, receipt of which each party hereby acknowledges, VENDOR and PURCHASER agree as follows:

1. **Date; Parties; Property.** That on this 27th day of March, 2015 VENDOR agrees to sell and PURCHASER agrees to buy the following described real estate:

Certain property described as Map/Lot 024-002-007A on the Town Assessors' maps for Kennebunkport, which are on file at the municipal office, being the same premises described in a Town of Kennebunkport tax lien dated July 9, 2013 and recorded in the York County Registry of Deeds in Book 16643, Page 264, which lien foreclosed on January 9, 2015 (hereinafter referred to as the "Property") and whose post office address is 225 Beachwood Ave.

2. **Price and Terms.** The TOTAL PRICE for purchase of the Property is \$13,095.53 which will be paid as follows: a down payment of \$300.00 paid upon the signing of this Contract, the receipt of which is hereby acknowledged, and the BALANCE of \$12,795.53 due in 42 monthly installments of \$300.00 each and a final installment of \$195.53. A payment is due and payable on the 27th day of each month after this Contract is signed. There are no service charges or fees separate from the total sales price except as specified in Section 10 and Section 12 below. No interest shall accrue on the current balance, but will accrue in accordance to Section 10.
3. **Deed.** VENDOR will convey the Property by **MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS**, and VENDOR conveys the Property "as is" and makes no warranties or representations whatsoever about the Property.
4. **Encumbrances.** VENDOR is aware of no encumbrances against the Property except:

5. **Evidence of Title.** VENDOR will provide PURCHASER with evidence of Title by a copy of the above-referenced municipal tax lien at the time of execution of this Contract, receipt of which copy is hereby acknowledged by PURCHASER.

6. **Risk of Loss; Liability.** From the date of this Contract forward, PURCHASER assumes all risk of loss or damage to the Property by fire or otherwise and all liability for personal injury, death or property damage relating to or arising out of PURCHASER'S control, use or occupancy of the Property. The purchase of casualty or liability insurance is PURCHASER'S sole responsibility, and the VENDOR will not procure or maintain such insurance for PURCHASER or otherwise indemnify PURCHASER against such loss, damage or liability. Throughout the term of this Contract, PURCHASER shall maintain in effect a homeowner's insurance policy covering the Property with building coverage in an amount at least equal to the current value of the improvements located upon the Property or the Total Price due under this Contract, whichever is greater. Upon request of the VENDOR, the PURCHASER shall provide VENDOR with written proof of the existence of such an insurance policy prior to the execution of the Contract, and this policy shall list the VENDOR as a "loss payee" who shall be entitled to at least 21 days' prior written notice of cancellation, termination or material modification of such policy.
7. **Title Retained by Vendor.** This Contract is not a mortgage, and PURCHASER does not obtain title to the property until the Total Price and any assessments or fees (see Section 10 and Section 12) are paid in full.
8. **Default and Cure.** PURCHASER shall be in default of this Contract if PURCHASER is more than 15 days late in making any payment. VENDOR shall notify PURCHASER in writing of any default; such notice shall be sent certified mail, return receipt requested. If said notice is refused or undeliverable, it shall be sent by ordinary mail. Notice is deemed given on the date PURCHASER signs the certified mail receipt, or in case of ordinary mail, when the notice was sent. PURCHASER may cure such default by paying all overdue payments within 30 days after notice is given. If the default is not cured with 30 days after notice is given, VENDOR may declare this Contract terminated and may retain all payments made, and PURCHASER shall have no claim to any refund, credit, allowance or otherwise against VENDOR. Within 7 days of declaring the Contract terminated, VENDOR shall give notice to PURCHASER by ordinary mail of such termination.
9. **Credit.** If VENDOR defaults on any mortgage on the property, PURCHASER may pay on the mortgage and receive credit for such payments on this Contract.
10. **Taxes, Assessments, and Other Charges.** PURCHASER is responsible for paying all taxes, assessments, liens and other charges, including interest thereon, made against the property from the date of this Contract, and these shall be paid in full in addition to the "Total Price" (see Section 2 above) before a quitclaim deed is delivered to PURCHASER from VENDOR. In the event that any liens attributable to PURCHASER are recorded against the property during the term of this Contract, PURCHASER shall satisfy such liens in full before a quitclaim deed is delivered to PURCHASER from VENDOR. Failure to satisfy such liens by the time that the final installment payment is due shall be considered a default.
11. **Prepayment.** PURCHASER has the right to accelerate or prepay any and all installments without penalty.
12. **Recording fees.** Within 20 days after this Contract is signed, VENDOR shall record it in the York County Registry of Deeds. PURCHASER shall pay the VENDOR the recording costs upon execution of this Contract.

- 13. Effect of waiver; Severability; Integration.** The waiver by VENDOR by any term or condition of this Contract shall not be deemed a waiver of other terms or conditions, nor will it be deemed a continuing waiver of the same condition for the remainder of the Contract. In the event that any term or condition of this Contract is determined by a Court to be unenforceable, the remaining terms and conditions shall continue in full force and effect. There are no promises, oral understandings or agreements of any kind pertaining to this Contract other than as specified herein, and this Contract represents the entire agreement between the parties.
- 14. Change of Address.** In the event that PURCHASER'S post office address specified above changes during the term of this Contract, PURCHASER shall within 15 days of such change notify VENDOR in writing of PURCHASER'S new post office address. If PURCHASER fails to notify VENDOR of such change, notice given by VENDOR to PURCHASER at the above address shall be considered sufficient and legal.

Witness:

VENDOR

Allan A. Daggett

Stuart E. Barwise

Sheila W. Matthews-Bull

Patrick A. Briggs

Edward W. Hutchins II

Dated: _____

PURCHASER

By placing my signature below, I agree to be legally bound to the foregoing terms and conditions and I also hereby acknowledge receipt of a copy of this Land Purchase Installment Contract signed by the VENDOR.



Lisa Tito



ACKNOWLEDGEMENTS

STATE OF MAINE
York County, ss

Date: _____

Personally appeared before me the above-named Allen A. Daggett, Stuart E. Barwise, Sheila Matthews-Bull, Patrick A. Briggs, and Edward W. Hutchins II in his/her capacity as a Municipal Officer of the Town of Kennebunkport and acknowledged the foregoing instrument to his/her free act and deed said capacity and the free act and deed of the inhabitants of the municipality.

Before me,

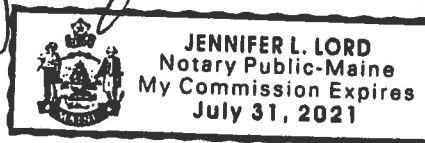
STATE OF MAINE
York County, ss

Date: 3/30/15

Personally appeared before me the above-named Lisa Tito and acknowledged the foregoing instrument to his/her free act and deed.

Before me,

Jennifer L. Lord



Lisa Tito						
RE Account #1457						
Partial Payments once a month						
			due as of			
			3/27/2015			
			9,921.79			
		4/1/2016	3,173.74			
			13,095.53			
	down payment		-			
			13,095.53			
		payment				
3/27/15		300.00	12,795.53			
4/27/15		300.00	12,495.53			
5/27/15		300.00	12,195.53			
6/27/15		300.00	11,895.53			
7/27/15		300.00	11,595.53			
8/27/15		300.00	11,295.53			
9/27/15		300.00	10,995.53			
10/27/15		300.00	10,695.53			
11/27/15		300.00	10,395.53			
12/27/15		300.00	10,095.53			
1/27/16		300.00	9,795.53			
2/27/16		300.00	9,495.53			
3/27/16		300.00	9,195.53			
4/27/16		300.00	8,895.53			
5/27/16		300.00	8,595.53			
6/27/16		300.00	8,295.53			
7/27/16		300.00	7,995.53			
8/27/16		300.00	7,695.53			
9/27/16		300.00	7,395.53			
10/27/16		300.00	7,095.53			
11/27/16		300.00	6,795.53			
12/27/16		300.00	6,495.53			
1/27/17		300.00	6,195.53			
2/27/17		300.00	5,895.53			
3/27/17		300.00	5,595.53			
4/27/17		300.00	5,295.53			
5/27/17		300.00	4,995.53			
6/27/17		300.00	4,695.53			
7/27/17		300.00	4,395.53			
8/27/17		300.00	4,095.53			
9/27/17		300.00	3,795.53			
10/27/17		300.00	3,495.53			
11/27/17		300.00	3,195.53			
12/27/17		300.00	2,895.53			
1/27/18		300.00	2,595.53			
2/27/18		300.00	2,295.53			
3/27/18		300.00	1,995.53			
4/27/18		300.00	1,695.53			
5/27/18		300.00	1,395.53			
6/27/18		300.00	1,095.53			
7/27/18		300.00	795.53			
8/27/18		300.00	495.53			
9/27/18		300.00	195.53			
10/27/18		195.53	0.00			
There will additional recording and discharging fees.						

**RE Account 1457 Detail
as of 03/27/2015**

Name: TITO LISA

Location: 225 BEACHWOOD AVENUE

Acreage: 1.86 Map/Lot: 024-002-007A

Book Page: B15586P1

2015-1 Period Due:

1) 1,618.41

2) 1,555.75

Land: 77,800

Building: 340,000

Exempt 10,000

Total: 407,800

Ref1: BP

Mailing 225 BEACHWOOD AVENUE

Address: KENNEBUNKPORT ME 04046

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2015-1 R				3,111.51	62.65	0.00	3,174.16
2014-1 L *				3,070.73	278.26	56.96	3,405.95
2013-1 L *				2,813.82	451.68	76.18	3,341.68
2012-1 R				0.00	0.00	0.00	0.00
2011-1 L *				0.00	0.00	0.00	0.00
2010-1 L *				0.00	0.00	0.00	0.00
2009-1 L *				0.00	0.00	0.00	0.00
2008-1 L *				0.00	0.00	0.00	0.00
2007-1 L *				0.00	0.00	0.00	0.00
2006-1 R				0.00	0.00	0.00	0.00
Account Totals as of 03/27/2015				8,996.06	792.59	133.14	9,921.79

Per Diem

2015-1	0.5967
2014-1	0.5889
2013-1	0.5396
Total	1.7253

Exempt Codes: 01 - Homestead Exempt

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.



(11)
Maine Regional School Unit 21
The Schools of Arundel, Kennebunk, and Kennebunkport

"Preparing responsible, contributing citizens in a global society."

Kevin P. Crowley, PhD. Superintendent of Schools
Bruce A. Rudolph, Business Administrator

Katie Hawes, Assistant Superintendent of Schools
Susan L. Martin, Director of Special Services

3-27-2015

Laurie Smith
Kennebunkport Town Manager
6 Elm Street
Kennebunkport, ME 04046

Dear Laurie,

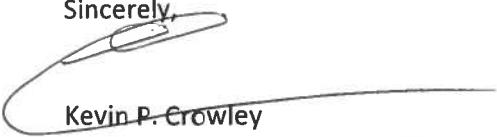
As a follow-up to our conversations concerning the RSU21 IUUAL return of excess employer contributions, one other item has arisen that I want to make you aware of. As you know, during the period from 2010-2015 contributions for this expense were not collected from the three towns comprising the RSU. Instead the funds attributable to this expense were taken from a surplus account held by MEpers. The total amount the fund directed to pay for this expense was \$337,218.00. Of this amount, slightly less than 9.9%, should have been contributed by the Town of Arundel based on the cost sharing formula. This equates to roughly \$33,721.00.

When considering how to handle this, one might look at the growth in this fund over time. For instance, If the \$900,218 surplus had been returned to Kennebunk and Kennebunkport at the formation of RSU21 in 2008 then Kennebunk and Kennebunkport would have paid \$303,496 in employer contributions over the past five years ($\$337,218 - \$33,722 = \$303,496$). By delaying the distribution until this year and absorbing Arundel's \$33,722 share for five years, Kennebunk and Kennebunkport gained \$596,722.

We believe the equitable route is to divide these funds in the manner submitted and agreed to by both towns. If you are in agreement, we will instruct Drummond Woodsum to draw up language around this.

If you have any questions please feel free to call.

Sincerely,


Kevin P. Crowley
Interim Superintendent of Schools
RSU 21





Sandra J. Matheson, *Executive Director*
John C. Milazzo, *General Counsel and*
Chief Deputy Executive Director

BOARD OF TRUSTEES
Peter M. Leslie, Chair
Benedetto Viola, Vice Chair
Shirrin L. Blaisdell
Richard T. Metivier
Brian H. Noyes
Neria A. Douglass, State Treasurer, *ex-officio*
Catherine R. Sullivan
Kenneth L. Williams

October 17, 2014

Bruce Rudolph
Regional School Unit No. 21
177 Alewife Rd
Kennebunk, ME 04043

Dear Bruce Rudolph,

I am writing to notify you of a change MainePERS is implementing in the management of your Individual Unpooled Unfunded Actuarial Liability (IUUAL) funds held on account with MainePERS. Over the next several months, we will be working with your organization to return these funds to you so that you can oversee and manage their use for your organization's purpose. As of August 31st, you had a surplus balance of approximately \$1,260,877 held on account with MainePERS.

A brief history of why MainePERS has been managing these assets may be helpful in understanding this change. When opting in to the consolidated plan in the 1990s, many Participating Local Districts, including yours, had assets in excess of what was required to fund the liabilities being transferred from their "old" PLD individual plan to the "new" Consolidated PLD Plan. MainePERS has since managed those excess funds, allowing for any employer that chose to use these for full or partial payment of annual pension expenses in the consolidated plan.

We updated our guidance to you in 2010 on the acceptable use of your IUUAL funds based on Internal Revenue Service requirements, simultaneously offering a refund of the remaining balance. The implementation of GASB 68 once again prompted us to look at this arrangement. While GASB does not directly address these funds, we believe the best practice is to return these funds so that they can be properly governed, recorded, maintained and audited by each employer.

We are currently in the planning stages to look at how best to get these funds returned to employers in as orderly a way as possible. Our experience in returning these funds to employers who did exercise that option in 2010 is that the returned funds can be confused with the return of PLD Consolidated Plan contributions. We will provide information to assist you in communicating to your governing bodies and constituents that these funds are not connected with current pension costs.

Our goal is to have all of these accounts closed as of June 30, 2015. If you currently use a monthly "IUUAL Credit" to pay some or all of your employer contributions, you can continue to do so until then, or you may request a refund at any time prior to June 30, 2015.

We hope that receiving this information well in advance will be helpful in your planning. Additional information will be provided as we have it available. In the meantime, if you have questions or concerns regarding this change, wish to request a balance in your account, or would like to request a refund, please contact me at (207) 512-3320 or by e-mail at sherry.vandrell@mainepers.org.

Respectfully,

Sherry Vandrell, CMA
Director of Finance

RSU 21 & MSAD 71

				Tax Assessment		RSU21/MSAD71				
				Arundel	Kennebunk	Kennebunkport	Operating Budget	Kbk	Kport	
MSAD71	CY89 - Calendar Year	N/A	4,908,700	CY 89	3,293,118					
MSAD71	CY90 - Calendar Year	N/A	5,517,662	CY 90	3,566,970					
MSAD71	FY91 - 6 Months (1/1/91-6/30/91)	N/A	2,958,380	CY 91	3,880,387					
MSAD71	FY92	N/A	6,113,281	CY 92	4,138,333			59.63%	40.37%	100.00%
MSAD71	FY93	N/A	6,510,725	CY 93	4,194,162			60.82%	39.18%	100.00%
MSAD71	FY94	N/A	6,758,465	CY 94	4,183,963			61.88%	38.12%	100.00%
MSAD71	FY95	N/A	6,848,592	CY 95	4,278,579			61.55%	38.45%	100.00%
MSAD71	FY96	N/A	7,171,422	CY 96	4,528,264			61.30%	38.70%	100.00%
MSAD71	FY97	N/A	7,739,772	CY 97	4,770,949			61.87%	38.13%	100.00%
MSAD71	FY98	N/A	8,033,155	CY 98	4,940,033			61.92%	38.08%	100.00%
MSAD71	FY99	N/A	8,755,573	CY 99	5,146,218			62.98%	37.02%	100.00%
MSAD71	FY00	N/A	9,103,881	CY 00	5,597,941					
MSAD71	FY01	N/A	10,279,131	CY 01	6,416,391					
MSAD71	FY02	N/A	11,882,949	FY 02 6 mos 1/1/12-6/30/12	3,427,039					
MSAD71	FY03	N/A	12,392,746	FY 03	7,403,973					
MSAD71	FY04	N/A	13,200,823	FY 04	7,871,563					
MSAD71	FY05	N/A	13,976,922	FY 05	8,282,868	25,993,941				
MSAD71	FY06	N/A	14,639,287	FY 06	7,593,771	27,426,700				
MSAD71	FY07	N/A	15,634,071	FY 07	7,225,123	28,222,074				
MSAD71	FY08	N/A	16,995,970	FY 08	6,944,899	29,068,736				
MSAD71	FY09	N/A	18,342,718	FY 09	6,766,103	29,890,578				
RSU21	FY10	3,327,596	18,472,471	FY 10	6,618,663	36,273,991				
RSU21	FY11	3,693,011	19,192,939	FY 11	6,260,773	35,077,000				
RSU21	FY12	3,918,926	19,503,319	FY 12	6,107,805	33,592,027				
RSU21	FY13	4,109,823	19,544,108	FY 13	6,677,507	35,888,933				
RSU21	FY14	4,071,486	20,660,409	FY 14	7,521,509	37,172,120				
RSU21	FY15	4,126,255	20,829,596	FY 15	7,837,533	39,005,294				
8-year Average ->								61.49%	38.51%	100.00%
								1,260,877	775,347	485,530 1,260,877

AGREEMENT

The purpose of this document is to memorialize the agreement (the "Agreement") between the Town of Kennebunk ("Kennebunk"), the Town of Kennebunkport ("Kennebunkport"), and Regional School Unit No. 21 (the "RSU"), (collectively as the "Parties," individually as a "Party"), regarding the division of the estimated \$1,189,915 remaining surplus as of June 30, 2015 related to the RSU's Individual Unpooled Unfunded Actuarial Liability account with MainePERS (the "MainePERS Refund"), as described more fully in a letter from MainePERS to the RSU dated October 17, 2014 attached hereto as SCHEDULE 1.

WHEREAS, MainePERS has informed the RSU that at the time Maine School Administrative District No. 71 ("MSAD No. 71") opted into the MainePERS consolidated Participating Local District ("PLD"), MSAD No. 71's individual MainePERS PLD was overfunded;

WHEREAS, MainePERS has informed the RSU that the MainePERS Refund relates solely to MSAD No. 71's employer contributions, as opposed to employee contributions;

WHEREAS, MainePERS has remitted the MainePERS Refund to the RSU;

WHEREAS, the RSU wishes to return the MainePERS Refund to Kennebunk and Kennebunkport;

WHEREAS, the MainePERS Refund was created over several years and there is no practical way to accurately account for the exact proportion of the refund that was financed by Kennebunk and Kennebunkport, respectively;

WHEREAS, Kennebunk and Kennebunkport wish to settle any dispute as to each town's share of the MainePERS Refund;

WHEREAS, Kennebunk and Kennebunkport have proposed to the RSU that the division of the MainePERS Refund between the towns be made based upon the average ratio of each town's tax assessment, relative to the other, for fiscal year 1992 through fiscal year 1999, as shown on a spreadsheet created by the towns attached hereto as SCHEDULE 2;

NOWHEREFORE, the Parties agree as follows:

- 1) The RSU will divide the MainePERS Refund amount remaining as of June 30, 2015 between Kennebunk and Kennebunkport based upon the 8-year average of the ratio of each town's relative tax assessment, as listed in SCHEDULE 2, with 61.49% being remitted to Kennebunk and 38.51% being remitted to Kennebunkport;
- 2) The RSU will remit the MainePERS Refund to Kennebunk and Kennebunkport in the form of a credit or reduced assessment by the RSU for the upcoming fiscal year beginning July 1, 2015;

- 3) Each Party, in consideration for the mutual covenants contained herein does hereby release each of the other Parties to this Agreement from any and all claims and causes of action arising from the MainePERS Refund.

This Agreement may be executed in two or more counterparts (delivery of which may occur via facsimile or electronic scan), each of which shall be binding as of the date first written below, and, when delivered, all of which shall constitute one and the same instrument. A facsimile signature or electronically scanned copy of a signature shall constitute and shall be deemed to be sufficient evidence of a Party's execution of this document, without necessity of further proof. Each such copy shall be deemed an original, and it shall not be necessary in making proof of this document to produce or account for more than one such counterpart.

REGIONAL SCHOOL UNIT NO. 21

TOWN OF KENNEBUNK

By: _____

By: _____

Its: _____

Its: _____

Date: _____

Date: _____

TOWN OF KENNEBUNKPORT

By: _____

Its: _____

Date: _____

Goose Rocks Beach Parking Sticker Rules/Regulations

Parking in the Goose Rocks Beach area is regulated during the summer season through a parking sticker program because the demand for parking far exceeds the limited number of on-street parking spaces available. Parking stickers are available for daily, weekly and seasonal use.

Kennebunkport Taxpayers

Seasonal parking stickers are available to Kennebunkport residents and taxpayers at a cost of \$5.00 per vehicle. In order to qualify for the resident sticker an individual must either pay property taxes on property in Kennebunkport or be a resident of Town and pay excise taxes to the Town on a motor vehicle registered in his/her name. Individuals paying property taxes to the Town may obtain parking stickers for more than one vehicle so long as each vehicle is registered in his/her name. Individuals seeking residential stickers shall provide a copy of the vehicle registration for each residential sticker issued. In circumstances where ownership of the property is dispersed among multiple people it is the individual's responsibility to provide proof of ownership interest to the Town. The sticker shall be permanently affixed to the lower left-hand corner of the rear window of the vehicle to which it is issued. Any sticker not permanently affixed in that location shall be considered void and a violation of these regulations and Kennebunkport Traffic and Parking Control Ordinance.

Non-Kennebunkport Taxpayers

Non-Kennebunkport taxpayers shall pay ~~\$12.00~~ \$15.00 for daily stickers, \$50.00 for weekly stickers, and \$100.00 for seasonal stickers. Each sticker shall be permanently affixed to the lower left-hand corner of the rear window of the vehicle to which it is issued. Any sticker not permanently affixed in that location shall be considered void and a violation of these regulations and Kennebunkport Traffic and Parking Control Ordinance.

Hotels, Inns, Rental Properties and the Goose Rocks Beach General Store

Hotels, inns, owners of rental properties (including room rentals) and the Goose Rocks Beach General Store shall be allowed to purchase, for re-sale to their customers, daily and weekly stickers for ~~\$10.00~~ \$13.00 and \$50.00 each, respectively. Stickers must be marked with a laundry marking pen or other indelible marker to show the date or dates for which they are issued, and each sticker must be permanently affixed to the lower left-hand corner of the rear window of the vehicle to which it is issued. If these conditions are not met, the sticker will be considered void. The establishment selling the sticker is responsible for recording the license plate number of the vehicle, the sticker number, the day or week for which the sticker is issued and explaining to the customer the beach and parking rules and regulations.

It shall be the policy of the Town of Kennebunkport to deny the issuance of any Goose Rocks Beach Parking Sticker to a registered vehicle that has an outstanding parking ticket(s) until said parking ticket fine(s) has been paid in full.

Adopted by the Kennebunkport Board of Selectmen on March 24, 2005 in accordance with Section 13.II of the Kennebunkport Traffic and Parking Control Ordinance.

Amended January 12, 2006, November 9, 2006, June 14, 2007, November 13, 2008, May 13, 2010,
and April 9, 2015.

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Kennebunkport Public Health

March 31, 2015,

Att: Kennebunkport Board of Selectmen
Laurie Smith Kennebunkport Town Manager

Please accept this generous donation of \$150. from
United Ways Keep Maine Warm Program. to the
Kennebunkport Emergency Fuel/Food Account.



UNITED WAY OF YORK COUNTY
36 WATER STREET
P.O. BOX 727
KENNEBUNK, ME 04043
(207) 985-3359

People's United Bank
51-7218-2211

13094

03/25/2015

PAY TO THE
ORDER OF

Town of Kennebunkport

\$ **150.00

One Hundred Fifty and 00/100*****

DOLLARS

Town of Kennebunkport
P.O. Box 367
Kennebunkport, ME 04046

Two Signatures Required for Amounts in Excess of \$2500.00
Barbara M. [Signature]

AUTHORIZED SIGNATURE

MEMO

For Fuel/Heating Assistance

⑈013094⑈ ⑆221172186⑆ 0013001065⑈

(149)

Southern Maine Veterans' Memorial Cemetery Association

Chairman
James E. N. Bachelder

Dear Town Manager

Vice Chairman
James Q. Gulaac

Treasurer
Joe Doiron

Secretary
Ronald Rivard

Trustees
Phil Cabana
Curtis Mills
Steve Smith

Board Members
John Tuttle
Walter Wheeler
David Richmond
Raymond G. Fortier
Gordon Parent
Robert Champagne

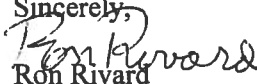
The Southern Maine Veteran's Cemetery, located in Springvale Maine, is a steady work in progress. The purpose of this cemetery is to honor our Veterans with a final resting place that is garnished with reverence and perennial beauty. This cemetery was framed with funds from our Federal Government; it is owned and maintained by the State of Maine. The state takes care of general maintenance: mowing grass, plowing snow, and opening and closing graves. Beautification projects for the cemetery are the sole responsibility of the Southern Maine Veteran's Cemetery Association, and our organization is not funded by state or federal money. We volunteer our time, and our ornamentation projects are supported by donations.

We, the Southern Maine Veteran's Cemetery Association [SMVCA], raised funds to purchase a display cabinet for Military memorabilia to be displayed in the lobby of our administration building. Money raised allowed our association to add ornamental features to the cemetery. We planted flowers and shrubs, and we landscaped a memorial walkway where families, or individuals, may purchase and place memorial monuments, or personalized pavers. This walkway provides families with a tangible way to honor their departed veterans whose remains may be interred elsewhere. These personal monuments and pavers are a means for our association to raise essential funds for larger projects and improvements to Southern Maine Veteran's cemetery.

In October of 2014, SMVCA embarked on an ambitious fundraising drive. Our goal is to raise \$15,000 to erect a monument that honors veterans of the past, present and future. Recently, we received a generous donation of \$1000.00 from the Town of Shapleigh. This town's generosity spurred us to reach out to all communities within the York and Cumberland counties of Maine, and within the Strafford and Rockingham counties of NH.

We ask for annual financial support from your community as we look forward to this cemetery's future. We hope to erect monuments to honor POW/MIA veterans, Purple Heart recipients, and veterans who were KIA. Our vision for the cemetery includes a carillon, a living memorial to our Nation's deceased veterans, a battlefield Cross, an Avenue of flags, and the list goes on.

Any donation is greatly appreciated with a sincere thank-you.

Sincerely,

Ron Rivard
Secretary SMVCA

Checks may be made payable to: SMVCA
Mailing Address: SMVCA P O Box 583 Springvale, Me 04083

For additional information please contact:
Chairman SMVCA: James Bachelder 207-432-7127 james.bachelder@metrocast.net
Secretary SMVCA: Ronald Rivard 207-636-3319 ronrita@metrocast.net



