



TOWN OF KENNEBUNKPORT, MAINE

—INCORPORATED 1653—

**Board of Selectmen Agenda
April 23, 2020 @ 6:00 PM
VIRTUAL MEETING (VIA ZOOM)**

Connecting by computer: You may be required to download the Zoom app in order to connect. This is free, and easy to use. Make sure to log in a few minutes early to ensure you can connect.

Using your computer/tablet/smartphone, go to <https://zoom.us/j/97161751069>

Meeting ID: 971 6175 1069

Connecting by phone:

Dial the phone number according to your location:

Use if you are in Maine: +1 929 205 6099 US (New York)
+1 312-626-6799 US (Chicago)
+1 301-715-8592 US (Maryland)
+1 253-215-8782 US (Washington)
+1 346-248-7799 US (Houston)
+1 669-900-6833 US (San Jose)

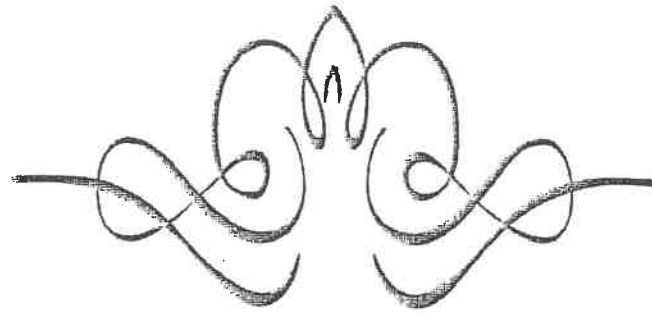
You will be asked to enter the Meeting ID number (971 6175 1069) followed by the # sign.

NOTE: During the meeting, only the Selectmen and Town Manager will be on screen with audio connected. All other participants will be blacked out and audio muted except when the Board solicits public input.

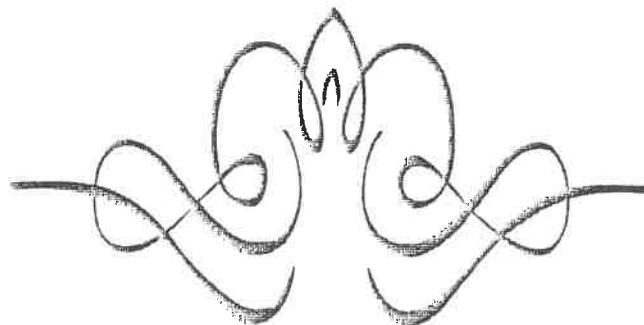
Public Comment: With the shift to remote meetings, we are encouraging written public comments in place of in-person participation. Written public comments must be e-mailed to Town Manager Laurie Smith at LSmith@kennebunkportme.gov, or mailed to Public Comment, Town Manager Office, P.O. Box 566, Kennebunkport, Maine 04046 or dropped in the Town Office "dropbox" and must be received by 2 hours prior to the start of a meeting on the date of the Board of Selectmen meeting. These comments will become a part of the permanent record of the meetings. If e-mailing, please note "Public Comment" and the meeting date in the Subject field. *This method is subject to change. Any updates will be communicated.

1. Call to Order.
2. Approve the April 2, 6, 9, and 10, selectmen meeting minutes.

3. Approve Street Opening Permit for Lord and Harrington, Langsford Road, sidewalk only, for new water services and underground power.
4. Consider owner installation of rope fence in right of way at 75 Turbats Creek Rd.
5. Consider reentry plan for town operations.
6. Accept donation of \$1,000 from the South Congregational Church for the emergency food fund.
7. Other Business.
8. Adjournment.



Agenda Item Divider



**Town of Kennebunkport
Board of Selectmen Meeting VIA ZOOM
Village Fire Station – 32 North Street
April 2, 2020 – 3:00 PM**

Minutes of the Selectmen's Meeting April 2, 2020

Selectmen Attending: Patrick A. Briggs, Allen Daggett, Edward Hutchins
Sheila Matthews-Bull, D. Michael Weston

Others: Laurie Smith, Amy Tchao

1. Call to Order.

Chair Daggett called the meeting to order at 3:00 PM. He took **roll call** of Selectmen present: Patrick A. Briggs, Allen Daggett, Edward Hutchins, Sheila Matthews-Bull, and D. Michael Weston.

2. Executive session per MRSA 1 Section 6 (D) E for consultations between the Board of Selectmen and their attorney concerning the legal rights and duties of the board relative to COVID 19.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to go into executive session per MRSA 1 Section 6 (D) E for consultations between the Board of Selectmen and their attorney concerning the legal rights and duties of the board relative to COVID 19. **Roll call votes:** Patrick A. Briggs, Allen Daggett, Edward Hutchins, Sheila Matthews-Bull, and D. Michael Weston. **Voted:** 5-0. **Motion passed.**

The Board went into executive session at 3:01 PM and came out of executive session at 4:46 PM.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull to adopt the Emergency Travel Advisory Order Town of Kennebunkport.

Town Manager Laurie Smith read the entire document. See Exhibit A.

Roll call votes: Patrick A. Briggs, Allen Daggett, Edward Hutchins, Sheila Matthews-Bull, and D. Michael Weston. **Voted:** 5-0. **Motion passed.**

3. Other Business.

There was no other business.

4. Adjournment.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adjourn. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

The meeting adjourned at 4:48 PM.

Submitted by Arlene McMurray
Administrative Assistant

Exhibit A - 4-2-2020

EMERGENCY TRAVEL ADVISORY ORDER TOWN OF KENNEBUNKPORT

Pursuant to its authority in Section 1.2.9.s of the Town of Kennebunkport's Administrative Code, the Town of Kennebunkport Board of Selectmen hereby issues this Travel Advisory Order due to the COVID-19 pandemic and the risk of community spread of the COVID-19 virus:

WHEREAS, on March 15, 2020, the Governor of the State of Maine declared a Civil State of Emergency due to the spread of the novel Coronavirus Disease ("COVID-19");

WHEREAS, COVID-19 is a communicable disease that is easily contracted through personal contact with infected individuals in the community;

WHEREAS, the number of cases of COVID-19 and related deaths have increased exponentially globally, in the United States, and in Maine (particularly, in York and Cumberland counties) as a result of widespread transmission occurring among the general public ("community spread");

WHEREAS, the President of the United States and the Centers for Disease Control ("CDC") have urged the public to practice social distancing and not attend events where ten (10) or more people will be gathered;

WHEREAS, by Executive Order dated March 18, 2020, the Governor of the State of Maine prohibited social gatherings of more than ten (10) people, and ordered all restaurants and bars in the State of Maine to close their dine-in facilities on March 18, 2020;

WHEREAS, by Executive Order dated March 24, 2020, the Governor of the State of Maine ordered that all Non-Essential Businesses in the State of Maine cease activities at sites that are public facing, or at sites that require workers to convene in space where social distancing is not possible;

WHEREAS, by Executive Order dated March 31, 2020, the Governor of the State of Maine expanded the State's response to the public health emergency, including issuing a statewide stay-at-home order for residents and other such measures that remain in effect until at least April 30, 2020, unless otherwise ordered;

WHEREAS, on March 31, 2020, the Governor of the State of Maine held a press conference making, among other things, the following pronouncements:

- Declaring a stay-at-home order for all persons living in the State;
- Strongly discouraging visitors and seasonal residents from coming in to or returning to the State of Maine during this public health emergency for their own safety and the safety of those around them; and
- Requiring all persons entering the State of Maine at this time to self-quarantine for a minimum of 14 days.

Exhibit A - 4-2-2020

WHEREAS, the Town of Kennebunkport and surrounding coastal communities in York County are prominent tourist destinations for visitors and individuals occupying seasonal accommodations, lodging and residences, which heightens the risk of community spread through public contacts among visitors,

WHEREAS, the arrival of people to seasonal or rental residences and short-term lodging increases the exposure risk for community spread of COVID-19, which threatens the public health, safety, and welfare of the citizens of the Town of Kennebunkport;

WHEREAS, the actions requested in this Travel Advisory Order are not taken lightly, given the importance of private property rights of local owners and visitors, who the Town considers to be integral members of the community, and who have assisted in making the Town what it is today and what it will continue to be going forward;

NOW THEREFORE, pursuant to the aforesaid authority and recitals, which are incorporated herein by reference, the Board of Selectmen hereby adopts this Travel Advisory Order:

1. OCCUPANCY OF TRANSIENT OCCUPANCY UNITS

Delay in Rentals and Bookings: The Town recommends, on the strongest possible terms, that the owners of transient occupancy units in hotels, motels, bed and breakfasts, inns, residential rental accommodations, mobile home parks, campgrounds (all terms defined in the Kennebunkport Land Use Ordinance), short term rentals, and transient watercraft coming to marinas located in town in the vicinity of the Cape Porpoise Harbor and the Kennebunk River, refrain from making any and all rental agreements and arrangements of any kind, and/or defer all such rental agreements and arrangements that have already been made, whether or not consideration is exchanged, with third parties, with the expectation that all such units shall remain vacant during the operation of this Order. This Order shall be in place with respect to occupancy between the date of this Order and May 1, 2020, or when the Governor terminates the current state of emergency, whichever occurs first.

2. OCCUPANCY OF SEASONAL RESIDENCES

- a. The Town recommends, on the strongest possible terms, that owners of seasonal residences and their invitees remain in the location of their primary residence and/or the dwelling unit they currently occupy, from the date of this Order and May 1, 2020, or when the Governor terminates the current state of emergency, whichever occurs first.
- b. If owners and/or invitees of a seasonal residence move into their unit within the Town during the effective period of this Order, they must self-quarantine in that unit for at least 14 days from the date of arrival, as required by the Governor of the State of Maine.

Exhibit A - 4-2-2020

3. EXCEPTIONS

The recommended restrictions contained in this Order do not apply to the following who may require temporary lodging during the COVID-19 public health emergency:

- Individuals who are providing care for Town residents who are unable to care for themselves as result of illness or infirmity;
- Medical/healthcare professionals or first responders utilizing the properties referenced herein while serving the Town or a neighboring community;
- Active duty military and their family;
- A person or household looking to remove themselves from a household which has a person testing positive for COVID- 19;
- A person who needs to remove themselves from their permanent residence in an effort to escape domestic abuse;
- Government facilities, agencies, and services needed to ensure the continuing operation of the government and provide for the public health, safety and welfare, including but not limited to police, fire, EMS, town manager, code enforcement, and trash collection;
- Recipients of General Assistance from the Town who have been provided with accommodations at such properties; and/or
- Workers who are engaged in "Essential Businesses and Operation," as defined in the Governor's Executive March 24, 2020 Order No. 19 FY 19/20.

4. EFFECTIVE DATE

This Travel Advisory Order shall take effect on 12:01 a.m. on April 3, 2020, and shall extend until 11:59 p.m. on April 30, 2020, or when the Governor terminates the state of emergency, whichever occurs first.

Exhibit A - 4-2-2020

Dated this 2nd day of April, 2020.

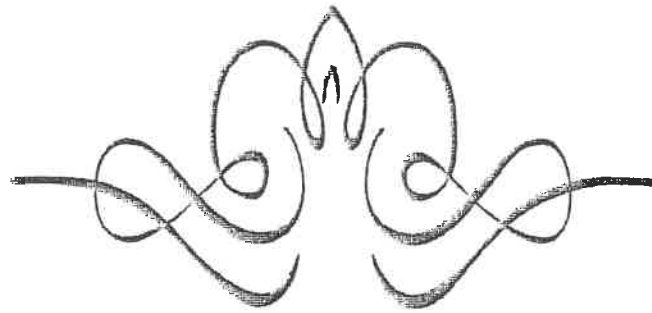

Allen Daggett, Chair

Sheila Matthews-Bull, Vice Chair

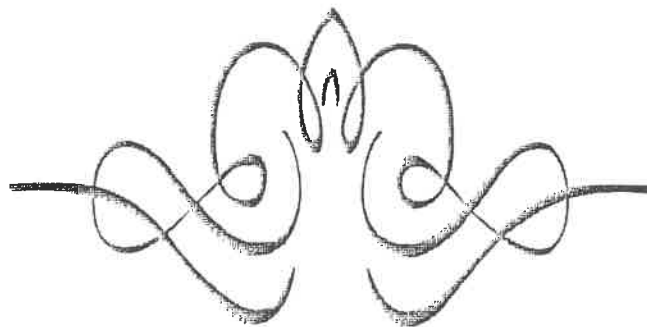

Patrick Briggs


Edward Hutchins


Michael Weston



Agenda Item Divider



**Town of Kennebunkport
Board of Selectmen Meeting
April 6, 2020 – 5:00 PM
VIRTUAL MEETING (via Zoom)**

Minutes of the Selectmen's Meeting of April 6, 2020

Selectmen Attending: Patrick A. Briggs, Allen Daggett, Sheila Matthews-Bull
Edward Hutchins, D. Michael Weston

Others: Tom Adler, Tom Boak, Michael Davis, David James, Jen Lord, Arlene McMurray,
Laurie Smith, Rick Roberge, Police Chief Craig Sanford, and others

1. Call to Order.

Chair Daggett called the Zoom meeting to order at 5:00 PM. He took **roll call** of the Selectmen attending: Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. He explained how people could join the meeting using the Zoom conferencing format and discussed the ground rules.

2. Discussion of Social Distancing Compliance in public spaces.

Police Chief Craig Sanford gave an update on how things are going.

Chief Sanford stated there were some hiccups from Friday afternoon into Saturday. He said there was lots of traffic at Goose Rocks Beach and while most people followed the executive orders, there were quite a few not following. As a result, they limited parking at GSRB. Police monitored that area Sunday and Monday, and it seemed to work very well.

At Cape Porpoise Pier, he said there were a few issues. Lobstermen were trying to sell lobsters and people were crowding around and needed to be reminded about social distancing. A lot of lobstermen were out Monday because it was the first good weather.

At Colony Beach, surfers and other recreational folks parked at Colony Beach and were entering the water and going to Kennebunk and violating their restrictions. So, parking was removed, and things have improved the last few days.

Selectman Weston said he had been over there twice a day and things are looking good at Goose Rocks Beach and Colony Beach.

Chair Daggett thinks it is working well by eliminating the parking and still keeping the beach open.

There was only one incident Monday, April 6. Chief Sanford said he was monitoring the beach and someone reported to him that there were people on the beach at Goose Rocks. He found people from Illinois, on the beach sitting in beach chairs eating their lunch. He informed them of the executive order and that they needed to be quarantined for 14 days. They did not have a house here, and said they often stay at the Tides Inn, but the Tides Inn was closed.

3. Consider adoption of Emergency Paid Sick Leave Policy.

Town Manager Laurie Smith explained the policy. See Exhibit A.

Selectman Hutchins pointed out a typo under Compensation during EPSL. The second sentence should be "An employee taking leave because he or she is caring for someone else under quarantine, because the employee's child's school or daycare is closed, or because the employee is experiencing symptoms specified by the Secretary (4-6 above) will be paid up to two-thirds of their regular base rate of pay, up to \$200 per day (up to \$2,000 total)."

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adopt the Emergency Paid Sick Leave Policy with the correction. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

4. Consider adoption of COVID-19 FMLA expansion.

Ms. Smith explained that the Family and Medical Leave Act (FMLA) expanded in relation to COVID-19. See Exhibit B.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adopt the COVID-19 FMLA expansion. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

5. Other Business.

Selectman Matthews-Bull announced that she received a phone call from Chris Audley. Although he is still in Louisiana, he wanted to thank everyone for keeping the Town safe.

Ms. Smith said the Planning Board is a quasi-judicial board which must hold public hearings. She spoke with Director of Planning and Development Werner Gilliam and there is concern that if they have the public hearings and there is a misstep, it could cause challenges. Since everything is uncertain at the moment, she wanted to make the Board aware that the process to hold a public hearing would take up to three weeks to set up. She is meeting again with Mr. Gilliam and will get more feedback.

Ms. Smith said regarding the budget development process, they could either wait and enter into July with the current budget, or adopt a new budget. The Board agreed to hold off on the budget process and see what happens.

6. Adjournment.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adjourn. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

The meeting adjourned at 5:25 PM.

Exhibit A - April 6, 2020

Town of Kennebunkport Emergency Paid Sick Leave

Consistent with the Families First Coronavirus Response Act ("the Act") and in response to the COVID-19 outbreak, the Town has adopted the following temporary Emergency Paid Sick Leave ("EPSL") Policy pursuant to which eligible employees will be entitled to take up to two weeks (80 hours) of paid sick leave subject to the terms and conditions outlined below. This policy remains in effect between April 2, 2020 and December 31, 2020, unless terminated earlier by the Town as permitted by law.

Eligibility: Except as outlined below, any Town employee may use EPSL for the following reasons:

1. To comply with a federal, state, or local quarantine or isolation order related to COVID-19 that is directed to the employee;
2. To comply with a health care provider's instruction to self-quarantine due to concerns related to COVID-19 that is directed to the employee;
3. In the event the employee has exhibited symptoms of COVID-19 and is seeking a medical diagnosis;
4. To care for an individual subject to quarantine for the reasons stated in (1) or (2) above;
5. To care for a child whose school or daycare has closed; and,
6. In the event the employee is experiencing any other substantially similar conditions specified by the Secretary of Health and Human Services.

An employee's eligibility for EPSL expires when the employee's allotment of ESPL is exhausted, their need for need (as outlined above) terminates, or on December 31, 2020, whichever occurs first.

As permitted by law, emergency responders are not eligible to take ESPL. Emergency responders are employees who perform essential services to protect the public health and safety of citizens. They include, but are not limited to, police, fire, dispatch, emergency medical services, public health, and wastewater employees.

Compensation during EPSL: An employee taking EPSL because he or she is under quarantine or seeking medical treatment for COVID-19 like symptoms (1-3 above) will be paid up to 100% of their regular base rate of pay while on EPSL, up to \$511 per day (up to \$5,110 total). An employee taking leave because he or she is caring for someone else under quarantine, because the employee's child's school or daycare is closed, or because the employee is experiencing symptoms specified by the Secretary (4-6 above) will be paid up to two thirds of their regular base rate of pay, up to \$200 per day (up to \$2,000 total). Unused EPSL will not be paid to an employee in the event of separation for any reason.

Amount of Leave: Full-time employees are entitled to up to 80 hours of emergency paid leave, based on their regularly scheduled work week. Part-time employees are entitled to the typical number of hours that they work, on average, over a two-week period, up to 80 hours. ESPL does not count as hours worked for the purposes of calculating an employees' entitlement to overtime.

Exhibit A - April 6, 2020

Requesting EPSL: Eligible employees should request such leave, in writing, to the Town's Human Resources Coordinator. Requests must include enough information for the Town to determine the requesting employee's eligibility for EPSL. The Town reserves the right to request documentation supporting requests for EPSL. Eligible employees may request to use EPSL before utilizing other forms of paid leave provided by other Town policy or contract.

Return to Work: The Town reserves the right to require an employee returning to work after using EPSL to submit a doctor's note clearing the employee to return to work.

Non-retaliation: The Town will not discharge, discipline, or discriminate against an employee who takes EPSL, files a complaint under the Act, or testifies in a proceeding concerning the Act.

Coordination with Other Laws: The Town will comply with any and all applicable federal and state laws enacted to address the COVID-19 outbreak. This policy is enacted consistent with the Town's obligations under the Act. In the event of any conflict between this policy and the Act and/or any subsequently adopted applicable law, the Town reserves the right to apply the terms of the applicable state or federal legislation.

Exhibit B - April 6, 2020

Town of Kennebunkport

Families First Coronavirus Response Act FMLA Expansion - COVID-19-Related Closures

Consistent with the Families First Coronavirus Response Act ("the Act") and in response to the COVID-19 outbreak, the Town has adopted the following temporary FMLA expansion to supplement to the Town's preexisting FMLA policy. **Except as specifically stated below, FMLA leave taken under this policy shall be provided on the same terms and conditions as any other FMLA-qualifying leave, as outlined by the Town's preexisting FMLA policy.**

This FMLA expansion policy remains in effect between April 2, 2020 and December 31, 2020, unless terminated earlier by the Town as permitted by law.

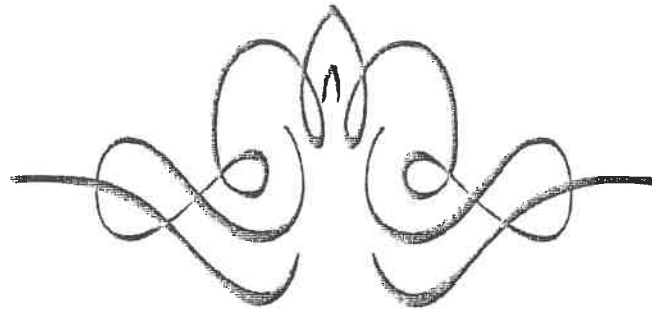
Summary: The FMLA provides eligible employees with 12 weeks of protected leave from for certain qualifying family and medical reasons. The FMLA expansion provided by the Act creates a new qualifying reason for FMLA in the event of COVID-19-Related Closures (outlined more specifically below), redefines employee eligibility to use FMLA for that qualifying reason (outlined more specifically below), and provides employees taking FMLA for that qualifying reason with a paid leave benefit.

Expanded Qualifying Reason for FMLA: Eligible employees, as defined by this policy, may take FMLA leave when the employee is unable to work (or telework) because the employee has to care for a child under the age of 18 because the child's school or daycare has closed due to a COVID-19-related public health emergency declared by the federal, state, or local government ("COVID-19-Related Closures).

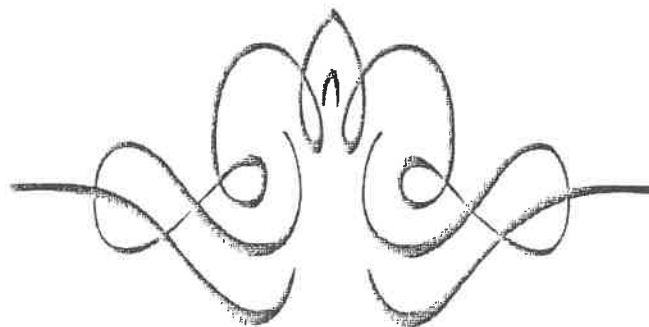
Eligibility: Except as outlined below, employees who have worked for the Town for at least 30 days are eligible to take up to 12 weeks of FMLA related to COVID-19-Related Closures, so long as they have not already exhausted their 12 weeks of FMLA leave as outlined in the Town's preexisting FMLA policy. This policy shall not be interpreted to provide an employee with more than 12 weeks of protected-FMLA leave per 12 month period as outlined by the Town's preexisting FMLA policy. As permitted by law, emergency responders are not eligible to take FMLA related to COVID-19-Related Closures. Emergency responders are employees who perform essential services to protect the public health and safety of citizens. They include, but are not limited to, police, fire, dispatch, emergency medical services, public health, and wastewater employees.

Compensation during FMLA related COVID-19-Related Closures: The first ten (10) days of FMLA related to a COVID-19-Related Closure may be unpaid. In accordance with the Town's preexisting FMLA policy and/or applicable collective bargaining agreement, employees may elect to use accrued paid leave or Emergency Paid Sick Leave (as defined by the Town's Emergency Paid Sick Leave Policy) to receive pay during this period of time. After the first ten (10) days of FMLA related to a COVID-19-Related Closure, the employee will be paid at two thirds of their regular base rate of pay up to \$200 per day (up to \$10,000 total). Employees who wish to use their accrued paid leave to supplement the pay continuation provided under this policy may do so up to 100% of their regular base pay.

Coordination with Other Laws: The Town will comply with any and all applicable federal and state laws enacted to address the COVID-19 outbreak. This policy is enacted consistent with the Town's obligations under the Act. In the event of any conflict between this policy and the Act and/or any subsequently adopted applicable law, the Town reserves the right to apply the terms of the applicable state or federal legislation.



Agenda Item Divider



**Town of Kennebunkport
Board of Selectmen Meeting
April 9, 2020 – 6:00 PM
VIRTUAL MEETING (via Zoom)**

Minutes of the Selectmen's Meeting of April 9, 2020

Selectmen Attending: Patrick A. Briggs, Allen Daggett, Sheila Matthews-Bull
Edward Hutchins, D. Michael Weston

Others: Michael Claus, Werner Gilliam, David James, Jen Lord, Arlene
McMurray, Tracey O'Roak, David Powell, Rick Roberge, Chris Simeoni, Laurie Smith,
Police Chief Craig Sanford, and others

1. Call to Order.

Chair Daggett called the Zoom meeting to order at 6:00 PM. He took **roll call** of the Selectmen attending: Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. He explained how people could join the meeting using the Zoom conferencing format and discussed the ground rules.

2. Approve the March 26, and 30, 2020, selectmen meeting minutes.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the March 26, and 30, 2020, selectmen meeting minutes. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

3. 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.).

David Powell explained how the public could participate, but there were no comments.

4. Consider special amusement permit submitted by Yalcin Kaya DBA Pier 77 Restaurant.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, to approve the special amusement permit submitted by Yalcin Kaya DBA Pier 77 Restaurant. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

5. Annual appointment of town officers.

Chair Daggett read the list of town officers.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to appoint the following Town Officers:

Animal Control Officer Deborah Higgins
Assessor's Agent Rebecca R. Nolette
Code Enforcement Officer Werner D. Gilliam
Asst. Code Enforcement Officer Gregory W. Reid

Asst. Code Enforcement Officer Andrew Welch
Plumbing Inspector Werner D. Gilliam
Asst. Plumbing Inspector Gregory W. Reid
Asst. Plumbing Inspector Andrew Welch
Constable Tracey L. O'Roak
Emergency Management Director Craig A. Sanford
Fire Chief John C. Everett
Fire Inspector John C. Everett
Harbormaster-Cape Porpoise Christopher Mayo
Harbormaster-Kennebunk River James Black
Health Officer Alison Z. Kenneway
Deputy Health Officer *Vacant*
Public Access Officer Tracey L. O'Roak
Registrar of Voters Tracey L. O'Roak
Road Commissioner Michael W. Claus
Shellfish Warden Everett Leach
Street Naming & Numbering Delegate John C. Everett
Tax Collector Laurie A. Smith
Town Clerk Tracey L. O'Roak
Town Forester Patrick A. Briggs
Treasurer Jennifer L. Lord
Tree Warden John Ripton

Roll Call Vote: Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

6. Appointment of election clerks.

Chair Daggett read the list of election clerks.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, to appoint the election clerks mentioned from 2020 to 2022. See Exhibit A. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

7. Consider street opening permit for 204 Ocean Avenue for new water service to replace seasonal one.

Public Works Director said this is the back of the house onto Summit.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the street opening permit on Summit Avenue. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

8. Authorize annual treasurer's warrant disbursement policy.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to authorize the annual treasurer's warrant disbursement policy. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

9. Other Business.

Selectman Matthews-Bull thanked all the workers who keep the town running and wished everyone a happy Easter.

Town Manager Laurie Smith asked Police Chief Sanford for an update.

Chief Sanford said the parking restrictions at the beaches have helped. They have seen cars from out of town but have had no problems.

Ms. Smith reminded everyone to make sure to fill out the Census form which can be found online.

10. Approve the April 9, 2020, Treasurer's Warrant.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the April 9, 2020, Treasurer's Warrant. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

11. Adjournment.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adjourn. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

Ms. Smith reminded everyone that there is a 4 PM public hearing the next day.

The meeting adjourned at 6:20 PM.

Submitted by Arlene McMurray
Administrative Assistant

Exhibit A - 4-9-2020

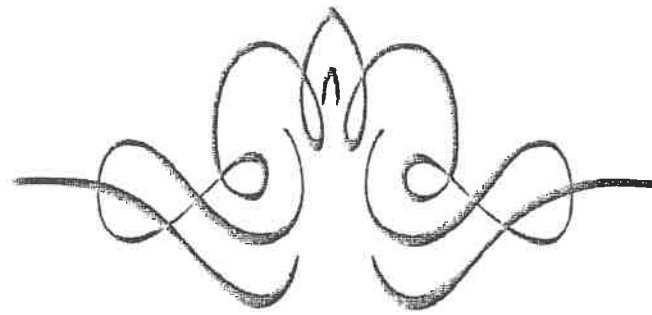
ELECTION WORKERS FOR 2020-2022

| Democrats | Republicans | Unenrolled |
|--------------------|-------------------|---------------|
| Anne Adams | Janet DesChenes | Gracine Adams |
| Wayne Adams | Doug Dicey | Scott Nolette |
| Barbara Barwise | Janet Dicey | |
| Sarah Bonneau | Mette Englinton | |
| Ann Marie Briggs | Mary Jane Grant | |
| Helen Conaty | Sally McKay | |
| Jean Conaty | Karen Schlegel | |
| Carol Cook | Audrey Williamson | |
| Connie Dykstra | Rose Wills | |
| April Dufoe | | |
| Geralyn Fitzgerald | | |
| Penelope Gruen | | |
| Lisanne James | | |
| Claire Julian | | |
| Kathryn Leffler | | |
| Mary McLaughlin | | |
| Rebecca Nolette | | |
| Gillet Page | | |
| Susan Richards | | |
| Janet Surett | | |

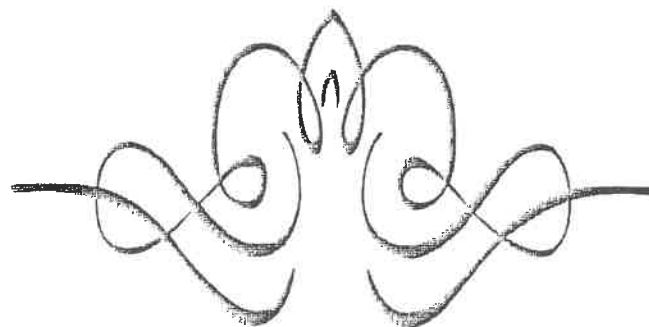
We, the undersigned Municipal Officers of Kennebunkport, Maine
do hereby appoint the attached listing of Election Clerks for 2020-2022.

The Municipal Officers of Kennebunkport, Maine.

Dated: _____



Agenda Item Divider



**Town of Kennebunkport
Board of Selectmen Meeting
April 10, 2020 – 4:00 PM
VIRTUAL MEETING (via Zoom)**

Minutes of the Selectmen's Meeting of April 10, 2020

Selectmen Attending: Patrick A. Briggs, Allen Daggett, Sheila Matthews-Bull
Edward Hutchins, D. Michael Weston

Others: Michael Davis, David James, Arlene McMurray, David Powell,
Tracey O'Roak, Stephen Porter, Rick Roberge, Laurie Smith, Police Chief Craig
Sanford, and others

1. Call to Order.

Chair Daggett called the Zoom meeting to order at 4:00 PM. He took **roll call** of the Selectmen attending: Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. He explained how people could join the meeting using the Zoom conferencing format and discussed the ground rules.

2. Pursuant to 30-A M.R.S. § 3009, the Selectmen will hold a public hearing regarding the enactment of the following provision to be included in the Town's Traffic and Parking Control Ordinance:

Section 1.H: Emergency Regulations during State of Emergency Declared by Governor: In the case of a State of Emergency declared by the Governor, the Town Manager, in consultation with the Chair of the Board of Selectmen, may promulgate such traffic and/or parking regulations as he/she deems necessary to protect life and property and to preserve critical resources in the Town, including but not limited to regulations prohibiting or restricting parking and/or the movement of vehicles in areas within the Town. Such emergency regulations shall remain in effect until the termination of the State of Emergency by the Governor of Maine, at which time they will expire, unless sooner terminated by the Town Manager or the Board of Selectmen.

Chair Daggett opened the public hearing at 4:02 PM.

Videographer Michael Davis explained how the public could participate when asked for input.

Chair Daggett read the ordinance revision.

There were no comments from the public participating in the Zoom meeting.

Town Manager Laurie Smith said she received a letter from Louis Braxton with the following suggestions:

- Reduce salaries of town employees making over \$50,000 by 20%.
- Reduce salaries of town employees making over \$35,000 by 5%.
- Forgive property taxes during the emergency period.
- Stop work projects that are not essential.
- Make no new parking restrictions.

Chair Daggett closed the public hearing at 4:05 PM.

Since the letter was not related to the agenda item, the Board would like to read it and discuss it at another time.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adopt Section 1H to the Town's Parking and Control Ordinance. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

3. Other Business:

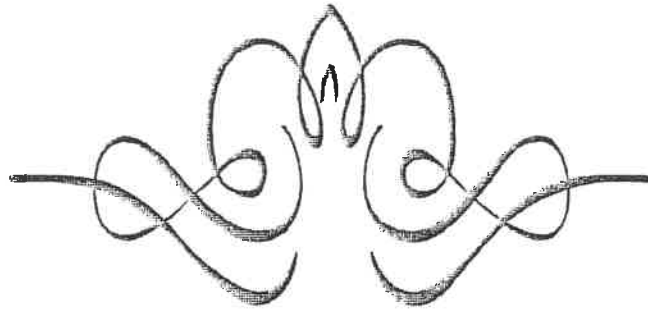
Selectman Matthews-Bull wished everyone a happy Easter.

Ms. Smith announced due to recent actions, the joint meeting with the GRB Advisory Committee scheduled for April 13 has been postponed.

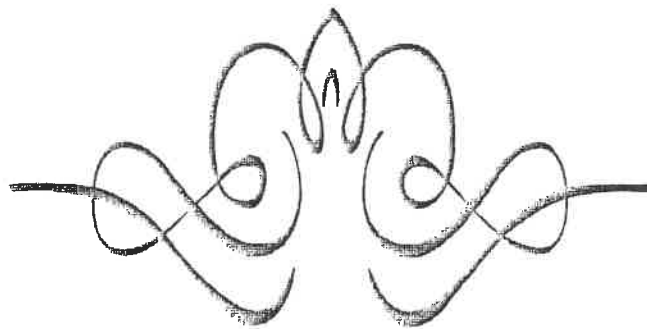
Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adjourn. **Roll Call Vote:** Briggs, Daggett, Matthews-Bull, Hutchins, and Weston. **Voted:** 5-0. **Motion passed.**

The meeting adjourned at 4:15 PM.

Submitted by Arlene McMurray
Administrative Assistant



Agenda Item Divider



3

TOWN OF KENNEBUNKPORT
Street Opening Permit

PROPERTY INFORMATION

Name of Homeowner: Lord + Harrington Date: 4/2/2020
Address: PO Box 1730 Kennebunkport
Telephone: 207-351-5733 Map, Block, Lot: 22, 6, 14
Street to be excavated: Langford Road - Sidewalk only
Size of excavation (length and width): multiple trenches in sidewalk area
Reason for excavation: new water services and underground power
Sidewalk to be repaved from sidewalk cut near Post Light with #15 on it southerly to the property line.
Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: April - May 2020
Name of Contractor: M. Welch + Sons Inc
Address: 52 Welch Lane Arundel ME
Telephone: 207-985-7605 Fax: 207-985-7792

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☐ Check ☐ Money Order ☒ Surety Bond ☐ Other
Bond Amount: 2,000
Company that issued the bond (if applicable): Hannover Group
Person or entity providing the bond to the Town (contractor, property owner, other): Chalmers Insurance
Insurance Company: Chalmers Insurance M. Welch + Sons Inc
Signature of person completing the application: Allen Welch Date: 4/2/2020

APPROVED

Highway Superintendent: Phil W. Clave
Selectmen: _____
Selectmen: _____
Selectmen: _____
Date Approved: _____

Selectmen: _____
Selectmen: _____
Selectmen: _____

Application Fee: \$25.00
Date Paid: _____
Amount Paid: _____
☐ Cash ☐ Check ☐ Money Order

*Please attach map or sketch showing the location and size of any cuts to be made; a bond; and proof of insurance.

**THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA**

POWER OF ATTORNEY

THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

KNOW ALL PERSONS BY THESE PRESENTS:

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

Pamela J. Fuller

Of: Chalmers Insurance Group, York, ME

each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

Street Opening

in the amount of: \$2,000.00

That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America and affirmed by each Company on March 24, 2014)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 19th day of July, 2018.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Bryan J. Salvatore, Executive Vice President

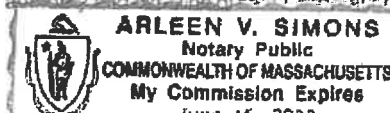
THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Janus H. Kawlecki, Vice President

THE COMMONWEALTH OF MASSACHUSETTS) ss.
COUNTY OF WORCESTER



On this 19th day of July, 2018 before me came the above named Executive Vice President and Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the



Arleen V. Simons, Notary Public
My Commission Expires June 15, 2023

I, the undersigned Vice President of the Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 8th day of April 2020

CERTIFIED COPY

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Carlick A. Bligh, Vice President



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/03/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|---|--|---|--|
| PRODUCER Chalmers Insurance Group - York 285 York Street PO Box 468 York ME 03909 | | CONTACT NAME: Pamela Fuller, AAI-M, AIS PHONE (A/C, No, Ext): (207) 363-3200 E-MAIL: pfuller@ChalmersInsuranceGroup.com FAX (A/C, No): (207) 363-1023 ADDRESS: | |
| INSURED M. Welch & Sons, Inc. 24 Welch Lane Arundel ME 04046 | | INSURER(S) AFFORDING COVERAGE INSURER A: Continental Western Insurance Company INSURER B: Acadia Insurance Company INSURER C: INSURER D: INSURER E: INSURER F: | |
| | | NAIC # 10804 31325 | |

COVERAGES**CERTIFICATE NUMBER:** CL1953133965**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL SUBR INSP | WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|----------------|-----|---------------|-------------------------|-------------------------|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: | | | CPA5155672 | 06/01/2019 | 06/01/2020 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 GL Expansion \$ |
| | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY 19 <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY | | | CAA5155677 | 06/01/2019 | 06/01/2020 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist \$ 1,000,000 |
| B | <input checked="" type="checkbox"/> UMBRELLA LIAB EXCESS LIAB DED RETENTION \$ | | | CUA5155678 | 06/01/2019 | 06/01/2020 | EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 |
| | <input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | | WCA5155680 | 06/01/2019 | 06/01/2020 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Mark Welch is excluded under Workers Compensation Insurance.

CERTIFICATE HOLDER**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Pamela J. Fuller



The Hanover Insurance Company | 440 Lincoln Street, Worcester, MA 01653
Citizens Insurance Company of America | 645 West Grand River Avenue, Howell, MI 48843
Massachusetts Bay Insurance Company | 440 Lincoln Street, Worcester, MA 01653

LICENSE OR PERMIT TERM BOND

Bond No. BLPH228211

KNOW ALL MEN BY THESE PRESENTS, that we, M WELCH & SONS INC.

of 24 WELCH LANE ARUNDEL, ME 04046

as Principal, and ☒ The Hanover Insurance Company (A New Hampshire Corporation) and/or ☐ Massachusetts Bay Insurance Company (A New Hampshire Corporation), as Surety, are held and firmly bound unto

, Maine, as Obligee, in

the penal sum of Two Thousand Dollars (\$2,000.00)
Dollars, good and lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, and our heirs, executors, administrators, jointly and severally, firmly by these presents.

WHEREAS the said Principal has applied to said Obligee for a license or permit for

Street Opening

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said Principal shall faithfully observe and honestly comply with the provisions of all Laws and Ordinances of said Obligee regulating the business for which license or permit is issued, then this obligation shall be void; otherwise to be and remain in full force and virtue.

LIABILITY UNDER THIS BOND SHALL terminate as of the 6th day of April, 2022
as to any acts subsequent thereto, unless said bond is continued in force from year to year by the issuance of a continuation certificate issued by the Surety. The aggregate liability of the Surety shall in no event exceed the amount of this bond regardless of the number of claims against the bond or the number of years the bond remains in force.

PROVIDED, THE LIABILITY OF THE SURETY may be terminated at any time by filing with the Obligee ten (10) days written notice of its desire to be relieved of liability. The Surety shall not be discharged from any liability already incurred under this bond, or which shall accrue hereunder before the expiration of the ten day period.

Signed, sealed and dated the 6th day of April, 2020

M WELCH & SONS INC.

Principal

By: [Signature]

☒ THE HANOVER INSURANCE COMPANY

By: Pamela J. Fuller
Pamela J. Fuller, Attorney-in-Fact

☐ MASSACHUSETTS BAY INSURANCE COMPANY

By: _____
Attorney-in-Fact



M. Welch and Sons Inc.
24 Welch Lane
Arundel, ME 04046
207-965-7805

4163

62-74802112

DATE 4/2/2020

PAY
TO THE
ORDER OF

Town of Kennebunkport

\$ 25.00

Twenty Five 00/100 DOLLARS

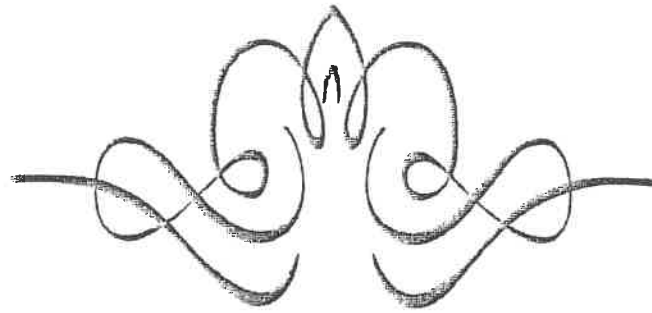
PAID BY
DEPOSIT TO
THIS BANK



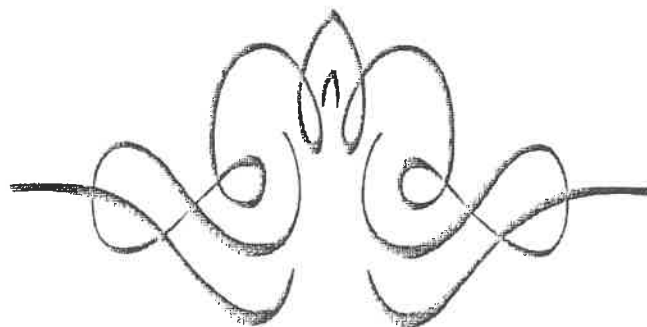
KENNEBUNK SAVINGS BANK
BERWICK, ME 03801

FOR 15 Langford Rd Permit M. Welch

⑆ 66 008658 ⑆



Agenda Item Divider



4



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

Memorandum

To: Laurie Smith, Town Manager
From: Michael Claus, Kennebunkport Public Works Director
Re: 75 Turbats Creek Road Fence in ROW Review
Date: April 13, 2020

Jonny Hall, the property owner of 75 Turbats Creek Road, asked me if it would be ok to install a new rope fence with wood piling posts in the right of way at Turbats Creek Road. Mr. Hall showed me photos of where old wood piling posts were in the right of way and he wished to have new posts in the same area with a rope railing. I told Mr. Hall that he would need an approval from the Board of selectmen to install a new fence in the right of way.

I have checked with highway and wastewater crews and the fence in the right of way at 75 Turbats Creek Road does not present any maintenance issues for either crew. The fence is just behind the existing utility pole line and in line with another fence in the right of way further up the road. The Town attorney has reviewed the agreement and suggested one change. The agreement has been amended to include that change. I do not have any issues with this agreement.

The Town has signed a couple of similar agreements with other property owners. This agreement, as with previous agreements will be filed with the registry of deeds.

AGREEMENT

Buckthorn West LLC ("BWLLC"), the owner of 75 Turbats Creek Road in Kennebunkport, York County, Maine (the "Property"), in consideration of the Town of Kennebunkport (the "Town") allowing certain improvements adjacent to the Property, to be located within the bounds of Turbats Creek Road, hereby agrees as follows:

Subject to approval by the Town,

1. BWLLC will make improvements which will be located within the bounds of the Turbats Creek Road right-of-way in accordance with the Plan and request letter submitted to you March 11th, 2020 hereto Exhibits A. and B. BWLLC agrees to place posts in line with existing utility poles and neighboring fences. Further, new posts are a replacement of previous posts by the former owner as demonstrated in Exhibit C. There will be no material change to the former owners post locations.

2. BWLLC understands and agrees that it is responsible for the maintenance and upkeep of the improvements within the bounds of Turbats Creek Road and that the Town has no responsibility for any such maintenance and upkeep. BWLLC further understands that the Town may damage some of the improvements in the process of winter snowplowing or other road maintenance and BWLLC agrees that the Town will have no responsibility or liability whatsoever for the repairs of any such damage.

3. BWLLC agrees that it has not acquired any rights in or to any portion of Turbats Creek Road on which the improvements have been located. BWLLC understands and agrees the the Town shall have the right to require that BWLLC remove any and all of the improvements within the bounds of Turbats Creek Road, upon 60 days written notice to BWLLC.

4. BWLLC shall indemnify, defend and hold harmless the Town from any and all claims arising from BWLLC performance under this Agreement, which obligation shall survive the termination of this Agreement.

5. BWLLC agrees that this Agreement shall be recorded in the York County Register of Deeds, with reference to the Deed of the Property to 75 Turbats Creek Road dated April 2, 2020 and recorded in the York County Register of Deeds in Book_____ Page_____.

6. The terms and conditions of this Agreement shall be binding upon BWLLC and its successors and assigns.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their representatives, thereunto duly authorized, this ____ day of April, 2020.

WITNESS:

BUCKTHORN WEST LLC

By: _____

JON HALL PRESIDENT BWLLC

STATE OF MAINE

YORK COUNTY.

DATE _____

Then personally appeared the above-named Jon Hall, President of Buckthorn West LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said company.

Before me

Notary Public

Printed Name: _____

My commission expires: _____

WITNESS:

TOWN OF KENNEBUNKPORT

**By its Board of Selectmen,
hereunto duly authorized**

STATE OF MAINE

YORK COUNTY.

DATE: _____ **2020**

Then personally appeared the above-named Board of Selectmen as municipal officers of the Town of Kennebunkport, and acknowledged the foregoing instrument to be their free act and deed and the free act and deed of the Town of Kennebunkport.

Before me,

Notary Public

Printed Name: _____

My Commission expires: _____

Exhibit B.

BUCKTHORNWEST LLC

3-11-20

SUBMITTED TO:

KENNEBUNKPORT PUBLIC WORKS DEPT.
MIKE CLAUS

SUBJECT ADDRESS:

75 TURBATS CREEK ROAD

REQUEST APPROVAL FOR:

FENCING PLACEMENT IN RIGHT OF WAY.

MIKE,

UPON OUR MEETING AT THE SITE, AT YOUR REQUEST I WOULD LIKE TO FORMALLY REQUEST THE APPROVAL FOR THE PLACEMENT OF THE POST & ROPE FENCING ALONG MY PROPERTY LINE IN THE RIGHT OF WAY TO BE ALIGNED WITH THE UTILITY POLES ALONG THE ROADWAY OF TURBATS CREEK ROAD. I WOULD LIKE TO MAINTAIN THE SAME AS THE NEIGHBORING PROPERTIES IF POSSIBLE.

THANK YOU FOR TAKING YOUR TIME TO LOOK AT THIS WITH ME.

APPRECIATED

JONNY HALL
BUCKTHORNWEST LLC

Exhibit C.

From: buckthornwest@gmail.com
Subject: Posts - 75 Turbats Creek Road
Date: April 1, 2020 at 4:07 PM
To: Shawn Brown lbrown77@maine.rr.com

Sent from my iPhone

Begin forwarded message:

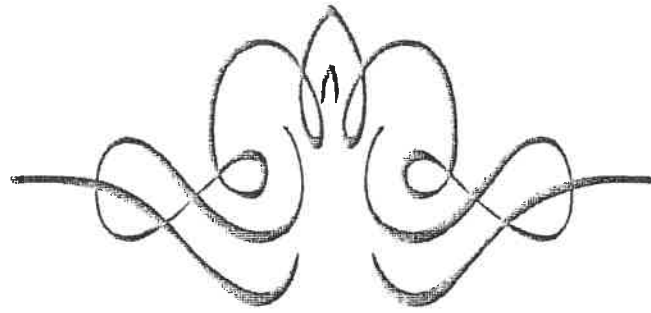
From: Mike Claus <mclaus@kennebunkportme.gov>
Date: March 27, 2020 at 9:45:11 AM EDT
To: Laurie Smith <smith@kennebunkportme.gov>
Cc: "buckthornwest@gmail.com" <buckthornwest@gmail.com>, Christopher Simeoni <csimeoni@kennebunkportme.gov>, Arlene McMurray <amcmurray@kennebunkportme.gov>
Subject: 75 Turbats Creek Road

I have received a request from Jonny Hall to install wood fence posts and rope railing from the utility pole near our pump station and the private driveway that accesses the new home being built at 75 Turbats Creek Road.

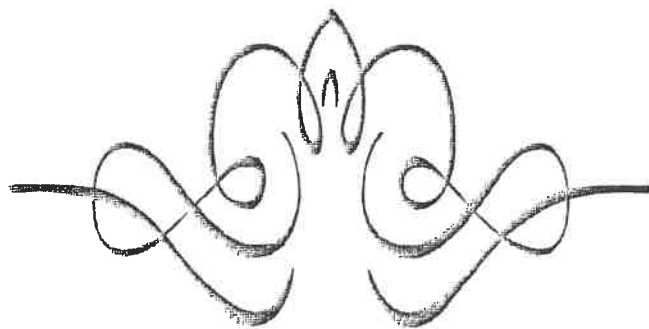
I have reviewed fence details with our crew and the fencing would not interfere with our winter maintenance plowing work and the rope railing can be moved for any ditching work that needed to be done at the cross culvert between our pump station and 75 Turbats Creek Road property. The fencing ends at the utility pole adjacent to our pump station. Photo of site from 2011 with old posts is shown below.

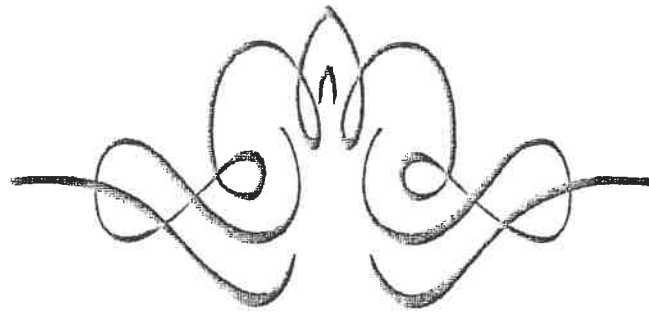


75 Turbats
Creek...mo.pdf

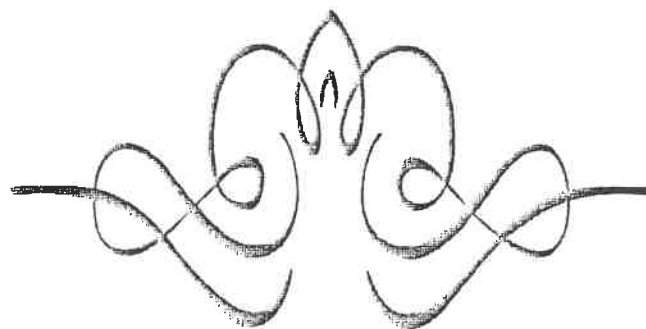


Agenda Item Divider





Agenda Item Divider



5

Discussion Points for Reentry Plan

April 23, 2020

Elections

- State Primary - July 14
 - Sanitation Procedures and Protective Measures
 - Poll Worker Health
 - Encouraging absentee balloting
 - New Rules and Protocols
- Town Meeting/Election
 - 2nd Tuesday in June – move to July 14 and July 18
 - Open meeting or secret ballot
 - How many warrant articles?
 - Social Distancing standards
 - Sanitation Procedures and Protective Measures
 - 60-day requirement on secret ballot (May 15)

Internal Operations

- Human Resources
 - Worker's comp claims
 - FMLA determinations
 - Hiring process and levels for seasonal staff
 - Future working from home policies
 - "Measuring" employee's health
- Finance
 - Cash Flow
 - Reduced Revenues
 - FY 20 - End of Year Projections
 - FY 21 - Amended Budget
 - Commitments to Capital
 - Frozen expenditures and current contracts
 - Use of Fund Balance
 - Tax commitment and billing

- Operations
 - Department by Department Criteria and Questions
 - Public Spaces
 - Beaches and Parks
 - Public Restrooms
 - Dock Square
 - Portapotties
 - Safety
 - Enforcement
 - Sanitation
 - Safety Measures and Physical Changes
 - Safety Glass
 - Dutch Doors
 - PPE for Staff
 - PPE FOR Public
 - Limit on numbers of staff
 - Limit on numbers of public
 - One-way traffic in Town Hall operations
 - Essential vs. non-essential as we ramp up
 - Changes in protocols and policies
 - Develop new emergency response plans.
 - Licenses
 - Victualer's
 - Liquor/Special Amusements
 - Shellfish
- Protocols/Policies
 - Facilities cleaning
 - Allowing public use of facilities
 - Status of Parks and Beaches
 - Public Parking
 - Beaches
 - Dock Square
 - Village Fire Station
 - Cape Porpoise Pier
 - Social Distancing in public facilities
- State Executive Orders
- Federal Orders
- Center for Disease Control Restrictions and Guidance

Lessons Learned

- Emergency Response - Public Safety Team
 - Pandemic
 - Disaster
- Operations
 - All Departments
 - Technology
 - Changes in procedures and policies
 - Successes
 - Fails
- Technology
 - Needed future investments
 - Benefits to on-line services
 - Support and Training for Staff
- Legal - Ordinance Revisions
- Coordinated Efforts
 - Towns
 - School
 - County
- Public Spaces
 - Beaches and Parks
 - Public Restrooms
 - Safety
 - Enforcement
 - Sanitation

Economy

- Summer Season
- Fall Season
- Beaches
- Support of Businesses
- Support of Residents
- Rental Industry
- Hotels Industry
- Restaurant Industry
- Zoning clarifications for uses impacted by COVID-19
- Partnerships
 - Chamber of Commerce
 - Kennebunkport Business Association
 - Maine Tourism
- Coordinated efforts with coastal communities
- Coordinated efforts with State of Maine

Communication

- Alerting public
 - Phase ramp up
 - Rules and Protocols
 - Changes to regulations and standards
- Alerting Businesses to changes and standards
 - Altering visitors to Rules and Protocols
- Communication with residents on evolving issues
- Communication with businesses regarding their work challenges and our standards.
- Employees on an ever-evolving environment
- Newsletter for summer/fall
- Budget document publications

Public Meetings

- When do we resume physical meetings?
- When do we engage other boards and committees?
- Do we begin with public officials and then to public?
- Continued training of board members on Zoom format
- Virtual meetings dependent upon support from two AV staff

Public Events

- Memorial Day Parade
- 4th of July Fireworks
- GRB Fourth of July Race and Parade
- Special Events – Races and Gatherings

State Resources

- Testing
 - Employees
 - How to Include data from visitors
- PPE
- Communication
 - Time Frame
 - Triggers
 - Testing Results

GUIDELINES

OPENING UP AMERICA AGAIN

President Trump has unveiled Guidelines for Opening Up America Again, a three-phased approach based on the advice of public health experts. These steps will help state and local officials when reopening their economies, getting people back to work, and continuing to protect American lives.

Proposed Phased Approach

BASED ON UP-TO-DATE DATA AND READINESS

MITIGATES RISK OF RESURGENCE

PROTECTS THE MOST VULNERABLE

IMPLEMENTABLE ON **STATEWIDE OR COUNTY-BY-COUNTY** BASIS AT GOVERNORS' DISCRETION

Proposed State or Regional Gating Criteria

Satisfy Before Proceeding to Phased Comeback

SYMPTOMS

Downward trajectory of influenza like illnesses (ILI) reported within a 14-day period

AND

Downward trajectory of covid like syndromic cases reported within a 14-day period

CASES

Downward trajectory of documented cases within a 14-day period

OR

Downward trajectory of positive tests as a percent of total tests within a 14-day period (flat or increasing volume of tests)

HOSPITALS

Treat all patients without crisis care

AND

Robust testing program in place for at-risk healthcare workers, including emerging antibody testing

State and local officials may need to tailor the application of these criteria to local circumstances (e.g., metropolitan areas that have suffered severe COVID)

Core State Preparedness Responsibilities

| TESTING & CONTACT TRACING | HEALTHCARE SYSTEM CAPACITY | PLANS |
|---|--|---|
| ✓ Ability to quickly set up safe and efficient screening and testing sites for symptomatic individuals and trace contacts of COVID+ results | ✓ Ability to quickly and independently supply sufficient Personal Protective Equipment and critical medical equipment to handle dramatic surge in need | ✓ Protect the health and safety of workers in critical industries |
| ✓ Ability to test Syndromic/ILI-indicated persons for COVID and trace contacts of COVID+ results | ✓ Ability to surge ICU capacity | ✓ Protect the health and safety of those living and working in high-risk facilities (e.g., senior care facilities) |
| ✓ Ensure sentinel surveillance sites are screening for asymptomatic cases and contacts for COVID+ results are traced (sites operate at locations that serve older individuals, lower-income Americans, racial minorities, and Native Americans) | | ✓ Protect employees and users of mass transit |
| | | ✓ Advise citizens regarding protocols for social distancing and face coverings |
| | | ✓ Monitor conditions and immediately take steps to limit and mitigate any rebounds or outbreaks by restarting a phase or returning to an earlier phase, depending on severity |

GUIDELINES FOR ALL PHASES

Individuals

Continue to adhere to State and local guidance as well as complementary CDC guidance, particularly with respect to face coverings.

CONTINUE TO PRACTICE GOOD HYGIENE

- ✓ Wash your hands with soap and water or use hand sanitizer, especially after touching frequently used items or surfaces.
- ✓ Avoid touching your face.
- ✓ Sneeze or cough into a tissue, or the inside of your elbow.
- ✓ Disinfect frequently used items and surfaces as much as possible.
- ✓ Strongly consider using face coverings while in public, and particularly when using mass transit.

PEOPLE WHO FEEL SICK SHOULD STAY HOME

- ✓ Do not go to work or school.
- ✓ Contact and follow the advice of your medical provider.

Employers

Develop and implement appropriate policies, in accordance with Federal, State, and local regulations and guidance, and informed by industry best practices, regarding:

- ✓ Social distancing and protective equipment
- ✓ Temperature checks
- ✓ Sanitation
- ✓ Use and disinfection of common and high-traffic areas
- ✓ Business travel

Monitor workforce for indicative symptoms. Do not allow symptomatic people to physically return to work until cleared by a medical provider.

Develop and implement policies and procedures for workforce contact tracing following employee COVID+ test.

Phase One

For States and Regions that satisfy the gating criteria

INDIVIDUALS

- **ALL VULNERABLE INDIVIDUALS** should continue to shelter in place. Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not practical, they could carry the virus back home. Precautions should be taken to isolate from vulnerable residents.
- All individuals, **WHEN IN PUBLIC** (e.g., parks, outdoor recreation areas, shopping areas), should maximize physical distance from others. Social settings of more than 10 people, where appropriate distancing may not be practical, should be avoided unless precautionary measures are observed.
- Avoid **SOCIALIZING** in groups of more than 10 people in circumstances that do not readily allow for appropriate physical distancing (e.g., receptions, trade shows)
- **MINIMIZE NON-ESSENTIAL TRAVEL** and adhere to CDC guidelines regarding isolation following travel.

EMPLOYERS

- Continue to **ENCOURAGE TELEWORK**, whenever possible and feasible with business operations.
- If possible, **RETURN TO WORK IN PHASES**.
- Close **COMMON AREAS** where personnel are likely to congregate and interact, or enforce strict social distancing protocols.
- Minimize **NON-ESSENTIAL TRAVEL** and adhere to CDC guidelines regarding isolation following travel.
- Strongly consider **SPECIAL ACCOMMODATIONS** for personnel who are members of a **VULNERABLE POPULATION**.

SPECIFIC TYPES OF EMPLOYERS

- **SCHOOLS AND ORGANIZED YOUTH ACTIVITIES** (e.g., daycare, camp) that are currently closed should remain closed.
- **VISITS TO SENIOR LIVING FACILITIES AND HOSPITALS** should be prohibited. Those who do interact with residents and patients must adhere to strict protocols regarding hygiene.
- **LARGE VENUES** (e.g., sit-down dining, movie theaters, sporting venues, places of worship) can operate under strict physical distancing protocols.
- **ELECTIVE SURGERIES** can resume, as clinically appropriate, on an outpatient basis at facilities that adhere to CMS guidelines.
- **GYMS** can open if they adhere to strict physical distancing and sanitation protocols.
- **BARS** should remain closed.

Phase Two

For States and Regions with no evidence of a rebound and that satisfy the gating criteria a second time

INDIVIDUALS

- **ALL VULNERABLE INDIVIDUALS** should continue to shelter in place. Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not practical, they could carry the virus back home. Precautions should be taken to isolate from vulnerable residents.
- All individuals, **WHEN IN PUBLIC** (e.g., parks, outdoor recreation areas, shopping areas), should maximize physical distance from others. Social settings of more than 50 people, where appropriate distancing may not be practical, should be avoided unless precautionary measures are observed.
- **NON-ESSENTIAL TRAVEL** can resume.

EMPLOYERS

- Continue to **ENCOURAGE TELEWORK**, whenever possible and feasible with business operations.
- Close **COMMON AREAS** where personnel are likely to congregate and interact, or enforce moderate social distancing protocols.
- Strongly consider **SPECIAL ACCOMMODATIONS** for personnel who are members of a **VULNERABLE POPULATION**.

SPECIFIC TYPES OF EMPLOYERS

- **SCHOOLS AND ORGANIZED YOUTH ACTIVITIES** (e.g., daycare, camp) can reopen.
- **VISITS TO SENIOR CARE FACILITIES AND HOSPITALS** should be prohibited. Those who do interact with residents and patients must adhere to strict protocols regarding hygiene.
- **LARGE VENUES** (e.g., sit-down dining, movie theaters, sporting venues, places of worship) can operate under moderate physical distancing protocols.
- **ELECTIVE SURGERIES** can resume, as clinically appropriate, on an outpatient and in-patient basis at facilities that adhere to CMS guidelines.
- **GYMS** can remain open if they adhere to strict physical distancing and sanitation protocols.
- **BARS** may operate with diminished standing-room occupancy, where applicable and appropriate.

Phase Three

For States and Regions with no evidence of a rebound and that satisfy the gating criteria a third time

INDIVIDUALS

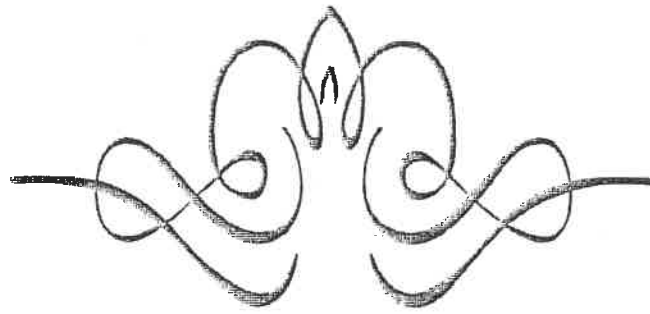
- **VULNERABLE INDIVIDUALS** can resume public interactions, but should practice physical distancing, minimizing exposure to social settings where distancing may not be practical, unless precautionary measures are observed.
- **LOW-RISK POPULATIONS** should consider minimizing time spent in crowded environments.

EMPLOYERS

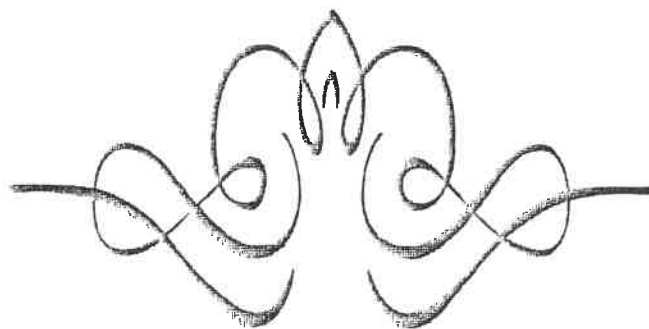
- Resume **UNRESTRICTED STAFFING** of worksites.

SPECIFIC TYPES OF EMPLOYERS

- **VISITS TO SENIOR CARE FACILITIES AND HOSPITALS** can resume. Those who interact with residents and patients must be diligent regarding hygiene.
- **LARGE VENUES** (e.g., sit-down dining, movie theaters, sporting venues, places of worship) can operate under limited physical distancing protocols.
- **GYMS** can remain open if they adhere to standard sanitation protocols.
- **BARS** may operate with increased standing room occupancy, where applicable.



Agenda Item Divider



Kennebunkport Public Health

April 6, 2020

ATN: Kennebunkport Board of Selectman, Laurie Smith- Kennebunkport Town Manager

Please accept this generous donation of \$1000.00 from the South Congregational church. This gift is dedicated towards the emergency food fund. This fund will provide emergency food to a family in need upon request. This fund will work alongside Community Outreach Services who provides food to our residents upon request along with the weekly food pantry at St Martha's church in Kennebunk.

Thank you!

Alison Kenneway RN, BSN

Dear Allison,

Enclosed is a check for \$1,000 from South Congregational Church UCC (Deacons/Hickey Fund) for the Kennebunkport Public Health Department's Food Account. We hope this will help your clients during these challenging times.

With thanks for your help, and prayers for your well-being,
Elizabeth Grant
Board of Deacons

SOUTH CONGREGATIONAL CHURCH UCC

P.O. BOX 414
KENNEBUNKPORT, MAINE 04046

**People's United
Bank**

52-7218/2211

23007

4/1/2020

PAY TO THE
ORDER OF

Kennebunkport Public Health

\$ **1,000.00

One Thousand and 00/100*****

DOLLARS

Kennebunkport Public Health
Attn: Allison Kenneway
PO Box
Kennebunkport, ME 04046

MEMO

Food Account

Brenda Phillips

SOUTH CONGREGATIONAL CHURCH UCC
KENNEBUNKPORT, MAINE 04046

Kennebunkport Public Health

Board Designated Fund Expense:Hickey Food Account

4/1/2020

23007

1,000.00