



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

Board of Selectmen/Assessors Agenda Village Fire Station – 32 North Street September 10, 2015 – 7 PM

1. Call to Order.
2. Approve the August 27, 2015, selectmen meeting minutes.
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.).
4. Finalize and sign the November 2015 Special Town Meeting Warrant.
5. Approve Certification of Ordinances.
6. Public Hearing on proposed amendment to the Traffic and Parking Control Ordinance:

Section 4. One Way Traffic

2. East Avenue: from South Main Street toward Ocean Avenue ~~(excepting the period of December 1 to March 31 when two way traffic is allowed).~~

7. Award the Town Hall attic insulation bid.
8. Consider the Wastewater Department RFP for the sewer waste study.
9. Accept the following donations to the Kennebunkport Emergency Fuel Account.
 - a. A \$300 donation from the Kennebunk Savings Bank Community Promise Program.
 - b. An anonymous \$100 donation in memory of Kathy Jones.
 - c. An anonymous \$50 donation in memory of Kathy Jones.
10. Consider Town Manager's employment contract.
11. Consider street opening permit for Sherman Kinney Properties, LLC for sewer under sidewalk on Kings Highway.

12. Meet as Assessors to consider the following property tax supplemental bill:

Property Owner	Location	Map	Block	Lot(s)	Tax Supplemental bill 2015
William A. & Laura Glasser	9 Eel Bridge Lane	22	7	25	\$365.80

13. Other business.

14. Approve the September 10, 2015, Treasurer's Warrant.

15. Adjournment.

**Town of Kennebunkport
Board of Selectmen/Assessor's Meeting
Village Fire Station-32 North Street
August 27, 2015 – 6:00 PM**

Minutes of the Selectmen Meeting of August 27, 2015

Selectmen present: Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Edward W. Hutchins. and Sheila Matthews-Bull

Others present: Barbara Barwise, Deb Bauman, Annette Quezada, Michael Claus, April Dufoe, Werner Gilliam, Paul Hogan, David James, James McMann, David Powell, Roger Seavey, Laurie Smith, and others

1. Call to Order.

Chair Matthews-Bull called the meeting to order at 6:00 PM.

2. 6:00 PM – Executive session per M.R.S.A. 1 §405-6E to consult with the Town Attorney regarding contemplated litigation.

Motion by Selectman Barwise, seconded by Selectman Daggett to go into executive session per M.R.S.A. 1 §405-6E to consult with the Town Attorney regarding contemplated litigation. **Vote:** 5-0.

There was no action taken.

3. 6:40 PM - Executive session per M.R.S.A. 1 §405-6A to discuss town manager's employment contract.

Motion by Selectman Barwise, seconded by Selectman Daggett, to go into executive session per M.R.S.A. 1 §405-6A to discuss town manager's employment contract. **Vote:** 5-0.

The Board came out of executive session at 7:21 PM.

As a result of executive session, **Motion** by Selectman Barwise, seconded by Selectman Hutchins, that if by September 4, a satisfactory agreement between Hidden Pond and the Town of Kennebunkport has not been reached, the Board of Selectmen will suspend their victualer's license the next business day. **Vote:** 5-0.

4. 7:00 PM—Approve the August 11, and 13, 2015, selectmen meeting minutes.

Motion by Selectman Barwise, seconded by Selectman Briggs, to approve the August 11, 2015, selectmen meeting minutes. **Vote:** 3-0-2/Selectmen Daggett and Hutchins abstained because they were not present at the meeting.

Motion by Selectman Barwise, seconded by Selectman Daggett, to approve the August 13, 2015, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Hutchins abstained because he was not present at that meeting.

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.).

David James read into the record a letter by the Kennebunkport Residents Association Executive Board regarding the proposal before the Selectmen regarding roomers. The KRA is not taking a stand on this issue, but is asking the Town to fully investigate it and evaluate all of the implications before taking this to the voters. He had an application from Cape Elizabeth that he shared with the Board.

6. Establish the Warrant for the November 3, 2015 election.

a. Amendments to the Animal Control Ordinance.

Town Manager Laurie Smith said the last revisions were organizational and chronological changes. She said the Town Attorney approved these changes.

Barbara Barwise questioned Section B.9. on how an area could be designated seasonal or permanent.

Chair of the Beach Advisory Committee Paul Hogan explained that the piping plovers do not always nest in the same spot. If they come back to the same spot the following year, the Board of Selectmen could declare it a protected area, and the Town would have to put up signs.

Ms. Smith explained that it gives the Board the authority to declare it a limited dog access area.

Motion by Selectman Hutchins, seconded by Selectman Briggs, to put amendments to the Animal Control Ordinance on the November 3, 2015, warrant. **Vote:** 5-0.

b. Amendments to the Land Use Ordinance regarding roomers.

Selectman Daggett said this amendment to the Land Use Ordinance regarding roomers is not ready to be put on the Warrant.

Motion by Selectman Barwise, seconded by Selectman Daggett, to not place the amendments to the Land Use Ordinance regarding roomers on the November 3, 2015, warrant. **Vote:** 5-0.

7. Set public hearing date on October 22, 2015, for warrant articles for November election.

Motion by Selectman Daggett, seconded by Selectman Hutchins to set a public hearing date of October 22, to discuss warrant articles for the November 3, 2015, election. **Vote:** 5-0.

8. Award the following bids:

a. Winter sand bid for 2015-2016.

Public Works Director Michael Claus said he only received one bid, which was from Dayton Sand and Gravel. He said their price went up 50 cents per cubic yard from last year.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to award the 2015-2016 winter sand bid to Dayton Sand and Gravel for a fee of \$8.00/cubic yard delivered freight on board to the Town garage. **Vote:** 5-0.

b. Salt purchase bid.

Mr. Claus explained that the salt bid went through the joint bid with SMRPC-GPCOG. They selected the low bid Morton Salt at a cost of \$61.50 per ton.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to award the salt bid to Morton Salt at a cost of \$61.50 per ton. **Vote:** 5-0.

9. Consider request from the DEP to locate an ozone monitoring station on town-owned property located off of Ocean Avenue beside St. Anne's church that would remain year round.

Motion by Selectman Barwise, seconded by Selectman Hutchins to approve the DEP's request to locate an ozone monitoring station on town-owned property located off of Ocean Avenue beside St. Anne's church that would remain year round. **Vote:** 5-0.

Selectman Briggs was concerned about the colored photo in the Board's packet which showed a red ozone monitoring station.

Amended Motion by Selectman Barwise, seconded by Selectman Hutchins to approve the ozone monitoring structure as long as the color of the structure is in keeping with the environment and contingent upon all other approvals. **Vote:** 5-0.

10. Accept anonymous donations in the amount of \$400.00 to the Kennebunkport emergency fuel account in memory of Kathy Jones.

- a. Gift #1 for \$50.00
- b. Gift #2 for \$25.00
- c. Gift #3 for \$50.00

- d. Gift #4 for \$25.00
- e. Gift #5 for \$50.00
- f. Gift #6 for \$25.00
- g. Gift #7 for \$150.00
- h. Gift #8 for \$25.00

Motion by Selectman Daggett, seconded by Selectman Barwise, to accept the anonymous gifts totaling \$400 in memory of Kathy Jones to the Kennebunkport emergency fuel account. **Vote:** 5-0.

11. Meet as assessors to consider the following abatement request:

Property Owner	Location	Map	Blk	Lot(s)	Tax Abatements 2015
Helen Marie Lewand	315 Goose Rocks Rd.	25	4	1	\$805.42
Helen Marie Lewand	Goose Rocks Rd.	25	4	1-C	\$784.63
Helen Marie Lewand	Goose Rocks Rd.	25	5	5	\$117.04
Total Abatement					\$1,707.09

Ms. Smith explained that that the reason for this abatement is that the Town had billed the property owner for three lots and the property owner only has one deeded lot. It was an error on behalf of the Town.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the tax abatement as recommended by Assessor's Agenda Donna Moore Hays, for Helen Marie Lewand in the amount of \$1,707.09. **Vote:** 5-0.

12. Other business.

a. LD 1222 update.

Ms. Smith said this bill was proposed by Representative Babbage of Kennebunk, approved by the legislature, vetoed by the Governor, and the veto was overridden by the legislature. However, the Maine Department of Education added an amendment to the bill which said this fixed debt payment schedule can only be used if it lowers the costs to municipalities. This fixed debt payment schedule is restructuring the costs and not lowering them, so they cannot use it.

b. Correspondence from Bill Leffler regarding committee on aging.

Bill Leffler sent a proposal to the Board asking the Town to appoint a committee to study the services and needs of an aging community. Public Health Nurse Judy Barrett feels that there are procedures in place to address most of the needs for seniors. The Selectmen feel that this is an important issue, however they would like Mr. Leffler to do more legwork and come up with a clearer mission before they impanel a committee. They would like him to meet with Ms. Barrett.

Ms. Smith announced a free community balance screening through Coastal Rehab and the Kennebunkport Public Health Department. The screening will be held on Thursday, September 17, from 9 AM to 11 PM, at the Village Fire Station. The phone number to schedule an appointment is 967-4401.

Ms. Smith also announced an Adult/Child CPR & AED class on September 22, at the Village Fire Station, from 6:00 to 9:00 PM. The class is limited to 20 participants. The phone number to register is 967-4401.

13. Approve the August 27, 2015, Treasurer's Warrant.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the August 27, 2015, Treasurer's Warrant. **Vote:** 5-0.

14. Adjournment.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to adjourn. **Vote:** 5-0.

The meeting adjourned at 7:58 PM.

Submitted by

Arlene McMurray (Minutes taken via television)
Administrative Assistant

April Dufoe (Minutes taken at the meeting)
Town Clerk

**TOWN OF KENNEBUNKPORT
TOWN WARRANT
SPECIAL TOWN MEETING
November 3, 2015**

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 a Special Town Meeting of this municipality will be held at the Village Fire Station, 32 North Street, in said Town on Tuesday, the 3rd day of November 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 Question 1 as set out below. The polls for voting on Question 1 shall be opened immediately after election of the Moderator at 8:00 a.m. on November 3, 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 correction or change to any name or address on the voting list.

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

ARTICLE 1a. To vote on the following referendum questions:

**QUESTION 1
AMENDMENT TO THE ANIMAL CONTROL ORDINANCE**

Shall an ordinance entitled "November, 2015 Amendment to the Animal Control 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 redefines Restricted Area into Nesting Area and Limited Dog Access Area and reorganizes Section D(2).]

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 10th day of September, 2015, Kennebunkport, Maine.

Stuart E. Barwise

Sheila A. Matthews-Bull

Edward W. Hutchins

Allen A. Daggett

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

ORDER

VOTED: That it be and is hereby Ordered that the Question set forth below be placed on the ballot of the Special Town Meeting of the Town of Kennebunkport to be held on November 3, 2015, and that an attested copy of this Order be placed on file with the Town Clerk of the Town of Kennebunkport.

QUESTION 1 AMENDMENT TO THE ANIMAL CONTROL ORDINANCE

Shall an ordinance entitled "November, 2015 Amendment to the Animal Control 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 redefines Restricted Area into Nesting Area and Limited Dog Access Area and reorganizes Section D(2).]

GIVEN UNDER OUR HANDS this 10th day of September, 2015, Kennebunkport, Maine.

Stuart E. Barwise

Sheila W. Matthews-Bull

Patrick A. Briggs

Allen A. Daggett

Edward W. Hutchins, II

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

CERTIFICATION OF PROPOSED ORDINANCE

TO: April Dufoe, Town Clerk of the Town of Kennebunkport. In the name of the State of Maine, we hereby certify that the Ordinance entitled:

“November, 2015 Amendment to the Animal Control Ordinance”

attached hereto is a true copy of the Ordinance proposed for enactment at the Special Town Meeting of the Town of Kennebunkport to be held on November 3, 2015.

Dated this 10th day of September, 2015, at Kennebunkport, Maine.

Stuart E. Barwise

Sheila W. Matthews-Bull

Patrick A. Briggs

Allen A. Daggett

Edward W. Hutchins, II

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

PROPOSED AMENDMENT TO THE ANIMAL CONTROL ORDINANCE

Shall an ordinance entitled "November, 2015 Amendment to the Animal Control 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 redefines Restricted Area into Nesting Area and Limited Dog Access Area and reorganizes Section D(2).]

Amend the Animal Control Ordinance as follows:

ANIMAL CONTROL ORDINANCE

Section A: Purpose

The purpose of this ordinance is to require that all animals in the Town of Kennebunkport be kept under the control of their owner or keeper at all times so that they will not injure persons or other animals, damage property or create a public safety threat.

The provisions of this ordinance that apply to the owner of an animal apply equally to any person keeping, or having control, custody or possession of that animal.

Section B: Definitions

1. **ANIMAL:** Every living, sentient creature not a human being.
2. **ANIMAL CONTROL:** Control of dogs, cats and domesticated or undomesticated animals.
3. **ANIMAL CONTROL OFFICER:** Any person appointed by the Town of Kennebunkport to enforce animal control laws.
4. **ANIMAL SHELTER:** A facility that includes a physical structure that provides temporary shelter to stray, abandoned, abused or owner-surrendered animals.
5. **AT LARGE:** Off the premises of the owner, unleashed and not under the Voice and Sight control of a responsible party.

6. BEACH: The beaches within the Town of Kennebunkport commonly referred to as Goose Rocks Beach, Colony Beach, and Cleaves Cove.
7. DOG: Any of large and varied groups of domesticated animals in the canine family.
8. LEASH: Hand held device, 15 feet or less in length, which can be used to restrain a dog.
9. LIMITED DOG ACCESS AREA: Any beach area on Goose Rocks Beach, Colony Beach or Cleaves Cove, that is designated by the Board of Selectmen or designee for special protection of piping plovers or other endangered species based upon scientific and historical data, where dogs may be either prohibited entirely or permitted only if on-leash based on time of day and/or date, as provided herein or pursuant to rules adopted hereunder. This designation may be seasonal or permanent.
10. NESTING AREA: Any beach area on Goose Rocks Beach, Colony Beach or Cleaves Cove, that has been roped off, fenced off or otherwise demarcated or posted by governmental officials or their agents to protect the nesting site of a piping plover or of any other endangered species protected under federal or state law.
9. ~~11.~~ OWNER: Owner or any person or persons, firm, association or corporation owning, keeping or harboring an animal or any person having custody, possession, or control of an animal.
40. ~~12.~~ RESPONSIBLE PARTY: Any person who has custody, possession or control of a dog, whether or not that person is the Owner.
11. ~~RESTRICTED AREAS: Any beach area on Goose Rocks Beach, Colony Beach or Cleaves Cove, that is designated for special protection for piping plovers or other endangered species based upon scientific and historical data.~~
42. ~~13.~~ VOICE AND SIGHT CONTROL: "Voice Control" means that the dog returns immediately to and remains by the side of the responsible party in response to the responsible party's verbal command. "Sight Control" means that dog is always within sight of the responsible party and the dog is capable of complying with Voice Control. If a dog approaches or remains within 10 feet of any person other than the responsible party, that dog is not under voice control and is in violation of this Ordinance unless such person has communicated to the responsible party by spoken word or gesture that such person consents to the presence of the dog. A dog barking repeatedly is not considered under Voice and Sight Control.

Section C: Requirements for Control of Animals

1. **AT LARGE DOGS:** It is unlawful for any dog, licensed or unlicensed, to be at large within the Town of Kennebunkport, except when used for hunting. Dogs shall be considered at large unless leashed or under Voice and Sight Control of a responsible party. A responsible party shall maintain control of their dog(s) at all times, not allow the dog(s) to charge, chase or display aggression towards any person, or disturb or harass any person, other dogs or wildlife. A responsible party shall have a leash in his/her possession for any dog that is off leash. The owner of any dog found at large or otherwise in violation of this section will be subject to the civil penalties provided in the Ordinance and/or Maine State Law, Title 7, Section 3911.
2. **DOGS LEASHED:** A leash shall be used to restrain a dog: (a) if the dog fails to respond to voice commands when off the premises of the owner, (b) when a dog is walking with a responsible party on roads and sidewalks in the Town of Kennebunkport, or (c) if the responsible party is ordered by the Animal Control Officer or a law enforcement officer to leash the dog. The owner of any dog found in violation of this section will be subject to the civil penalties provided in the Ordinance.
3. **IMPOUNDMENT OR RETURN OF AT LARGE DOGS:** All dogs found at large in violation of this Ordinance or Title 7, M.R.S.A., Section 3911 may be impounded at the animal shelter or returned to the owner, at the discretion of the Animal Control Officer or law enforcement officer.
4. **LICENSES:** No dog shall be kept within the limits of the Town of Kennebunkport unless such dog is licensed by the owner in accordance with Maine State Law.
5. **RABIES TAGS:** Rabies tags obtained from a veterinarian for immunization against rabies must be securely attached to the dog's collar and must be worn by the dog for which the tag was issued except when the dog is hunting, in training or in an exhibition or on the premises of the owner.
6. **CONTROL OF ANIMAL WASTE:** An owner or responsible party must remove and dispose of any feces left by his/her animal on any sidewalk, street, beach, public property or private property (other than the property of the owner of the animal or of a person who has consented to the presence of the animal on his or her property). Deposit of feces left off property of the owner shall be placed in an appropriate litter receptacle.

Section D: Specific Requirements for Dogs on Beaches

1. **AUTHORITY:** The Board of Selectmen shall have the authority to adopt specific rules governing dogs on Goose Rocks Beach, Colony Beach and Cleaves Cove that are more restrictive than the provisions of Section C or Section D(2) of this Ordinance. For example, the Board of Selectmen or designee may designate Limited Dog Access Restricted Areas on these beaches for special protection for piping plovers or other endangered species based upon scientific and historical data consistent with state and federal laws governing endangered species. For specific rules governing dogs on Goose Rocks Beach, the Board of Selectmen shall have the authority to adopt such rules after consultation with the Goose Rocks Beach Advisory Committee, in accordance with Section IV.D of the Beach Use Ordinance for Goose Rocks Beach.
2. **DOG RESTRICTIONS RULES ON BEACHES:** The following restrictions rules, ~~adopted in accordance with Section D.1 above,~~ apply to dogs on the following beaches located within the Town of Kennebunkport: Goose Rocks Beach, Colony Beach and Cleaves Cove.
 - a. An owner or responsible party shall always be required to leash their dog on any of the applicable beaches referenced above when directed to do so by a law enforcement officer or Animal Control officer.
 - b. Pet waste must be picked up immediately and disposed of properly in an appropriate litter receptacle.
 - c. ~~Dogs must be kept at least 200 feet from any designated Restricted Area.~~
 - d. ~~Restricted Areas include the following:~~
 - i. ~~Any beach area on Goose Rocks Beach, Colony Beach or Cleaves Cove that has been roped off, fenced off or otherwise demarcated or posted by governmental officials or their agents to protect the nesting site of a piping plover or of any other endangered species protected under federal or state law.~~
 - c. The **West End Plover Protection Area** ~~at is a Restricted Area on~~ Goose Rocks Beach ("WEPPA"), which that begins at Norwood Avenue and continues westerly to the Batson River, is designated a Limited Dog Access Area.
 - d. From April 1 to September 30, in the Limited Dog Access Areas, dogs must be on leash at all times, except that from June 15 to September 30 between 8:30 am and 6:00 pm, no dogs are permitted on the beach (see Section 2(i) below).

- e. From April 1 to September 30, no dog shall approach or remain within 200 feet of any clearly marked Nesting Area, except that lawns or upland properties within 200 feet of a Nesting Area are excluded from this requirement.
- f. From April 1 to September 30, dog owners who live within 200 feet of a Nesting Area must leash their dog when attempting to access the beach and stay as far away as possible from the Nesting Area.
- g. From April 1 to June 14th, dogs must be on leash on the beach at all times other than between 6:00 am and 7:30 am, when they may be off leash if under Voice and Sight Control, except to the extent the restrictions in Sections D(2)(c), (d), (e) or (f) above may require otherwise.
- h. From April 1 June 15 to September 30, if under Voice and Sight Control, dogs may be off leash on the beach between 6:00 am and 7:30 am, except to the extent the rules in Sections D(2)(a), (e) and (d) above may require otherwise. From April 1 to September 30, dogs must be on leash between 7:30 am and 8:30 am, and after 6:00 pm except to the extent the restrictions in Sections D(2)(c), (d), (e) or (f) above may require otherwise.
- i. From June 15 to September 30, dogs are not permitted on the beach between from 8:30 am to and 6:00 pm. This provision does not apply to use of a service dog by a person with a disability when the dog is required to perform work or tasks directly related to the person's disability. Between 6:00 pm and 6:00 am and between 7:30 am and 8:30 am, dogs are permitted on the beach if on leash, except to the extent the restriction in Section D(2)(c), (d), (e) or (f) above may require otherwise. Between 6:00 am and 7:30 am, dogs may be off leash, if under Voice and Sight Control, in accordance with Section D2(h) above.
- j. From October 1 through March 31, if under Voice and Sight Control, dogs may be off leash on the beach, except between for the hours of 12:00 pm and 2:00 pm when they must remain on leash, and except to the extent the rules in Sections D(2)(a), (e) and (d) above may require otherwise.

Section E: Rulemaking Authority governing Other Public Resources

Notwithstanding the general rules found in Section C herein, the Board of Selectmen shall have the authority to adopt specific rules governing dogs on other publicly owned or operated lands located within the Town of Kennebunkport, such as public parks.

Section F: Penalties

1. Any person who violates any provision of this Ordinance shall be subject to civil penalties for each violation, as follows:

First violation: not less than \$50.00 and not more than \$100.00, plus costs and reasonable attorneys' fees.

Second violation: not less than \$100.00 and not more than \$250.00, plus costs and reasonable attorneys' fees.

Third and subsequent violations: not less than \$250.00 and not more than \$500.00, plus costs and reasonable attorneys' fees.

2. Notwithstanding multiple violations of this Ordinance, any person who violates Section C(4) (Licenses), or Section C(5) (Rabies Tags) of this Ordinance shall be subject to a civil penalty of not more than \$100.00 for each offense, consistent with 7 M.R.S.A. §§3918, 3924.
3. All civil penalties collected pursuant to this Ordinance shall be recovered to the use of the Town of Kennebunkport and deposited in the separate account required by 7 M.R.S.A. Section 3945.
4. A person issued a civil violation citation for violating this Ordinance may elect to pay the minimum penalty specified above for each violation alleged in the citation, in lieu of appearing in court to answer the citation. Such payment must be received at the Office of the Town Clerk in the amount specified by the Animal Control Officer by the seventh day prior to the court appearance date specified in the citation. Upon receipt of such payment by the Clerk, the Animal Control Officer or law enforcement officer shall cause the citation to be dismissed. However, the violations alleged in the citation shall be deemed admitted for purposes of assessing any future penalties under this section.
5. Any civil penalty collected for a violation of this Ordinance shall not preclude the Town from imposing or collecting a fine or penalty for a violation of the Barking Dog Ordinance (adopted March 10, 1984).

Section G: Severability Clause

If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

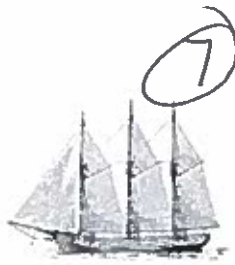
MAINE'S FINEST RESORT

Town of Kennebunkport Public Hearing on Proposed Amendment to the Traffic and Parking Control Ordinance

The Town of Kennebunkport Board of Selectmen will conduct a public hearing on the following proposed amendment to the Kennebunkport Traffic and Parking Control Ordinance in **Section 4. One Way Traffic Subsection 2. East Avenue:**

To change the traffic pattern on East Avenue (from South Main Street toward Ocean Avenue) from one-way during the months of April through November, to one-way traffic all year.

The hearing will be held on September 10, at 7 p.m. at the Village Fire Station, 32 North Street, Kennebunkport, Maine. A complete copy of the proposed ordinance amendments are available at the office of the Town Clerk, 6 Elm Street, Kennebunkport



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

August 28th 2015

RE: 2015 Attic Insulation Proposal Town Hall

Laurie,

We have received 3 proposals for retrofitting attic insulation in the Kennebunkport Town Hall Attic space. I have attached their proposals for your review. Based on the specifications provided, and the prices as proposed I am recommending that we accept the proposal from North East Spray Insulation Inc. at a cost of \$19,330.00

NorthEast Spray Insulation Inc.	\$19,330.00
Nickerson-Remick	\$25,254.00
Keith Trembley Home Solutions	\$34,431.00

Werner Gilliam CFM
Director of Planning and Development

NORTHEAST SPRAY INSULATION INC.

84C Warren Ave.
Westbrook, ME 04092
207-797-8887
800-267-8959 toll free
866-284-1602 fax

Sales Rep Contact:
Jones, Eric F
Cell: 207-615-8185
Email: eric@ne-spray.com

Proposal

Print Date: 08/18/2015

Page 1 of 1

Customer: Town of Kennebunkport
Address: 6 Elm Street
Kennebunkport, ME 04046

Contact: Werner Gilliam
Phone: P: 207-967-4243
Email:

A:

Proposal Date: 08/18/2015

Proposal # & Name: 20552.00 Attic of Town Hall

Job Location: 6 Elm Street
Kennebunkport, ME 04046

Description

REVISED SPECS. PACKAGE:

- Remove existing insulation & other material at perimeter of attic as required to allow for installation of closed cell foam at top of exterior CMU walls over suspended ceiling above finished space of 1st floor.
Install thin layer (+/-3.5") of fiberglass batt over ceiling tiles along perimeter to prevent overspray into finished space, and warping of tiles due to heat generated from foam, as well as allowing for replacement of tiles in future.
- Sloped Roof Below 'A' Dormers: To allow for future access (if needed) to uninsulated space of cheek walls & roofs of the two 'A' dormers, install Reflective foil faced insulation (bubble wrap or similar backer material) to underside of roof sheathing in sloped areas of main roofline below front dormers. Cover with R-38 closed cell foam, and mark locations accordingly.
- Exterior Rooflines of Main Attic: Install R-38 5.25" thick closed cell foam to underside of rooflines, from peak down to base at top plate of outside walls. Area does not require removal of overspray or overfill from framing. Install collar ties below opening up into cupola to provide framework for access hatch. Attach removable plywood panel (lag bolted with wing nuts @ corners) to lower face of new dimensional lumber, attach epdm gasket to edges, and cover with R-38 closed cell foam.
- Gable End Walls of Attic: Install R-21 3" thick closed cell foam to exterior walls of attic to peak. Air seal jambs or gaps around windows with low-expansion foam.
- Install R-15 closed cell foam to exposed, exterior CMU walls of 1st floor, from fiberglass batt over suspended ceiling up to top plate / base of roofline rafters. At common wall between main attic and rear (later) addition, insulate exterior exposure of wall (if any) and down to band joist of flat roof.

REVISED SPECS. PACKAGE TOTAL: \$19,330.00 (Package Is NOT Included In Total)

OPTIONS PACKAGE:

Package Accepted (please circle one): YES / NO

- R-49 Rooflines: Increase closed cell foam to 6.75" R-49 at all exterior rooflines.
>> ADD \$5,242.00

OPTIONS PACKAGE TOTAL: \$5,242.00 (Package Is NOT Included In Total)

Upon acceptance, this proposal will become Schedule A of the Full Contract between Northeast Spray Insulation, Inc. and the recipient of the proposal.

GrandTotal: \$0.00



NICKERSON-REMICK
ENERGY CONSERVATIONS SYSTEMS

Town of Kennebunkport, Me.
P.O. Box 566
Kennebunkport, Me. 04046

March 19, 2015
Phone: 207-967-4243 Ext. 104
E-mail: wjilliam@kennebunkportme.gov

Ref: spray foam insulation options for Town Hall Building 6 Elm St. Kennebunkport, Me.

PROPOSAL:

OPEN CELL OPTIONS: Install open cell polyurethane foam insulation to complete rafter area and both gable walls and, top perimeter of all exterior walls (approx. 2' tall) of attic area as specified below:

- **OPTION 1:** R-30 (7.5") to rafters and R-20 (5") the gable end walls: Investment: \$ 15,788.00
- **OPTION 2:** R-38 (9.5") to rafters and R-20 (5") the gable end walls: Investment: \$ 19,379.00

CLOSED CELL OPTIONS: Install closed cell polyurethane foam insulation to complete rafter area and both gable end walls of attic area as specified below:

- **OPTION 3:** R-30 (4.5") to rafters and R-20 (3") the gable end walls: Investment: \$ 21,294.00
- **OPTION 4:** R-38 (5.5") to rafters and R-20 (3") the gable end walls: Investment: \$ 25,254.00

OPTION 5: (If required by local building official) Install DC-315 ignition barrier over all new spray foam installed by Nickerson-Remick.

- Priced if done in conjunction with any of the 4 options listed above: Additional Investment: \$ 5,338.00

FOR INTERIOR USE: Polyurethane foam used in all interior and/or ceiling construction should not be left exposed but should be covered with at least 1/2" gypsum wallboard or equivalent barrier providing a finished fire rating of fifteen minutes or more.

In unused attics and crawlspaces an ignition barrier is required by code. The foam Nickerson-Remick uses passes all tests and does not require an ignition barrier in these situations. However, if a thermal barrier is required this will need to be addressed. Nickerson-Remick can assist with this at an additional cost. To verify your specific application please check with local building official.

Note: Spray foam is a spray-applied product and may vary in thickness in areas however the average finished product will meet performance requirements.

Our two pound, closed cell foams are sprayed-in-place and when properly metered and applied by our qualified applicators they are fully cured within 24 hours forming an inert plastic foam. Following this period our WallFoam does not emit any gases or vapors capable of producing adverse health effects - though sometimes mild odors will linger in areas with low air circulation. It is highly recommended the house is vacated during and 24 hours after installation.

Spray foam is a SPRAY applied product there will be overspray. Nickerson-Remick will do as much as possible protect items. However, overspray is unavoidable in some situations. Please remove all movable items from areas where spray foam is going to be applied.

INSURANCE: All work involved within the following proposal is covered by workmen's compensation, public liability, property damage, product liability, and completed operations insurance. A certificate of insurance can be sent upon request.

TERMS: One-third with order, and balance due upon receipt of statement. A late payment finance charge of 1 1/2% per month will be added on any balance 30 days or more past due (annual percentage is 18%)

ACCEPTANCE: The above prices, specifications and conditions are satisfactory and are accepted. You are authorized to do the work as specified. Payment will be made as follows:

Deposit _____

Balance due _____

Authorized Signature

Bret Remick
NICKERSON-REMICK

Date

*Please sign and return one copy of this Contract Proposal.
Thank you for choosing Nickerson - Remick.*





AGREEMENT

8/27/2015
1004

Customer Kennebunkport Town Office

Address 6 Elm St

City/State/Zip Kennebunkport, ME 04046

HM Phone: _____ WK Phone: 207-967-4243

Cell Phone ext 104

I/We the undersigned owners of the property described above, authorize Keith Trembley Home Solutions to furnish and install all materials and labor as defined below according to the following specifications and subject to the conditions of the premises.

Fix attic space

A5-1 SuperAttic - Convert attic to extension of conditioned space with SuperAttic Conversion System according to repair #A5-1. Air Seal perimeter and install 4" SilverGlo to isolate attic from exterior conditions. Fire barrier is not included and may be required.

(3236) Sq ft SuperAttic Conversion System

Thermal barrier for superattic -

Total for Fix attic space: \$34,431

Proposal Authorization: Contractor proposes to supply the products and services for the amount listed and to furnish the labor and materials needed to complete the work ("Work").

Investment **\$34,431**

The Work described above and the Terms and Conditions printed on the back side of this page are understood and accepted by you, the Buyer, and are made part of this Agreement. You agree to purchase the work and provide full payment upon completion. YOU, THE BUYER, MAY CANCEL THIS TRANSACTION ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION. SEE THE NOTICE OF CANCELLATION THAT IS ATTACHED TO THIS AGREEMENT FOR AN EXPLANATION OF THIS RIGHT.

Keith Trembley Home Solutions

Buyer's Signature: _____

Contractors Signature: Nicholas Nason

Buyer's Signature: _____

Date: 8/27/2015

Date of Transaction: _____

This proposal is valid for 90 days and may be withdrawn at any time.

Start Date: _____ Completion Date: _____ Notice of Cancellation Date: _____
(Three business days after date of transaction)

Customer Initials _____

Page 1 of 2



KENNEBUNKPORT WASTEWATER DEPARTMENT

Date: September 8, 2015

To: Laurie Smith Town Manager

From: Allan Moir

Re: RFP for water billing evaluation.

We sent out a request for proposals to study changing from our present flat rate system to a water based billing system. We had sent the RFP to four engineering firms, Woodard & Curran, Wright Pierce, Underwood Engineers and Sevee & Maher Engineers and we had also advertised this on town's web site.

We received only three proposals from engineering firms.

Underwood Engineers	\$ 6,500.00
Wright-Pierce	\$14,700.00
Woodard & Curran	\$29,480.00

With such large differences in the proposals, Laurie and I thought it would be best to have Underwood and Wright-Pierce come in and explain their proposals and cost break downs. We met with representatives from both firms and they explained the process that they would be using to do the study. We explained what we had done and where we thought we should be going.

After meeting with both firms, we agreed that they were both qualified to do the project. The only problem that we had was that we didn't think that Underwood had carried enough money in the proposal to attend the amount of meeting (with the selectman and the public) that we thought they would have to. So we asked them to relook at their proposal and make sure that they budgeted enough money to cover the meetings. They agreed with us that they had underestimated the amount of meeting and resubmitted a not to exceed budget figure of \$8,500.00.

I would like to recommend that we award the project to Underwood Engineers.

We had budgeted \$16,000.00 to do this project

civil &
environmental
engineering



N2540

September 8, 2015

Mr. Allan K. Moir, Wastewater Superintendent
25 R School Street
P.O. Box 1038
Kennebunkport, Maine 04046

Re: *Request for Proposals – Wastewater Billing Evaluation, Kennebunkport, Maine*

Dear Mr. Moir:

Thank you for the opportunity to meet with you and the Town Manager to discuss our proposal and qualifications. As discussed at our meeting, we did not include additional meetings with the Selectmen next spring. We therefore ask that our budget be increased to \$8,500 as a not to exceed cost for the scope.

We look forward to working with you on this important project for the sewer district and Town. Please call if there are any questions or additional information is required.

Very truly yours,

UNDERWOOD ENGINEERS, INC.

A handwritten signature in cursive script, reading 'Steven Clifton'.

W. Steven Clifton, P.E.
Vice President

WSC/wsc
Encl.

ph 603.230.9898
fx 603.230.9899
99 North State Street
Concord, NH 03301
underwoodengineers.com

9

Kennebunkport Public Health

August 22, 2015

At: Kennebunkport Board of Selectmen
Laurie Smith Kennebunkport Town Manager

Please accept this generous \$300. donation from
Kennebunk Savings Bank's Community Promise
Program. This gift is to be placed in the
Kennebunkport Emergency Fuel account- 329-08-01-
50

THIS DOCUMENT IS PROTECTED BY A MICRO-PRINT SIGNATURE LINE, VISIBLE PAPER FIBERS, A WATERMARK, AND IS REACTIVE TO CHEMICAL ALTERATION

52-7450/2112

129136


Kennebunk Savings

104 Main Street, PO Box 28 • Kennebunk, ME 04043-0028

REF: V0000003237
CHECK DATE: 06/25/15

AMOUNT

*****300.00

PAY TO THE ORDER OF

MEMO: 2015 CUSTOMER BALLOT

KENNEBUNKPORT PUBLIC HEALTH
AND NURSING
PO BOX 566
KENNEBUNKPORT ME 04046

EXPENSE CHECK


AUTHORIZED SIGNATURE



Kennebunk Savings

July 20, 2015

Judy Barrett
Public Health Administrator
Kennebunkport Public Health and Nursing
P.O. Box 566
Kennebunkport, ME 04046

Dear Judy:

I think this is one of the best times of the year at Kennebunk Savings; it's when our staff members are out delivering donations to the top 125 Community Promise Customer Ballot vote-getters in our area! This year's votes are tallied and we're very pleased to be awarding you a check in the amount of \$300, a direct result of our customers' support and votes for Kennebunkport Public Health and Nursing.

Our Community Promise program began in 1994 with a pledge to donate 10% of our annual net income to non-profit organizations. We think of it as our community dividend! Over the past 21 years, the program has evolved into not only a substantial financial commitment, but into a commitment by our employees to play vital volunteer leadership roles in the organizations providing essential services to our communities.

We're proud of our accomplishments and the numbers! By the end of this year, we will have contributed over \$10,000,000 to area nonprofits since the program's inception. This year's total contribution will be \$790,000, of which nearly \$150,000 is dedicated to our Customer Ballot. And I can't forget the over 8,000 hours our employees have volunteered over the past year!

At Kennebunk Savings we know what's important to our customers and our neighbors, and that's why we work side by side with organizations such as yours. We're pleased to help support the work you do at Kennebunkport Public Health and Nursing to make our community a better place!

Sincerely,

Bradford C. Paige
President & CEO

KENNEBUNKPORT PUBLIC HEALTH

August 22, 2015

ATT: Jennifer Lord

Please deposit this generous donation of \$300. from Kennebunk Savings Bank's Community Promise Program into the Kennebunkport Emergency Fuel Account 29-08-01-50.

THIS DOCUMENT IS PROTECTED BY A MICRO-PRINT SIGNATURE LINE, VISIBLE PAPER FIBERS, A WATERMARK, AND IS REACTIVE TO CHEMICAL ALTERATION

52-7450/2112

129136


Kennebunk Savings

104 Main Street, PO Box 28 • Kennebunk, ME 04043-0028

REF: V0000003237
CHECK DATE: 06/25/15

AMOUNT

*****300.00

PAY TO THE ORDER OF

MEMO: 2015 CUSTOMER BALLOT

KENNEBUNKPORT PUBLIC HEALTH
AND NURSING
PO BOX 566
KENNEBUNKPORT ME 04046

EXPENSE CHECK



AUTHORIZED SIGNATURE

Kennebunkport Public Health

August 25, 2015

At: Kennebunkport Board of Selectmen
Laurie Smith Kennebunkport Town Manager

Please accept this generous \$100. In Kathy Jones' memory. This gift is to be placed in the Kennebunkport Emergency Fuel account 29-08-01-50. The donors wish to remain anonymous.

3751 64-7131/2610 3828

Date 8/17/15

Pay to the Kennebunkport Public Health Emerg \$100.00
Order of Fuel Fund

One hundred and 10/100 Dollars

Delta Community CREDIT UNION ATLANTA, CINCINNATI, DALLAS/FT. WORTH, SALT LAKE CITY

In memory of
Memo Kathy Jones

Security Features
Microprint
Security Features
Disables on Back

MP

KENNEBUNKPORT PUBLIC HEALTH

August 25, 2015

ATT: Jennifer Lord

Please deposit this generous donation of \$100 to the
Kennebunkport Emergency Fuel Account 29-08-01-50. The donors
wish to remain anonymous

Kennebunkport Public Health

September 2, 2015

At: Kennebunkport Board of Selectmen
Laurie Smith Kennebunkport Town Manager

Please accept this generous \$50. in Kathy Jones' memory. This gift is to be placed in the Kennebunkport Emergency Fuel account 29-08-01-50. The donors wish to remain anonymous.

52-7450/2112 764

KENNEBUNK, ME 04043

DATE 8-01-15

PAY TO THE ORDER OF Kennebunkport Public Health \$50.00

Fifty and 00/100 DOLLARS

in memory of Kathy Jones
Kennebunk Savings

MEMO Emergency Fuel Fund

Security Features
Includes
Deposits on Back

MP

KENNEBUNKPORT PUBLIC HEALTH

Sept 2, 2015

ATT: Jennifer Lord

Please deposit this generous donation of \$50 to the
Kennebunkport Emergency Fuel Account 29-08-01-50. The donors
wish to remain anonymous

52-7450/2112 764

KENNEBUNK, ME 04043

PAY TO THE ORDER OF Kennebunkport Public Health DATE 8-01-15

Fifty and 00/100 \$ 50.00

in witness whereof Kathy Jones MP

Kennebunk Savings

MEMO Emergency Fuel Fund

~~80000000~~ ~~00000000~~

MP

TOWN OF KENNEBUNKPORT
Street Opening Permit

(11)

PROPERTY INFORMATION

Name of Homeowner: SHERMAN KINNEY PROPERTIES I, LLC Date: 8/28/15
Address: 220 KINGS HWY, KENNEBUNKPORT
Telephone: 967-9967 Map, Block, Lot: 34 / 3 / 5
Street to be excavated: Kings Highway
Size of excavation (length and width): 5 x 5
Reason for excavation: Sewer is under Side walk
Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: September 3, 2015
Name of Contractor: North East Excavation
Address: 29 Haley Rd Arundel ME
Telephone: 1-207-205-7375 Fax: _____

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☒ Check ☐ Money Order ☐ Surety Bond ☐ Other
Bond Amount: \$2,000
Company that issued the bond (if applicable): _____
Person or entity providing the bond to the Town (contractor, property owner, other): SHERMAN KINNEY PROPERTIES I, LLC
Insurance Company: _____
Signature of person completing the application: Robert Sherman Date: 8/28/15

APPROVED

Highway Superintendent: Mill N

Selectmen: _____

Selectmen: _____

Date Approved: _____

Selectmen: _____

Selectmen: _____

Selectmen: _____

Application Fee: \$25.00

Date Paid: 8-28-2015

Amount Paid: 25.00

☐ 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.

Street Opening Permig

Kennebunkport, Maine



Legend

- Selected Parcels
- Parcels
- Political Boundary
- Road ROW
- MBL
- PrivateVizay
- ROW
- Road



This map was generated by the Town of Kennebunkport's online GIS. This information has been compiled from various public and private sources. While every attempt has been made to provide accurate information, neither the municipality nor the service host guarantee the accuracy of information provided herein.

Map generated on: 8/28/2015

Town of KENNEBUNKPORT
----- R e c e i p t -----

Thank You for Your Payment

*** REPRINT ***

08/28/15 11:37 AM ID:JLL #2714-1
TYPE----- REF--- AMOUNT
Administration

Miscellaneous 25.00

Total: 25.00*

Paid By: Sherman Kinney Properties - str

*** REPRINT ***

Balance reflects all related accounts

Check : 25.00

1022 - 25.00

Town of KENNEBUNKPORT
----- R e c e i p t -----

Thank You for Your Payment

*** REPRINT ***

08/28/15 11:37 AM ID:JLL #2715-1
TYPE----- REF--- AMOUNT
Miscellaneous

Amount 2,000.00

Total: 2,000.00*

Paid By: Sherman Kinney Properties - rd)

Remaining Balance: 0.00

Balance reflects all related accounts

Check : 2,000.00

1021 - 2,000.00



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

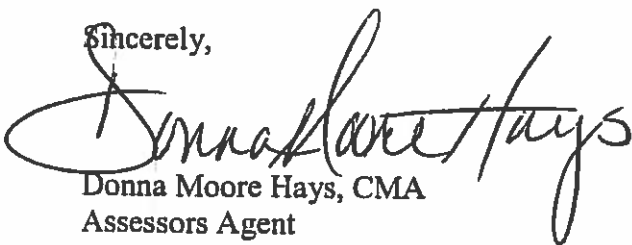
August 25, 2015

William A. Glasser
PO Box 7066
Cape Porpoise, Maine 04014

Dear Mr. Glasser,

It has come to my attention that you have been claiming residency in the State of Florida and receiving both a Homestead and Veteran's Exemption in the Town of Kennebunkport. Maine law is very specific that you may only receive any exemption on your primary residence. In order to rectify this problem we will be issuing a supplemental bill for past three years as allowed by law. I have included a copy of the paperwork which will be given to the Board of Selectmen/Assessors for their signatures. If you have any questions, please let me know.

Sincerely,



Donna Moore Hays, CMA
Assessors Agent

TOWN OF KENNEBUNKPORT MAINE

2015 SUPPLEMENTAL TAX WARRANT

State of Maine
York, ss.

To Laurie A. Smith, Tax Collector of the Municipality of Kennebunkport, within said County of York;

GREETINGS: the assessments of estates of the persons hereinafter named (**William A. & Laura J. Glasser**). You are hereby directed to levy and collect of each of the several persons named in said lists his/her respective proportion, therein set down, of the sum of **One Hundred, Twenty Three Dollars and Twenty Cents. (\$123.20).**

it being the amount of said list; and all powers of the previous warrant for the collection of taxes issued by us to you and dated July 23, 2015, are extended thereto; and we do hereby certify that the list of assessments of estates of persons named in said list is a supplemental assessment laid: by virtue of Title 36 M.R.S.A., section 713, as amended, and that the estates and assessments thereon as set forth in said list were invalid or void or were omitted from the original list committed unto you under our warrant dated July 23, 2015.

Given under our hands this 10th day of September, 2015.

Stuart Barwise

Patrick A. Briggs

Allen A. Daggett

Board of Assessors/Selectmen

Edward W. Hutchins

Sheila Matthews-Bull

Map and Lot: 22/7/25-Tax Year 2016

Taxpayer: William & Laura Glasser
 PO Box 7066
 Cape Porpoise, Maine 04014

2014 SUPPLEMENTAL TAX WARRANT

Taxpayer: William & Laura Glasser
PO Box 7066
Cape Porpoise, Maine 04014

TOWN OF KENNEBUNKPORT MAINE

2013 SUPPLEMENTAL TAX WARRANT

State of Maine
York, ss.

To Laurie A. Smith, Tax Collector of the Municipality of Kennebunkport, within said County of York;

GREETINGS: the assessments of estates of the persons hereinafter named (**William A. & Laura J. Glasser**). You are hereby directed to levy and collect of each of the several persons named in said lists his/her respective proportion, therein set down, of the sum of **One Hundred, Twenty Dollars and Fifty Cents. (\$120.50);**

it being the amount of said list; and all powers of the previous warrant for the collection of taxes issued by us to you and dated July 25, 2013, are extended thereto; and we do hereby certify that the list of assessments of estates of persons named in said list is a supplemental assessment laid: by virtue of Title 36 M.R.S.A., section 713, as amended, and that the estates and assessments thereon as set forth in said list were invalid or void or were omitted from the original list committed unto you under our warrant dated July 23, 2015.

Given under our hands this 10th day of September, 2015.

Stuart Barwise

Patrick A. Briggs

Allen A. Daggett

Board of Assessors/Selectmen

Edward W. Hutchins

Sheila Matthews-Bull

Map and Lot: 22/7/25 – Tax Year 2014

Taxpayer: William & Laura Glasser
 PO Box 7066
 Cape Porpoise, Maine 04014