



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

Board of Selectmen Agenda Town Hall – 6 Elm Street November 24, 2015 –8:30 AM

1. Call to Order.
2. Approve November 12, 2015, selectmen meeting minutes.
3. Approve Street Opening Permit for John Spottiswoode for installation of new water service on Ocean Avenue.
4. Approve a Quit Claim deed for Peter K. Mcluskey, AKA Peter K. McCluskey for property located at map 34, block 2, lot 13.
5. Accept donations to the Kennebunkport Emergency Fuel account.
 - a. Marleen Blalock donation of \$250.00
 - b. Anonymous donation of \$15,000.
6. Other business.
7. Approve the November 24, 2015, Treasurer's Warrant.
8. Adjournment.

**Town of Kennebunkport
Board of Selectmen Meeting
Village Fire Station-32 North Street
November 12, 2015 – 6:00 PM**

Minutes of the Selectmen Meeting of November 12, 2015

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

Others present: Laura Azavedo, Michael Claus, Ryan Cormier, Michael Davis, Werner Gilliam, Susan Graesser, Susan Graham, David James, Jen Lord, Jim McMann, Arlene McMurray, Alan Moir, Vernon Moore, Craig Sanford, Laurie Smith, Amy Tchao, Kathy Tyson, and others

1. Call to Order.

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

2. Executive session per (MRSA 1, §405-6E) to discuss the 80B appeal on the Grist Mill Project.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to go into executive session per (MRSA 1, §405-6E) to discuss the 80B appeal on the Grist Mill Project. **Vote:** 5-0.

The Board went into executive session at 6 PM and came out at 6:56 PM. No action was taken.

3. 7 PM—Approve the October 22, 2015, selectmen meeting minutes.

Motion by Selectman Barwise, seconded by Selectman Briggs, to approve the October 22, 2015, selectmen meeting minutes. **Vote:** 5-0.

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

There were no comments.

5. Presentation of fiscal year 2015 audit by Ryan Cormier of Runyon, Kersteen and Ouellette.

Treasurer Jen Lord presented a brief overview and turned the meeting over to Ryan Cormier. Mr. Cormier gave a Powerpoint presentation of the fiscal year 2015 audit. (See Exhibit A). He also recommended that the Town review its Personnel Policy.

Mr. Cormier thanked Ms. Lord for her efforts with the audit and congratulated her for receiving the Comprehensive Annual Financial Report (CAFR) award which is the highest award given in municipal government financial reporting.

He also mentioned that there were zero journal entries which is a credit to Ms. Lord.

6. Consider bonding Wastewater Department capital projects.

Director of the Wastewater Department Allan Moir discussed his department's capital projects:

- Rebuilding Green Street pump station
- Rebuilding Chicks Creek pump station
- Replacing the emergency generator at the treatment plant
- Replacing four aeration blowers
- Replacing three influent pumps
- Replacing three effluent pumps
- Replacing the clarifier covers

The DEP sent a notice that they were looking for projects through the Clean Water State Revolving Fund (CESRF), so he filled out an application. His application was approved for funding, and the next step is to fill out an application for funding. The bond would be for 20 years.

Ms. Smith said if the town wishes to apply for a bond, she would have to let the DEP know by November 13, and this would be subject to Town Meeting approval in June.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to move forward with the bond application. **Vote:** 5-0.

7. Consider appointment of James McMann to the Growth Planning Committee.

Mr. McMann introduced himself and presented some of his background.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to appoint James McMann as an alternate to the GPC for a term expiring in July 2016. **Vote:** 5-0.

8. Discuss request from residents regarding parking and sidewalks on West Street and Oak Street.

Ms. Smith said she received a petition from the residents of Oak, West, and Locke Streets who would like to restrict parking on either side of West Street. This petition was precipitated through discussions Vernon Moore had with his neighbors.

Mr. Moore said the sidewalk on Oak Street is covered with grass and not really a safe area to walk. He said because he was going to be putting in a new drive-

way, he asked if the town would go in with him and repair or remove the sidewalk on Oak Street. He also talked to neighbors about whether they wanted a sidewalk. The general consensus was to remove the sidewalk. These conversations led to discussions about addressing parking issues on Oak, Locke, and West Streets. Residents say the streets are too narrow, making it difficult for two cars approaching each other. One has to pull onto a lawn or shoulder so the other car can pass. There are also safety issues if an emergency vehicle could not get through.

Laura Azavedo from Oak Street said she is the one who collected the signatures for the petition. She said she received over 40 signatures and everyone was in favor of removing parking. Most of the people she spoke to either experienced a near accident or witnessed a close call.

Christine, who lives on the corner of North and West Street, said she put barrels up in her driveway to protect her grandson and still someone pulled in her driveway between the barrels to turn around, endangering her grandson. She would like something done to eliminate this problem.

Susan Graham said she thinks the two dangerous areas are on West Street where it meets North Street, and West Street where it meets Oak Street. Regarding putting a sidewalk on Oak Street, she said there are fire hydrants, telephone poles, and trees all along Oak Street which might interfere with a sidewalk. She sees no reason to spend money on one.

Chief Sanford said he did some research and has not seen any accidents on West Street in the past five years. He said he will research this further and come back with recommendations.

Susan Graesser, who lives on Oak Street, added that a fire truck tried to make a left onto Oak Street and it could not get around the corner which she considers a safety issue.

9. Recommendation from the Goose Rocks Beach Advisory Committee regarding installation of pedestrian way on New Biddeford Road.

Ms. Smith said she was receiving complaints about safety on New Biddeford Road with the amount of pedestrian traffic. She said the police collected speed data and the Goose Rocks Beach Advisory Committee met a few times and gathered input for putting in a safe pedestrian way on New Biddeford Road up to Kings Highway. Public Works Director Michael Claus gave them two options: either a raised curbed sidewalk or a 4 ft. paved shoulder. The Committee voted for a 4" wide paved shoulder.

Motion by Selectman Daggett, seconded by Selectman Hutchins to approve the Goose Rocks Beach Advisory Committee's recommendations to install a new 4 ft, paved shoulder on New Biddeford Road from Winter Harbor Road to Kings

10. Authorize the Town Manager to award contract for construction management services for the police department project.

Ms. Smith explained that the Town is using a construction management service to oversee the police department expansion. This service will help with final design, estimating, and arranging subcontractors to complete the work. The Town received proposals from: Wright-Ryan, Allied Cook Construction, Zachau Construction, and Landry/French Construction Company. She and the Building Committee consisting of Allan Moir, Craig Sanford, Mike Claus, Werner Gilliam, and Patrick Briggs reviewed the four proposals and interviewed three. The selection was narrowed down to Wright-Ryan and Allied Cook. She asked for an alternate price from both and only received one from Wright-Ryan. She said the alternate approach by Wright Ryan would save the Town approximately \$25,000 and recommend Wright Ryan.

Police Chief Craig Sanford said he previously worked with Wright-Ryan and recommended their services.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to award the contract for construction management services to Wright Ryan using their alternate approach for a fee of approximately \$141,708.00. **Vote:** 5-0.

11. Authorize the demolition at 135R Marshall Point Road for training purposes.

Fire Chief Allan Moir said Michael Shea asked him if he would like to use the house on 135R Marshall Point Road for fire training. Mr. Moir sent out letters to abutters informing them of the fire training and also invited the towns of Arundel and Kennebunk to participate in the training. He added that they also have a great water supply.

Motion by Selectman Barwise, seconded by Selectman Daggett, to approve the demolition at 135R Marshall Point Road for fire training purposes. **Vote:** 5-0.

12. Award bids for the Fire Department.

a. Authorize the purchase of a new fire engine through the Houston-Galveston Cooperative.

Fire Chief Moir said he would like to review this item further before making a decision.

b. Hydraulic tools bid.

Fire Chief Moir said he found out they were lacking hydraulic rescue tools. He received pricing on Genesis Tools from HSE Fire & Safety and Amkus Tools from Fire Tech and Safety. The 20 firefighters who tried out the equipment preferred Genesis tool.

Motion by Selectman Daggett, seconded by Selectman Barwise, to award the bid for hydraulic tools to HSE Fire & Safety at a cost of \$9,390.00. **Vote:** 5-0.

13. Report on Special Events Policy.

Ms. Smith said a one year trial was adopted last year. She said bike races have increased and they are close to the limit for events requiring law enforcement. The amended policy restricts road and bike races to the months of April through November. (See Exhibit B).

Motion by Selectman Daggett, seconded by Selectman Barwise, to adopt the updated Special Events Policy. **Vote:** 4-1/Selectman Matthews-Bull voted in opposition.

14. Authorize the Town Manger to sign the lease agreement with the Goose Rocks Beach Fire Company.

Motion by Selectman Daggett, seconded by Selectman Barwise, to sign the lease agreement with the Goose Rocks Beach Fire Company. **Vote:** 4-0.

15. Authorization of amendment to consent agreement with Fishing Pole Lane, LLC.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to authorize the amendment to the consent agreement with Fishing Pole Lane, LLC. **Vote:** 5-0. (See Exhibit C)

16. Review and adoption of fiscal year 2017 budget development schedule.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to adopt the fiscal year 2017 budget development schedule. **Vote:** 5-0.

17. Approve street opening permit for John Fitzpatrick for Oak Ridge Road to remove one culvert and install two 12" culverts.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve street opening permit for John Fitzpatrick for Oak Ridge Road to remove one culvert and install two 12" culverts. **Vote:** 5-0.

18. Accept \$1,500 donation from the St. Ann's Episcopal Church for the Kennebunkport emergency fuel account.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to accept the

\$1,500 donation from St. Ann's Episcopal Church for the Kennebunkport emergency fuel account. **Vote:** 5-0.

- 19. Meet as Assessors to consider the abatement request for Edward and Susan Dolan for 300 Ocean Avenue (Map 20, Block 4, Lot 40) in the amount of \$1,239.70.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve the abatement request in the amount of \$1,239.70 for Edward and Susan Dolan of 300 Ocean Avenue (Map 20, Block 4, Lot 40) per the recommendations of Assessors Agent Donna Moore Hays. **Vote:** 5-0.

- 20. Authorize the Town Manager to sign a corrected Quit Claim Deed to Habitat for Humanity.**

Motion by Selectman Barwise, seconded by Selectman Hutchins, to authorize the Town Manager to sign a corrected Quit Claim Deed to Habitat for Humanity. **Vote:** 5-0.

- 21. Discuss holiday schedule.**

- a. Second meeting in November falls on Thanksgiving (Recommended date Tuesday, November 24).**

The Board was receptive to meeting on November 24, at the Town Hall, at 9 AM.

- b. Second meeting in December falls on Christmas Eve. Recommended date Tuesday, December 22).**

The Board agreed to meet on December 22, at 9 AM, at the Town Hall.

- c. Town Offices closing at noon on December 24.**

The Board approved closing town offices at noon on December 24.

- d. Town Offices closing for two hours on December 10 for employee holiday luncheon.**

The Board approves closing the town offices for two hours on December 10 so employees could attend the holiday luncheon.

- 22. Other business.**

Chair Matthews-Bull mentioned that they will be decorating for Prelude on November 23.

Ms. Smith announced that Secret Santa applications are available and are to

be returned to the Public Health office no later than November 9, 2015.

23. Approve the November 12, 2015, Treasurer's Warrant.

Motion by Selectman Barwise, seconded by Selectman Daggett, to approve the November 12, 2015, Treasurer's Warrant. **Vote:** 5-0.

24. Adjournment.

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

The meeting adjourned at 8:40 PM.

Submitted by

Arlene McMurray
Administrative Assistant

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TOWN OF KENNEBUNKPORT
Street Opening Permit

PROPERTY INFORMATION

Name of Homeowner: John Spilliuswardo Date: 11-20-15
Address: 325 Ocean av.
Telephone: 229-3950 Map, Block, Lot: _____
Street to be excavated: Ocean av.
Size of excavation (length and width): 25' X 6'
Reason for excavation: New water service
Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: Nov. 23/26
Name of Contractor: Fabbe Excav. Inc.
Address: 6 Ormsmill rd Arundel
Telephone: 207-282-1426 Fax: 207-282-4448

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☐ Check ☐ Money Order ☒ Surety Bond ☐ Other
Bond Amount: 2,000.00
Company that issued the bond (if applicable): P.C. INS
Person or entity providing the bond to the Town (contractor, property owner, other): _____
Insurance Company: _____
Signature of person completing the application: Phil Fabbe Date: 11-20-15

APPROVED

Highway Superintendent: Mike W
Selectmen: _____
Selectmen: _____
Selectmen: _____
Date Approved: 11-24-15

STAKE w/ LABELS ⇒ PAVING PLANTS OPEN FOR CUT RESTORATION

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

Application Fee: \$25.00
Date Paid: 11-20-2015
Amount Paid: 825.00
☒ Cash ☐ Check ☐ Money Order

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MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS

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

Map Lot 034-002-013, on the Town Assessors' maps for Kennebunkport, which are on file at the municipal office, being the same premises described in Town of Kennebunkport tax liens dated July 11, 2014 and July 10, 2015, recorded in the York County Registry of Deeds in Book 16851 Page 905 and Book 17054 Page 409 and sewer liens dated December 19, 2013, October 24, 2014, and November 2, 2015 recorded in the York County Registry of Deeds in Book 16751 Page 965, Book 16913 Page 124, and Book 17127 Page 459 respectively.

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

Witness our hands and seals this 24th day of November, 2015.

Inhabitants of the Town of Kennebunkport

Witness

Witness

Witness

Witness

Witness

ACKNOWLEDGEMENT

State of Maine
York, County, ss.

November 24, 2015

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

Before me,

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Kennebunkport Public Health

November 14, 2015

At: Kennebunkport Board of Selectmen
Laurie Smith Kennebunkport Town Manager



Please accept this generous \$250 from Robert & Marleen Blalock. This gift is to be placed in the Kennebunkport Emergency Fuel account 29-08-01-50.

ROBERT G BLALOCK
MARLENE C BLALOCK
6705 ARBOR OAKS DR
BRADENTON, FL 34209-7437

2503
63-27/631 FL
23395

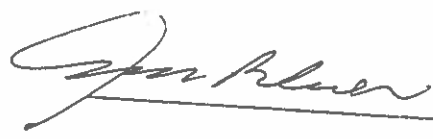
PAY TO THE ORDER OF Town of Kennebunkport DATE 11/5/2015

Two hundred fifty & 00/100 \$ 250.00

Bank of America  DOLLARS  Security Features. Details on Back

ACH R/T 083100277

FOR IN Honor of "Nurse Judy"
for the Food & Clothing Closet



⑈002503⑈ ⑆063100277⑆ 000001343407⑈

KENNEBUNKPORT PUBLIC HEALTH

November 14, 2015

ATT: Jennifer Lord

Please deposit this generous donation from Robert & Marleen Blalock of \$250. to the Kennebunkport Emergency Fuel Account 29-08-01-50.

ROBERT G BLALOCK MARLENE C BLALOCK 6705 ARBOR OAKS DR BRADENTON, FL 34209-7437		2503 63 27631 FL 23395	
DATE <u>11/5/2015</u>			
PAY TO THE ORDER OF	<u>Town of Kennebunkport</u>	\$ <u>250⁰⁰</u>	
<u>Two Hundred fifty & 00/100</u>			DOLLARS
Bank of America			
ACH R/T 083100277			
FOR	<u>IN HONOR OF "Nurse Judy"</u> <u>for the Food & Clothing Closet</u>	<u>[Signature]</u>	
⑈002503⑈ ⑆063100277⑆ 000001343407⑈			

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Kennebunkport Public Health

November 14, 2015

At: Kennebunkport Board of Selectmen

Laurie Smith Kennebunkport Town Manager

Please accept this generous \$15,000 from an anonymous donor. This gift is to be placed in the Kennebunkport Emergency Fuel account 29-08-01-50.

Judy Barrett

SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING	
JPMORGAN CHASE BANK, NA NEW YORK, NY 1-2/210	5175
10/29/2015	
PAY TO THE ORDER OF	Kennebunkport Public Health
\$ **15,000.00	
Fifteen Thousand and 00/100***** DOLLARS	
PROTECTED AGAINST FRAUD	
<i>[Signature]</i>	
MEMO	
⑈005175⑈ ⑆021000021⑆ 739184369⑈	

KENNEBUNKPORT PUBLIC HEALTH

November 14, 2015

ATT: Jennifer Lord

Please deposit this generous donation of \$15,000 to the Kennebunkport Emergency Fuel Account 29-08-01-50. The donor wishes to remain anonymous.

UNITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

JPMORGAN CHASE BANK, NA
NEW YORK, NY
1-2/210

5175

10/29/2015

PAY TO THE
ORDER OF Kennebunkport Public Health

\$ **15,000.00

Fifteen Thousand and 00/100***** DOLLARS

PROTECTED AGAINST FRAUD

MEMO

005175 021000021 739184369

Judy Barnett

Details on Back

Intuit® CheckLock™ Secure Check

Town of Kennebunkport

FINANCIAL OVERVIEW

Presented by:
Ryan Cormier and Kathy Tyson

RUNYON KERSTEEN OUELLETTE

Recently, the Town of Kennebunkport completed the financial audit process for the year ended June 30, 2015. We are pleased to report that the Town's financial statements received an unmodified opinion, which means the financial statements are fairly stated in all material respects. The remainder of this publication is dedicated to providing you with the financial results for fiscal year 2015, and comparative information for prior years. We hope you find this information useful and understandable. We would also like to take this opportunity to congratulate the Town on receiving a CAFR award for the 2014 financial statements. Thanks to all your staff who were helpful to us during the audit. Special thanks to Jennifer Lord for all her hard work!

About this presentation

This presentation is intended as a tool to assist the Board of Selectmen and management in understanding its financial operating results. The information contained in this publication should be read in conjunction with the comprehensive annual financial report and should not be used for any other purposes without the expressed consent of *RUNYON KERSTEEN OUELLETTE*.

Please contact us at 207-773-2986 or 1-800-486-1784
20 Long Creek Drive, South Portland, ME 04106

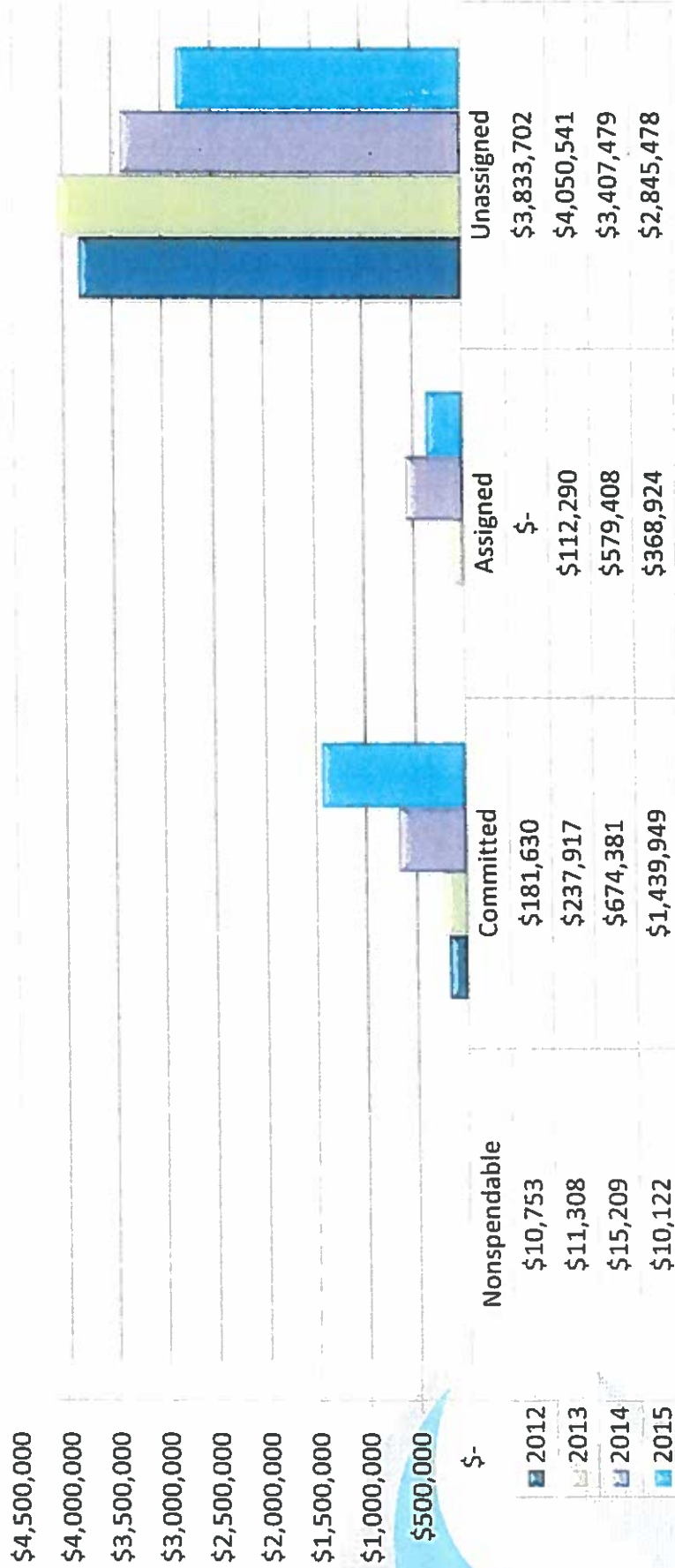


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Town of Kennebunkport

GENERAL FUND EQUITY



Observations:

- Committed fund balance changes annually based on the status of projects and appropriations. Detail of the Town's committed fund balances can be seen on page 46 of the financial statements. The large increase in 2015 is due to the new capital reserve account set up as a result of the Town's new fund balance policy (\$686,893).
- Assigned fund balance represents encumbrances at year end (open purchase orders).
- Unassigned fund balance was reduced in 2015 due to the creation of the new capital reserve account mentioned above.

Town of Kennebunkport

GENERAL FUND BALANCE - COMPARED WITH POLICY

"It is the policy of the Town of Kennebunkport to maintain unassigned fund balance in the general fund at a minimum of two months of general fund expenditures (or 18%) measured on a GAAP basis. Any unassigned funds in excess of the 18% target balance will be transferred to capital reserve accounts for projects identified in the Capital Improvement Plan."

TOTAL GF EXPENDITURES (Per Stmt. 4) \$ 15,808,211

PER TOWN'S FB POLICY ONLY 18% REMAIN UNASSIGNED x 18%

TOTAL ALLOWABLE UNASSIGNED FB PER FB POLICY 2,845,478

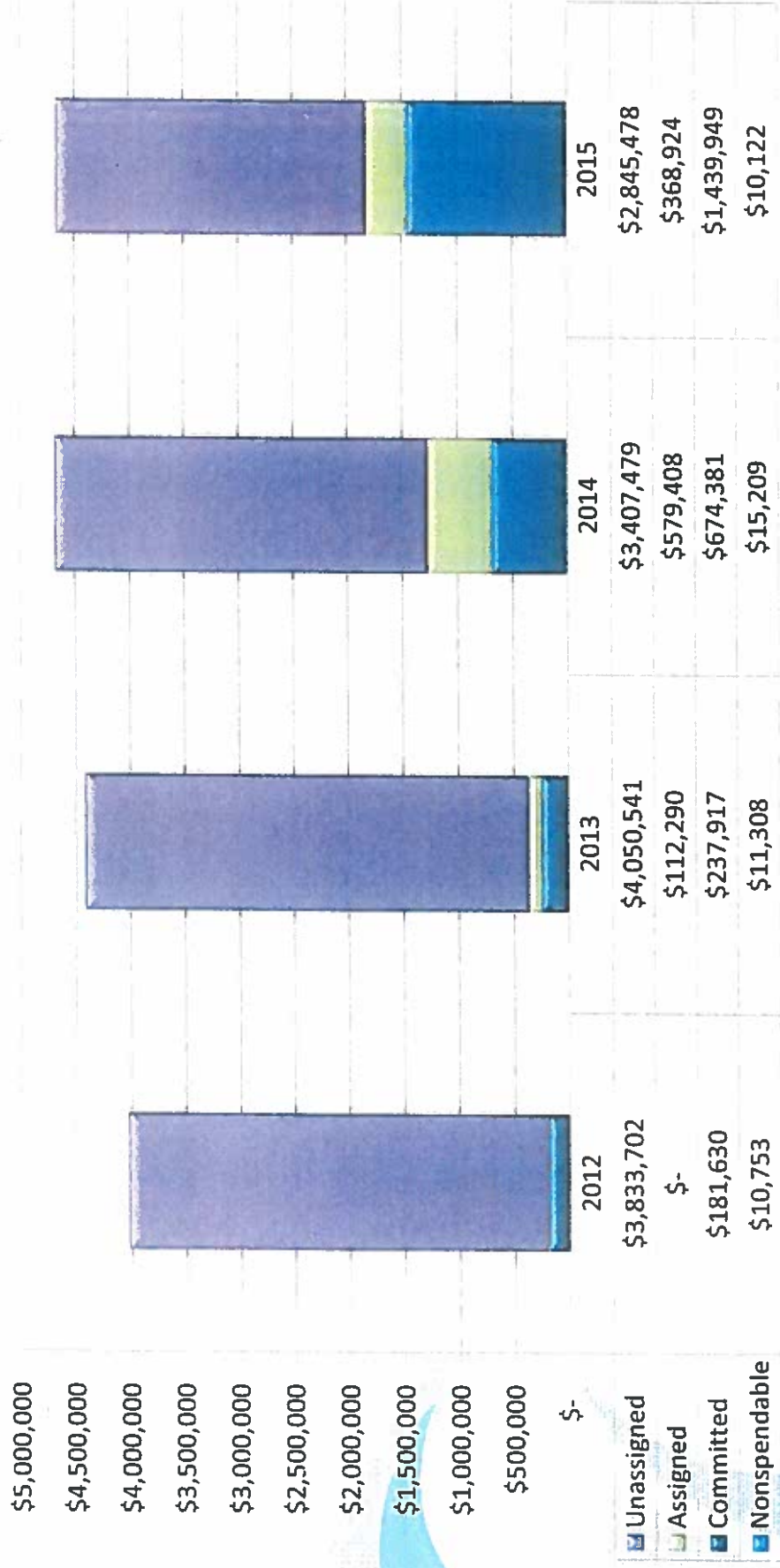
TOWN UNASSIGNED FB PRIOR TO COMPLIANCE WITH POLICY 3,532,371

PER TOWN'S FB POLICY (above) (2,845,478)

AMOUNT TRANSFERRED TO CAPITAL RESERVE \$ 686,893

Town of Kennebunkport

GENERAL FUND BALANCE ANALYSIS



Observations:

- The Town's new adopted fund balance policy calls for 18% of expenditures being retained in unassigned fund balance. This resulted in a shift from unassigned to committed fund balance.

Town of Kennebunkport

GENERAL FUND REVENUES

	Budget	Actual	Variance
Property taxes	\$ 14,320,357	\$ 14,335,098	\$ 14,741
Excise taxes	813,500	895,501	82,001
Intergovernmental revenues	283,276	321,750	38,474
Licenses and permits	178,660	208,239	29,579
Charges for services	330,169	396,588	66,419
Interest earned	35,000	34,383	(617)
Other revenues	242,172	295,638	53,466
Total revenues	16,203,134	16,487,197	284,063
Transfers in	256,800	256,800	-
Utilization of prior year surplus	500,000	-	(500,000)
Utilization of carryforward balances	523,339	-	(523,339)
Total revenue and other sources	\$17,483,273	\$ 16,743,997	\$ (739,276)

Observations:

- Excise taxes exceeded budget by \$82,001 due to the difficulty of budgeting this type of revenue.
- Charges for services were over budget mainly due to parks and recreation revenue and Goose Rocks fees being higher than expected.
- Other revenues were over budget largely due to the unbudgeted donations.

Town of Kennebunkport

GENERAL FUND EXPENDITURES

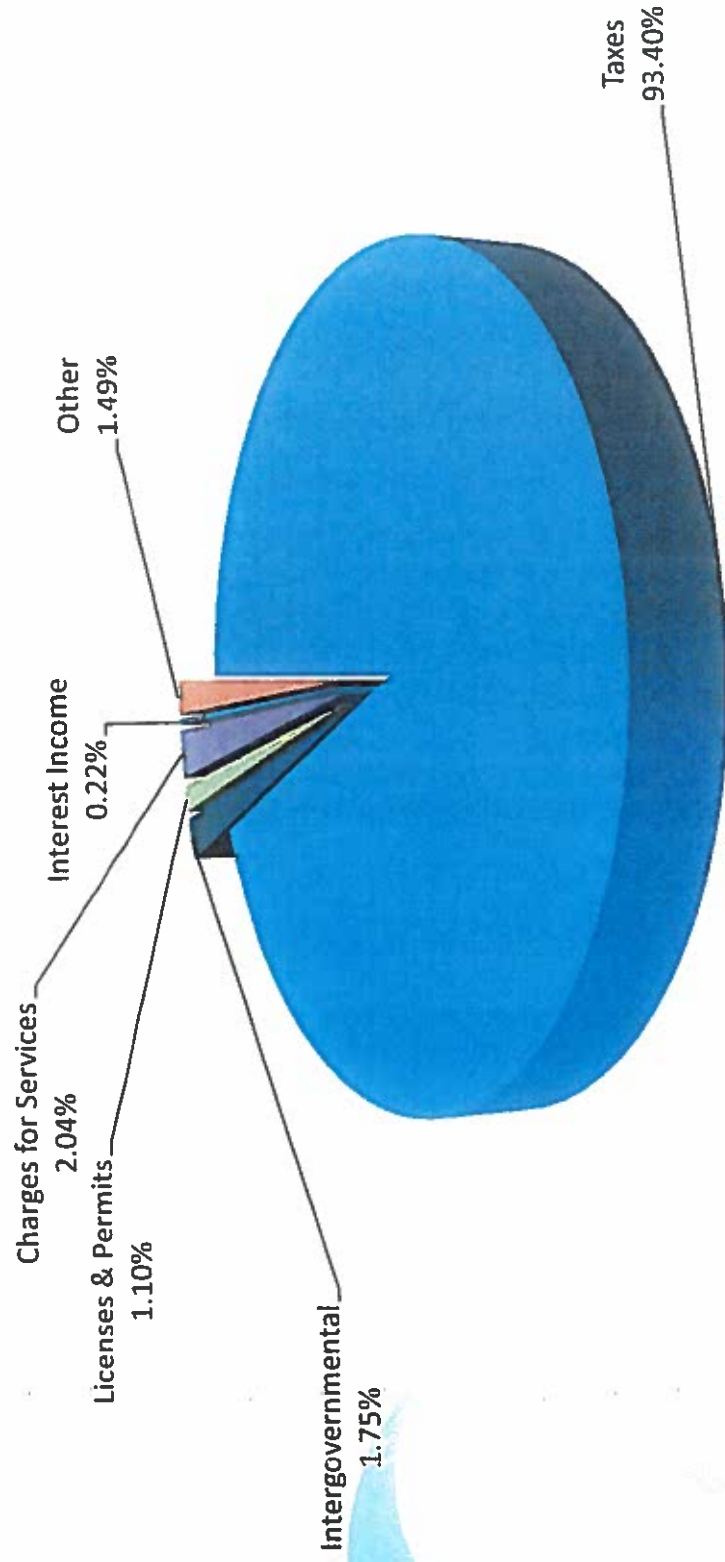
	Budget	Actual	Variance
General government	\$ 1,630,791	\$ 1,341,726	\$ 289,065
Public safety	2,340,400	2,196,148	144,252
Public works	1,039,052	1,031,478	7,574
Health and welfare	672,796	661,460	11,336
Recreation and culture	590,323	488,199	102,124
County tax	1,124,614	1,124,614	-
Education	7,837,533	7,837,533	-
Debt service	279,180	279,180	-
Capital improvements	1,682,747	837,389	845,358
Transfers out	285,837	947,790	(661,953)
Total expenditures and transfers	\$ 17,483,273	\$ 16,745,517	\$ 737,756

Observations:

- General Government was under budget mostly due to lower-than-expected legal fees (\$79,967) and overlay (\$117,727) which is included in this category.
- Public Safety was under budget mostly due to lower-than-expected amounts for the Police Department (\$75,650), Fire Department (\$42,699) and Communications (\$24,915).
- Recreation and culture was under budget mostly due to amounts being carried forward for the Goose Rocks Beach Committee (\$100,087).
- Capital improvement expenditures were under budget as projects were still underway at year end and amounts were carried forward to future years.

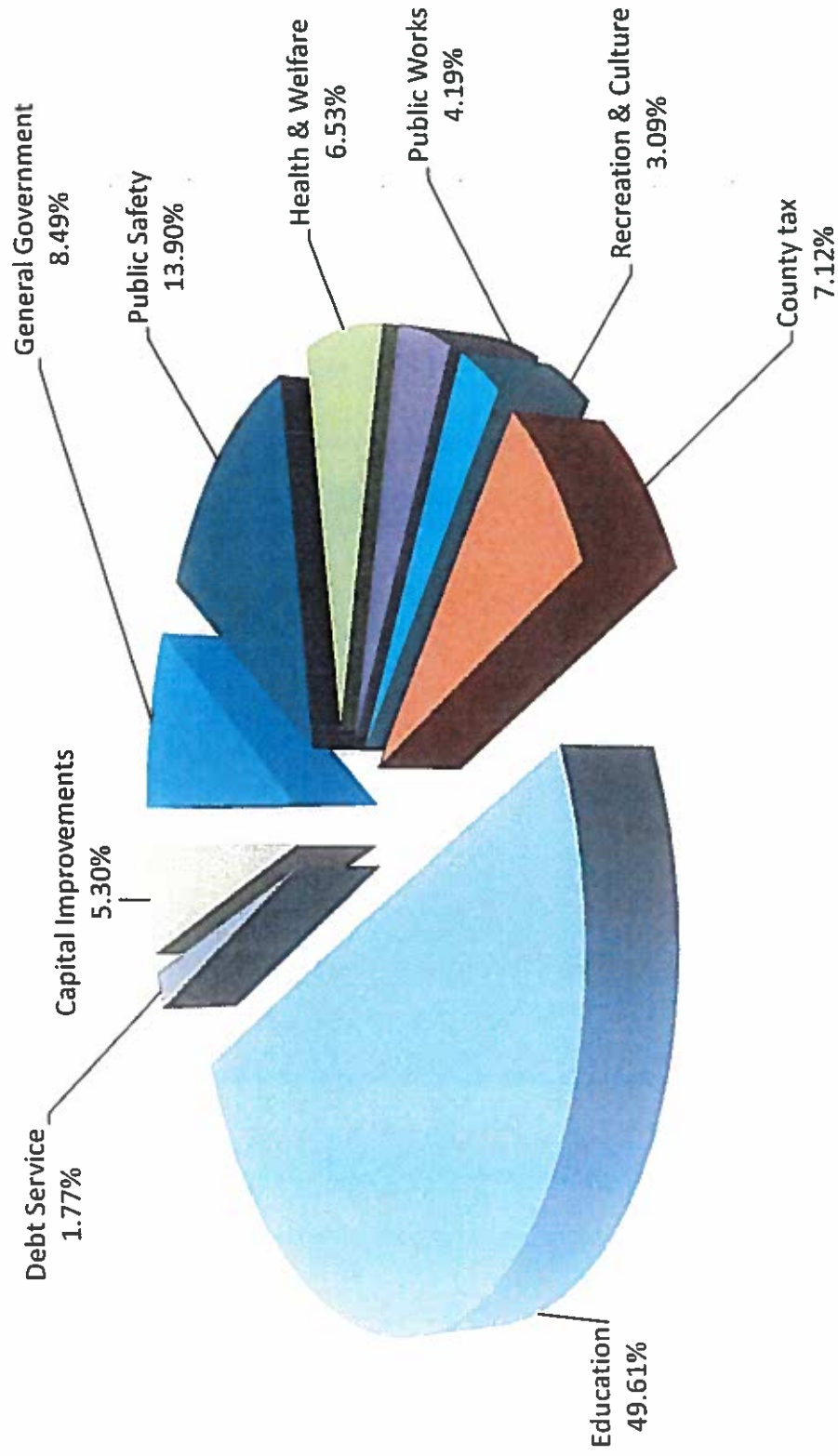
Town of Kennebunkport

GENERAL FUND REVENUES



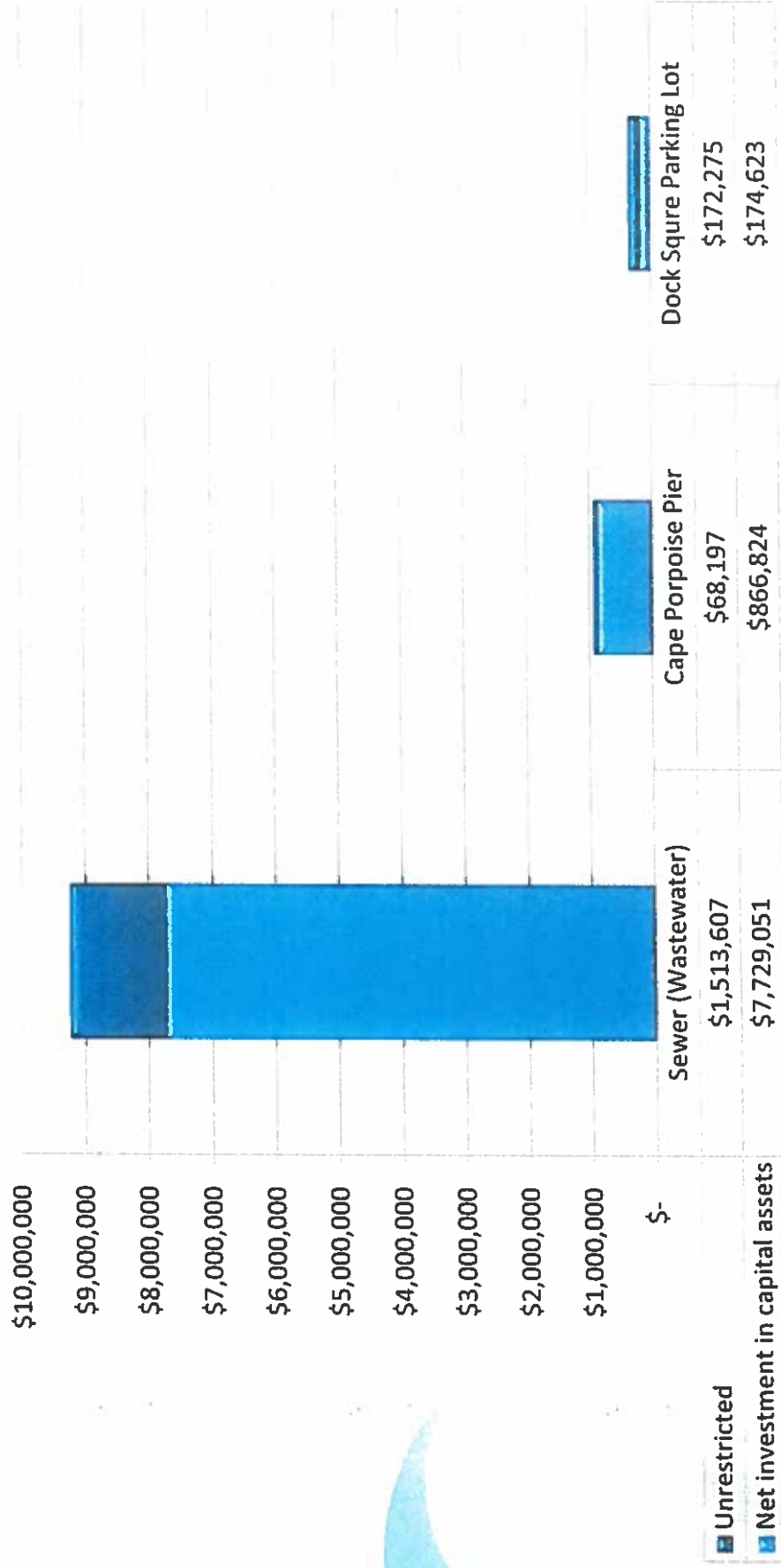
Town of Kennebunkport

GENERAL FUND EXPENDITURES



Town of Kennebunkport

PROPRIETARY FUNDS



Town of Kennebunkport

PROPRIETARY FUNDS HISTORY OF UNRESTRICTED NET POSITION

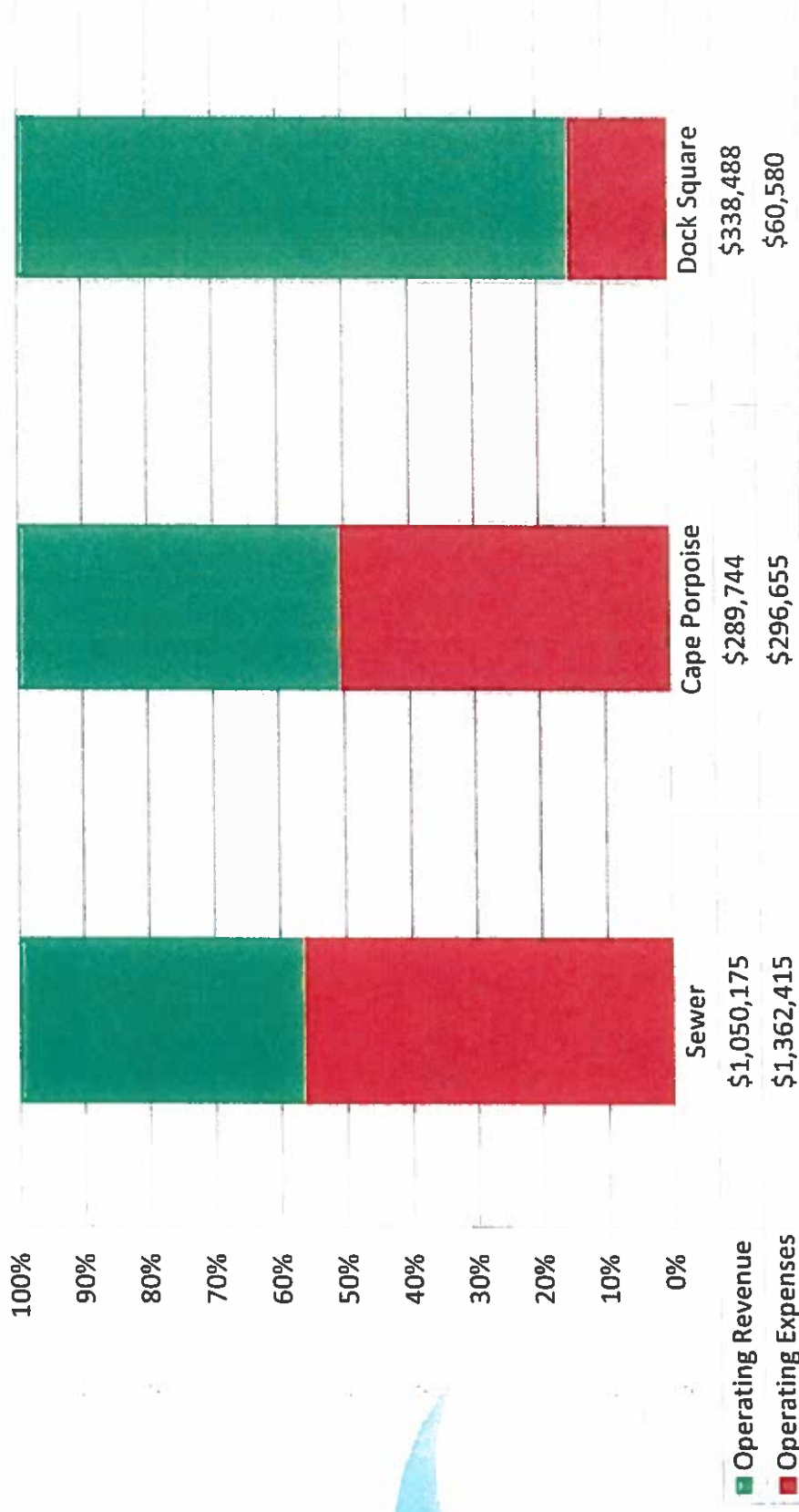


Observations:

- If 3 months (90 days) of expenditures were retained in the Sewer Fund unrestricted net position (approximately \$341,000), approximately \$1,173,000 would be available for reserves and project costs.
- If 3 months (90 days) of expenditures were retained in the Cape Porpoise Pier Fund unrestricted net position (approximately \$74,000), the fund would have a deficit of approximately \$6,000.
- If 3 months (90 days) of expenditures were retained in the Dock Square Parking Lot Fund unrestricted net position (approximately \$15,000), approximately \$157,130 would be available for reserves and project costs.

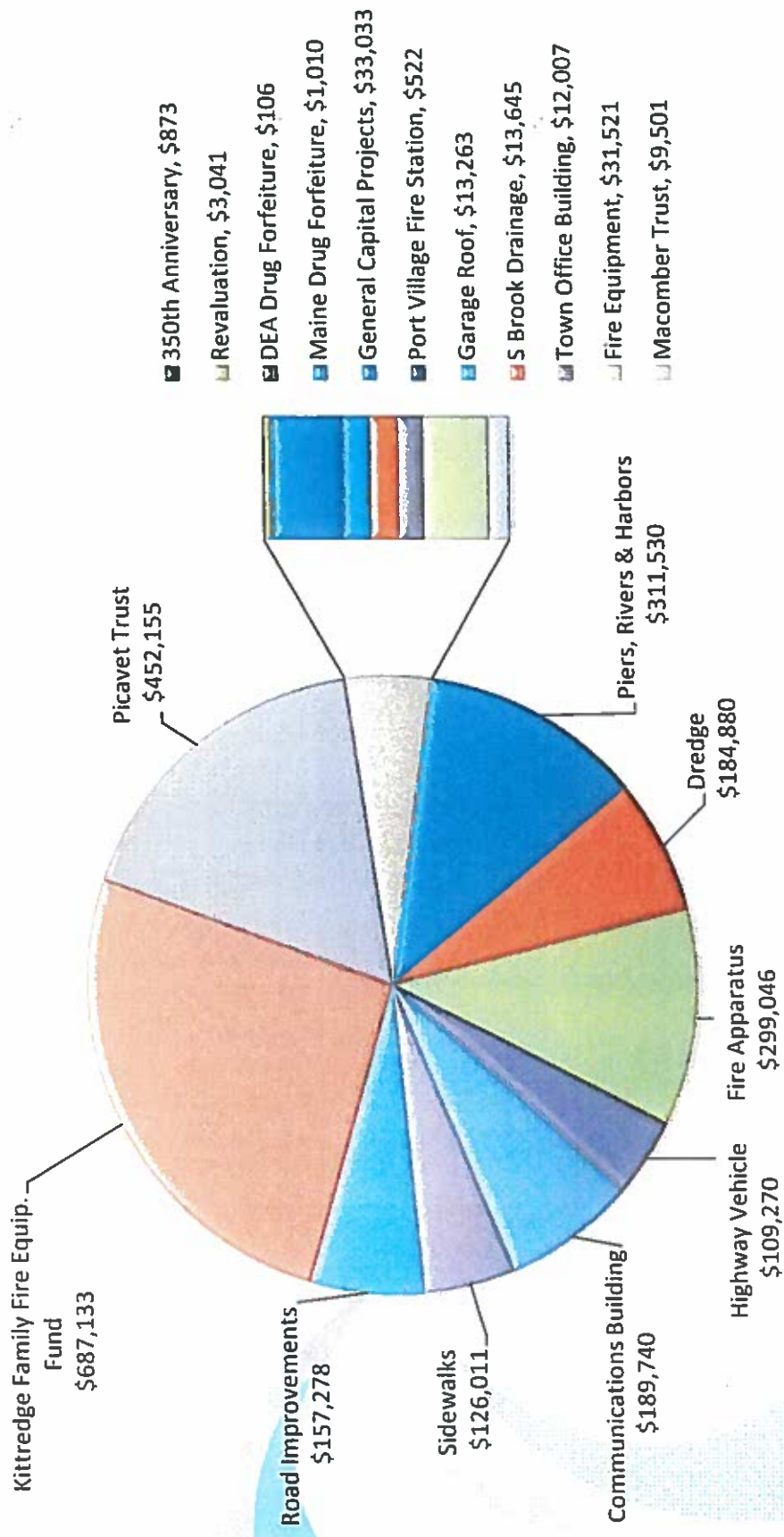
Town of Kennebunkport

PROPRIETARY FUNDS – OPERATING RESULTS



Town of Kennebunkport

OTHER NONMAJOR FUNDS – FUND BALANCES AT 6/30/15



Town of Kennebunkport

FINANCIAL OVERVIEW

Presented by:
Ryan Cormier and Kathy Tyson

[RUNYON KERSTEEN QUELLETTE](#)

Recently, the Town of Kennebunkport completed the financial audit process for the year ended June 30, 2015. We are pleased to report that the Town's financial statements received an unmodified opinion, which means the financial statements are fairly stated in all material respects. The remainder of this publication is dedicated to providing you with the financial results for fiscal year 2015, and comparative information for prior years. We hope you find this information useful and understandable. We would also like to take this opportunity to congratulate the Town on receiving a CAFR award for the 2014 financial statements. Thanks to all your staff who were helpful to us during the audit. Special thanks to Jennifer Lord for all her hard work!

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Please contact us at 207-773-2986 or 1-800-486-1784
20 Long Creek Drive, South Portland, ME 04106

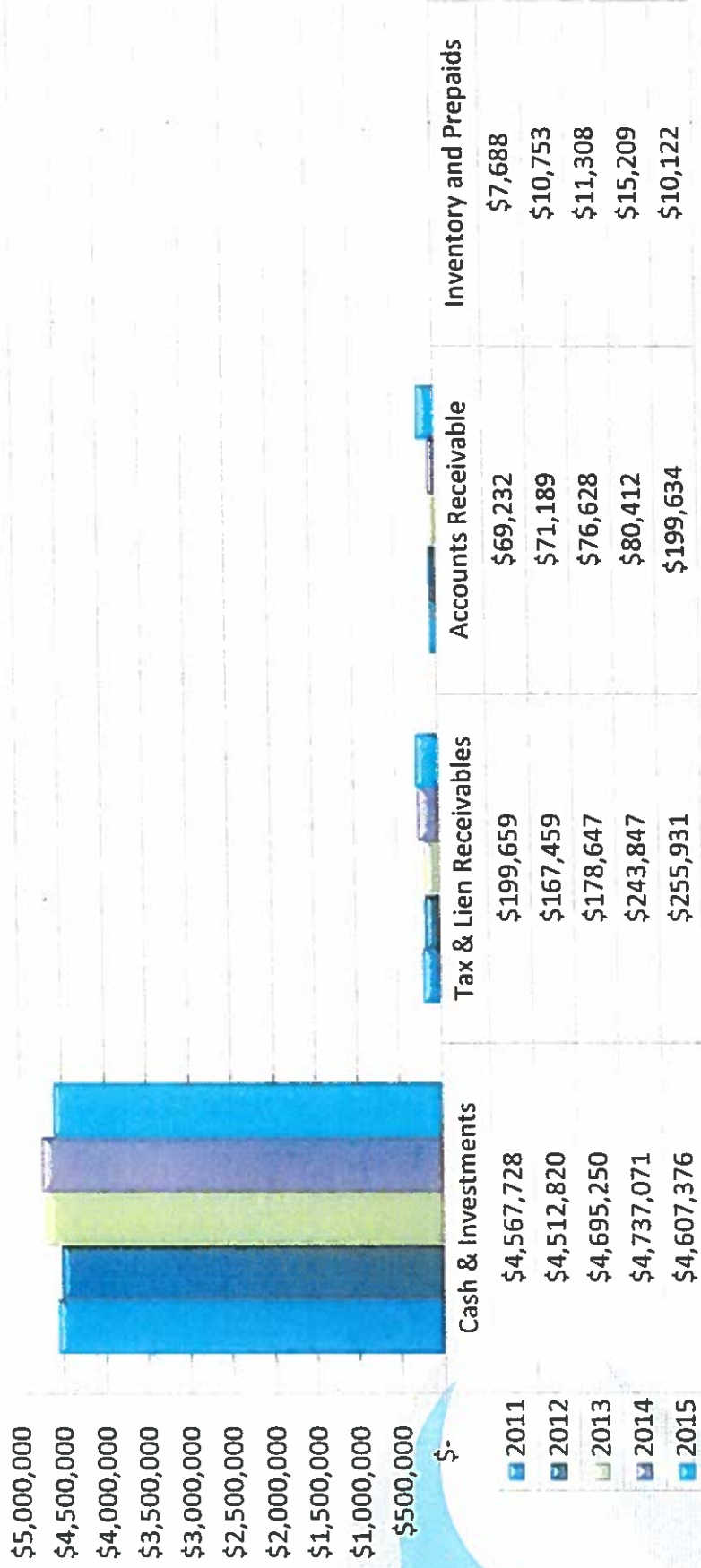


Inside

- | | |
|-----|--|
| 1. | General Fund Assets |
| 2. | General Fund Liabilities |
| 3. | General Fund Equity |
| 4. | General Fund Balance - Compared with Policy |
| 5. | General Fund Balance Analysis |
| 6. | General Fund Revenues |
| 5. | General Fund Expenditures |
| 8. | General Fund Revenues |
| 9. | General Fund Expenditures |
| 10. | Proprietary Funds |
| 11. | Proprietary Funds – Operating Results |
| 12. | Sewer (Wastewater) Fund History of Unrestricted Net Position |
| 13. | Other Nonmajor Funds - Fund Balances at June 30, 2015 |

Town of Kennebunkport

GENERAL FUND ASSETS



Observations:

- Cash and investments have not changed significantly since 2011. Cash and investments are shown net of interfund loans which represents the share of the pooled cash belonging to other funds.
- Outstanding taxes and liens increased by \$32,200. The collection rate remained fairly steady at approximately 99%, but the total taxes committed was up slightly in 2015.
- Accounts receivable increased significantly in 2015 due to a outstanding receivable from the State of Maine Department of Transportation for \$93,050.

November 12, 2015 – Exhibit B

Special Event Policy

Persons requesting permission to hold a Special Event in the Town of Kennebunkport must complete and submit a "Special Event Application" and submit the application to the Town Clerk preferably at least sixty (60) days prior to the requested event date. The Town requires a minimum of thirty (30) days to process the application, unless waived by the Town Manager. Any events taking place in roadways (i.e. bike races and road races) should submit applications at least 60 days in advance.

For purposes of this policy, a "Special Event" shall be defined to mean: Any activity which occurs upon public or private property that will affect the standard and ordinary use of Town-owned property, public streets, rights-of-way or sidewalks, and/or which requires additional levels of town services. This includes, but is not limited to, fairs, festivals, carnivals, sporting events, foot races/walks, bike races, markets, parades, exhibitions, auctions, dances, and motion picture filming. Special Events do not include: regular park activities, town functions held on town lands or in the Town right-of-way, functions held on school properties that are sponsored by the school district, or regular work being performed by Town agencies.

Deleted: -athons

Applicants shall provide information on the particulars of the event, the organization sponsoring the event, contacts for the event, the type of event, resources needed from Town departments, and a site plan of the event. Applicants will also be required to provide insurance policies and liability waivers.

The Town reserves the right to require municipal services as reasonably deemed necessary by Town staff. If Town materials/equipment, other than motorized vehicles, are needed for the event, a deposit will be required, with the deposit based on the cost of materials/equipment borrowed (up to \$250). Any services required from the town either before, during, or after an event may be billed to applicant.

The Town Clerk will forward applications in a timely manner to the Police Chief, and Town Manager for review and final approval. Due to the limited resources available, the Town reserves the right to limit events, based upon the staff and resources available. Limitations may include, but are not limited to, one event per week for any special events requiring town resources. Due to issues related to winter maintenance, road and bike races are limited to the months of April through November. Events requiring Town staff should not occur on major holidays. Preference for event dates will be given to organizations with established events who submit their applications in a timely manner.

Deleted: Recreation Director,

Deleted: Public Works Director, Code Enforcement Officer, Fire Chief, KEMS Supervisor,

Any applicants wishing a waiver of Town fees will need to request said waiver from the Board of Selectmen. Current events, as of August 1, 2014, included within Christmas Prelude, Circus Smirkus, Memorial Day, and Fourth of July race at GRB will be exempt from additional fees until determined differently by the Board of Selectmen.

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Deleted: except

November 12, 2015 – Exhibit B

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November 12, 2015 – Exhibit C

IN THE MATTER OF

FISHING POLE LANE, LLC)	AMENDMENT TO
d/b/a HIDDEN POND RESORT)	ADMINISTRATIVE CONSENT AGREEMENT
354 GOOSE ROCKS ROAD)	
KENNEBUNKPORT, MAINE)	

This Amendment to Administrative Consent Agreement is entered into this ____ day of November 2015 by and between Fishing Pole Lane, LLC d/b/a Hidden Pond Resort, with a place of business at 354 Goose Rocks Road, Kennebunkport, ME 04046 (hereafter, "FPL"), and the Town of Kennebunkport, a Maine municipality with offices at 6 Elm Street, P.O. Box 566, Kennebunkport, ME 04046 (hereafter, the "Town").

WHEREAS, FPL and the Town entered into a certain Administrative Consent Agreement on or about September 8, 2015 (hereafter the "ACA");

WHEREAS, pursuant to Paragraph 10 of the ACA, FPL was to remove a 24' x 50' concrete patio constructed adjacent to the Event Barn by no later than November 15, 2015;

WHEREAS, subsequent to the ACA, FPL entered into an agreement for a land exchange with Kennebunkport Conservation Trust, whereby FPL acquired sufficient land to bring the aforesaid patio into conformance with setback requirements of the Land Use Ordinance;

WHEREAS, FPL has submitted an application to the Planning Board for Site Plan Approval pursuant to the terms of the ACA;

WHEREAS, FPL intends to amend its application to the Planning Board to seek approval of said patio;

WHEREAS, FPL desires to amend the ACA to allow it to keep the patio in place should it be approved by the Planning Board; and

WHEREAS, the Town is agreeable to such an amendment to the ACA, on the terms and conditions set forth herein.

NOW, THEREFORE, the Town and FPL agree that the ACA shall be, and hereby is, amended by deleting Paragraph 10 in its entirety and replacing it with the following:

10. In regard to the 20'x50' concrete patio constructed adjacent to the Event Barn:
 - a. FPL will file an amendment to its Planning Board Site Plan Review Application no later than November 4, 2015, seeking approval to maintain said patio in place,
 - b. Should the Planning Board approve the patio on or before April 1, 2016, FPL will file an after-the-fact building permit application for said patio with the Code Enforcement Officer within seven (7) days after the vote of the Planning Board approving said patio.

- c. Should the Planning Board not approve the patio by April 1, 2016 or if it shall deny approval of the patio, FPL will remove said patio within seven (7) days of the vote by the Planning Board denying the patio or by April 8, 2016, whichever date is earlier.
- d. FPL shall pay an additional fine to the Town of One Hundred Dollars (\$100.00) per day from (and including) November 16, 2015 until the date of the Planning Board vote approving the patio or until the patio has been removed.

In all other respects, the ACA is hereby ratified and confirmed, except to the extent modified and amended herein.

FISHING POLE LANE, LLC

Witness

By: _____
Debra A. Lennon, Manager

STATE OF MAINE
YORK COUNTY, ss.

_____, 2015

Then personally appeared before me the above named Timothy Harrington, Manager of Fishing Pole Lane, LLC, and acknowledged the foregoing instrument to be his free act and deed.

Before me, _____
Ralph W. Austin, Attorney at Law
Bar No. 1156

TOWN OF KENNEBUNKPORT
(must be signed by at least 3 selectmen)

Witness

By: _____
Sheila Matthews-Bull, Chair

Witness

By: _____
Stuart Barwise, Selectman

Witness

By: _____
Patrick Briggs, Selectman

Witness

By: _____
Allen Daggett, Selectman

Witness

By: _____
Edward Hutchins, Selectman

STATE OF MAINE
YORK COUNTY, ss.

_____, 2015

Then personally appeared before me the above named _____

Selectmen of the Town of Kennebunkport duly authorized, and acknowledged the foregoing
instrument to be his/her free act and deed.

Before me, _____

Notary Public

Print Name: _____

My Commission Expires: _____