



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

**Board of Selectmen
Village Fire Station – 32 North Street
February 9, 2017 – 6:00 PM**

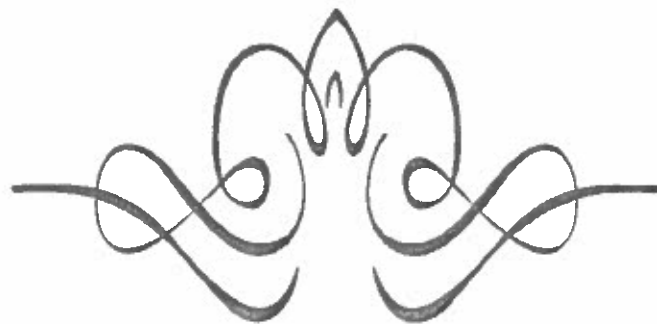
1. Call to Order.
2. Approve the January 26, 2017, selectmen meeting minutes.
3. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.).
4. Consider a renewal liquor license application submitted by Alisson's/Dock Square LTD, DBA Alisson's Restaurant, 11 Dock Square.
5. Consider a renewal special amusement permit submitted by Ashley Padgett DBA Alisson's Restaurant, 11 Dock Square.
6. Consider a liquor license renewal application for Sheila W. Matthews-Bull, DBA Rhumb Line Resort, 41 Turbats Creek Road.
7. Consider a special amusement permit renewal application for Sheila W. Matthews-Bull, DBA Rhumb Line Resort, 41 Turbats Creek Road.
8. Consider a renewal liquor license application submitted by Cape Porpoise Lobster Co., DBA Cape Pier Chowder House, 79 Pier Road.
9. Presentation by H.M. Payson regarding town investments.
10. Presentation by Public Works Director Michael Claus regarding the Mills Road improvement project.
11. Sarah Lachance of the Conservation Commission and Phil Coupe of ReVision explain solar pv results.
12. Request from the Goose Rocks Beach Advisory Committee to request the State to lower the seasonal speed limit of New Biddeford Road to 20 mph in the area between King's Highway and the bridge.
13. Review proposed ordinance revisions for Town Meeting Warrant:

- a. Shellfish Ordinance
- b. Lock Box Ordinance

14. Approve restrictions on vehicle weight limits on certain roads in accordance with 29-A M.R.S.A. Section 2395 and the Kennebunkport Traffic and Parking Control Ordinance.
15. Review and authorize the Government Wharf construction bid.
16. Consider Mat Lanigan Bridge 24-hour construction.
17. Accept the \$500 donation from the Church on the Cape United Methodist to the emergency fuel program.
18. Other business.
19. Approve the February 9, 2017, Treasurer's Warrant.
20. Adjournment.



Agenda Item Divider



**Town of Kennebunkport
Board of Selectmen Meeting
Village Fire Station-32 North Street
January 26, 2017 – 6:00 PM**

Minutes of the Selectmen Meeting of January 26, 2017

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

Others present: Carol Cook, Michael Claus, Michael Davis, Werner Gilliam, David James, Everett Leach, Jen Lord, Lee McCurdy, Arlene McMurray, Allan Moir, Tracey O’Roak, Bob Pappas, Craig Sanford, Laurie Smith, and others

1. Call to Order.

Chair Barwise called the meeting to order at 6:03 PM.

2. Approve the January 11, and 12, 2017, selectmen meeting minutes.

Motion by Selectman Hutchins, seconded by Selectman Briggs, to approve the January 11, 2017, selectmen meeting minutes. **Vote:** 5-0

Motion by Selectman Hutchins, seconded by Selectman Briggs, to approve the January 12, 2017, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Daggett abstained because he was not present at that meeting.

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.)

There were no comments from the public.

4. Set number of shellfish licenses, license fees, and the length of the season.

Town Manager Laurie Smith announced the following licenses for 2017 recommended by the Shellfish Conservation Commission and the Shellfish Warden.

Recreational

Resident Recreational	75 Licenses
Nonresident Recreational	8 Licenses
Warden Recreational	1 License

Commercial

Resident Commercial	2 Licenses
Nonresident Commercial	0 Licenses

Daily

Daily Licenses	0 Licenses
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Shellfish Warden Everett Leach mentioned that everything stayed the same as last year for the licenses except for the addition of the warden's recreational license, which he would pay for.

Mr. Leach said the Committee also recommended that:

- The flats will only be open from April 15 through October 15.
- Digging will only be allowed on Friday, Saturday, and Sunday.
- Recreational diggers may only take one peck per week.
- Commercial diggers may only take two pecks per day.

Motion by Selectman Hutchins, seconded by Selectman Daggett to approve the recommendations of the Shellfish Warden listed above for licenses and including the dates, times, and amounts allowed for shellfish digging.

Motion amended by Selectman Hutchins, seconded by Selectman Daggett, to also allow the warden's recreational license to be free of charge. **Vote:** 5-0.

Item 7 was addressed next.

7. Consider amendment to the Administrative Code regarding the Shellfish Ordinance.

Ms. Smith explained that according to the Administrative Code, the chair of the Shellfish Advisory Committee is the Shellfish Warden, and all members of the Committee are required to be residents of the Town. The current Shellfish Warden is a nonresident, and therefore cannot serve on the Committee. She was not concerned about him being the chair, but did feel that he should hold a place on the Committee.

Selectman Briggs suggested allowing for one nonresident on the Committee, and the Board agreed.

Chair Barwise suggested that they move forward with their request to modify the Administrative Code so that the Shellfish Advisory Committee may have a nonresident member. He emphasized the specific wording that the Committee "may" have" and not "will" have a nonresident member. The Board agreed.

5. Capital Improvement Plan presentation.

Ms. Smith led the discussion on the Capital Improvement Plan (CIP):

The Department Directors: Tracey O'Roak, town clerk; Werner Gilliam, director of planning and development; Craig Sanford, police chief; Lee McCurdy, harbor master; Carol Cook, director of parks and recreation; Mike Claus, director of public works; Bob Pappas, town mechanic; and Allan Moir, fire chief and wastewater superintendent all explained their sections of the plan (See Exhibit A.).

David James asked if they have an idea of how the (CIP) will affect the mill rate.

Ms. Smith responded that she looks at what will get funded, what debt service is retiring, etc. She also thanked the department directors for all of their hard work on the CIP.

Item 12 was addressed next.

12. Approve the January 26, 2017, Treasurer's Warrant.

Motion by Selectman Matthews-Bull, seconded by Selectman Briggs, to approve the January 26, 2017, Treasurer's Warrant. **Vote:** 5-0.

6. Consider Lock Box Ordinance.

Because there are so many part-time residents, Fire Chief Allan Moir would like to require new residents and new structures built after October 1, 2017, that have a home alarm to also have a key lock box. His reasoning is that when the resident is away, and their alarm goes off, the fire department or KEMS can respond by using the key in the lock box to get into their house instead of breaking a window or door. He said the cost for the lock box is under \$200 (See Exhibit B for proposed ordinance.).

The Board will consider his proposal which needs to be presented to the voters at Town Meeting in June.

8. Review Government Wharf pier bids.

Ms. Smith stated the good news is that she received five bids (See Exhibit C). The bad news is that the base bid was approximately \$804,000 and the amount in the budget is only \$650,000. She said she may be able to get the amount closer to within the budget. She is meeting with the contractor to see what needs to be done now and what can be delayed, and other ways the cost can be reduced. She will bring this item back to the Board when she gets more information.

9. Adopt the 2015 update to the York County Hazard Mitigation Plan.

The Board received a copy of the revisions to the York County Hazard Mitigation Plan. Chief Sanford said the York County Hazard Mitigation Plan needs to be updated every five years in order to be eligible for FEMA.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to adopt the 2015 update to the York County Hazard Mitigation Plan. **Vote:** 5-0.

10. Meet as Assessors to consider the following abatement request:

Property Owner	Location	Ma p	Bl k	Lot(s)	Tax Abatements 2017
Anton & Marilyn Schmidt	2 Touchstone DR	8	3	1C	\$399.10

Motion by Selectman Daggett, seconded by Selectman Hutchins to follow the recommendations of Assessors Agent Donna Moore Hays and approve the tax abatement in the amount of \$399.10 to Anton & Marilyn Schmidt. **Vote:** 5-0.

11. Other business.**a. Spirit of America Foundation Tribute correspondence.**

Ms. Smith mentioned that Bruce Flaherty is having a Spirit of America event in the fall. At this event, they pay tribute to someone who has contributed outstanding community service within the Town. He would like the Board to give him the name of a local person who deserves special recognition. Ms. Smith asked the Board to submit a name to her within the next month.

b. Town Report dedication.

The Board received an updated list of past Town Report dedications. She asked the Board to be thinking of potential candidates for the 2016 report. The Board keeps this dedication a surprise and does not announce the person(s) selected until the report is completed and distributed.

Mr. Gilliam announced that there is a separate Wireless Communication Ordinance from 1999 that is vulnerable and needs to be updated. He would like to have an ad hoc committee (composed of three or four members who have experience and knowledge in this area) help him with this update. The Board will consider his proposal.

c. Update on York County Drug Treatment Plan Meeting.

Ms. Smith reported what transpired at the last York County Drug Treatment Plan Public Hearing held on January 17 for the proposed rehab and drug treatment program in York County. She said attendance for the event was large and that the center would have a total of 36 beds with 12 for detox, 12 for women's rehab, and 12 for men's rehab. This program is meant for people entering the jail system with a very low offense. They would be admitted to the drug treatment program instead. She commented that there was a lot of support for this plan, but there was also discussion that there should be a good filtering process so that people could not circumvent jail time and go to rehab. There was also discussion on the need for this facility to be available for people who are not in the jail system. Costs was another concern. The County has a \$1.6 million annual operational

budget, and they are proposing that funds come from this budget and be totally funded through local taxes. Her issue is that this is a state and nationwide problem, and she does not agree with putting the burden on the local taxpayer to fund this. She said they may choose to start out with only part of the program and work their way up over time. They will run this through the York County budget process.

Ms. Smith also mentioned that she received a letter from the York County local officials that many of the people who will be needing the detox center are uninsured and have poor health. This means the need for emergency services from the Town of Alfred would increase. They view this as unfair and would like to be reimbursed.

Ms. Smith said the Town received a check in the amount of \$250 from the Fidelity Charitable grant through the recommendation of the D'Auteuil Giving Account, a donor-advised fund. They would like to give this donation to the fire department.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to accept the \$250 donation from the Fidelity Charitable grant to the Fire Department.
Vote: 5-0.

13. Adjournment.

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

The meeting adjourned at 7:40 PM.

Submitted by

Arlene McMurray
Administrative Assistant

Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
Administration							
Codification Project	Admin	\$ 18,000					
Workforce Housing Study	Admin	\$ 22,000					
FEMA Mapping Study	Admin	\$ 30,000					
Replace windows, doors in garage & dormer trim repairs	Bldg/Facilities	\$ 12,000					
Boiler Control System	Bldg/Facilities	\$ 15,000					
Records Preservation	Admin	\$ 5,000					
GIS Aerial Photographs	Admin	\$ 5,000					
Town Office Pavement Restoration	Bldg/Facilities	\$ 19,000					
Town Office Generator	Bldg/Facilities	\$ 25,000					
Records Preservation	Admin	\$ 5,000					
Document Management System	Equipment		\$ 50,000				
Town Office Building Renovations	Bldg/Facilities		\$ 500,000				
Records Preservation	Admin		\$ 5,000				
Records Preservation	Admin		\$ 5,000				
Records Preservation	Admin			\$ 5,000		5,000	
Replace 2017 Codes Vehicle	Equipment						\$ 30,000
Records Preservation	Admin						\$ 200,000
Town Office Building Renovations	Bldg/Facilities						\$ 100,000
subtotal - Administration		\$ 107,000	\$ 49,000	\$ 555,000	\$ 5,000	\$ 5,000	\$ 330,000
Communications							
Replace Building Cooling System	Bldg/Facilities			\$ 30,000			\$ 20,000
Boiler Replacement	Bldg/Facilities						
subtotal - Communications		\$ -	\$ -	\$ -	\$ 30,000	\$ -	\$ 20,000

EXHIBIT A - JANUARY 26, 2017

Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
<u>Dock Square</u>							
Parking Lot Pavement Restoration	Infrastructure	\$ 30,000					
Union Square enhancements	Infrastructure	\$ 25,000					
Replace sidewalks / heating maintenance East Side	Infrastructure	\$	87,000				
Sidewalk replacment on West side of Dock square	infrastructure			\$ 26,500			\$ 25,000
Wayfinding signs for Downtown	Bldg/Facilities						
	subtotal - Dock Square	\$ 55,000	\$ 87,000	\$ 26,500	\$ -	\$ -	\$ 25,000
<u>Fire</u>							
Replace Brush 5 - 1974	Equipment	\$ 60,000					
Replace & Upgrade Hydraulic Rescue Tools	Equipment	\$ 11,000					
Firefighter PPE	Equipment	\$ 17,000					
Radio equipment	Equipment	\$ 10,500					
SCBA air bottles	Equipment	\$ 14,000					
Replace one thermal imager	Equipment	\$ 14,000					
Firefighter PPE	Equipment	\$ 17,000					
Radio equipment	Equipment	\$ 10,500					
SCBA air bottles	Equipment	\$ 12,000					
Replace Brush 35 1980 GMC	Equipment	\$ 50,000					
Replace 2nd thermal imager	Equipment	\$ 14,000					
Replace Ladder 4 or Engine 33	Equipment	\$		\$ 525,000			
Firefighter PPE	Equipment	\$		\$ 17,000			
Radio equipment	Equipment	\$		\$ 10,500			
SCBA air bottles	Equipment	\$		\$ 12,000			
Replace 3rd thermal imager	Equipment	\$		\$ 14,000			
Firefighter PPE	Equipment			\$	17,000		
Radio equipment	Equipment			\$	10,500		
SCBA air bottles	Equipment			\$	12,000		
Replace Brush 15 1984 GMC	Equipment			\$	50,000		

Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
Replace base station, antenna & cable	Equipment				\$ 18,000		
SCBA air bottles	Equipment					\$ 12,000	
Radio equipment	Equipment					\$ 10,500	
Firefighter PPE	Equipment					\$ 17,000	
Replace Engine 12 - PV REPLACE IN 2023	Equipment						\$ 635,000
Replace Ladder 34 - GRB REPLACE IN 2026	Equipment						\$ 1,000,000
Replace Tank 1 - GRB REPLACE IN 2033	Equipment						\$ 300,000
Replace Squad 11 REPLACE IN 2031	Equipment						\$ 150,000
Engine 23 REPLACE IN 2034	Equipment						\$ 900,000
Rigid Inflatable Boat/engine/trailer - GRB	Equipment						\$ 18,000
Rigid Inflatable Boat/engine/trailer - WD	Equipment						\$ 18,000
SCBA Air Packs (45)	Equipment						\$ 90,000
Compressor	Equipment						\$ 20,000
Generator - WD	Equipment						\$ 7,500
Generator - Village	Equipment						\$ 20,000
Hydraulic rescue tool	Equipment						\$ 80,000
Village Fire Station	Bldg/Facilities						\$ 700,000
Wildes Dist, Fire Station	Bldg/Facilities						\$ 250,000
subtotal - Fire		\$ 126,500	\$ 103,500	\$ 578,500	\$ 107,500	\$ 39,500	\$ 4,188,500
<u>Parks and Recreation</u>							
Replace Parks and Recreation Building	Bldg/Facilities	\$ 650,000					
Improvements to Parson Field	Infrastructure		\$ 10,000				
Community Survey	Admin		\$ 5,000				
Improvements to Cape Porpoise Park and Rotary Parks	Infrastructure			\$ 17,500			
Resurface Tennis Courts	Infrastructure				\$ 50,000		
Trail Development	Infrastructure				\$ 10,000		
Trail Development	Infrastructure					\$ 10,000	
Future Parks and Recreation Addition	Bldg/Facilities					\$ 10,000	\$ 300,000

Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
Replace 2016 Bus	Equipment						\$ 60,000
Public Boat Access	Infrastructure						\$ 100,000
subtotal - Parks and Recreation		\$ 650,000	\$ 15,000	\$ 17,500	\$ 60,000	\$ 10,000	\$ 460,000
<u>Piers</u>							
<u>Cape Porpoise</u>							
Geotechnical survey, property survey, and preliminary design							
Chowder House Painting	Admin	\$ 60,000					
#4 Hoist Replacement	Bldg/Facilities	\$ 5,000					
Keeguard system	Equipment	\$ 5,000					
Pier Repairs	Bldg/Facilities	\$ 3,000					
Channel Dredging	Bldg/Facilities	\$ 500,000					
Float Replacement	Infrastructure		\$ 50,000				
#2 Hoist Replacement	Bldg/Facilities		\$ 5,000				
Punt Float Pylons	Equipment				\$ 5,000		
#3 Hoist Replacement	Bldg/Facilities				\$ 10,000		
#2 Hoist Replacement	Equipment				\$ 5,000		
#1 Hoist Replacement	Equipment					\$ 5,000	
Replace Fuel Tanks (2024)	Equipment						\$ 5,000
Fuel Pumps	Bldg/Facilities						\$ 100,000
Harbormaster Boat	Bldg/Facilities						\$ 5,000
Cape Porpoise Pier	Equipment						\$ 100,000
	Bldg/Facilities						\$ 1,200,000
<u>Government Wharf</u>							
Replace JIB Cranes	Bldg/Facilities	\$ 30,000					\$ 25,000
Replace Coolers	Bldg/Facilities						\$ 50,000
Government Wharf Maintenance Dredge	Infrastructure						\$ 1,485,000
subtotal - Piers		\$ 103,000	\$ 500,000	\$ 55,000	\$ 20,000	\$ 5,000	\$ 1,485,000

Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
<u>Police</u>							
Replace 2014 Cruiser	Equipment	\$ 30,250					
Replace 2015 Cruiser	Equipment	\$	30,500				
Replace 2016 Cruiser & Travel Car	Equipment		\$	61,000			
Replace 3 work stations	Equipment		\$	15,000			
Replace 2XXX Cruiser	Equipment			\$	62,500		
Replace 2XXX Cruiser	Equipment				\$	31,000	
Replace 2XXX Cruiser	Equipment						\$ 31,500
Replace 2XXX Cruiser (2)	Equipment						\$ 62,000
Replace 2XXX Cruiser	Equipment						\$ 31,000
Replace 2XXX Cruiser (2)	Equipment						\$ 62,000
Replace 2XXX Cruiser	Equipment						\$ 31,000
Replace 2XXX Cruiser (2)	Equipment						\$ 62,000
subtotal - Police		\$ 30,250	\$ 30,500	\$ 76,000	\$ 62,500	\$ 31,000	\$ 279,500
<u>Public Works</u>							
Repave Public Works Parking Lot	Bldg/Facilities	\$ 25,000					
Repair and reconstruct roads	Infrastructure	\$ 506,000					
Repair and construct sidewalks.	Infrastructure	\$ 86,000					
Replace 2009 JD Backhoe	Equipment	\$ 140,000					
Replace 2007 Trackless	Equipment		175,000				
Replace 2006 Ford F350 4x4	Equipment		42,000				
Repair and reconstruct roads	Infrastructure		717,000				
Repair and construct sidewalks.	Infrastructure		93,000				
Replace 2011 International	Equipment			170,000			
Repair and reconstruct roads	Infrastructure			439,000			
Repair and construct sidewalks.	Infrastructure			41,000			
Replace 2006 Ford Ranger	Equipment			35,000			

Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
Replace 2005 Z Trac JDF687	Equipment			\$ 12,000			
Replace 2009 Ford F350	Equipment			\$	45,000		
Repair and reconstruct roads	Infrastructure			\$	537,000		
Repair and construct sidewalks.	Infrastructure			\$	84,000		
Repair and reconstruct roads	Infrastructure					327,000	
Repair and construct sidewalks.	Infrastructure					67,000	
Replace Fuel Pumps	Equipment					10,000	
Replace 2011 International	Equipment						\$ 170,000
Replace 2001 Titan 5000 Line Striper	Equipment						\$ 9,000
Replace 2004 International Tandem	Equipment						\$ 225,000
Repair and reconstruct roads	Infrastructure						\$ 488,482
Repair and reconstruct sidewalks.	Infrastructure						\$ 150,069
Repair and reconstruct roads	Infrastructure						\$ 377,576
Repair and reconstruct sidewalks.	Infrastructure						\$ 150,069
Replace 2012 International	Equipment						\$ 170,000
Repair and reconstruct roads	Infrastructure						\$ 419,196
Repair and reconstruct sidewalks.	Infrastructure						\$ 140,864
Repair and reconstruct roads	Infrastructure						\$ 411,330
Repair and construct sidewalks.	Infrastructure						\$ 29,106
Replace 2015 International	Equipment						\$ 170,000
Repair and reconstruct roads	Infrastructure						\$ 284,554
Replace 2013 JD Loader	Equipment						\$ 160,000
Repair and reconstruct roads	Infrastructure						\$ 391,200
subtotal - Public Works		\$ 757,000	\$ 1,027,000	\$ 697,000	\$ 666,000	\$ 404,000	\$ 3,746,446

Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
<u>Special Projects</u>							
Pier Road Reconstruction	Infrastructure						\$ 800,000
Ocean Avenue reconstruction / River Club	Infrastructure						\$ 2,700,000
Sewer replacement Ocean Ave - Chick Cr to Fairfield Cr	Infrastructure						\$ 650,000
Water replacement portion of Ocean Avenue Project	Infrastructure						\$ 650,000
Dock Sq Granite Support Wall Engineering Study	Infrastructure						\$ 50,000
subtotal - Special Projects		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,850,000
<u>Wastewater</u>							
Replace 2003 2x4 Pick Up Truck	Equipment	\$ 30,000					
Grinder Pump Replacement	Equipment	\$ 20,000					
Side panels for compost building	Bldg/Facilities	\$ 30,000					
Grinder Pump Replacement	Equipment		\$ 20,000				
Replace Kohler Portable Generator	Equipment		\$ 38,000				
Replace 2004 JD Loader	Equipment		\$ 120,000				
Grinder Pump Replacement	Equipment			\$ 20,000			
Replace Generator Pump Station #12	Equipment			\$ 20,000			
Grinder Pump Replacement	Equipment			\$ 100,000			
Replace South Main St. Pump Station #5	Infrastructure			\$ 25,000			
Influent Screens (2) (2011)	Equipment				\$ 250,000		
Axial Flow Pumps (2) (2011)	Equipment				\$ 85,000		
Submersible Mixer (2) (2011)	Equipment				\$ 71,000		
Replace Generator Pump Station #12	Equipment				\$ 20,000		
Grinder Pump Replacement	Equipment				\$ 20,000		
Replace South Main St. Pump Station #5	Infrastructure				\$ 25,000		
Grinder Pump Replacement	Equipment				\$ -	\$ 25,000	

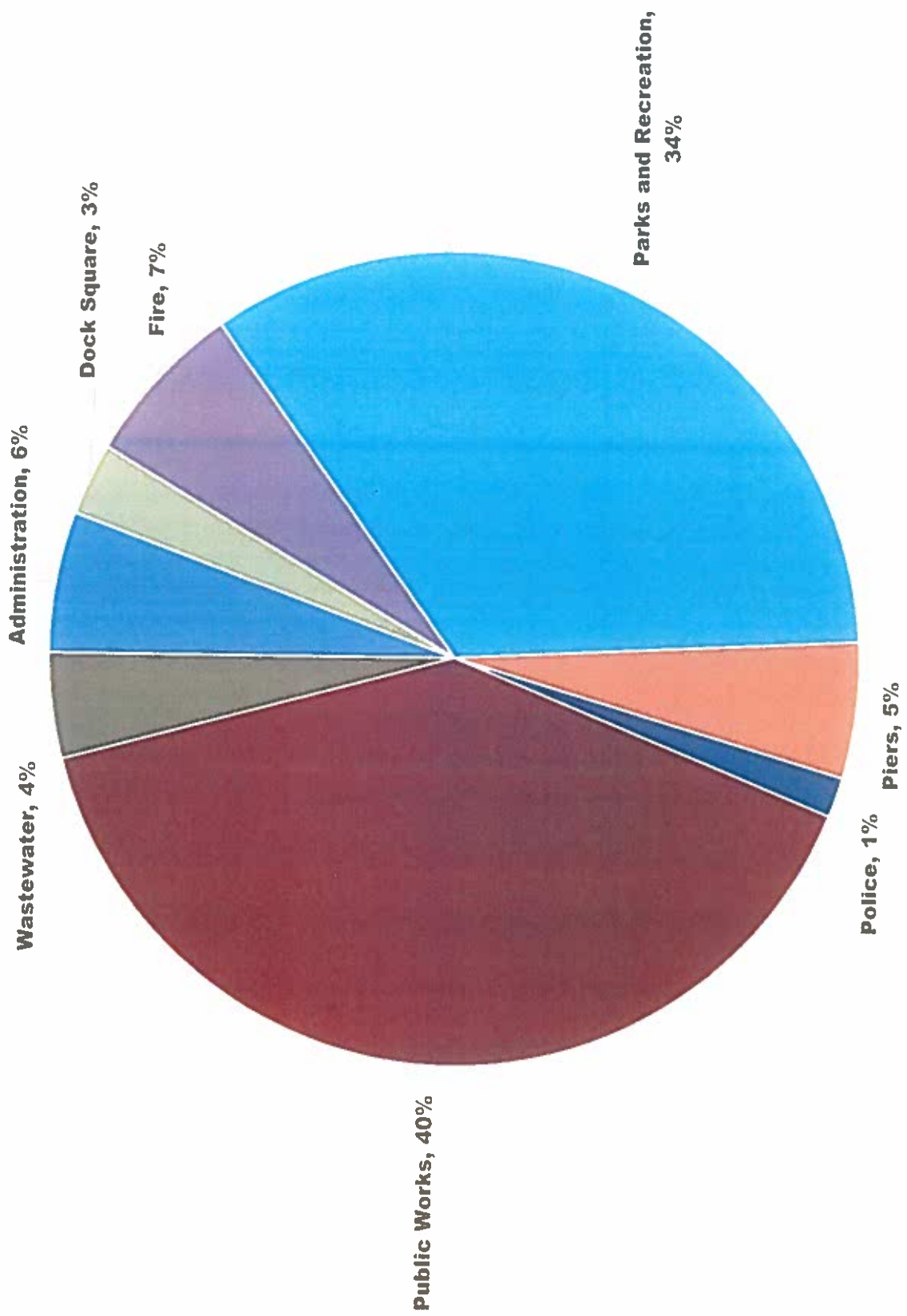
Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
Huber fine screen #101 2011	Equipment						\$ 125,000.00
Huber fine screen #102 2011	Equipment						\$ 125,000.00
Return Sludge Pump #1 2011	Equipment						\$ 4,000.00
Return Sludge Pump #2 2011	Equipment						\$ 4,000.00
Return Sludge Pump #3 2011	Equipment						\$ 4,000.00
Grinder Pump Replacement	Equipment						\$ 100,000
Replace Generator @ Green St. Pump Station #3 (2000)	Equipment						\$ 20,000
Replace Generator @ Chicks Cr. Pump Station #4 (2001)	Equipment						\$ 20,000
Replace Generator @ Paddy Cr. Pump Station #9 (2011)	Equipment						\$ 25,000
Replace Generator @ Cape Porpoise Pump Station #10 (2011)	Equipment						\$ 25,000
Replace Generator @ Wilds Dist. Pump Station #8 (2013)	Equipment						\$ 30,000
Replace Generator @ Mill Lane Pump Station #2 (2014)	Equipment						\$ 30,000
Replace Magnum Portable Generator (2010)	Equipment						\$ 45,000
Replace 2013 Ser. Truck	Equipment						\$ 35,000
Replace 2006 Jetter	Equipment						\$ 60,000
Replace 2006 1 ton 4x4 with plow	Equipment						\$ 57,000
Replace 2008 Crane	Equipment						\$ 10,000
Replace Filter Press (2)	Equipment						\$ 250,000
Replace Mills Lane Pump Station #2	Infrastructure						\$ 250,000
Replace Ocean Ave. Pump Station #6	Infrastructure						\$ 250,000
Replace Turbats Creek Pump Station #7	Infrastructure						\$ 250,000
Replace Wildes Rd. Pump Station #8	Infrastructure						\$ 250,000
Replace Paddy Creek Pump Station #9	Infrastructure						\$ 250,000
Replace Cape Porpoise Pump Station #10	Infrastructure						\$ 250,000
Replace Mills Rd. Pump Station #11	Infrastructure						\$ 250,000
Replace Kings Highway Pump Station #12	Equipment						\$ 50,000
Replace Kings Lane Pump Station #13	Equipment						\$ 40,000
Replace Kings Highway (West) Pump Station #14	Equipment						\$ 25,000

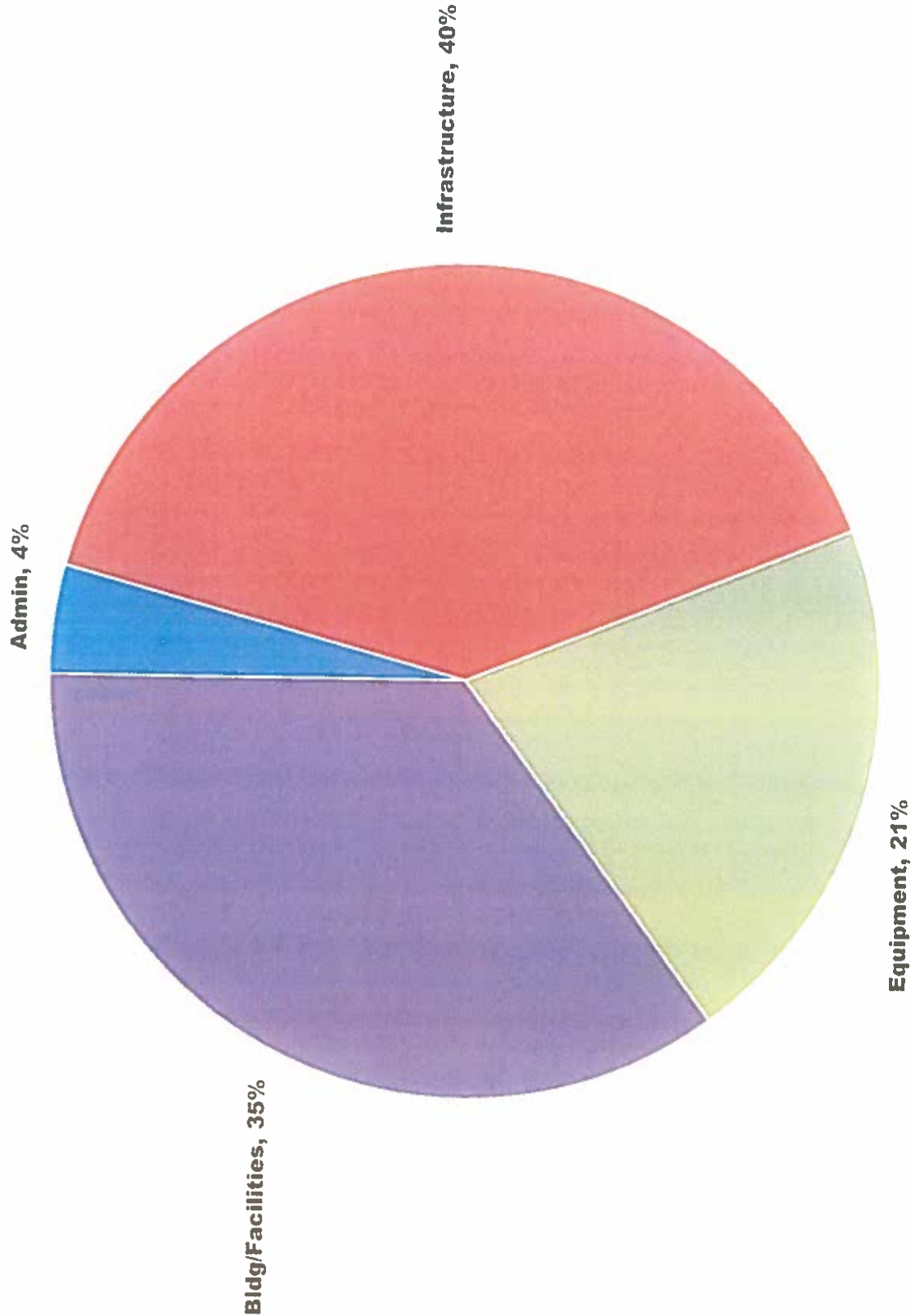
Capital Improvement Program

Department	Type	FY 18	FY 19	FY 20	FY 21	FY 22	Future
Replace Prescottt Drive Pump Station #15	Infrastructure						\$ 15,000
Replace Washington Court Pump Station #16	Infrastructure						\$ 20,000
Replace Wakefield Pasture Pump Station	Infrastructure						\$ 20,000
Replace 4.3 miles 1972 Sewer Lines	Infrastructure						\$ 6,000,000
<i>subtotal - Wastewater</i>		\$ 80,000	\$ 178,000	\$ 165,000	\$ 471,000	\$ 25,000	\$ 8,889,000
GRAND TOTAL		\$ 1,908,750	\$ 1,990,000	\$ 2,170,500	\$ 1,422,000	\$ 519,500	\$ 24,273,446

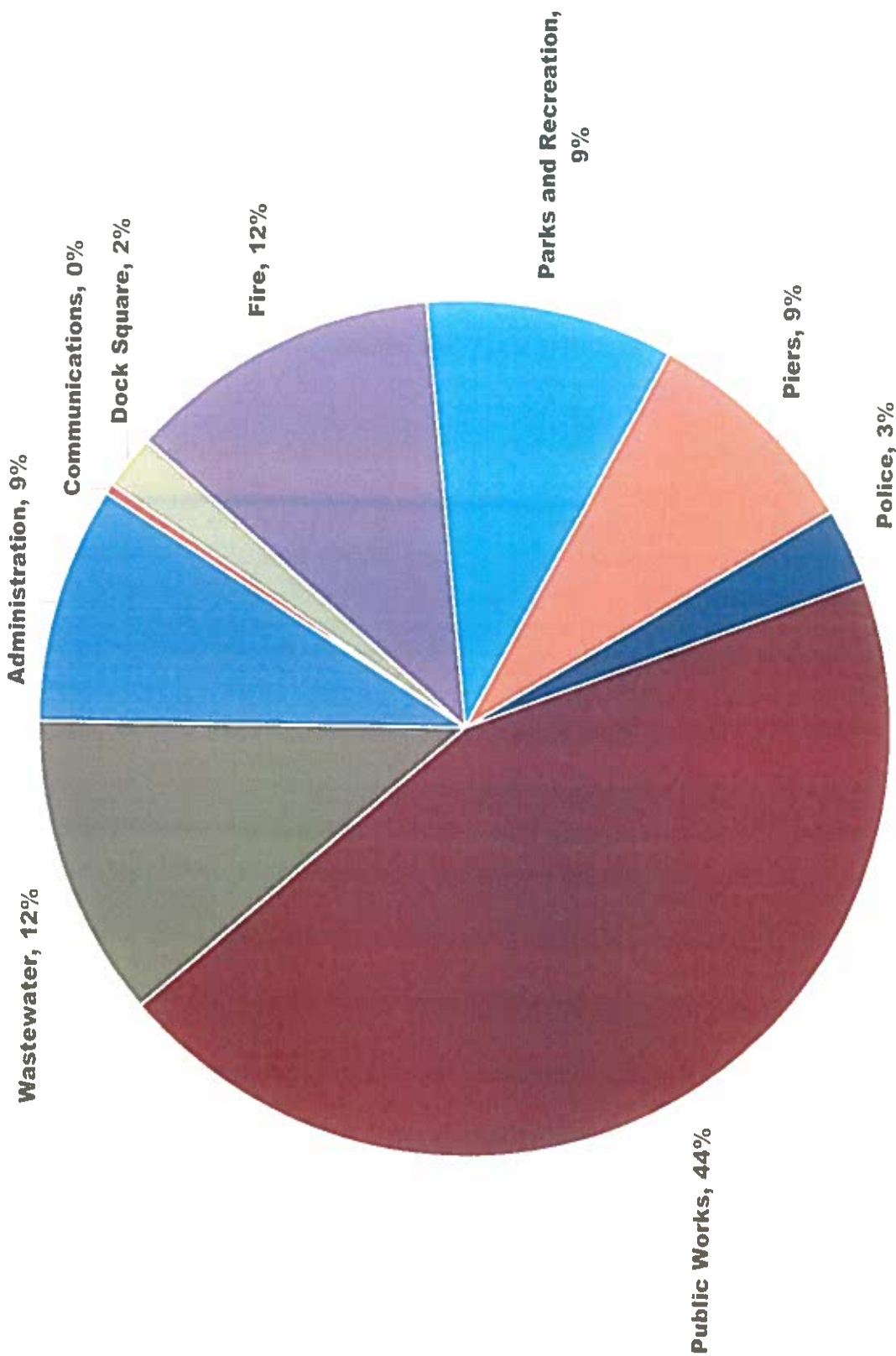
FY 18 Capital Improvement Plan By Department



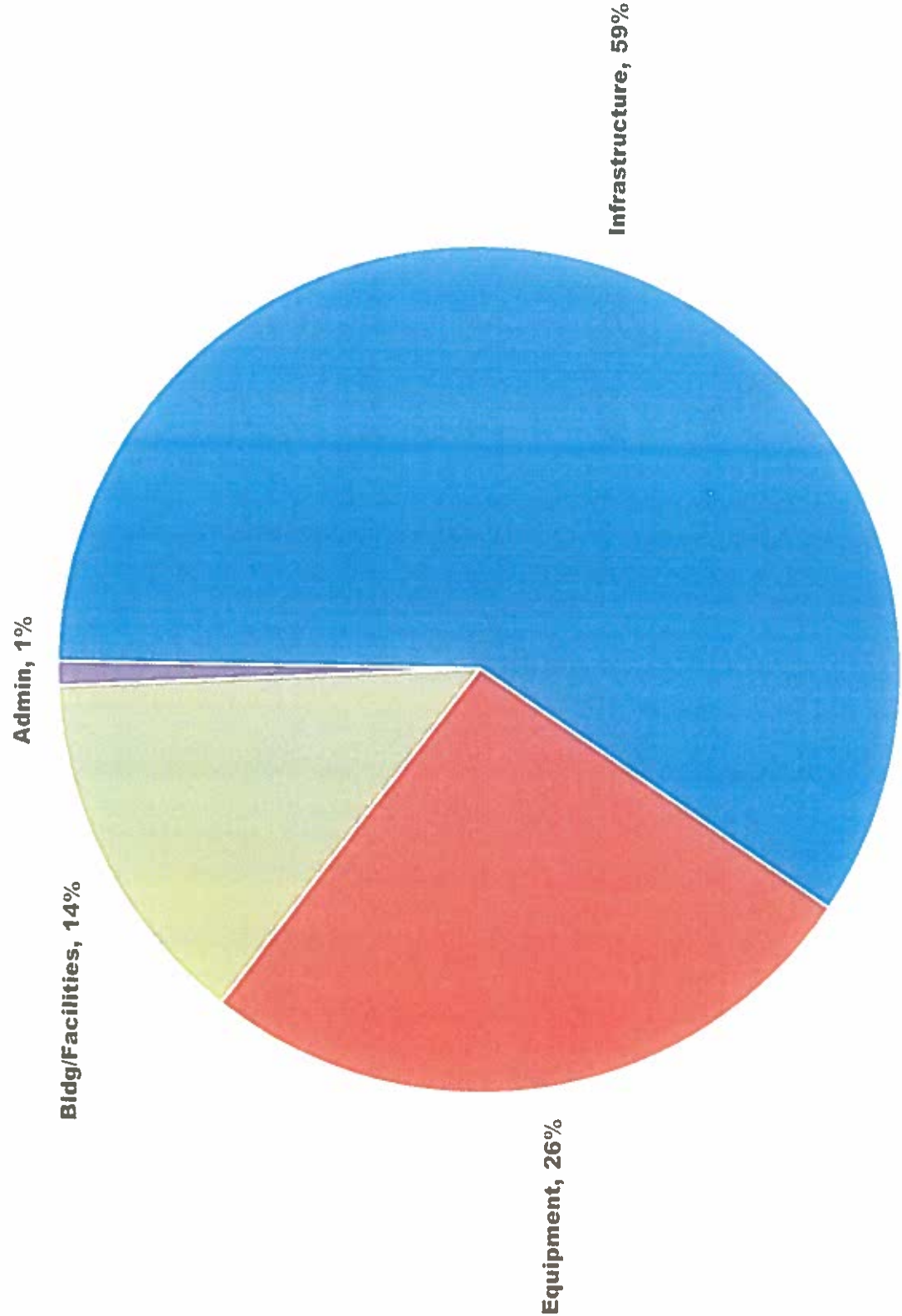
FY 18 Capital Improvement Plan by Type



FY 18 - FY 22 Capital Improvement Plan by Department



FY 18 - Future Capital Improvement Plan by Type



TOWN OF KENNEBUNKPORT KEY LOCK BOX ORDINANCE

SECTION 1: TITLE.

This Ordinance shall be known as the Town of Kennebunkport Key Lock Box Ordinance (the “Ordinance”).

SECTION 2: AUTHORITY.

This Ordinance is enacted in accordance with 30-A M.R.S.A 3001 *et. seq.*, as may be amended.

SECTION 3: PURPOSE.

The Town of Kennebunkport determines that the health, safety and welfare of residents and property owners of the Town are promoted by a requirement that certain properties shall have a key lock box installed on the exterior of the structure(s) or at the gated entrance to aid the Kennebunkport Fire Department (KPFD) and Kennebunkport Emergency Medical Services (KEMS) with gaining access to or within a structure when responding to calls for emergency service, and to aid access into or within a building that is secured or is unduly difficult to gain entry to due to being either unoccupied or the occupants being unable to respond.

SECTION 4: DEFINITIONS.

Fire Chief: the person duly appointed as the Fire Chief of the Town of Kennebunkport.

Structure(s): a habitable space with floor to ceiling height of over 7'-0”.

Key Lock Box: a secured box or vault of a size and style approved by the Fire Chief or his/her designee, which contains key(s) for the exclusive use of the KPFD and KEMS to access the property and premises in an emergency.

SECTION 5: INSTALLATION REQUIRED.

New Structures: The following structures built after October 1, 2017 shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief or his/her designee:

- Commercial and industrial structure; and
- All structures, including residential structures, protected by an automatic fire alarm system or automatic suppression system; and
- All properties having a security gate at the vehicular entrance to the property.

from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the Town is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the Town in the enforcement of this Ordinance, including, but not limited to, attorney's fees and costs. All civil penalties shall inure to the benefit of the Town of Kennebunkport.

SECTION 10: SEVERABILITY, AMENDMENTS AND ADOPTION.

Severability: The invalidity of any portion of this Ordinance shall not invalidate any other part thereof.

Amendments: This Ordinance may be amended from time to time in accordance with the provisions of 30-A M.R.S.A. §3002, as may be amended.

Adoption: This Ordinance was submitted to the voters of the Town of Kennebunkport and shall be effective upon its adoption by Town Meeting.

ADOPTED: June 2017

1:HDIC-SRV(Projects)1414 31 Kwekwebunkport Govt Wharf/Bid/Bid TabulationWHN 016861 00 14-31 Kport Govt Wharf Bid TABULATION 1.xls

GOVT WHARF RECONSTRUCTION

Baker Design Consultants
1/24/2017

	CONTRACTOR		Maritime Construction and Engineering LLC	Wyman & Simpson Inc		BTT Marine Construction Company	Chesterfield Associates		Prock Marine Company		Baker Design Consultants
	EA	6	1025 \$	1200 \$	7,200.00	2150 \$	900 \$	5,400.00	2000 \$	12,000.00	
4.31	TYPE A MID-HEIGHT PILE SUPPORT	EA	6								589 \$ 3,534.00
4.32	TYPE B MID-HEIGHT PILE SUPPORT	EA	5								749 \$ 3,745.00
4.33	TYPE C MID-HEIGHT PILE SUPPORT	EA	4								1236 \$ 4,944.00
5. PIER SUPERSTRUCTURE											
5.1	PIER DECK (GRIDLINES 1-4)	SF	1750								##### \$ 154,504.00
5.2	HEAT PUMP ACCESS PLATFORM	LS	1								2310 \$ 2,310.00
6. PIER AMENITIES											
6.1	HANDRAIL	LF	48								##### \$ 2,441.00
6.2	HOIST SUPPORT SWING FRAMES	EA	2								2625 \$ 5,250.00
6.3	LADDERS	EA	3								1050 \$ 3,150.00
6.4	NORTH GANGWAY	LS	1								12600 \$ 12,600.00
6.5	REINSTALL EXISTING WEST GANGWAY	LS	1								1050 \$ 1,050.00
6.6	FACE SHEATHING PANELS	EA	4								##### \$ 14,553.00
7. PIER FLOATS											
7.1	NEW 10'X12' LANDING FLOAT	EA	1								5040 \$ 5,040.00
7.2	ANGLED FLOAT CONNECTION	EA	1								525 \$ 525.00
7.3	ADJUSTMENTS TO EXISTING FLOAT	LS	1								1050 \$ 1,050.00
8. BAIT BUILDING											
8.1	TIMBER FRAME BUILDING, INCLUDING FRAME, SIP PANELS, ROOFING, SIDING	LS	1								124805 \$ 124,805.00
8.2	DOORS AND STRIP CURTAINS	LS	1								16800 \$ 16,800.00
9. MECHANICAL											
9.1	REFRIGERATION SYSTEM	LS	1								26941 \$ 26,941.00
9.2	SALT WATER WASHDOWN	LS	1								4200 \$ 4,200.00
10. ELECTRICAL											
10.1	SITE ELECTRICAL SERVICE, LIGHTING, POWER, AND EQUIPMENT FEEDS	LS	1								21000 \$ 21,000.00
10.2	BAIT BUILDING ELECTRICAL & LIGHTING	LS	1								15750 \$ 15,750.00

GOVT WHARF RECONSTRUCTION

Baker Design Consultants
1/24/2017

CONTRACTOR			Maritime Construction and Engineering LLC		Wyman & Simpson Inc		BTI Marine Construction Company		Chesterfield Associates		Prock Marine Company		Baker Design Consultants		
ALTERNATE BID ITEM DETAIL															
Bid Item	Description	UNIT	QUANTITY	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	
A.1	REAR PIER DECK (GRIDLINES 4-5)	SF	375	54	\$ 20,250.00	90	\$ 33,750.00	54	\$ 20,250.00	150	\$ 56,250.00	64	\$ 24,000.00	#####	\$ 33,108.00
A.2	REAR DECK SUPPORT PILES	EA	4	1285	\$ 5,060.00		\$ 6,000.00	1660	\$ 6,640.00	1875	\$ 7,500.00	1700	\$ 6,800.00	#####	\$ 7,812.00
A.3	REAR DECK TIMBER HANDRAIL	LF	50	25	\$ 1,250.00		\$ 2,750.00	86	\$ 4,300.00	50	\$ 2,500.00	180	\$ 5,000.00	#####	\$ 2,100.00
A.4	PARKING AREA RECONSTRUCTION	CY	376	84	\$ 31,584.00		\$ 16,920.00	48.5	\$ 18,236.00	85	\$ 31,960.00	55	\$ 20,680.00	#####	\$ 9,872.00
A.5	PARKING LOT PAVING	TON	100	140	\$ 14,000.00		\$ 15,000.00	304	\$ 30,400.00	110	\$ 11,000.00	155	\$ 15,500.00	#####	\$ 13,031.00
A.6	PARKING LOT STRIPING	LF	250	3.5	\$ 875.00	3	\$ 750.00	9	\$ 2,250.00	10	\$ 2,500.00	1.8	\$ 450.00	\$ 4.20	\$ 1,050.00



Agenda Item Divider



BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☐ Yes ☐ No

PRESENT LICENSE EXPIRES 4-15-2017

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- ☐ RESTAURANT (Class I,II,III,IV) ☒ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL NO FOOD (Class I-A)
☐ CLUB w/o Catering (Class V) ☐ CLUB with CATERING (Class I) ☐ GOLF COURSE (Class I,II,III,IV)
☐ TAVERN (Class IV) ☐ QUALIFIED CATERING ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Alissons / Docksquare LTD</u>			Business Name (D/B/A) <u>Alisson's Restaurant</u>		
APPLICANT(S) - (Sole Proprietor) Corporation DOB: <u>Pamela Padgett</u>			Physical Location: <u>11 Dock Square</u>		
<u>Michael Condon</u> DOB: _____			City/Town	State	Zip Code
<u>Marie Condon</u> DOB: _____			<u>Kennebunkport</u>	<u>ME</u>	<u>04046</u>
Address <u>11 Dock Square</u>			Mailing Address <u>P.O. Box 344</u>		
City/Town	State	Zip Code	City/Town	State	Zip Code
<u>Kennebunkport</u>	<u>ME</u>	<u>04046</u>	<u>Kennebunkport</u>		
Telephone Number	Fax Number		Business Telephone Number	Fax Number	
<u>207-967-4841</u>	<u>207-967-2532</u>		<u>207-967-4841</u>		
Federal I.D. # _____			Seller Certificate #: or Sales Tax #: <u>4566</u>		
Email Address: Please Print <u>info@alissons.com</u>			Website: <u>alissons.com</u>		

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 241,734.40 LIQUOR \$ 517,266.00
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

- Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐
- If manager is to be employed, give name: Ashley Padgett, Adam Padgett
- Business records are located at: 11 Dock Square
- Is/are applicants(s) citizens of the United States? YES ☒ NO ☐
- Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☒

9. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Amanda Carlton Padgett	6-28-47	Portland ME
Michael J. Gordon	8-14-45	Portland ME
Marie Oliver Gordon	6-23-47	Cohasset MA
Ashley Padgett	5-22-76	Minut N.D.
Adam Padgett	11-16-73	Boston, MA

Residence address on all of the above for previous 5 years (Limit answer to city & state)

~~Kennebunk, ME, Delray FL, Kennebunkport, ME~~
~~Kennebunk, ME, Kennebunk, ME~~

10. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

11. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

12. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

13. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

14. Describe in detail the premises to be licensed: (On Premise Diagram Required) Two connecting buildings
w/ approx 5500 sq. ft. inc. 3 dining rms, 4 bathrms, kitchen & storage

15. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

16. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 500' Which of the above is nearest? church

17. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

18. Does/do applicant(s) have all the necessary permits required by the Department of Health & Human Services?

YES ☒ NO ☐ Applied for on: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 500' Which of the above is nearest? church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If Yes, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kennebunkport ME on January 25, 2017
Town/City, State Date

Pamela C. Padget
Signature of Applicant or Corporate Officer(s)

Pamela C. Padget
Print Name

Please sign in blue ink

Michael J. Condon
Signature of Applicant or Corporate Officer(s)

Michael J. Condon
Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications).....\$ 10.00

Class I Spirituous, Vinous and Malt\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)\$ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge\$2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

Applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008.
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: Kennebunkport, Maine York
City/Town (County)

On: _____
Date

The undersigned being: ☒ Municipal Officers ☐ County Commissioners of the
☐ City ☒ Town ☐ Plantation ☐ Unincorporated Place of: Kennebunkport, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license

fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

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

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

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

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

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

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

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Town's signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207)624-7220.



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Alissons / DOCKSQUART LTD
2. Doing Business As, if any: Alissons Restaurant
3. Date of filing with Secretary of State: October 1984 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Pamela C. Ridgely	8 Woodlark Ave. Kennebunk	6-28-47	Pres.	50
Michael J. Cordon	37 East Rd. Delray F.	8-14-45	V.P.	25
Marie C. Cordon	Songbird Ln K'Port	6-23-47		25

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

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

Pamela C. Padgett 1-25-17
Signature of Duly Authorized Person Date

Pamela C. Padgett
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

*Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov*

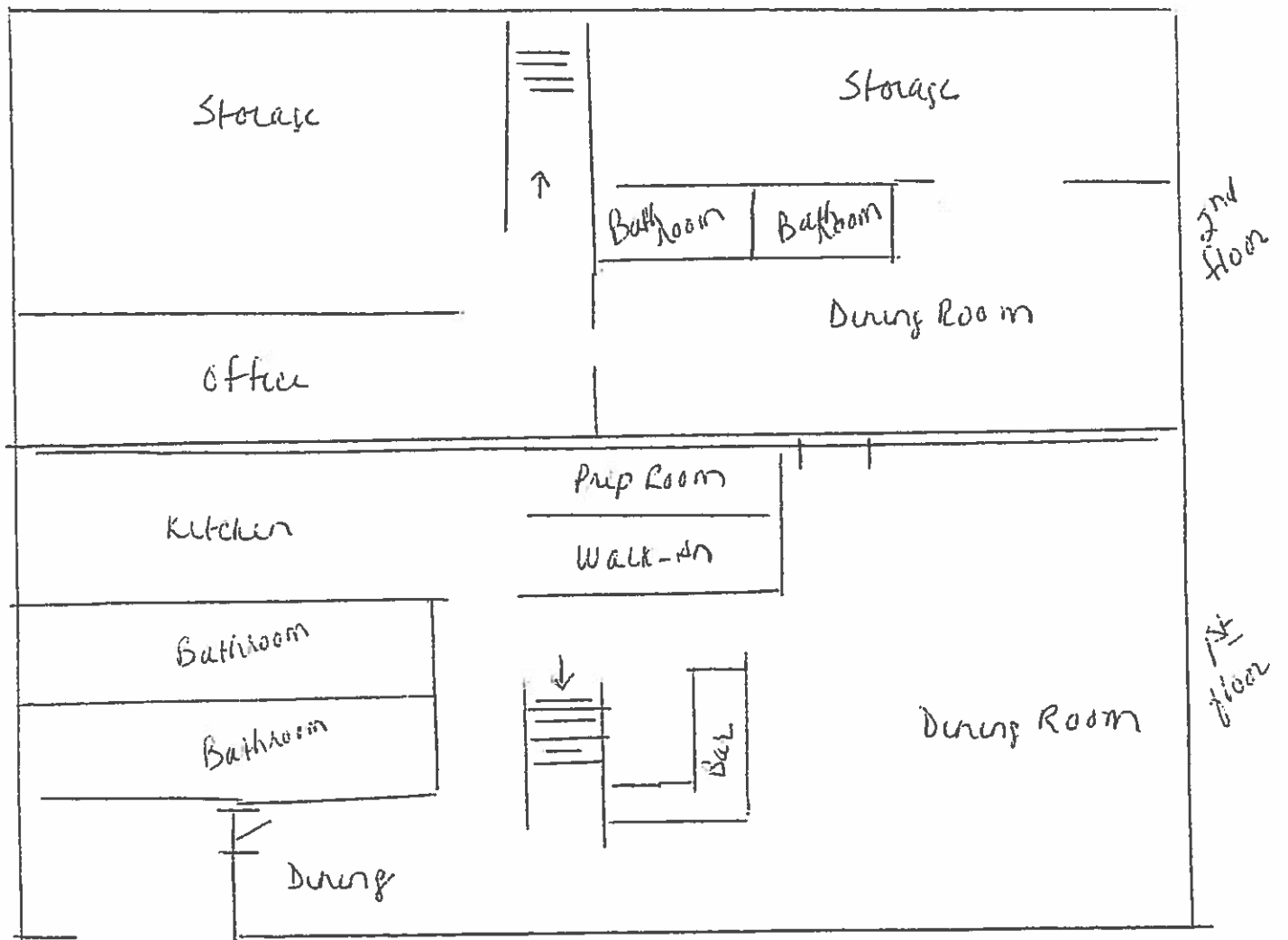
DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.

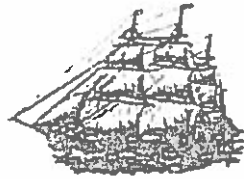
See attached





Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

APPLICATION

SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant Ashley Padget
Residence Address 7 Longwood Drive, Kennebunk
Home Telephone Number 207-450-0201
Name of Business Alisson's Restaurant
Business Address 11 Dock Square, Kennebunkport
Type of Business Restaurant
Business Telephone Number 207-967-4841
Nature of Special Amusement live music, dj, karaoke, dancing

Has your liquor and or amusement license ever been denied or revoked?

Yes _____ No X

If yes, describe circumstances specifically. (Attach additional page if necessary)

1. Permit Fee: \$ 50.00 (payable to the Town of Kennebunkport)
2. By making application for this permit and signing this application form, I acknowledge that I am familiar with the rules and regulations governing this permit.

Ashley Padget

applicant



Agenda Item Divider



BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☐ Yes ☐ No

PRESENT LICENSE EXPIRES 2-1-17

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- ☐ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☒ HOTEL NO FOOD (Class I-A) optional food
☐ CLUB w/o Catering (Class V) ☐ CLUB with CATERING (Class I) ☐ GOLF COURSE (Class I,II,III,IV)
☐ TAVERN (Class IV) ☐ QUALIFIED CATERING ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name:			Business Name (D/B/A) <u>Rhumb Line Resort</u>		
APPLICANT(S) --(Sole Proprietor) <u>Sheila Matthews-Bull</u>			Physical Location: <u>41 Turbats Creek Rd</u>		
DOB: <u>9/8/49</u>			City/Town State Zip Code <u>Kennebunkport ME 04046</u>		
Address <u>59 Langsford Rd</u>			Mailing Address <u>Same</u>		
City/Town State Zip Code <u>Kennebunkport ME 04046</u>			City/Town State Zip Code		
Telephone Number <u>207-</u>			Business Telephone Number <u>207-967-5457</u>		
Fax Number <u>207-967-4418</u>			Fax Number <u>207-967-4418</u>		
Federal I.D. # <u>P</u>			Seller Certificate #: or Sales Tax #: <u>4065</u>		
Email Address: Please Print <u>Sheila@rhumb lineresort.com</u>			Website: <u>www.rhumb lineresort.com</u>		

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: 59
2. State amount of gross income from period of last license: ROOMS \$ 90,000⁰⁰ FOOD \$ 65,000⁰⁰ LIQUOR \$ 30,000⁰⁰
3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐
5. If manager is to be employed, give name: _____
6. Business records are located at: 41 Turbats Creek Rd Kennebunkport ME 04046
7. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐
8. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

9. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Sheila W Matthews Boll	9/18/49	Lowell, MA

Residence address on all of the above for previous 5 years (Limit answer to city & state)

10. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

11. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

12. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

13. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: Kennebunk Savings Bank 102 Main St. Kennebunk, ME 04043

14. Describe in detail the premises to be licensed: (On Premise Diagram Required) Pool/Lounge Area

15. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

16. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 300ft Which of the above is nearest? Chapel

17. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Kennebunk Savings Bank

18. Does/do applicant(s) have all the necessary permits required by the Department of Health & Human Services?

YES ☒ NO ☐ Applied for on: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 300ft Which of the above is nearest? Chapel

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☐

If Yes, give details: Kennebunk Savings Bank

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: _____ on _____, 20 _____
Town/City, State Date

Sheila Matthews-Bull
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Sheila Matthews-Bull
Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)\$ 10.00

Class I Spirituous, Vinous and Malt\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)\$ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge\$2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008.
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Rhumb Line Resort
2. Doing Business As, if any: AKA Rhumb Line Motor Lodge
3. Date of filing with Secretary of State: 12/10/85 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Sheila W Matthews-Bull	59 Langsford Rd Kennebunkport	9/8/49	owner	86
Maraia Harmon	Langsford Rd Kennebunkport	4/11/35		14

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

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

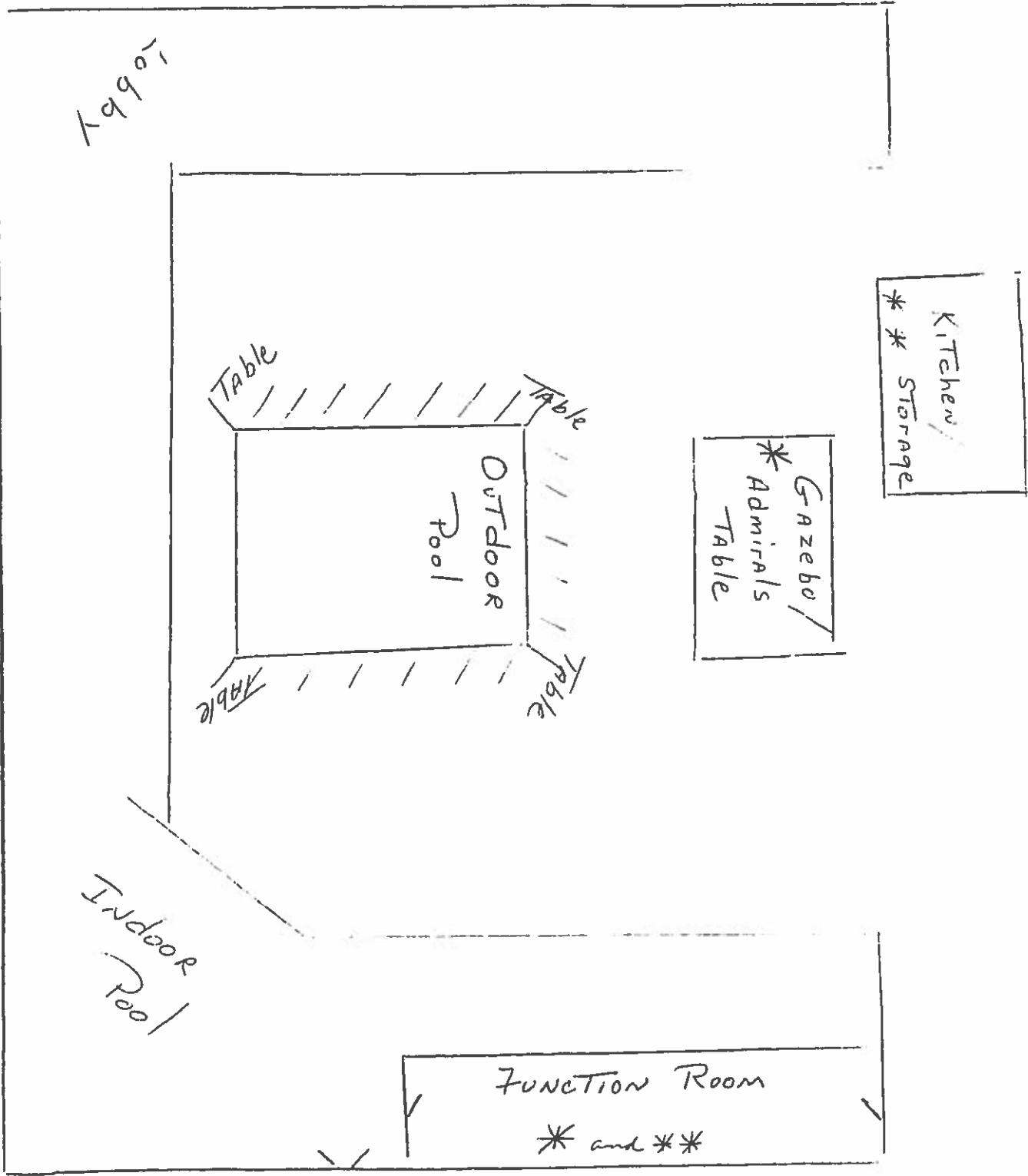
Sheila Matthews Bull 1/25/17
Signature of Duly Authorized Person Date

Sheila Matthews Bull
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

*
 Liquor served
 in function
 Room and
 under
 Gazebo
 ** Storage
 in Kitchen
 in function
 Room



Rhumb Line Motor Lodge
 PO Box 3067

... ..



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

~~INCORPORATED 1653~~

MAINE'S FINEST RESORT

APPLICATION

SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant Sheila Matthews-Bull

Residence Address 59 Langsford Road, Kennebunkport, ME 04046

Home Telephone Number 207-967-3622

Name of Business Rhumb Line Resort

Business Address 41 Turbats Creek Road, Kennebunkport, ME 04046

Type of Business Hotel

Business Telephone Number 207-967-5457

Nature of Special Amusement Function Entertainment

Has your liquor and or amusement license ever been denied or revoked?

Yes _____ No x

If yes, describe circumstances specifically. (Attach additional page if necessary)

1. Permit Fee: \$ 50.00 (payable to the Town of Kennebunkport)
2. By making application for this permit and signing this application form, I acknowledge that I am familiar with the rules and regulations governing this permit.

Sheila Matthews-Bull
applicant



Agenda Item Divider



BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☐ Yes ☒ No

PRESENT LICENSE EXPIRES 3/20/17

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL NO FOOD (Class I-A) | |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Cape Porpoise Lobster, Co.			Business Name (D/B/A) Cape Pier Chowder House		
APPLICANT(S) –(Sole Proprietor) Allen A. Daggett			DOB: _____		
DOB: _____			Physical Location: 79 Pier Road		
Wanda L. Daggett			City/Town Cape Porpoise	State ME	Zip Code 04014
Address PO Box 7217			Mailing Address PO Box 7217		
City/Town Cape Porpoise	State ME	Zip Code 04014	City/Town Cape Porpoise	State ME	Zip Code 04014
Telephone Number 207-967-0900	Fax Number 207-967-3511		Business Telephone Number 207-967-0123	Fax Number 207-967-3511	
Federal I.D. #			Seller Certificate #: or Sales Tax #: 1030229		
Email Address: Please Print info@capeporpoiselobster.com			Website: capeporpoiselobster.com		

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: N/A
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 539601.40 LIQUOR \$ 34582.69
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

- Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
- If manager is to be employed, give name: Wanda Daggett
- Business records are located at: 70R Mills Rd., Kennebunkport, ME 04046
- Is/are applicants(s) citizens of the United States? YES ☒ NO ☐
- Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

9. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Allen A. Daggett	03/30/51	Charlettsville, VA
Wanda L. Daggett	12/05/61	Kittery, ME

Residence address on all of the above for previous 5 years (Limit answer to city & state)

Kennebunkport, ME

Kennebunkport, ME

10. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

11. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

12. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

13. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

Town of Kennebunkport, Elm St., Kennebunkport, ME

14. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____

15. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

16. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 Miles Which of the above is nearest? Church

17. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

18. Does/do applicant(s) have all the necessary permits required by the Department of Health & Human Services?

YES ☒ NO ☐ Applied for on: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 Miles Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If Yes, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kennebunkport, ME on January 25, 20 17
Town/City, State Date

Please sign in blue ink

Allen A. Daggett
Signature of Applicant or Corporate Officer(s)

Allen A. Daggett

Print Name

Wanda L. Daggett
Signature of Applicant or Corporate Officer(s)

Wanda L. Daggett

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... **\$ 10.00**

Class I Spirituous, Vinous and Malt \$ 900.00

CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00

CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00

CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only **\$ 220.00**

CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only **\$ 220.00**

CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00

CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00

CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00

CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All applications for **NEW** or **RENEWAL** liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008.

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license

fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

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

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987,c.45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

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

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993,c.730,§27(AMD) .]

[1995,c.140,§6(AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

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

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

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207)624-7220.



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Cape Porpoise Lobster Co.
2. Doing Business As, if any: Cape Pier Chowder House
3. Date of filing with Secretary of State: 1991 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Allen A. Daggett	21 Kenneth Lane	3/30/51	owner	100

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

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature: _____

 1/25/17

Signature of Duly Authorized Person

Date

Allen A. Daggett

Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, Me 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight address)

Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434

Email Inquiries: MaineLiquor@Maine.gov

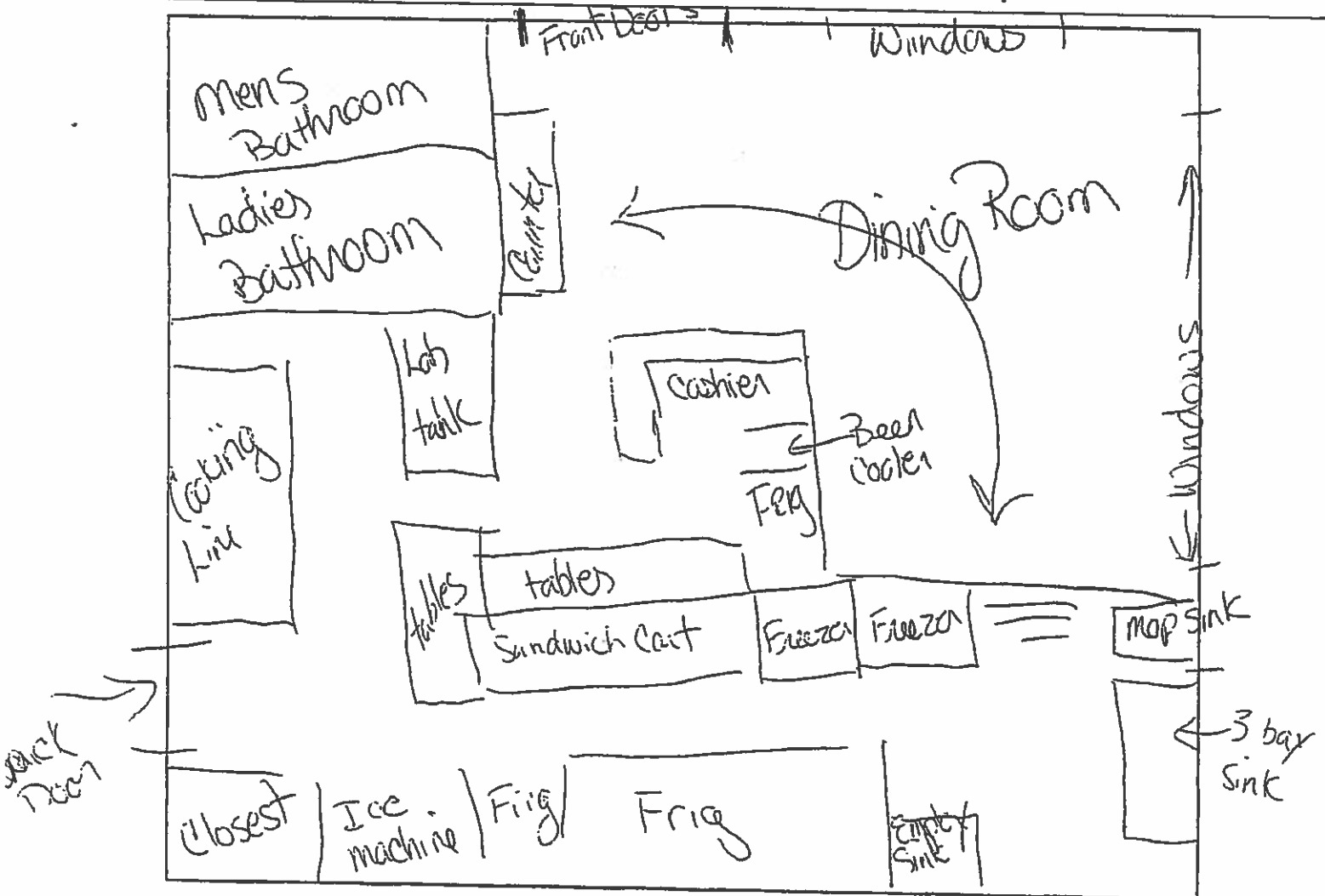
Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing & Enforcement
 8 State House Station, Augusta, ME 04333-0008
 10 Water Street, Hallowell, ME 04347
 Tel: (207) 624-7220 Fax: (207) 287-3434
 Email Inquiries: MaineLiquor@maine.gov

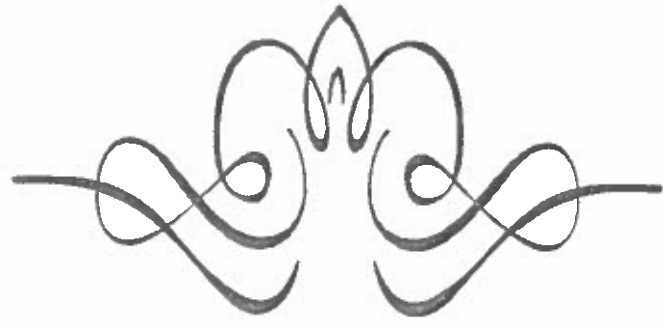
DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Agenda Item Divider



HMPayson

January 2017

Town of Kennebunkport
Portfolio Review

Daniel M. Lay, Esq.
Managing Director

Molly C. Reinfried, CFP®
Relationship Manager

Jenny Lynd Robinson
Investment Assistant

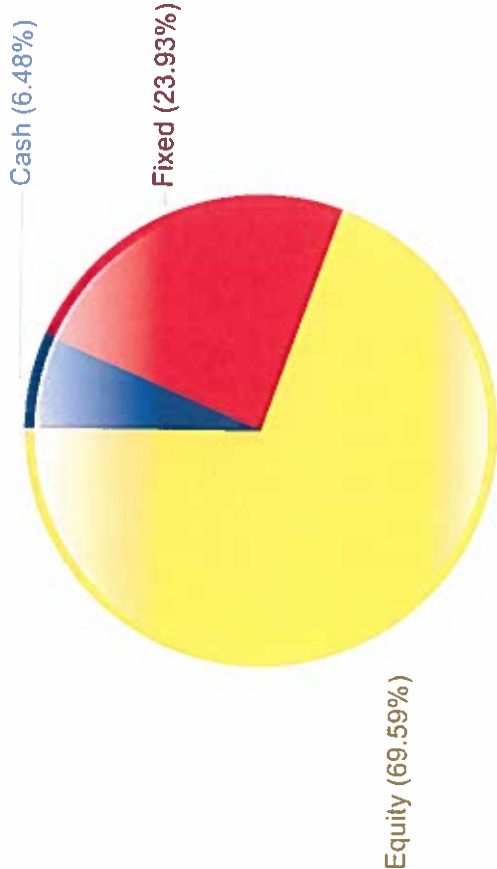
H. M. Layson

Town of Kennebunkport Portfolio Composition

Trust	Market Value 12/31/16	Beneficiaries
Kittredge Trust	\$692,236.45	Vehicles for fire companies (per trust %)
Macomber Trust	\$5,773.60	Support public health nurse
Picavet Trust	\$456,111.44	½ Police Department equipment ½ Equipment and supplies for Public Health and Nursing Service

Portfolio Summary By Asset Class

TOWN OF KENNEBUNKPORT
Account Number: 5990438786



Description	Total Cost	Market Value	Percent	Income	Yield
Cash and Equivalents	75,944.35	75,944.35	6.48%	288.59	0.38%
Fixed Income	282,902.03	280,226.10	23.93%	7,542.62	2.69%
Equity	780,434.27	815,083.04	69.59%	17,417.88	2.14%
Total Portfolio	1,139,280.65	1,171,253.49	100.00%	25,249.09	2.16%

Town of Kennebunkport Account Activity 7/1/2016 – 12/31/2016

Beginning Market Value - 7/1/2016		\$1,089,209
Income		
Dividends	\$15,611	
	Interest	\$12
	Other Income	\$0
Additions		
Withdrawals		
Account Fees	-\$4,311	
	Taxes Paid <small>(on foreign equities)</small>	\$0
	Other Disbursements	\$0
Increase in Market Value		\$53,601
Ending Market Value - 12/31/2016		\$1,154,121

HM Payson

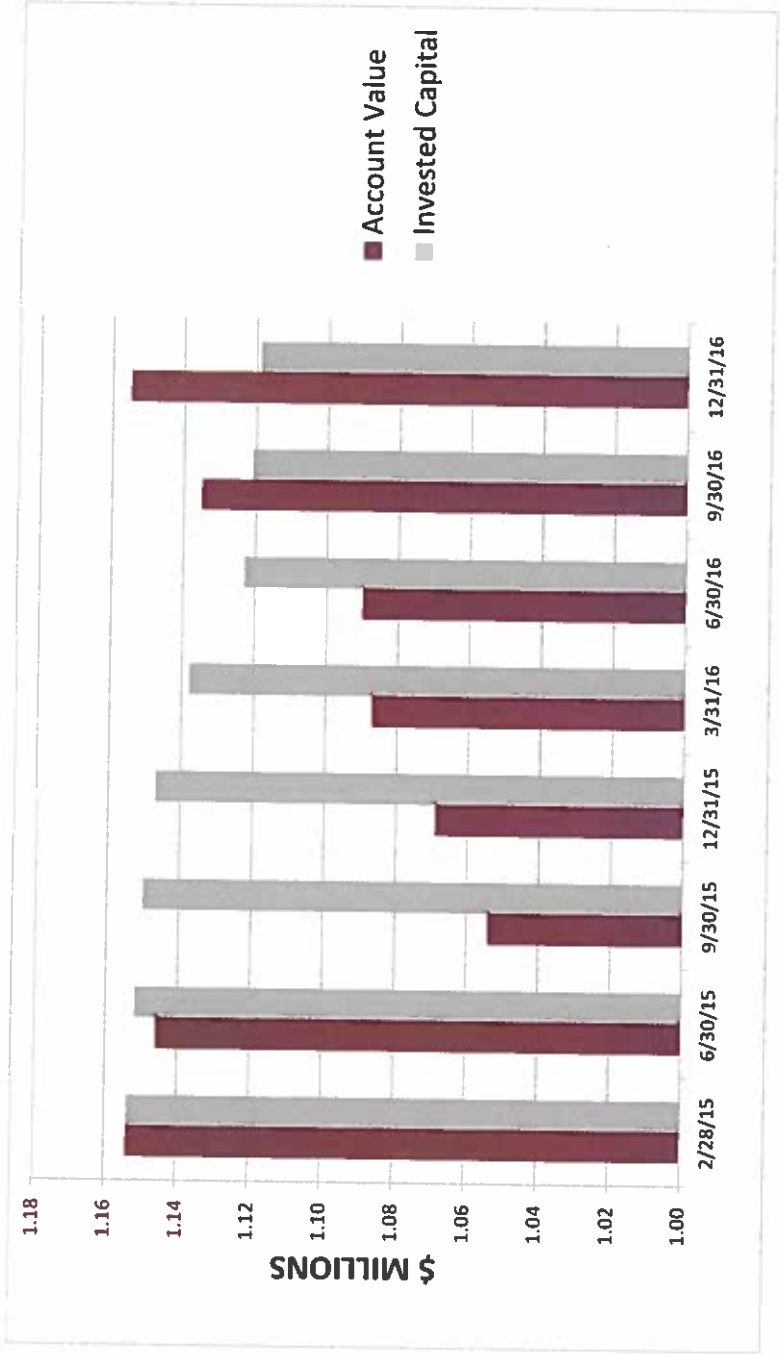
Town of Kennebunkport Performance through 12/31/2016

	Fiscal Year to		From Inception*
	3 Months	Date	
Total Account	1.91%	6.33%	2/28/2015 10.90% 1.82%
Fixed Income (Bonds)	0.37%	1.68%	5.62% N/A
Equity (Stocks)	2.94%	8.73%	14.73% 2.67%
Benchmark ¹	2.55%	7.25%	10.09% 3.39%

*Annualized

¹ Benchmark mix allocation 75% S&P and 25% MSCI ACWIexUS

Town of Kennebunkport Market Value vs. Invested Capital



Total Investment Gains	\$35,000
Net Distributions	-\$34,000

Beginning Value 2/28/15	\$1,154,000
Ending Value 12/31/16	\$1,155,000

Town of Kennebunkport Top 10 Holdings as of 12/31/2016

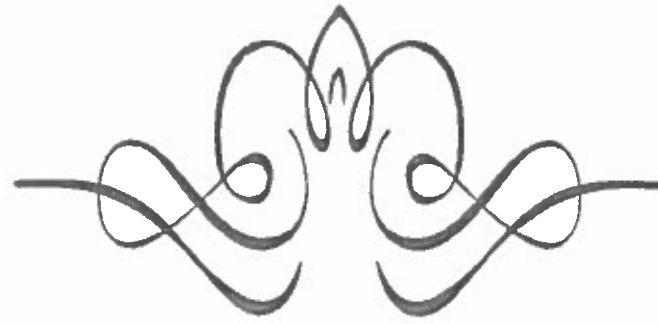
Company	% of Total Equity	Sector
Apple Inc.	6.67%	<i>Information Technology</i>
Occidental Petroleum Corp.	4.56%	<i>Energy</i>
Pfizer Inc.	4.30%	<i>Health Care</i>
Berkshire Hathaway Inc. Cl B	4.17%	<i>Financials</i>
Twenty First Century Fox Inc	3.99%	<i>Consumer Discretionary</i>
Phillips 66	3.87%	<i>Energy</i>
Discover Financial Services	3.73%	<i>Financials</i>
Qualcomm Inc	3.71%	<i>Information Technology</i>
American International Group	3.47%	<i>Financials</i>
Cisco Systems Inc.	3.44%	<i>Information Technology</i>

HMPayson

Town of Kennebunkport Income Review

	2015	2016	Since Inception
Kittredge Trust	\$ 12,021.77	\$ 16,483.10	\$ 28,504.87
Macomber Trust	\$ 100.18	\$ 137.80	\$ 237.98
Picavet Trust	\$ 7,914.33	\$ 10,886.23	\$ 18,800.57
TOTAL	\$ 20,036.29	\$ 27,507.13	\$ 47,543.42

HM Payson



Agenda Item Divider



MEMO

To: Board of Selectmen
Shellfish Committee
Laurie Smith
Everett Leach

From: Tracey O'Roak

Date: January 31, 2017

RE: Amendments to the Shellfish Conservation Ordinance

Attached for your review, please find proposed changes to the Shellfish Conservation Ordinance.

The first revision is in the first paragraph of Section 3. It clarifies that the Shellfish Warden may be part of the Shellfish Conservation Committee even if he is not a resident of Kennebunkport.

The next change can be found in Section 7. The second and third paragraphs add language at the request of the State Department of Marine Resources. It will ensure that any enforcement of illegal harvesting in conservation closed areas can be handled by local authorities.

Thank you for your consideration.

KENNEBUNKPORT SHELLFISH CONSERVATION ORDINANCE

1. **Authority:** This Ordinance is enacted in accordance with 12 M.R.S.A. §6671.
2. **Purpose:** To establish a shellfish conservation program for the Town of Kennebunkport that will insure the protection and optimum utilization of shellfish resources within its limits. These goals will be achieved by means that may include:
 - a. Licensing
 - b. Limiting the number of shellfish harvesters
 - c. Restricting the time and area where digging is permitted
 - d. Limiting the minimum size of clams taken
 - e. Limiting the amount of clams taken daily by a harvester
3. **Shellfish Conservation Committee:** The Shellfish Conservation Program for the Town of Kennebunkport will be administered by the Shellfish Conservation Committee consisting of a minimum of five (5) members and a maximum of seven (7) members, including the Shellfish Warden who may be a non-resident, to be appointed by the Selectmen of the Town of Kennebunkport for terms of three (3) years. No more than three (3) members shall possess current commercial shellfish licenses. The Shellfish Conservation Warden may not possess a Commercial Shellfish License.

The Committee's responsibilities include:

- a. Establishing annually in conjunction with the Department of Marine Resources the number of shellfish digging licenses to be issued.
- b. Surveying each clam-producing area at least once each three-years to establish size distribution and density, and annually estimating the status of the Town's shellfish conservation.
- c. Submitting to the Board of Selectmen proposals for the expenditures of funds for the purpose of shellfish conservation.
- d. Keeping this Ordinance under review and making recommendations for its amendments.
- e. Securing and maintaining records of shellfish harvest from the Town's managed shellfish areas and closed areas that are conditionally opened by the Department of Marine Resources.
- f. Recommending conservation closures and openings to the Board of Selectmen in conjunction with the Area Biologists of the Department of Marine Resources.
- g. Submitting an annual report to the municipality and the Department of Marine Resources covering the above topics and all other committee activities.

- h. Recommending daily harvest limits to the Board of Selectmen.

4. **Definitions**

- a. **Resident**: The term "resident" refers to a person who has been domiciled in this municipality for at least three months next prior to the time his claim of such residence is made.
- b. **Nonresident**: The term "nonresident" means anyone not qualified as a resident under this Ordinance.
- c. **Shellfish, Clams and Intertidal Shellfish Resources**: When used in the context of this Ordinance, the words "shellfish," "clams," and "intertidal shellfish resources" mean soft shell clams (*Mya arenaria*).
- d. **Municipality**: Refers to the Town of Kennebunkport, Maine.
- e. **Shellfish Conservation Warden**: When used in the context of this Ordinance, the words "Shellfish Warden" and "Clam Warden" mean Shellfish Conservation Warden.

5. **Licensing**: Municipal Shellfish Digging License is required. It is unlawful for any person to dig or take shellfish from the shores and flats of this municipality without having a current license issued by this municipality as provided by this Ordinance.

- a. **Designation, Scope and Qualifications**:
 - i. **Resident Recreational Shellfish License**: The license is available to residents and real estate taxpayers of this municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day for the use of himself and his family.
 - ii. **Nonresident Recreational Shellfish License**: The license is available to any person not a resident of this municipality and entitles the holder to dig and take not more than one peck of shellfish in any one day for the use of himself and his family.
 - iii. **Resident Commercial Shellfish License**: The license is available to residents of this municipality and entitles the holder to dig and take no more than the amount of shellfish as recommended by the Shellfish Conservation Committee and approved by the Board of Selectmen in any one day, unassisted only. Commercial license holders must keep a daily log of clams harvested. This license shall be revoked if the license holder ceases to reside in the municipality.

- iv. Non-resident Commercial Shellfish License: The license is available to nonresidents of this municipality and entitles the holder to dig and take no more than the amount of shellfish as recommended by the Shellfish Conservation Committee and approved by the Board of Selectmen in any one day, unassisted only. Commercial license holders must keep a daily log of clams harvested.
 - v. Daily Recreational Shellfish License: The license is available to residents and non-residents of this municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day for the use of himself and his family. The license is good only for the date stated on the license.
 - vi. License must be signed: The licensee must sign the license to make it valid.
- b. Application Procedure: Any person may apply to the Town Clerk for the licenses required by this Ordinance on forms provided by the municipality.
- i. Contents of Application: The application must be in the form of an affidavit and must contain the applicant's name, current address, birth date, height, weight, signature and whatever information the municipality may require.
 - ii. Misrepresentation: Any person who gives false information on a license application will cause said license to become invalid and void.
- c. Fees: The fees for the licenses shall be set by the Municipal Officers upon the approval of the Commissioner of the Department of Marine Resources and must accompany in full the application for the respective license. The Town Clerk shall pay all fees received to the Town Treasurer. Fees received for shellfish licensing shall be used by the Town for shellfish management, conservation and enforcement.
- d. Limitation of Diggers: Clam resources vary in density and size distribution from year to year and over the limited soft clam-producing area of the Town. It is essential that the Town carefully husband its shellfish resources. Following the annual review of the Town's clam resources, its size distribution, abundance, and the Warden's reports, as required by Section 3, the Shellfish Conservation Committee in consultation with the D.M.R. Area Biologist will determine whether limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year.
- i. Prior to January 1, the Committee shall report its findings and document recommendations for the allocation of commercial and recreational

licenses to be made available for the following license-year to the Commissioner of Marine Resources for concurrence.

- ii. After receiving approval of proposed license allocations from the Commissioner of Marine Resources and prior to January 1, the Shellfish Conservation Committee shall notify the Town Clerk in writing of the number and allocation of shellfish licenses to be issued.
- iii. Notice of the number of licenses to be issued and the procedure for application shall be published in a trade or industry publication, or in a newspaper or combination of newspapers with general circulation that the Municipal Officers consider effective in reaching persons affected, not less than ten (10) days prior to the period of issuance. This information shall also be posted in the municipal offices until the period concludes.
- iv. The Town Clerk shall issue licenses to residents and nonresidents as allocated (paragraph 5.D.1) from January 1 and until March 31 after which license shall be issued without regard to residency on a first come, first served basis or by lottery.
- e. License Expiration Date: Each license issued under authority of this Ordinance expires at midnight on the December 31st next following date of issuance. Each daily license issued under the authority of this Ordinance shall be valid only for the date stated on the license.
- f. Reciprocal Harvesting Privileges: Licenses from any other municipality cooperating with this municipality on a joint shellfish management program may harvest shellfish according to the terms of this license.
- g. License Fee Waiver: Recreational shellfish license fees will be waived for residents 65 years or older and 12 years or younger.
- h. A shellfish license is not available to anyone whose municipal or state shellfish license is under suspension or who has been convicted of violating Maine marine statutes or state wildlife statutes within a prior 24-month period or who has a valid commercial license in another Maine municipality.
- i. Suspension/Revocation: A shellfish license issued under this Ordinance is subject to suspension as follows:
 - i. In cases where a court enforcement proceeding is brought under this Ordinance or State law:
 - a. in the case of a first court judgment finding any violation, an automatic suspension of 60 days;

b. in the case of a second court judgment finding any violation against the same licensee, an automatic revocation of the existing license, and the person found in violation is prohibited from re-applying for a license under this Ordinance for one year.

ii. In cases where the Shellfish Warden believes that a licensee has violated this Ordinance, he may give notice to the licensee of such belief. If, after providing the licensee with an opportunity to rebut any evidence he has, the Clam Warden concludes that a violation has occurred, he may issue a notice of suspension not to exceed 30 days.

a. A licensee who has received a notice of suspension may appeal to the Board of Selectmen by filing a written request with the Town Clerk within seven (7) days of the day the Clam Warden's decision is rendered. Upon filing the request, the suspension is stayed pending the Board's decision.

b. The Board of Selectmen shall hear the appeal as soon as practicable and shall provide the appellant with at least 7 days written notice of hearing. It shall hear all the evidence and decide whether to uphold or reverse the decision of the Clam Warden. The rules of evidence do not apply.

6. **Conservation Credits:** A licensed commercial shellfish harvester must obtain a total of ten (10) conservation credit points between January 1 and December 31 in order to remain eligible to obtain a license for the next licensing period.

Documented certification in any of the following activities results in granting of conservation credit as specified:

Participation in any one (1) of the following activities shall deem a harvester eligible to receive five conservation credit points per activity:

- a. Participation in a Kennebunkport Shellfish Conservation Committee sponsored shellfish re-seeding project.
- b. Participation in a Kennebunkport Shellfish Conservation Committee sponsored shellfish survey.

If the Kennebunkport Shellfish Conservation Committee does not sponsor both activity 6(a) and 6(b) above during a single calendar year then participation in the single activity sponsored shall be valued at ten (10) conservation credit points.

All records and conservation credit logs will be maintained by the shellfish warden and will be held in the shellfish warden's office.

Determination of conservation credit completion - By the first business day of January the shellfish warden shall compile documented conservation time of each individual harvester and forward a list of those harvesters determined to have satisfied the conservation credit requirement to the Town Clerk.

Harvesters included on the list submitted by the shellfish warden shall be eligible for a commercial license for the upcoming license year if a notice of intent has been filed by the deadline.

Harvesters will be notified of their status in terms of conservation credit completeness by the shellfish warden by December 1 for credits earned. A final status will be mailed by December 10.

Approved absence from conservation credit requirement - Harvesters who have not completed a full ten (10) points of conservation credit in a given license year are only eligible for a license if their absence from participation in conservation credit activities is approved by the shellfish warden or marine resource committee.

Approved absences may include an extended and documented illness, or an extended illness of an immediate family member that is under the immediate care of the harvester.

Requests for a determination of approved absence must be made in writing to the shellfish warden and must be submitted no later than December 15. The request shall include evidence to support an approval of absence determination.

If the absence is approved, the harvester will be required to make up the remaining conservation credit points during the next license year.

If the absence is not approved, the harvester will not be eligible to obtain a license.

Appeal procedure - A harvester may appeal any determination of eligibility made by the shellfish warden. Request for appeals must be made in writing to the Shellfish Conservation Committee by December 31. Appeals will be decided by the Shellfish Conservation Committee during its January meeting. Decisions shall be provided to the town clerk in writing no later than five (5) days after the meeting.

7. **Opening and Closing of Flats:** The Municipal Officers, upon the approval of the Commissioner of Marine Resources, may open and close areas for shellfish harvest. Upon recommendations of the Shellfish Conservation Committee and concurrence of the Department of Marine Resources Area Biologist that the status of shellfish resource and other factors bearing on sound management indicate that an area should be opened or closed, the Municipal Officers may call a public hearing, and shall send a copy of the notice to the Department of Marine Resources. The decision of the Municipal Officers made after the hearing shall be based on findings of fact.

It shall be unlawful for any person to harvest, take or possess shellfish from any areas closed by the Town of Kennebunkport in accordance with DMR Regulation, Chapter 7. Harvesting shellfish in a closed area is a violation of this municipality's ordinance and is punishable under MSRA Title 12 §6671.

Boundaries of conservation closures are explicitly defined in the conservation closure application submitted by the Town of Kennebunkport to DMR and are part of the resulting permit issued by DMR. These permits are posted at the town office and online: <http://www.maine.gov/dmr/shellfish-sanition-management/programs/municipal/ordinances/towninfo.html>.

8. **Minimum Legal Size of Soft Shell Clams:** It is unlawful for any person to possess soft shell clams within the Town of Kennebunkport, County of York, that are less than two (2) inches in the longest diameter except as provided by Subsection B of this section.
 - a. **Definitions:**
 - i. **Lot:** The word "lot" as used in this Ordinance means the total number of soft shell clams in any bulk pile. Where soft shell clams are in a box, barrel, or other container, the contents of each box, barrel, or other container constitutes a separate lot.
 - ii. **Possess:** For the Purpose of this section, "possess" means dig, take, harvest, transport, or hold soft shell clam shellstock.
 - b. **Tolerance:** Any person may possess soft shell clams that are less than two (2) inches if they comprise less than 10% of any lot.
9. **Other Limitations:**
 - a. The placement of clams harvested under this section in a closed container is prohibited.
 - b. The harvesting of clams is permitted only during daylight hours which shall be defined as between one hour prior to sunrise and one hour past sunset.
10. **Penalty:** A person who violates this Ordinance shall be punished as provided by 12 M.R.S.A. §6671 (10).
11. **Effective Date:** This Ordinance, which has been approved by the Commissioner of Marine Resources, shall become effective after its adoption by the municipality provided a certified copy of the Ordinance is filed with the Commissioner within twenty (20) days of its adoption.

12. **Period of Ordinance:** This Ordinance shall remain in effect until repealed by the Municipality or rescinded by the Commissioner of the Department of Marine Resources.
13. **Separability:** If any section, subsection, sentence or part of this Ordinance is for any reason held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portions of this Ordinance.
14. **Repeal:** Any ordinance regulating the harvesting or conservation of shellfish in the Town and any provisions of any other Town ordinance that is inconsistent with this Ordinance is hereby repealed.



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELHER
COMMISSIONER

August 1, 2016

To Whom It May Concern,

The Department of Marine Resources (DMR) has become aware of an issue that may affect your municipal shellfish ordinance and your municipality's ability to enforce conservation closures. All municipal shellfish ordinances should include explicit language identifying conservation closures **and must also prohibit** harvest within these areas. The municipal shellfish ordinance should include the following, or similar statements:

It shall be unlawful for any person to harvest, take or possess shellfish from any areas closed by the town of NAME in accordance with DMR Regulation, Chapter 7. Harvesting shellfish in a closed area is a violation of this municipality's ordinance and is punishable under MSRA Title 12 §6671.

Boundaries of conservation closures are explicitly defined in the conservation closure application submitted by the town of NAME to DMR and are part of the resulting permit issued by DMR. These permits are posted at the town office and online:

<http://www.maine.gov/dmr/shellfish-sanitation-management/programs/municipal/ordinances/towninfo.html>.

The term "shellfish" should be defined in the municipal shellfish ordinance as those species included in the municipal shellfish conservation program (e.g. "Shellfish" means soft shelled clams).

DMR understands that ordinance changes often require a town meeting to adopt and encourage towns to add this language into their municipal shellfish ordinances as soon as practically possible. This will ensure that any enforcement of illegal harvesting in conservation closed areas can be addressed by the local authorities.

If you have any questions, don't hesitate to contact your area biologist:

Peter Thayer (NH border to Boothbay) – 633-9539 or pete.thayer@maine.gov

Hannah Annis (Newcastle to Frenchmans Bay) – 949-4498 or hannah.annis@maine.gov

Heidi Leighton (Bar Harbor to Canadian border) – 434-5922 or heidi.leighton@maine.gov

Sincerely,

Kohl Kanwit
Director, Bureau of Public Health



Agenda Item Divider



TOWN OF KENNEBUNKPORT

KEY LOCK BOX ORDINANCE

SECTION 1: TITLE.

This Ordinance shall be known as the Town of Kennebunkport Key Lock Box Ordinance (the "Ordinance").

SECTION 2: AUTHORITY.

This Ordinance is enacted in accordance with 30-A M.R.S.A 3001 *et. seq.*, as may be amended.

SECTION 3: PURPOSE.

The Town of Kennebunkport determines that the health, safety and welfare of residents and property owners of the Town are promoted by a requirement that certain properties shall have a key lock box installed on the exterior of the structure(s) or at the gated entrance to aid the Kennebunkport Fire Department (KPFD) and Kennebunkport Emergency Medical Services (KEMS) with gaining access to or within a structure when responding to calls for emergency service, and to aid access into or within a building that is secured or is unduly difficult to gain entry to due to being either unoccupied or the occupants being unable to respond.

SECTION 4: DEFINITIONS.

Fire Chief: the person duly appointed as the Fire Chief of the Town of Kennebunkport.

Structure(s): a habitable space with floor to ceiling height of over 7'-0".

Key Lock Box: a secured box or vault of a size and style approved by the Fire Chief or his/her designee, which contains key(s) for the exclusive use of the KPFD and KEMS to access the property and premises in an emergency.

SECTION 5: INSTALLATION REQUIRED.

New Structures: The following structures built after October 1, 2017 shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief or his/her designee:

- Commercial and industrial structure; and
- All structures, including residential structures, protected by an automatic fire alarm system or automatic suppression system; and
- All properties having a security gate at the vehicular entrance to the property.

from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the Town is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the Town in the enforcement of this Ordinance, including, but not limited to, attorney's fees and costs. All civil penalties shall inure to the benefit of the Town of Kennebunkport.

SECTION 10: SEVERABILITY, AMENDMENTS AND ADOPTION.

Severability: The invalidity of any portion of this Ordinance shall not invalidate any other part thereof.

Amendments: This Ordinance may be amended from time to time in accordance with the provisions of 30-A M.R.S.A. §3002, as may be amended.

Adoption: This Ordinance was submitted to the voters of the Town of Kennebunkport and shall be effective upon its adoption by Town Meeting.

ADOPTED: June 2017



Agenda Item Divider



Restricted Vehicle Weight on Posted Roadways

The Town of Kennebunkport has authorized the closing of certain town ways to any non-exempt vehicle or combination of vehicles registered for a gross weight of over 23,000 pounds. The following roads will be closed to such traffic commencing on March 1, 2017 and will remain closed until at least April 24, 2017, unless postings are removed by the Town of Kennebunkport. Any violation of the rules is a traffic infraction punishable by a fine of not less than \$250. Home Heating Fuel Delivery Trucks and Municipal Solid Waste Collection Trucks are exempt from Posted Road regulations. The posting shall remain in force except when the way is solidly frozen. The highway is considered solidly frozen only when the air temperature is 32 degrees F. or below and no water is showing in the cracks in the road. Both conditions must be met.

The Town of Kennebunkport will be posting restricted vehicle weight signs on the following roads:

- * Arundel Road from Goff Brook to Goose Rocks Road*
- * River Road from Goff Brook to North Street*
- * Beachwood Avenue from North Street to Route 9*
- * Walkers Lane from North Street to Beachwood Avenue*
- * Old Cape Road from Beachwood Avenue to Route 9*
- * Goose Rocks Road from Log Cabin Road to Route 9*
- * Stone Road from Beachwood Avenue to Goose Rocks Road*
- * Guinea Road from Goose Rocks Road to Biddeford Line*
- * Whitten Hill Road from Goose Rocks Road to Guinea Road*
- * Maine Street from Elm Street to Wildes District Road*
- * Pier Road*
- * New Biddeford Road from Route 9 to Kings Highway*
- * Winter Harbor Road from Route 9 to New Biddeford Road*
- * Dyke Road*
- * Wildes District Road*
- * Ocean Avenue*
- * Langsford Road*
- * Ward Road*
- * Northwood Drive*
- * Oak Ridge Road*
- * West Street, Oak Street, Locke Street, Others if needed*

Please feel free to contact the Highway Department at 967-5728 if you have any questions or concerns.



Agenda Item Divider





Kennebunkport Public Health

January 30, 2017

At: Kennebunkport Board of Selectmen
Laurie Smith Kennebunkport Town Manager

Please accept this generous donation of \$500 from the Church on the Cape. This gift is to be dedicated to the Kennebunkport Emergency Fuel Program.

Judy Barrett
Alison Kenneway

CHURCH ON THE CAPE UNITED METHODIST		52 7450/2112	1971
P.O. Box 7663 Cape Porpoise, ME 04014 207-967-5787		<small>Check Fraud Protection for Business</small>	
DATE <u>22 Jan. 2017</u>			
PAY TO THE ORDER OF	<u>Kennebunkport Fuel Assistance</u>	\$ 500 ⁰⁰	
<u>Five Hundred</u>		<u>00</u> <u>100</u> DOLLARS	 Security features Included Details on Back
 Kennebunk Savings			
MEMO	<u>David Sandtoro</u> MP		
		1971	

KENNEBUNKPORT PUBLIC HEALTH


January 30, 2017

ATT: Mary Jane Grant,

Please deposit this generous donation of \$500 from the Church on the Cape into the Kennebunkport Fuel Assistance program, account#29-08-01-50.

Thanks!

Judy Barrett
Alison Kenneway

CHURCH ON THE CAPE UNITED METHODIST		52-7450/2112	1971
P.O. Box 7663 Cape Porpoise, ME 04014 207-967-5787		<small>Check Fraud Protection for Business</small>	
DATE <u>22 Jan. 2017</u>			
PAY TO THE ORDER OF	<u>Kennebunkport Fuel Assistance</u>	\$ 500 ⁰⁰	
<u>Five Hundred</u>		<u>00</u> <u>100</u> DOLLARS	<small>Security Features Included Details on Back</small>
 Kennebunk Savings			
MEMO	<u>David Sandtor</u>		
		1971	