

TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

**Board of Selectmen/Assessors Agenda
Village Fire Station – 32 North Street
April 27, 2017 – 6:00 PM**

1. Call to Order.
2. Approve the April 6, and 7, 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 the Peter Ciriello, DBA Edgewater Hospitality, LLC, The Edgewater Inn, 126 Ocean Avenue.
5. Consider a renewal liquor license application submitted by OWR, LLC, DBA Ocean Woods Resort/PJ's Pub and Dining, 71 Dyke Road.
6. Consider a renewal liquor license application submitted by MacDonald Management, Inc., DBA Hurricane Restaurant, 29 Dock Square.
7. Consider a renewal special amusement permit application submitted by Luanne MacDonald, DBA Hurricane Restaurant, 29 Dock Square.
8. Consider unconditional gift of sewer extension along New Biddeford Road for June Town Meeting Warrant.
9. Sign the June 2017 Town Meeting Warrant.
10. Set the public hearing date to consider the warrant articles for the June Town Meeting ballot for May 11, 2017.
11. Countersign the RSU 21 Budget Validation Referendum Election Warrant.
12. Award the bid for the purchase of 14 Scott SCBA air cylinders.
13. Consider the Wastewater Department budget
14. Consider the Dock Square budget

15. Authorization to expend up to \$3,000 for a summer Maine Audubon intern to work with piping plover project.

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

Property Owner	Location	Map	Blk	Lot(s)	Tax Abatements 2017
Tracy Ramsey	207 Kings Highway, Unit 1	34	1	20A	\$1,217.99
Babak & Anne Ghayour	Henchey Way	41	2	8	Denied
Babak & Anne Ghayour	22 Skipper Joes Point RD	30	6	5	\$3,385.70

17. Consider a street opening permit for Sand Dollar Associates, 19 Ocean Avenue, map 11, lot 1, block 11B, to connect to the town sewer.

18. Consider a street opening permit for JTJ Development, Dyke Road, to install a new water main extension.

19. Approve the Treasurer's Disbursement Warrant Policy.

20. Authorize sewer waiver of foreclosure for Brian Strack,

21. Accept a donation in the amount of \$280 from the quilters who meet at Atlantic Hall to be directed to the emergency fuel program.

22. Other business.

- a. Tri-Town meeting re: recreational marijuana – May 1, 6 PM at KES
- b. Southern Maine Regional Planning Commission dredging study grant proposal to Maine State Coastal Planning Office.
- c. University of Maine Public Policy Intern for summer of 2017.

23. Approve the April 27, 2017, Treasurer's Warrant.

24. Adjournment.



Agenda Item Divider



**Town of Kennebunkport
Selectmen/Budget Board Meeting
April 6, 2017
6 p.m. – Village Fire Station – 32 North Street**

Minutes of the Selectmen's Meeting of April 6, 2017

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

Selectman absent: Sheila Matthews-Bull

Budget Board attendance: Grace Adams, Barbara Barwise, David Betses, Dan Beard, Douglas Dicey, Dawn Morse, David James, Kathryn Leffler, and Leo Martin, Michelle Powell

Others: Michael Davis, Jennifer Lord, Arlene McMurray, Tracy O'Roak, Pat Schwebler, Laurie Smith, and others

1. Call to Order.

Chair Stuart Barwise called the meeting to order at 6:05 PM.

Chair Leo Martin also called the Budget Board meeting to order.

2. Joint meeting with Budget Board to make any recommendations or adjustments in the fiscal year 2018 municipal budget and to vote on Warrant Articles.

Town Manager Laurie Smith passed out the expense budget, the fiscal year tax commitment updated 3/31/2017, and the fiscal year 2018 budget showing each department, the amount proposed, and the amounts approved by both the Board of Selectmen and Budget Board. (See Exhibit A). The Senior Center was the only fund that both Boards were not in agreement on. The Senior Center requested \$2,500, and the Board of Selectmen approved their request; however, the Budget Board subcommittee proposed \$1,500 funding.

At the March 30, 2017, Budget Board meeting, the Budget Board reconsidered and increased the funding amount for the Senior Center to \$2,000 (See Exhibit B).

Selectman Daggett suggested that both Boards meet half way and fund the Senior Center with \$2,250.

Chair Leo Martin took a straw poll from the Budget Board and the amount of \$2,250 was a unanimous vote.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve \$2,250 funding for the Senior Center. **Vote:** 4-0.

Motion by Selectmen Daggett, seconded by Selectman Hutchins, to change the amount in the Miscellaneous Agencies Account to \$7,747.00. **Vote:** 4-0.

The Board of Selectmen voted on the following Warrant Articles:

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 2:** To see if the Town will vote to authorize the Town Treasurer, with the advice and approval of the Municipal Officers on behalf of the Town to sell and dispose of Real Estate acquired by the Town for nonpayment of taxes thereon, and to execute quitclaim deeds on such terms as they deem advisable, and to authorize the Treasurer to discharge unmatured liens on payment of taxes, interest and costs. **Vote: 4-0.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 3:** To see if the Town will vote to authorize the Town Treasurer, with the advice and approval of the Municipal Officers on behalf of the Town, to waive the foreclosure of any tax lien mortgage by recording a waiver of foreclosure in the York County Registry of Deeds for any real estate title to which they deem not in the best financial interest of the Town to hold, said authorization to waive not to prevent the Town Treasurer, with the advice and approval of the Municipal Officers, from later foreclosing on said tax lien pursuant to law, as they deem advisable. **Vote: 4-0.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 4:** To see if the Town will vote to make all real and personal property taxes due and payable upon presentment of bills and to charge seven percent (7.00%) per annum on the first half if unpaid after September 11, 2017 (or 45 days after the date of commitment if commitment is after July 28, 2017) and on the second half if unpaid after March 12, 2018. **Vote: 4-0.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 5:** To see if the Town will vote to set the interest rate to be paid by the town on abated taxes at five percent (5.00%) for the fiscal year 2018. **Vote: 4-0.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 6:** To see if the Town will vote to authorize the Selectmen to accept easement deeds on behalf of the Town granting the Town the right to plant and maintain certain trees on private property located within the Town. **Vote: 4-0.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 7:** To see if the Town will vote to authorize Binnacle Hill Development, LLC to open the road on New Biddeford Road to install a sewer line to connect to the Town's sewer system and to accept the proposed unconditional gift of the sewer extension providing that the developer complies with all the

requirements of the Sewer Use Ordinance. **Vote: 4-0.**

A condition of acceptance is the requirement that the applicant furnish the Town with an irrevocable letter of credit or cash or cash equivalent in a form acceptable to the Board of Selectmen to ensure proper completion of the project. The guarantee shall be in an amount equal to one hundred twenty-five percent (125%) of the estimated cost of the project and shall remain in effect until after the contractor's warranty period has expired or until any adjustments are made by the Sewer Superintendent. **Vote: 4-0.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 8:** To see if the Town will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. § 506. **Vote: 4-0.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 9:** To see if the Town will vote to authorize the Selectmen to accept unconditional and conditional gifts of money or property on behalf of the Town, other than gifts of sewer extensions, subject to ratification by the Town at an annual or special town meeting held within one year of the Selectmen's acceptance, except that such ratification shall not be required for a donation of money to the Town to supplement a specific appropriation already made, to reduce the tax assessment, or to reduce the permanent debt. **Vote: 4-0.**

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 10:** To see what sum the Town will vote to raise and appropriate **\$961,512** for the Administration and Community Development account. **Vote: 4-0**

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 11:** To see what sum the Town will vote to raise and appropriate for the Administration and Planning capital expense and reserve account. **Amount requested: \$58,000 Vote: 4-0**

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 12:** To see what sum the Town will vote to raise and appropriate for the Administrative Boards account. **Amount requested: \$6,850 Vote: 4-0**

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 13:** To see what sum the Town will vote to raise and appropriate for the

Administrative Professional Services account.

Amount requested: \$327,600 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 14:** To see what sum the Town will vote to raise and appropriate for the Planning and Development account.

Amount requested: \$396,655 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 15:** To see what sum the Town will vote to raise and appropriate for the Police and Communications Department account.

Amount requested: \$2,019,231 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 16:** To see what sum the Town will vote to raise and appropriate for the Police and Communications Department capital expense account.

Amount requested: \$29,500 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 17:** To see what sum the Town will vote to raise and appropriate for the Fire Services account.

Amount requested: \$385,211 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 18:** To see what sum the Town will vote to raise and appropriate for the Fire Services capital expense and reserve account.

Amount requested: \$209,500 Vote: 4-0

Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 19:** To see what sum the Town will vote to raise and appropriate for the Kennebunkport Emergency Medical Services account.

Amount requested: \$125,000 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve
Article 20: To see what sum the Town will vote to raise and appropriate for the Public Safety Services account.

Amount requested: \$37,101 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve
Article 21: To see what sum the Town will vote to raise and appropriate for the Piers, Rivers and Harbors reserve account.

Amount requested: \$150,000 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve
Article 22: To see what sum the Town will vote to raise and appropriate for the Solid Waste account.

Amount requested: \$469,797 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve
Article 23: To see what sum the Town will vote to raise and appropriate for the Health and Welfare Department account.

Amount requested: \$162,680 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve
Article 24: To see what sum the Town will vote to raise and appropriate for the Social Service Agency account.

Amount requested: \$22,400 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve
Article 25: To see what sum the Town will vote to raise and appropriate for the Shellfish Conservation account.

Amount requested: \$3,945 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve
Article 26: To see what sum the Town will vote to raise and appropriate for the Public Restrooms account.

Amount requested: \$32,500 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 27:** To see what sum the Town will vote to raise and appropriate for the Public Works and Mechanic Department account.

Amount requested: \$938,605 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 28:** To see what sum the Town will vote to raise and appropriate for the Public Works Department capital expense and reserve account.

Amount requested: \$140,000 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 29:** To see what sum the Town will vote to raise and appropriate for the Road Improvement, Sidewalk and Special Projects capital expense and reserve account.

Amount requested: \$591,350 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 30:** To see what sum the Town will vote to raise and appropriate for the Utilities account.

Amount requested: \$174,470 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 31:** To see what sum the Town will vote to raise and appropriate for the Public Works Committees account.

Amount requested: \$53,025 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 32:** To see what sum the Town will vote to raise and appropriate for the Recreation Department account.

Amount requested: \$375,725 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 33:** To see what sum the Town will vote to raise and appropriate for the

Recreation Department capital expense and reserve account.

Amount requested: \$250,000 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 34:** To see what sum the Town will vote to raise and appropriate for the Louis T. Graves Memorial Public Library and Cape Porpoise Library accounts.

Amount requested: \$138,675 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 35:** To see what sum the Town will vote to raise and appropriate for the Parson's Way account.

Amount requested: \$3,700 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 36:** To see what sum the Town will vote to raise and appropriate for the Contingency expense and reserve account for unanticipated expenses of the Town's operation.

Amount requested: \$95,000 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 37:** To see what sum the Town will vote to raise and appropriate for the Miscellaneous Agencies account.

Amount requested: \$7,747 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 38:** To see what sum the Town will vote to raise and appropriate for the payment of Bonds, Notes and Interest.

Amount requested: \$253,842 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 39:** To see what sum the Town will vote to raise and appropriate for the Goose Rocks Beach Advisory Reserve account and to authorize the Selectmen to disburse such funds as they deem necessary on behalf of the Town.

Amount requested: \$40,000 Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 40:** Do you favor authorizing the Board of Selectmen to issue general obligation bonds or notes in the name of the Town of Kennebunkport in a principal amount not to exceed \$450,000 for a term not to exceed 10 years, which bonds or notes may be made callable, and to use the proceeds of said bonds or notes to pay for costs of constructing and equipping a new Parks and Recreation building?

TOWN OF KENNEBUNKPORT FINANCIAL STATEMENT

1. Total Town Indebtedness

Bonds Outstanding and Unpaid	\$ 944,343.00
Bonds Authorized but Unissued	\$ 2,000,000.00
Bonds to be Issued if this Article is Approved	\$ 450,000.00
Total:	\$ 3,394,343.00

2. Estimated Costs of Proposed Bonds

At an estimated interest rate of three percent (3%), for a 10-year term, the estimated costs of this bond issue will be:

Principal	\$450,000.00
Interest	\$ 62,436.60
Total Principal & Interest to be Paid at Maturity	\$ 512,436.60

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above Estimated Costs of Proposed Bonds. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Jennifer L. Lord, Treasurer
Town of Kennebunkport

Vote: 4-0

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 41:** To see if the Town will vote to appropriate the sum of \$2,396,728 from estimated non-property tax revenues to reduce the property tax commitment, together with all categories of funds, which may be available from the federal government, and to also use \$250,000 from undesignated fund balance and \$150,000 from the capital reserve fund balance to reduce the property tax commitment. **Vote: 4-0**

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 42:** Shall the Town vote to authorize the Selectmen to apply for, accept and expend from the following categories of funds as provided by the State of Maine: Municipal Revenue Sharing, Educational Certification Block Grant, Educational Tax Relief Grant, Public Library State Aid, Urban Rural Road Initiative Program, Civil Emergency Funds, Snowmobile Registration Funds, Tree Growth Reimbursement, General Assistance Reimbursement, Veterans Exemption Reimbursement, Department of Economic & Community Development Grant Program, Maine Emergency Management Agency, Homestead Exemption Reimbursement, and all other state and federal grants and funds including, when necessary, the authority to sign grant contracts, documents or other paperwork? **Vote: 4-0**

The Budget Board recommends the amount requested - Voted 10-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve **Article 43:** To see if the Town will vote to authorize the Selectmen to carry forward unencumbered surplus fund balances on June 30, 2017, for the purposes originally appropriated and to the extent they deem advisable, such determination to be made at a properly noticed meeting of the Board of Selectmen. **Vote: 4-0**

The Budget Board recommends the amount requested - Voted 10-0.

3. Adjournment.

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

The meeting adjourned at 6:30 PM.

Submitted by Arlene McMurray
Administrative Assistant

EXHIBIT A - April 6, 2017

Town of Kennebunkport						
FY 2018 Budget						
	2018	Board of	Budget	Warrant Articles	Proposed	
	Proposed	Selectmen	Board			
Dept: 25 General government						
01 - Administration	\$ 935,713	\$ 935,713	\$ 935,713	Admin & Commty Develop	\$ 961,512	
05 - Zoning Board	\$ 500	\$ 500	\$ 500	Admin Committes	\$ 6,850	
07 - Conservation Committee	\$ 4,350	\$ 4,350	\$ 4,350			
08 - Growth Planning	\$ 2,000	\$ 2,000	\$ 2,000			
09 - Legal fees	\$ 167,000	\$ 167,000	\$ 167,000	Admin Prof Services (Legal & Insurance)	\$ 327,600	
10 - Insurance	\$ 160,600	\$ 160,600	\$ 160,600			
11 - Community Development	\$ 25,799	\$ 25,799	\$ 25,799			
12 - Planning/Development	\$ 396,655	\$ 396,655	\$ 396,655	Planning / Develop	\$ 396,655	
Dept: 27 Public safety						
01 - Police dept	\$ 1,508,114	\$ 1,508,114	\$ 1,508,114	Police & Communications	\$ 2,019,231	
02 - Communications	\$ 511,117	\$ 511,117	\$ 511,117			
03 - Fire dept	\$ 385,211	\$ 385,211	\$ 385,211	Fire Department	\$ 385,211	
04 - KEMS	\$ 125,000	\$ 125,000	\$ 125,000	KEMS	\$ 125,000	
05 - Emergency Management	\$ 1,500	\$ 1,500	\$ 1,500			
06 - Animal Control	\$ 14,987	\$ 14,987	\$ 14,987	Public Services (EMA, Animal Control, Harbormaster)	\$ 37,101	
07 - Harbormaster	\$ 20,614	\$ 20,614	\$ 20,614			
Dept: 29 Health & welfare						
01 - Solid Waste	\$ 469,797	\$ 469,797	\$ 469,797	Solid Wast	\$ 469,797	
02 - Health	\$ 159,345	\$ 159,345	\$ 159,345	Health & Welfare	\$ 162,680	
03 - Welfare	\$ 3,335	\$ 3,335	\$ 3,335			
04 - Social Services	\$ 22,400	\$ 22,400	\$ 22,400	Social Services	\$ 22,400	
07 - Shellfish	\$ 3,945	\$ 3,945	\$ 3,945	Shellfish Consrvation	\$ 3,945	
10 - Public Restrooms	\$ 32,500	\$ 32,500	\$ 32,500	Public Restrooms	\$ 32,500	
Dept: 31 Public works						
01 - Highway dept	\$ 840,473	\$ 840,473	\$ 840,473	Public Works & Mechanic	\$ 938,605	
02 - Mechanic	\$ 98,132	\$ 98,132	\$ 98,132			
03 - Utilities	\$ 174,470	\$ 174,470	\$ 174,470	Utilities	\$ 174,470	
04 - Shade Tree				Public Works Cmtee (Shade Tree & Cemetery)	\$ 53,025	
06 - Cemetery	\$ 38,571	\$ 38,571	\$ 38,571			
	\$ 14,454	\$ 14,454	\$ 14,454			

**Town of Kennebunkport
2018 Expense Budget**

	2018 Proposed	Notes	Board of Selectmen	Budget Board
Dept: 25 General government				
01 - Administration	935,713.00		935,713.00	935,713.00
05 - Zoning Board	500.00		500.00	500.00
07 - Conservation Committee	4,350.00		4,350.00	4,350.00
08 - Growth Planning	2,000.00		2,000.00	2,000.00
09 - Legal fees	167,000.00		167,000.00	167,000.00
10 - Insurance	160,600.00		160,600.00	160,600.00
11 - Community Development	25,799.00		25,799.00	25,799.00
12 - Planning/Development	396,655.00		396,655.00	396,655.00
Dept: 27 Public safety				
01 - Police dept	1,508,114.00		1,508,114.00	1,508,114.00
02 Communications	511,117.00		511,117.00	511,117.00
03 - Fire dept	385,211.00		385,211.00	385,211.00
04 - KEMS	125,000.00		125,000.00	125,000.00
05 - Emergency Management	1,500.00		1,500.00	1,500.00
06 - Animal Control	14,987.00		14,987.00	14,987.00
07 - Harbormaster	20,614.00		20,614.00	20,614.00
Dept: 29 Health & welfare				
01 - Solid Waste	469,797.00		469,797.00	469,797.00
02 - Health	159,345.00		159,345.00	159,345.00
03 - Welfare	3,335.00		3,335.00	3,335.00
04 - Social Services	22,400.00		22,400.00	22,400.00
07 - Shellfish	3,945.00		3,945.00	3,945.00
10 - Public Restrooms	32,500.00		32,500.00	32,500.00
Dept: 31 Public works				
01 - Highway dept	840,473.00		840,473.00	840,473.00
02 - Mechanic	98,132.00		98,132.00	98,132.00
03 - Utilities	174,470.00		174,470.00	174,470.00
04 - Shade Tree	38,571.00		38,571.00	38,571.00
06 - Cemetery	14,454.00		14,454.00	14,454.00
Dept: 33 Recreation & culture				
01 - Recreation	375,725.00		375,725.00	375,725.00
02 - Graves Library	126,000.00		126,000.00	126,000.00
03 - Cape Porpoise Library	12,675.00		12,675.00	12,675.00
04 - Parsons Way	3,700.00		3,700.00	3,700.00
05 - GRB Advisory	40,000.00		40,000.00	40,000.00
Dept: 37 Unclassified				
07 - Contingency	95,000.00		95,000.00	95,000.00
Dept: 38 Miscellaneous Agencies				
01 - Miscellaneous Agencies	6,997.00	Senior Center @ \$2,500 or \$2,000	7,997.00	7,497.00
Dept: 39 Capital Outlay				
01 - Administration	58,000.00		58,000.00	58,000.00
02 - Police	29,500.00		29,500.00	29,500.00
04 - Fire	209,500.00		209,500.00	209,500.00
06 - Highway	140,000.00		140,000.00	140,000.00
09 - Road Improvement	505,300.00		505,300.00	505,300.00
11 - Sidewalk Construction	86,050.00		86,050.00	86,050.00
13 - Recreation	250,000.00		250,000.00	250,000.00
39 - "Piers	150,000.00		150,000.00	150,000.00
Dept: 41 Debt service				
01 - Debt Service	253,842.00		253,842.00	253,842.00
Expense Totals:	8,458,871.00		8,459,871.00	8,459,371.00

FY 18 Tax Commitment - updated 03.31.17					
	FY 16	FY 17	FY 18	Difference	17 vs 18 % Diff
Gross Municipal Appropriation	7,844,103	8,054,126	8,459,621	405,495	5.03%
Special Building Projects or Capital Reserve	0	0	0	-	
Education Assessment	7,808,390	7,916,997	8,595,051	678,054	8.56%
Education Debt	207,096	1,291,196	1,612,119	320,923	24.85%
County Assessment	1,115,331	1,163,270	1,208,110	44,839	3.85%
Overlay	63,799	87,512	87,512	-	0.00%
Total Expenditures	17,038,719	18,513,101	19,962,413	1,449,311	7.83%
Non Property Tax Revenue	2,155,820	2,247,913	2,396,728	148,815	6.62%
MePers Credit (Year 2 of 3)		152,745	152,745	-	0.00%
General Use of Fund Balance	300,000	275,000	250,000	(25,000)	-9.09%
Reserve Capital Projects Use of Fund Balance			150,000	150,000	100.00%
Total Non-Property Tax Rev & Trans	2,455,820	2,675,658	2,949,473	273,815	10.23%
Net Municipal Commitment	5,452,082	5,618,725	5,750,405	131,680	2.34%
Net Total Commitment	14,582,899	15,837,443	17,012,940	1,175,496	7.42%
Valuation	1,893,882,970	1,912,262,450	1,922,262,450	10,000,000	0.52%
Mil Rate	7.70	8.28	8.85	0.57	6.86%
Municipal portion of mil rate	2.88	2.94	2.99	0.05	1.81%
Education portion of mil rate	4.23	4.74	5.23	0.50	10.45%
County portion of mil rate	0.59	0.61	0.63	0.02	3.31%
ESTIMATES ONLY					

EXHIBIT B – April 6, 2017

To: Kennebunkport Board of Selectmen,

Dated: April 4, 2017

As the Board of Selectmen knows by now, the Kennebunkport Budget Board voted on March 30, 2017, to unanimously approve all of the proposed municipal budget requests for FY 2018, save one.

The one exception was funding for The Senior Center in Lower Village, which was asking for a donation of \$2500.

As is known, the subcommittee of the Budget Board charged with evaluating applications from various non-profit social service organizations originally recommended a funding level of \$1500 for The Center. That recommendation was based on a detailed evaluation of the information provided in the application submitted to the town of Kennebunkport

At the March 30, 2017 meeting, the Budget Board conducted a detailed review of the facts submitted by The Center in its application for funding, both for FY 2017 & FY 2018. It also listened to comments from the newly appointed Director for The Center, Pat Schwebler.

Finally, after some considerable discussion as to what a fair & equitable donation to The Center might be, the Budget Board voted (8/1) to recommend a donation of \$2000.

It is the sincere hope of the Budget Board that the Board of Selectmen and the Budget Board can reach an agreement that a funding level of \$2000 for The Center represents a fair and equitable compromise based on the level of services provided to Kennebunkport residents by The Center.

.....
To support the position of the Budget Board, the following facts, extracted from the applications for funding submitted by The Senior Center are highlighted.

In the application submitted for FY 2018, the actual membership in The Center is reported to be 400, predominately from Kennebunk, Kennebunkport & Arundel. When outreach clients are added, the total number residents served increases to about 600. That compares to 517 individuals served in the FY 2017 application.

With regard to Kennebunkport, currently there are 80 residents who are members, or about 20% of the total membership. Adding in a dozen non-member residents who avail themselves of assistance from the FISH program, that's a total of ninety-two, or 15% of the total of 600 individuals serviced.

The applicant also states that the services they provide to members typically include health, medical, wellness and legal advice. They also state that the membership indicate a strong desire for more educational, recreational, and social opportunities and programs to be presented by The Center.

With regard to profitability, it is notable that The Center has implemented two significant changes since the FY 2017 application, in an attempt to increase revenue and reduce costs.

The first is that annual dues for members have been increased from \$35 in FY 2017 to \$60 in FY 2018, effective January 1, 2017.

The second is that the position of an assistant director has been eliminated, reducing the paid staff level from three to two positions, saving an estimated \$37,815 a year.

The combined effect would be expected to improve the financial position of The Center by something in the neighborhood of \$52,851.

For fiscal year 2017, estimated income was \$224,795 with \$30,155 which included \$2500 from Kennebunkport & \$1500 from Kennebunk, with nothing from Arundel.) Expenses were estimated at \$227,438.

For fiscal year 2018, estimated income is reported at only \$218,225, which doesn't seem to fully recognize the increased additional income from the higher annual dues.

On questioning, the newly appointed Director of The Center said that it is possible that the estimated income from membership dues reflects last year's actual number and does not take into consideration the increase in dues for FY 2018. She also noted that insurance for the Fish program was more like \$2000 rather than the \$3500 previously reported.

All of the above aside, the question still remains, what is a reasonable and fair amount for Kennebunkport residents to pay in support of The Senior Center?

We certainly agree that The Center provides a valuable service to the senior citizens in our local municipalities. And most agree that the local municipalities should provide some level of taxpayer support to this organization.

To summarize:

The total number of unduplicated individuals serviced in FY 2017: 600, including members & outreach. (Outreach refers to individuals who are not members but received support from The Center. Many were FISH recipients.)

The Total number of members in FY 2017: 400

The total number of Kennebunkport members in FY 2017: 80, representing 20% of the total membership.

The total number of Kennebunkport residents serviced in FY 2017: 92, including 80 members & 12 outreach, representing 15% of the total individuals serviced

For FY 2018, Kennebunk has agreed to fund \$2000, Arundel has not agreed to any funding, and if Kennebunkport were to approve \$2500, it would be funding 56% of the municipal contributions with only 20% of the membership & 15% of total individuals receiving service.

Although, the Budget Board subcommittee originally recommended a donation of \$1500, after much discussion, an overwhelming majority of the Board agrees that the Town should support the Senior Center at a level of \$2000. That equals what Kennebunk is contributing, even though they have far more members of The Center than does Kennebunkport.

The Budget Board believes that this is a fair and equitable compromise and it sincerely hopes that the Board of Selectmen will agree.

Submitted by The Budget Board Subcommittee on non-profit Social Service Agency Funding



Agenda Item Divider



**Town of Kennebunkport
Board of Selectmen Site Walk
April 7, 2017
22 Agamentitus Avenue at 3:30 PM**

Minutes of the Selectmen's Meeting of April 7, 2017

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

Selectman absent: Sheila Matthews-Bull

Others: Steve Durrell, Werner Gilliam, Lee McCurdy, Greg Pargellis, Sally Pottle, Dick Smith, and Laurie Smith

1. Call to Order.

Chair Barwise called the meeting to order at 3:30 PM.

2. Site Walk at 22 Agamentitus Avenue, Cape Porpoise regarding application submitted by The Wahwa Family Limited Partnership to remove an existing concrete dock and install a new timber dock with one granite support with associated ramp and float.

The Board, Town Manager Laurie Smith, and others checked out the site of the proposed dock. There was discussion about whether a boat tied to the end of the dock would be in the channel.

Steve Durrell of Prock Marine will develop a design that shortens the length by 5 ft. and bring it to the Selectmen's Meeting on April 13.

3. Adjournment.

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

Vote: 4-0.

The meeting adjourned at 4:00 PM.

Submitted by

Laurie Smith
Town Manager



Agenda Item Divider



4

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 02/19/17

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|---|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input checked="" type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <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: Edgewater Hospitality			Business Name (D/B/A) Edgewater Hospitality "The Edgewater Inn"		
APPLICANT(S) –(Sole Proprietor) Peter Ciriello		DOB: 9/9/53	Physical Location: 126 Ocean Avenue		
DOB:		City/Town Kennebunkport	State ME	Zip Code 04046	
Address 126 Ocean Avenue P.O. Box 2578			Mailing Address P.O. Box 2578		
City/Town Kennebunkport	State ME	Zip Code 04046	City/Town Kennebunkport	State ME	Zip Code 04046
Telephone Number 207 967-3315		Fax Number	Business Telephone Number 207 967-3315		Fax Number
Federal I.D. # 0525420296			Seller Certificate #: 1157460 or Sales Tax #:		
Email Address: info@edgewaterinnmaine.com Please Print			Website: www.edgewaterinnmaine.com		

If business is NEW or under new ownership, indicate starting date: N/A

Requested inspection date: N/A (Renewal) Business hours: N/A (Renewal)

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: 12
- State amount of gross income from period of last license: ROOMS \$303,070 FOOD \$46,712 LIQUOR \$5,773
- 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: Caroline Neish 207 967-3315
- Business records are located at: 126 Ocean Avenue, Kennebunkport, Maine 04046
- Is/are applicant(s) citizens of the United States? YES ☒ NO ☐
- Is/are applicant(s) residents of the State of Maine? YES ☐ NO ☒



Agenda Item Divider



(5)

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 4-10-17

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|--|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input checked="" 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, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <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: <u>OWR, LLC</u>			Business Name (D/B/A) <u>OCEAN WOODS RESORT / PJ's Pub & Dining</u>		
APPLICANT(S) - (Sole Proprietor) <u>Kathleen M Spang</u>			Physical Location: <u>71 Dyke Rd</u>		
DOB: <u>REDACTED</u>			City/Town State Zip Code <u>Kennebunkport ME 04046</u>		
Address <u>71 Dyke Rd</u>			Mailing Address <u>same</u>		
City/Town State Zip Code <u>Kennebunkport ME 04046</u>			City/Town State Zip Code		
Telephone Number Fax Number <u>207-468-6161</u>			Business Telephone Number Fax Number <u>207-967-1928 207-967-0204</u>		
Federal I.D. # <u>REDACTED</u>			Seller Certificate #: or Sales Tax #: <u>1161876</u>		
Email Address: Please Print <u>info@oceanwoodsresort.com</u>			Website: <u>oceanwoodsresort.com</u>		

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

Requested inspection date: April Business hours: 8AM - 9:00 PM

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: 32
2. State amount of gross income from period of last license: ROOMS \$ 480,000 FOOD \$ 96,820 LIQUOR \$ 23,925
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: Gerber Associates, Scarborough

7. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

8. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐



Agenda Item Divider



6

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 5-30-17

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

<input type="checkbox"/> RESTAURANT (Class I,II,III,IV)	<input checked="" 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, FOOD OPTIONAL (Class I-A)	<input type="checkbox"/> BED & BREAKFAST (Class V)
<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: <u>The Donald Management Inc</u>		Business Name (D/B/A) <u>Hurricane Restaurant</u>	
APPLICANT(S) -(Sole Proprietor) DOB:		Physical Location: <u>29 Dock Square</u>	
DOB:		City/Town <u>Kennebunkport</u>	State <u>ME</u>
		Zip Code <u>04046</u>	
Address <u>P.O. Box 1801</u>		Mailing Address <u>Box 1801</u>	
City/Town <u>Kennebunkport</u>	State <u>ME</u>	City/Town <u>Kennebunkport</u>	State <u>ME</u>
Zip Code <u>04046</u>		Zip Code <u>04046</u>	
Telephone Number <u>207 967-9111</u>	Fax Number <u>207 967-9113</u>	Business Telephone Number <u>207 967-9111</u>	Fax Number <u>207 967-9113</u>
Federal I.D. # <u>000000000</u>		Seller Certificate #: or Sales Tax #: <u>1056436</u>	
Email Address: Please Print		Website:	

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: NO
- State amount of gross income from period of last license: ROOMS \$ 0 FOOD \$ 1,749,178 LIQUOR \$ 756,488
- 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: _____

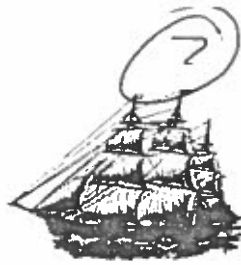
7. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

8. Is/are applicant(s) residents of the State of Maine? YES ☐ NO ☐



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

APPLICATION

SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

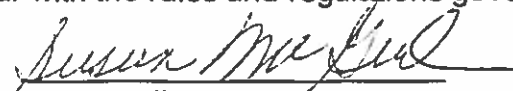
Name of Applicant Luanne MacDonald
Residence Address 5 Christopher Rd.
Home Telephone Number 207 967-5022
Name of Business Hurricane Restaurant
Business Address 29 Dock Square
Type of Business Restaurant
Business Telephone Number 207 967-9111
Nature of Special Amusement Music dancing

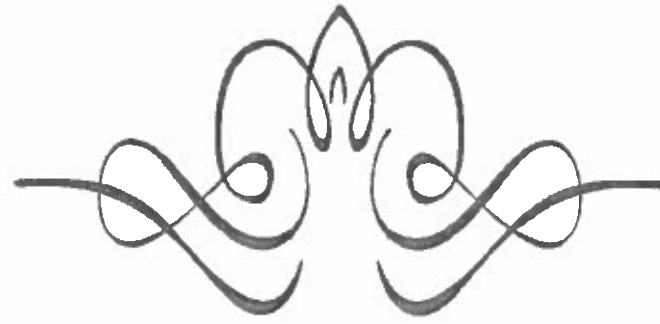
Has your liquor and or amusement license ever been denied or revoked?

Yes _____ No ☒

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.


applicant



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

April 20, 2017

Stuart A. Barwise, Chairman
Kennebunkport Board of Selectmen
P.O. Box 566
Kennebunkport, ME 04046

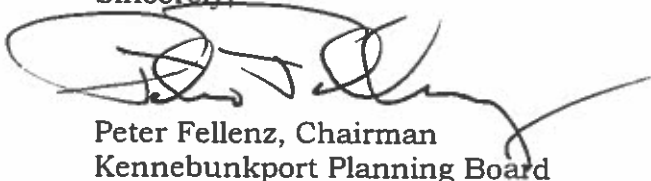
Re: Binnacle Hill Development, LLC, Proposed Sewer Extension
New Biddeford Road - Map 41, Block 2, Lots 8C and 8D

Dear Chairman Barwise:

In accordance with Kennebunkport Sewer Use Ordinance Section 2(B), the Kennebunkport Planning Board has reviewed the application and all related documentation submitted by Binnacle Hill Development, LLC with regard to its proposed sewer extension to service the Binnacle Hill subdivision to be located on New Biddeford Road. The Planning Board has also reviewed a letter from Thomas S. Greer, P.E., of Pinkham & Greer dated March 30, 2017. Based upon its review, the Planning Board voted at its April 19, 2017 meeting to recommend to the Board of Selectman that the sewer extension project should be built and that the proposed unconditional gift of that sewer extension to the Town should be accepted.

The Planning Board's recommendation is based on the fact that there is no reasonable alternative method of sewage disposal at the site to be served by the proposed extension; the fact that the proposed sewer extension will result in significant benefit to environmental quality in that area; and the fact that eighteen residences currently in existence on New Biddeford Road (which all currently have subsurface wastewater disposal systems) will eventually be able to tie into the sewer extension.

Sincerely,



Peter Fellenz, Chairman
Kennebunkport Planning Board

cc: Laurie Smith, Town Manager
File



Agenda Item Divider



9

TOWN OF KENNEBUNKPORT

TOWN WARRANT ANNUAL TOWN MEETING June 13 and 17, 2017

State of Maine

County of York, SS

To: Tracey O'Roak, Constable of the Town of Kennebunkport, in the County of York, State of Maine.

GREETINGS:

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

To the voters of Kennebunkport: You are hereby notified that the Annual Town Meeting of this municipality will be held at the Village Fire Station, 32 North Street in said Town on Tuesday, the Thirteenth (13th) day of June A.D. 2017, at 8:00 o'clock in the forenoon for the purpose of acting on Articles numbered one (1) and one a (1a) as set out below. The polls for voting on Articles 1 and 1a shall be opened immediately after the election of the Moderator at 8:00 a.m. on June 13, 2017, and shall close at 8:00 p.m. While the polls are open, the Registrar of Voters will hold office hours to accept the registration of any person eligible to vote, to accept new enrollments, and to make any necessary corrections or changes to any names or addresses on the voting list. The continuation of said meeting will be held in the auditorium of the Consolidated School building in said Town on Saturday, the seventeenth (17th) day of June A.D. 2017, at 9:00 o'clock in the forenoon for the purpose of acting on Articles numbered 2 through 43 as set out below.

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

ARTICLE 1a. To elect under the provisions of Title 30-A, M.R.S.A. Section 2528, the following Town Officers: one Selectmen, Assessors, and Overseers of the Poor, for a term of three years and one Director of R.S.U. #21, for a term of three years and to vote on the following referendum Questions 1 through 3:

QUESTION 1
AMENDMENT TO THE SHELLFISH CONSERVATION ORDINANCE

Shall an ordinance entitled "June, 2017 Amendment to the Shellfish Conservation Ordinance" be enacted?

**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-sanitation-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.

[Note of explanation: This amendment will remove the requirement that the Shellfish Warden be a resident of Kennebunkport as well as add more restrictive language regarding harvesting shellfish in a closed area.]

QUESTION 2

AMENDMENT TO THE ADMINISTRATIVE CODE

Shall an ordinance entitled "June, 2017 Amendment to the Kennebunkport Administrative Code" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of explanation: This amendment will remove the requirement that the Chairman of the Shellfish Conservation Committee serving as Shellfish Warden be a resident of Kennebunkport]

QUESTION 3
ENACTMENT OF A KEY LOCKBOX ORDINANCE

Shall an ordinance entitled "Key Lockbox Ordinance" be enacted?

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.

Existing Structures: Additions or renovations greater than \$20,000 to any structure that has an automatic fire alarm system or an automatic suppression system existing as of 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.

SECTION 6: GENERAL REQUIREMENTS.

- A. The approved manufacturer of the lock box system used in the Town of Kennebunkport shall be by the Knox Company of Phoenix, AZ. Brand name "Knox Box".
- B. The Fire Chief or his/her designee shall approve the location and style of the key lock box at the time the building permit is issued. All properties subject to this Ordinance shall have the key lock box installed and operational prior to the issuance of an occupancy permit. Or soon as the property is monitored by a 3rd party company.
- C. The number of keys in the lock box cannot exceed the maximum number recommended by the Knox Company. Each key shall be labeled.
- D. All properties with an electronic security gate shall have the lock box installed outside of the gate with the gate access code and required keys inside.
- E. The Fire Chief or his/her designee shall approve any changes in the lock box installation.
- F. Purchase, installation and maintenance of any required lock box is the sole responsibility of the property owner and/or occupant.

SECTION 7: MAINTENANCE.

The owner or operator of the property shall immediately notify the Fire Chief or his/her designee when any locks are added, changed or rekeyed. Additional labeled keys, access cards or access codes shall be added to the lock box immediately, if old keys, access cards or access codes are no longer effective.

SECTION 8: VIOLATIONS.

Any entity violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Fire Chief or his/her designee issues hereunder shall be subject to a penalty as provided herein.

SECTION 9: CIVIL PENALTIES.

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than five hundred dollars (\$500.00) and not more than two thousand five hundred dollars (\$2,500.00), or as otherwise provided by 30-A M.R.S.A. §4452, as may be amended 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.

[Note of explanation: This ordinance will require that certain properties have a key lock box installed on the exterior of the structure or at the gated entrance to aid the Kennebunkport Fire Department and Kennebunkport Emergency Medical Services with gaining access when responding to call for emergency service.]

Article 2: To see if the Town will vote to authorize the Town Treasurer, with the advice and approval of the Municipal Officers on behalf of the Town to sell and dispose of Real Estate acquired by the Town for nonpayment of taxes thereon, and to execute quitclaim deeds on such terms as they deem advisable, and to authorize the Treasurer to discharge unmatured liens on payment of taxes, interest and costs.

Selectmen recommend adoption of this article– Voted 4-0.

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

Selectmen recommend adoption of this article– Voted 4-0.

Article 4: To see if the Town will vote to make all real and personal property taxes due and payable upon presentment of bills and to charge seven percent (7.00%) per annum on the first half if unpaid after September 11, 2017 (or 45 days after the date of commitment if commitment is after July 28, 2017) and on the second half if unpaid after March 12, 2018.

Selectmen recommend adoption of this article– Voted 4-0.

Article 5: To see if the Town will vote to set the interest rate to be paid by the town on abated taxes at five percent (5.00%) for the fiscal year 2018.

Selectmen recommend adoption of this article– Voted 4-0.

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

Selectmen recommend adoption of this article– Voted 4-0.

Article 7: To see if the Town will vote to authorize Binnacle Hill Development, LLC to open the road on New Biddeford Road to install a sewer line to connect to the Town's sewer system and to accept the proposed unconditional gift of the sewer extension providing that the developer complies with all the requirements of the Sewer Use Ordinance.

A condition of acceptance is the requirement that the applicant furnish the Town with an irrevocable letter of credit or cash or cash equivalent in a form acceptable to the Board of Selectmen to ensure proper completion of the project. The guarantee shall be in an amount equal to one hundred twenty-five percent (125%) of the estimated cost of

the project and shall remain in effect until after the contractor's warranty period has expired or until any adjustments are made by the Sewer Superintendent.

Selectmen recommend adoption of this article– Voted 4-0.

Article 8: To see if the Town will vote to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. § 506.

Selectmen recommend adoption of this article– Voted 4-0.

Article 9: To see if the Town will vote to authorize the Selectmen to accept unconditional and conditional gifts of money or property on behalf of the Town, other than gifts of sewer extensions, subject to ratification by the Town at an annual or special town meeting held within one year of the Selectmen's acceptance, except that such ratification shall not be required for a donation of money to the Town to supplement a specific appropriation already made, to reduce the tax assessment, or to reduce the permanent debt.

Selectmen recommend adoption of this article– Voted 4-0.

Article 10: To see what sum the Town will vote to raise and appropriate for the Administration and Community Development account.

Amount requested: \$961,512

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 11: To see what sum the Town will vote to raise and appropriate for the Administration and Planning capital expense and reserve account.

Amount requested: \$58,000

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 12: To see what sum the Town will vote to raise and appropriate for the Administrative Boards account.

Amount requested: \$6,850

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

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

Amount requested: \$327,600

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 14: To see what sum the Town will vote to raise and appropriate for the Planning and Development account.

Amount requested: \$396,655

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 15: To see what sum the Town will vote to raise and appropriate for the Police and Communications Department account.

Amount requested: \$2,019,231

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 16: To see what sum the Town will vote to raise and appropriate for the Police and Communications Department capital expense account.

Amount requested: \$29,500

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

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

Amount requested: \$385,211

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 18: To see what sum the Town will vote to raise and appropriate for the Fire Services capital expense and reserve account.

Amount requested: \$209,500

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 19: To see what sum the Town will vote to raise and appropriate for the Kennebunkport Emergency Medical Services account.

Amount requested: \$125,000

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 20: To see what sum the Town will vote to raise and appropriate for the Public Safety Services account.

Amount requested: \$37,101

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 21: To see what sum the Town will vote to raise and appropriate for the Piers, Rivers and Harbors reserve account.

Amount requested: \$150,000

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 22: To see what sum the Town will vote to raise and appropriate for the Solid Waste account.

Amount requested: \$469,797

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

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

Amount requested: \$162,680

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 24: To see what sum the Town will vote to raise and appropriate for the Social Service Agency account.

Amount requested: \$22,400

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 25: To see what sum the Town will vote to raise and appropriate for the Shellfish Conservation account.

Amount requested: \$3,945

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

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

Amount requested: \$32,500

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 27: To see what sum the Town will vote to raise and appropriate for the Public Works and Mechanic Department account.

Amount requested: \$938,605

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 28: To see what sum the Town will vote to raise and appropriate for the Public Works Department capital expense and reserve account.

Amount requested: \$140,000

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 29: To see what sum the Town will vote to raise and appropriate for the Road Improvement, Sidewalk and Special Projects capital expense and reserve account.

Amount requested: \$591,350

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

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

Amount requested: \$174,470

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 31: To see what sum the Town will vote to raise and appropriate for the Public Works Committees account.

Amount requested: \$53,025

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 32: To see what sum the Town will vote to raise and appropriate for the Recreation Department account.

Amount requested: \$375,725

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 33: To see what sum the Town will vote to raise and appropriate for the Recreation Department capital expense and reserve account.

Amount requested: \$250,000

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 34: To see what sum the Town will vote to raise and appropriate for the Louis T. Graves Memorial Public Library and Cape Porpoise Library accounts.

Amount requested: \$138,675

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 35: To see what sum the Town will vote to raise and appropriate for the Parson's Way account.

Amount requested: \$3,700

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 36: To see what sum the Town will vote to raise and appropriate for the Contingency expense and reserve account for unanticipated expenses of the Town's operation.

Amount requested: \$95,000

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

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

Amount requested: \$7,747

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 38: To see what sum the Town will vote to raise and appropriate for the payment of Bonds, Notes and Interest.

Amount requested: \$253,842

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 39: To see what sum the Town will vote to raise and appropriate for the Goose Rocks Beach Advisory Reserve account and to authorize the Selectmen to disburse such funds as they deem necessary on behalf of the Town.

Amount requested: \$40,000

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 40: Do you favor authorizing the Board of Selectmen to issue general obligation bonds or notes in the name of the Town of Kennebunkport in a principal amount not to exceed \$450,000 for a term not to exceed 10 years, which bonds or notes may be made callable, and to use the proceeds of said bonds or notes to pay for costs of constructing and equipping a new Parks and Recreation building?

TOWN OF KENNEBUNKPORT FINANCIAL STATEMENT

1. Total Town Indebtedness

Bonds Outstanding and Unpaid	\$ 944,343.00
Bonds Authorized but Unissued	\$ 2,000,000.00
Bonds to be Issued if this Article is Approved	\$ 450,000.00
Total:	\$ 3,394,343.00

2. Estimated Costs of Proposed Bonds

At an estimated interest rate of three percent (3%), for a 10-year term, the estimated costs of this bond issue will be:

Principal	\$450,000.00
Interest	\$ 62,436.60
Total Principal & Interest to be Paid at Maturity	\$ 512,436.60

3. Validity

The validity of the bonds and of the voters’ ratification of the bonds may not be affected by any errors in the above Estimated Costs of Proposed Bonds. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Jennifer L. Lord, Treasurer
Town of Kennebunkport

Selectmen recommend the amount requested - Voted 4-0.
Budget Board recommends the amount requested - Voted 10-0.

Article 41: To see if the Town will vote to appropriate the sum of \$2,396,728 from estimated non-property tax revenues to reduce the property tax commitment, together with all categories of funds, which may be available from the federal government, and to also use \$250,000 from undesignated fund balance and \$150,000 from the capital reserve fund balance to reduce the property tax commitment.

Selectmen recommend the amount requested - Voted 4-0.
Budget Board recommends the amount requested - Voted 10-0.

Article 42: Shall the Town vote to authorize the Selectmen to apply for, accept and expend from the following categories of funds as provided by the State of Maine: Municipal Revenue Sharing, Educational Certification Block Grant, Educational Tax Relief Grant, Public Library State Aid, Urban Rural Road Initiative Program, Civil Emergency Funds, Snowmobile Registration Funds, Tree Growth Reimbursement, General Assistance Reimbursement, Veterans Exemption Reimbursement, Department of Economic & Community Development Grant Program, Maine Emergency Management Agency, Homestead Exemption Reimbursement, and all other state and federal grants and funds including, when necessary, the authority to sign grant contracts, documents or other paperwork?

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

Article 43: To see if the Town will vote to authorize the Selectmen to carry forward unencumbered surplus fund balances on June 30, 2017, for the purposes originally appropriated and to the extent they deem advisable, such determination to be made at a properly noticed meeting of the Board of Selectmen.

Selectmen recommend the amount requested - Voted 4-0.

Budget Board recommends the amount requested - Voted 10-0.

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

GIVEN UNDER OUR HANDS this 27th day of April, 2017, Kennebunkport, Maine.

Edward W. Hutchins, II

Stuart E. Barwise

Allen A. Daggett

Sheila W. Matthews-Bull

Patrick A. Briggs

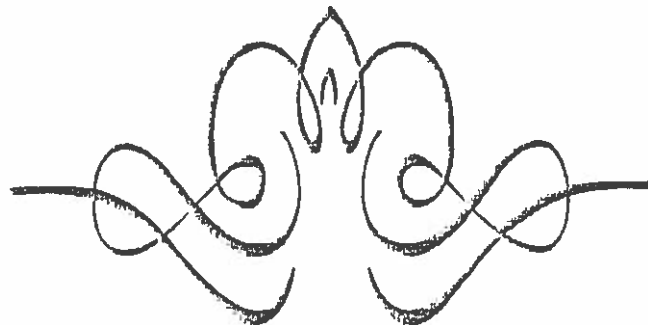
A majority of the Selectmen of the Town of Kennebunkport, Maine

A true copy of the warrant attest:

Tracey O'Roak, Town Clerk



Agenda Item Divider



11

**WARRANT AND NOTICE OF ELECTION
CALLING REGIONAL SCHOOL UNIT NO. 21
BUDGET VALIDATION REFERENDUM
(20-A M.R.S. § 1486)**

TO: Donna Gillette, a resident Regional School Unit No. 21 (the "Regional School Unit") composed of the Towns of Arundel, Kennebunk, and Kennebunkport, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within the Regional School Unit, namely, the Towns of Arundel, Kennebunk, and Kennebunkport, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers. The municipal officers shall meet forthwith and countersign this warrant and notice of election. The municipal officers shall provide below for the respective municipal clerks to post or have posted this warrant and notice of election.

**TOWN OF KENNEBUNKPORT
REGIONAL SCHOOL UNIT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

York County, ss.

State of Maine

TO: Tracey O'Roak, Clerk of Town of Kennebunkport: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

TO THE VOTERS OF TOWN OF KENNEBUNKPORT: You are hereby notified that a Regional School Unit budget validation referendum election will be held at Village Fire Station, 32 North Street in the Town of Kennebunkport on Tuesday, June 13, 2017 for the purpose of determining the following questions:

Question 1: Do you favor approving the Regional School Unit No. 21 budget for the upcoming school year that was adopted at the latest Regional School Unit budget meeting?

The polls must be opened at 8:00 a.m. and closed at 8:00 p.m.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, February 6, 2017 at Kennebunk, Maine.

A majority of the School Board of Regional School Unit No. 21

A true copy of the Warrant and Notice of Election, attest:

Donna Gillette
Resident of
Regional School Unit No. 21

Countersigned this _____ day of _____, 2017 at Town of Kennebunkport, Maine.

_____	_____
_____	_____

A majority of the municipal officers of Town of Kennebunkport, Maine

A true copy of the Warrant and Notice of Election, attest:

Tracey O'Roak, Municipal Clerk
Town of Kennebunkport, Maine

RETURN

York County, ss.

State of Maine

TO: The School Board of Regional School Unit No. 21

2/8, 2017

Pursuant to the within warrant and notice of election, directed to me, I have served in hand upon the municipal clerk of Town of Kennebunkport, an attested copy of this warrant and notice of election, directing the municipal officers of said municipality to call a Regional School Unit No. 21 budget validation referendum at said time and place and for the purposes therein stated.



Donna Gillette
Resident of
Regional School Unit No. 21

RETURN

York County, ss.

State of Maine

TO: The municipal officers of the Town of Kennebunkport

I certify that I have notified the voters of the Town of Kennebunkport of the time and place of the Regional School Unit No. 21 budget validation referendum by posting an attested copy of the within warrant and notice of election as follows:

DATE

TIME

LOCATION OF POSTING

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

being public and conspicuous places in said municipality and being at least seven days next prior to election day.

Dated at Town of Kennebunkport, Maine: _____, 2017

Tracey O'Roak, Clerk
Town of Kennebunkport, Maine



Agenda Item Divider



12

Kennebunkport Fire Department
FY2017 SCBA Cylinder Purchase

We are proposing the purchase of 14 Scott SCBA air cylinders from Fire Tech & Safety:

Vendor	Quantity	Price Each	Shipping Charge	Total
Fire Tech & Safety Winthrop, ME	14	760.00	0	10,640.00
Industrial Protection Services So. Portland, ME	14	840.00	0	11,760.00
Wise Safety (national distributor)	14	1277.64	Unknown	17,886.96
Grainger (national distributor)	14	1471.00	Unknown	20,594.00
Capital Expense Account #39043003 - Unexpended Balance				14,941.00

Notes:

Fire Tech & Safety and Industrial Protection are the only two Scott dealers authorized to sell this product in Maine. Wise and Grainger are national distributors who sell primarily to the commercial and industrial market at a different price structure.

We maintain 43 Scott SCBA air packs which are kept on apparatus at the ratio of one per firefighter seat. This quantity meets the NFPA standard for structural firefighting. We also have two specialized RIT (Rapid Intervention Team) air packs for use in rescuing trapped or injured firefighters. Four older air packs are kept in reserve for training. Each air pack is carried with a cylinder attached plus a spare cylinder.

In addition to the quantity of 99 cylinders required for use with all air packs, additional spare cylinders are kept to allow continued operations while empty cylinders are refilled or for training sessions. At present, we have a total of 129 cylinders. However, going forward this quantity decreases due to a requirement that a cylinder must be taken out of service after 15 years. For example, 18 cylinders have been removed from service in 2017. The annual purchase of 14 cylinders will allow us to maintain an adequate quantity and avoid the purchase of an extraordinary quantity in 2021, when 46 cylinders will have to be retired.

FIRE TECH & SAFETY OF NEW ENGLAND, INC.
 PO Box 435
 84A Route 133
 Winthrop, ME 04364-0435
 1-800-331-7900 Fax (207) 377-6260



Quote

Date	Quote #
4/7/2017	4367

Name / Address
KENNEBUNKPORT F.D.-ME 32 NORTH STREET P.O. BOX 505 KENNEBUNKPORT, ME 04046



				Rep
				JB
Item	Qty	Description	Unit Price	Total
804721-01	14	SCOTT-CARBON CYL.& VALVE 4500 30 MIN	760.00	10,640.00
COSTSHIP	1	SHIPPING AND HANDLING INCLUDED IN PRICE	0.00	0.00
			Total	\$10,640.00



125 John Roberts Rd
South Portland, ME 04106
PH: 207-847-3313
Jon Usher-Maine Sales
jusher@ipp-ips.com

PRICE QUOTE FOR:
Kennebunkport Fire Department
Dick Stedman
PO Box 505
Kennebunkport, ME 04046

DATE:
4/13/2017

Product/Description	Price Ea	Qty	Extension
Scott Safety 4500 PSI 30 Minute Duration Carbon Fiber Cylinder p/n 804721-01	\$840.00	14	\$11,760.00



WISSE
SAFETY

804721-01

SCOTT Carbon Cylinder with Valve, 30 Minute, 4500 psi, with Valve

Manufacturer Item: 804721-01

Your Price: \$1,277.64

Unit of Measure: EA

Extended Price: \$1,277.64

1 EA

Product Details

SCOTT SAFETY Carbon Cylinders

- Scott's carbon cylinders are built around DOT specifications and have a working pressure of 2216, 3000, or 4500 psi
- Lightweight, composite cylinder consisting of an aluminum alloy inner shell, with a total overwrap of carbon fiber, fiberglass and an epoxy resin
- Rated for 30, 45, or 60 minutes in duration
- Hydrostatic testing to be performed every 5 years
- 15-year life expectancy

804840-01 Carbon Cylinder, 30 Minute, 2216 psi , with Valve

804721-01 Carbon Cylinder, 30 Minute, 4500 psi, with Valve

804722-01 Carbon Cylinder, 45 Minute, 4500 psi, with Valve

804723-01 Carbon Cylinder, 60 Minute, 4500 psi, with Valve

804723-01-D 60 Minute Carbon Cylinder 4500 psi Drained

10009672 Carbon Cylinder, 60 Minute, 4500 psi, No Valve

Line Item Add

Item Number:

4/14/2017

SCOTT SAFETY SCBA Cylinder,4500 psi,Gray,Carbon Fiber - 5EER6[804721-01 - Grainger

Safety | Respiratory | SCBA and Breathing Air Cylinders | SCBA Cylinder,4500 psi,Gray,Carbon Fiber
View Product Family

EMAIL PRINT

GRAINGER

SCOTT SAFETY

SCBA Cylinder, 4500 psi, Gray, Carbon Fiber

Item# 5EER6 Mfr. Model# 804721-01 Catalog Page# N/A UNSPSC# 46182004



Price ⓘ
\$1,471.00 / each

This item requires special shipping, additional charges may apply.

Auto-Reorder Every 1 Month ⓘ

Deliver one time only

1

ADD TO CART

+ Add to List

Confirm ZIP Code to determine availability.

04401

SAVE



Be the first to write a review

Shipping Weight 11.7 lbs.

Country of Origin USA | Country of Origin is subject to change.

Note: Product availability is real-time updated and adjusted continuously. The product will be reserved for you when you complete your order.

How can we improve our Product Images?

Compare

PRODUCT DETAILS

This lightweight composite cylinder has an aluminum alloy inner shell and a total overwrap of carbon fiber, fiberglass, and an epoxy resin.

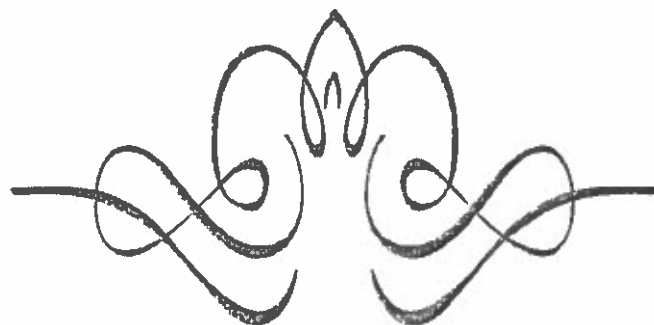
TECHNICAL SPECS

Item	SCBA Cylinder	Cylinder Material	Carbon Fiber
Pressure	4500 psi	Color	Gray
Duration	30 min.	For Use With	Scott Safety Self Contained Breathing Apparatus

Not today Please don't invite me again



Agenda Item Divider



PROPOSED SEWER DEPARTMENT BUDGET 2017-2018

thru 2/28/17

Account Number	Account	2016-17 Expenditures	2016-17 Budget	2017-18 Budget	Inc/Dec	Percent Change
10-01	Salaries & Wages	\$299,427.51	\$464,273	\$474,419	\$10,146	2.1%
10-10	Overtime	\$6,404.34	\$10,000	\$10,000	\$0	0.0%
12-01	FICA & Medicare	\$23,475.76	\$37,876	\$38,692	\$816	2.1%
12-02	MSRS	\$18,981.65	\$26,827	\$27,531	\$704	2.6%
12-03	ICMA	\$13,146.28	\$20,845	\$21,362	\$517	2.4%
12-04	RHSP	\$2,373.47	\$2,374	\$2,445	\$71	2.9%
12-05	Health Plan BC-ME	\$84,313.72	\$131,367	\$150,952	\$19,585	13.0%
12-06	Dues & Fees	\$263.00	\$500	\$500	\$0	0.0%
12-07	Travel (Mileage)	\$206.50	\$300	\$300	\$0	0.0%
12-08	Training & Education	\$1,388.21	\$3,000	\$3,000	\$0	0.0%
12-11	Vaccine	\$0.00	\$100	\$100	\$0	0.0%
12-12	Uniforms	\$937.48	\$3,500	\$3,500	\$0	0.0%
15-01	Electricity	\$59,525.69	\$90,000	\$90,000	\$0	0.0%
15-02	Telephone	\$2,581.36	\$3,500	\$3,500	\$0	0.0%
15-03	Fuel Heating	\$3,240.23	\$5,282	\$5,282	\$0	0.0%
15-05	Water	\$782.57	\$1,100	\$1,100	\$0	0.0%
15-06	Internet	\$1,802.58	\$0	\$2,000	\$2,000	100.0%
20-01	Printing	\$0.00	\$800	\$800	\$0	0.0%
20-04	Advertising	\$0.00	\$500	\$500	\$0	0.0%
20-06	Expert / Professional Services	\$2,003.65	\$5,000	\$5,000	\$0	0.0%
20-07	Audit	\$1,500.00	\$1,500	\$1,500	\$0	0.0%
20-08	Data Processing	\$2,026.92	\$4,725	\$4,725	\$0	0.0%
20-20	Maintenance - Wet Wells	\$1,837.50	\$4,000	\$4,000	\$0	0.0%
20-21	Maintenance-Contracts	\$5,587.04	\$7,150	\$7,150	\$0	0.0%
20-25	Radio & Alarms	\$0.00	\$2,950	\$2,950	\$0	0.0%
20-26	Licenses	\$2,288.70	\$3,950	\$4,000	\$50	1.3%
25-02	Workmen's Compensation	\$11,285.19	\$9,850	\$19,238	\$9,388	48.8%
25-03	Unemployment Insurance	\$1,595.39	\$2,413	\$2,413	\$0	0.0%
25-05	General Liability Insurance	\$7,102.65	\$7,014	\$7,014	\$0	0.0%
25-07	Fleet Insurance	\$4,005.92	\$3,911	\$3,911	\$0	0.0%
25-10	Public Officials	\$636.85	\$833	\$883	\$50	5.7%
30-01	Office Supplies	\$338.34	\$1,800	\$1,800	\$0	0.0%
30-03	Vehicle Supplies	\$1,500.30	\$2,000	\$2,000	\$0	0.0%
30-04	Postage	\$1,478.46	\$1,700	\$2,200	\$500	22.7%
30-05	Photocopier	\$1,395.09	\$1,500	\$2,000	\$500	25.0%
30-18	Hand Tools	\$578.10	\$1,500	\$1,500	\$0	0.0%

30-24	Gasoline	\$1,417.43	\$4,125	\$4,125	\$0	0.0%
30-25	Diesel	\$2,020.04	\$7,500	\$7,500	\$0	0.0%
30-27	Composting	\$297.70	\$3,750	\$3,750	\$0	0.0%
30-28	Collection System	\$12,592.28	\$18,000	\$18,000	\$0	0.0%
30-29	Chemicals Process	\$6,912.05	\$14,600	\$14,600	\$0	0.0%
30-30	Lab Supplies	\$6,297.89	\$12,000	\$12,000	\$0	0.0%
30-31	Safety Equipment	\$1,770.53	\$3,500	\$3,500	\$0	0.0%
30-32	Maint. Supplies	\$477.92	\$1,800	\$1,800	\$0	0.0%
30-33	Bio-Ash	\$4,452.10	\$12,000	\$10,000	-\$2,000	-20.0%
30-34	Odor Control	\$7,729.92	\$12,000	\$12,000	\$0	0.0%
30-39	Billing & Liens	\$1,914.00	\$2,600	\$2,600	\$0	0.0%
35-01	Building Maintenance	\$9,144.05	\$22,000	\$22,000	\$0	0.0%
35-03	Vehicle Maintenance	\$259.84	\$2,500	\$2,500	\$0	0.0%
45-03	Sewer Bond 2003 Principal	\$20,577.07	\$20,578	\$20,929	\$351	1.7%
45-07	Sewer Bond 2003 Interest	\$1,756.24	\$3,289	\$2,929	-\$360	-12.3%
	Sewer Bond 2018 Principal	\$0.00	\$0	\$0	\$0	
	Sewer Bond 2018 Interest	\$0.00	\$0	\$0	\$0	
50-34	Use Fund Balance	\$0.00	\$25,000	\$25,000	\$0	0.0%
60-04	Capital Equipment	\$109,447.88	\$81,500	\$68,000	-\$13,500	-19.9%
60-05	Capital Reserve	\$0.00	\$75,000	\$65,000	-\$10,000	-15.4%
	Contingency					
	Sewer upgrades	\$22,481.42				
Total		\$773,559	\$1,185,682	\$1,204,500	\$18,818	1.6%

Total **\$1,204,500**

Miscellaneous Revenue		\$4,000
Septic Fees		\$0
Sewer Fund Balance		\$20,000
Capital Replacement		\$68,000
Sewer Res. Accounts		\$0
Sewer Extensions		\$0
Sewer Users Fees		\$1,112,500
Total		\$1,204,500

User Fee 2017-18	\$444
User fee 2016-17	\$431
% Change	2.95%

SEWER DEPARTMENT BUDGET 2017-18

10-01 Salaries and Wages

Salaries and wages for the Superintendent, Chief Plant Operator, Wastewater Maintenance Mechanic, Wastewater Lead Operator, (2)-Wastewater Plant Operators, Laborer and one half of the Secretary's salary.

10-10 Overtime

Overtime wages for the Sewer Equipment Operators estimated at 400 hour's for the year. This includes on call pay, callbacks and the coverage for weekends and holidays

12-01 FICA & Medicare

FICA - Employer's contribution for Social Security (6.20%).

Medicare - Self-explanatory (1.45%) of all the salaries & wages

12-02 MSRS

Employer's contribution for Maine State Retirement.

12-03 ICMA

ICMA 457 deferred compensation plan for all eligible employees

12-04 RHSP

Retirement Health Savings Plan (RHSP) for all eligible employees.

12-05 Health Insurance

Health insurance coverage, premium rates are set for each calendar year. Employee contributions = 10% of the cost.

12-06 Dues & Fees

Dues for the Maine Wastewater Control Association, the Water Environment Federation and any subscriptions to professional and trade journals are paid from this account.

12-07 Travel Mileage

To reimbursement an employee's use of his/her personal vehicle on department business. (@ \$.50/mile)

SEWER DEPARTMENT BUDGET 2017-18

12-08 Training & Education

To pay for training that is required by the Maine DEP & the U.S. EPA. The Maine Wastewater Control Association, NEWPCA, and JETCC sponsor most of the training

12-11 Vaccine

To pay for vaccinations required for the staff.

12-12 Uniforms

To purchase and replace employee uniforms.

15-01 Electricity

The estimated costs for electricity to operate the treatment plant, pump stations, and the old Highway Garage on Beachwood Ave.

15-02 Telephone

Treatment plant phones, toll calls.

Business Phone Lines	\$2,500
Toll Calls	\$500
<u>Cell Phones</u>	<u>\$1,500</u>
Total	\$4,500

We have been averaging about \$1,500 per year for cell phones, \$1066 per year for Fair Point.

15-03 Heating oil

Heating oil for the treatment plant, we budget for 4,800 gallons of oil at \$1.509 / gallon.

15-05 Water

KK&WWD for drinking water used at the treatment plant and at Kings Hwy pump station at Goose Rocks Beach.

20-01 Printing

To purchase paper and printing supplies and to print any ordinance amendments, public notices, public informational materials.

SEWER DEPARTMENT BUDGET 2017-18

20-04 Advertising and Notices

Publication costs for recruiting and bid advertisements, and any public notices.

20-06 Expert & Professional Services

Legal and other professional services needed to assist the staff.

20-07 Audit

To pay for Sewer Department's portion of the towns audit.

20-08 Data Processing

Computer equipment, programs, professional support services and internet access.

Program	Amount
Big Foot	\$750.00
GPS Pathfinder	\$300.00
Terra Sync	\$300.00
Norton	\$170.00
ESRI	\$400.00
Auto Cad DLT	\$750.00
Miscellaeous	\$2,055.00
Total	\$4,725.00

20-20 Maintenance of Pump Station Wet-Well

To hire a contractor with a vacuum truck to help clean the pump station wet-wells.

20-21 Maintenance Contracts

To hire manufacturer's service representatives to work on equipment and to pay for any service contracts. With the new supervisory control and data acquisition (SCADA) system we need to increase this account to cover any maintenance items that will come up through the year.

20-25 Radio & Alarms

Alarm system & radio repairs.

Specter (WIN-911) alarm system support \$500.00

SEWER DEPARTMENT BUDGET 2017-18

20-26 Licenses

To pay for all the licenses that are now required for the operation of the Sewer Dept.

Compost License	\$750
Compost Insp Fee	\$200
Compost Annual reporting Fee	\$275
Annual WW Discharge Fee	\$875
Plant Operators (4)	\$350
Boiler & air tank inspection	\$350
Water Quality IMP. Fund	\$300
Tier 2 Chemical Reporting	\$50
Total	\$4,000

25-01 Property & Building Insurance

Sewer Departments share of the following insurance packages. Property, buildings, and equipment

25-02 Workman's Compensation

Self-explanatory

25-03 Unemployment Insurance

Self-explanatory

25-05 General Liability Insurance

Self-explanatory

25-07 Fleet Insurance

Sewer Dept's share of the fleet Insurance policy.

25-10 Public Officials Liability Insurance

The departments share of the public officers' liability insurance. (15% of the total)

25-11 Umbrella Insurance

Umbrella coverage above and beyond the limits provided by regular insurance (15% of the total)

SEWER DEPARTMENT BUDGET 2017-18

30-01 Office Supplies

Office supplies for administrative work.

30-03 Vehicle Supplies

Supplies for three trucks, loader, & the sewer jetter

30-04 Postage

Postage cost for billing, correspondence, and shipping. The cost for postage for the sewer bills is now part of the printing costs.

30-05 Photocopier

Lease on the departments photocopier and printer. This account also pays for the paper and the maintenance of the copier.

30-18 Hand tools

To purchase the hand tools need for the repair and operation of the treatment plant and collection system

30-24 Fuel - Gasoline

Used to purchase gasoline for the department vehicles and equipment @ \$2.75 per gallon.

30-25 Fuel - Diesel

To purchase fuel for the loader and the emergency generator at the treatment plant and the pump stations.

Treatment Plant - 500 Gal tank
Turbats Creek, and Goose Rocks #12 P.S. - 300 Gal tanks

It is difficult to estimate how much fuel we will need. It will depend on how many power outages there are. We estimate the price of diesel fuel @ \$3.25 / gallon

We will also purchase propane for six generators at the pump stations.
We are budgeting \$1.30 / gallon.

SEWER DEPARTMENT BUDGET 2017-18

30-27 Composting

To purchase the supplies and equipment need to operate the compost operation.

30-28 Collection System

This account is used for the operation and maintenance of the collection system. This includes repairs and parts for the pump station and the grinder pumps.

30-29 Chemicals process control

To purchase the chemicals used for the operation of the treatment plant.

Sodium Hypochlorite	\$6,500
Sodium Bisulfite	\$2,800
Polymer	\$1,900
Potassium Iodide	\$1,400
Total	\$14,600

Polymer is used on the belt filter press in the production of bio solids. Sodium Hypochlorite is used to disinfect the effluent from the treatment plant. Sodium Bisulfate is used to remove the chorine from the effluent before it is discharged into the river. Potassium Iodide is used in the chlorine meters.

30-30 Laboratory Supplies

Laboratory equipment and supplies required to do testing required by the Maine D.E.P. and the U.S. EPA. We also use this account to pay for any testing that has to be done by outside laboratories.

TESTING COSTS

Metal's, PCB'S Sludge	\$600
Metal's, PCB'S Compost	\$600
Salmonella	\$600
Priority Pollutants	\$1,000
Effluent Toxicity Testing	<u>\$3,500</u>
Testing Total	\$6,300

The rest of the budget (\$5,700) is used for miscellaneous equipment and supplies.

Every five years we have to do four effluent toxicity tests. This is the fifth year so we needed to increase the budget to cover the extra testing requirements.

30-31 Safety Equipment

SEWER DEPARTMENT BUDGET 2017-18

For the purchase of safety equipment and the repair and maintenance of equipment that we all ready have. The sensor heads for the gas detector for the new screen room will be charged to this account. We have to exchange the sensor heads every year and to purchase the calibration gas to calibrate the detector and to make sure the heads are working properly.

30-32 Maintenance Supplies

Cleaning supplies for the treatment plant and pump stations.

30-33 Bio-Ash

To purchase the Bio ash and supplies used in the composting operation. Approximately 1,900 yards of Bio Ash are used per year.

30-34 Odor Control

To purchase supplies and equipment needed to control odors from the treatment plant and the collection system. Due to numerous odor complaints we have had to add chemicals to control the odors. We deeded to increase the budget to cover the extra costs. Calcium Nitrate and caustic soda are used for odor control in the collection system.

30-39 Billing & Liens

This line item is used to cover all costs for printing and mailing of sewer bills and the costs associated with filing of any sewer liens.

35-01 Building Maintenance

Parts and supplies for buildings and equipment at the treatment plant (nuts & bolts belts, pipes, and bearing's and lubrication supplies).

35-03 Vehicle Maintenance

To pay for the maintenance on the Department's vehicles, four trucks, portable generator sets and the portable pumps.

50-34 Use Fund Balance

Transfer to the general fund to offset the costs of doing bookkeeping and payroll at the town office.

SEWER DEPARTMENT BUDGET 2017-18

45-03/07 Sewer Bond 2003

Maine Municipal Bond Bank: \$1,000,000/20 years @ 2.25%. This budget reflects 60% of the debt service expense born by property tax, with the remaining 40% balance to be paid by sewer users. (Maturity in FY 2024)

	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Property Tax (60%)	\$ 29,882	\$ 5,955	\$ 35,837
Sewer Users (40%)	<u>19,921</u>	<u>3,970</u>	<u>23,891</u>
	\$ 49,803	\$ 9,925	\$ 59,728

60-04 Capital Equipment

See attachment

60-05 Resources Reserve

Funds to plan for depreciation of capital equipment.



Agenda Item Divider



Dock Square Parking Lot FY 18 Budget

Revenue	FY 17	FY 18	\$ Diff.	% Diff	Notes:
Parking Fees	\$ 375,000	\$ 400,000	\$ 25,000	7%	
Total:	\$ 375,000	\$ 400,000	\$ 25,000	7%	
Operating Expense					
Wages	\$ 17,000	\$ 17,010	\$ 10	0%	9 hrs/day x 140 days (11 am - 8 pm)
FICA	\$ 1,301	\$ 1,301	\$ 1	0%	
Electricity	\$ 2,300	\$ 1,500	\$ (800)	-35%	
Phone	\$ 900	\$ 1,800	\$ 900	100%	
Internet	\$ 1,700	\$ 1,000	\$ (700)	-41%	
Unemployment ¹	\$ -	\$ -	\$ -		2015 paid for 2014 season
Supplies ²	\$ 15,000	\$ 9,000	\$ (6,000)	-40%	trash bags, plantings, lights, tickets, receipts
Credit Card Fees	\$ 8,600	\$ 8,500	\$ (100)	-1%	
Repairs & Maint	\$ 14,000	\$ 3,500	\$ (10,500)	-75%	repairs of equipment, building and machine coverings
Total:	\$ 60,801	\$ 43,611	\$ (17,189)	-28%	
Transfers to GF Budget					
General Fund Expense	\$ 232,500	\$ 232,500	\$ -	0%	
Capital Expense	\$ 77,500	\$ -	\$ (77,500)	-100%	FY 17 Bridge Overlook (\$17,500) and Sweeper (\$60,000)
Total:	\$ 310,000	\$ 232,500	\$ (77,500)	-25%	
Total Expenditures:	\$ 370,801	\$ 276,111	\$ (94,689)	-26%	
Operating Net after Transfers:	\$ 4,200	\$ 123,889	\$ 119,689		

14

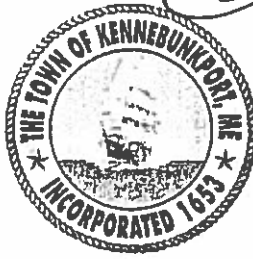
Dock Square Parking Lot Fiscal Analysis

	Season		Season		Season	
Revenue	2016		2015		2014	
May - June	\$	76,511	\$	57,061	\$	59,703
July - Oct	\$	329,889	\$	293,210	\$	282,177
Total:	\$	406,401	\$	350,271	\$	343,894
Operating Expense						
Wages	\$	13,164	\$	8,379	\$	36,167
FICA	\$	1,007	\$	641	\$	2,262
Electricity	\$	936	\$	2,261	\$	1,899
Phone	\$	1,756	\$	796	\$	911
Internet	\$	999	\$	1,689	\$	-
Unemployment ¹	\$	-	\$	9,528	\$	9,724
Supplies ²	\$	8,637	\$	14,093	\$	15,524
Credit Card Fees	\$	8,282	\$	8,565	\$	-
Starting Cash	\$	12,000				
Repairs & Maint	\$	-	\$	921	\$	45
Total:	\$	46,782	\$	46,873	\$	66,532
Operating Net:	\$	359,619	\$	303,399	\$	277,362



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

To: Board of Selectmen/Assessors

From: Becky R. Nolette, CMA, Assessing & Development Assistant
Donna Moore Hays, CMA, Assessors Agent

Date: April 4, 2017

Re: Abatement – David & Tracy Ramsey

We have received an abatement request from David & Tracy Ramsey. The Ramsey's are requesting an abatement of \$979,000, the basis of this request comes because the property use changed from a single-family dwelling to a condominium, and she feels that the previous value should have been divided in half. After email correspondence with Mr. Ramsey, we were told they had an appraisal done in November, 2016. We asked for additional time to review the appraisal, as it wasn't disclosed on the original application.

After reviewing their appraisal, we did find that there needed to be a few corrections to the building information. This property is unique, previously, the property was assessed as one parcel with 2 buildings on it. As one lot of record, the land assessment is based on the total square footage of the parcel. As a condominium, assessments are based on a building lot, and though each unit holds an interest in the land, we do take into consideration condominiums share the common area, and to our best to adjust accordingly. The adjustments resulted in a reduction of \$148,800 in assessed value, and \$1,232.07 in taxes. We feel that the reduction of \$148,800 in assessed value is warranted, not a \$979,000 reduction.

For your information, we have enclosed Ms. Ramsey's application, along with our response.

It is our recommendation the abatement of \$1,232.07 in taxes be granted at your April 27th, 2017 meeting.

**Town of Kennebunkport
Certificate of Abatement**

2016-6

36 M.R.S.A. § 841

2016

We, the undersigned Assessors/Municipal Officers of the municipality of Kennebunkport, Maine hereby certify to Laurie A. Smith, Tax Collector that an abatement of property taxes has been granted as follows:

Date: April 27, 2017
Type of Tax: Real Estate
Tax Year: April 1, 2016
Amount Abated: \$1,232.07
Taxpayer: Tracy Ramsey
53 Beatrice Circle
Belmont, MA 02478
Location: 207 Kings Highway Unit 1
MBL: 34-1-20A
Reason: Adjustments to Building & Land Value

You are hereby discharged from any further obligation to collect the abated amount.

Date: April 27, 2017

Stuart Barwise

Patrick A. Briggs

Allen A. Daggett

Edward W. Hutchins

Sheila Matthews-Bull

Board of Assessors/Selectmen

Rec'd 1/27/17

KENNEBUNKPORT ASSESSOR'S OFFICE
APPLICATION FOR ABATEMENT OF PROPERTY TAXES
(Pursuant to Title 36 M.R.S.A. § 841)

1. NAME OF APPLICANT: Tracy Ramsey
2. ADDRESS OF APPLICANT: 53 Beatrice Circle Belmont MA 02478
3. TELEPHONE NUMBER: 617-817-26
4. STREET ADDRESS OF PROPERTY: _____
5. MAP/BLOCK/LOT: 034-001-020A
6. ASSESSED VALUATION:
- | | | |
|-----|-----------|--------------|
| (a) | LAND: | \$ 1,389,100 |
| (b) | BUILDING: | \$ 144,200 |
| (c) | TOTAL: | \$ 1,533,300 |
7. OWNER'S OPINION OF CURRENT VALUE:
- | | | |
|-----|-----------|------------|
| (a) | LAND: | \$ 800,000 |
| (b) | BUILDING: | \$ 179,000 |
| (c) | TOTAL: | \$ 979,000 |
8. ABATEMENT REQUESTED (VALUATION AMOUNT): 979,000
9. TAX YEAR FOR WHICH ABATEMENT REQUESTED: 2016
10. AMOUNT OF ANY ABATEMENT(S) PREVIOUSLY GRANTED BY THE ASSESSOR FOR THE ASSESSMENT IN QUESTION: NO

11. REASONS FOR REQUESTING ABATEMENT. PLEASE BE SPECIFIC, STATING GROUNDS FOR BELIEF THAT PROPERTY IS "OVER-VALUED" FOR ASSESSMENT PURPOSES. ATTACH EXTRA SHEETS IF NECESSARY. Please submit any documentation available to support your claim.

Please See Attached

The above statements are correct to the best of my knowledge and belief.

1/26/17
Date

Tracy Ramsey
Signature of Applicant

THIS APPLICATION MUST BE SIGNED

A separate application form should be filed for each separately assessed parcel of real estate believed to be "over-valued."



TOWN OF KENNEBUNKPORT
P.O. BOX 588
Kennebunkport, Maine 04046
(207) 967-4243

**THIS IS THE ONLY BILL
 YOU WILL RECEIVE**

486663 088 01 002413 001
RAMSEY TRACY A
53 BEATRICE CIRCLE
BELMONT MA 02478

#137
 8/31/16

MAP/LOT: 034-001-020A
 LOCATION: 207 KINGS HIGHWAY 1
 ACREAGE: 0.00
 ACCOUNT: 027287 RE

MIL RATE: 8.28
 BOOK/PAGE: B17091P567

2017 REAL ESTATE TAX BILL

CURRENT BILLING INFORMATION	
LAND VALUE	\$1,389,100.00
BUILDING VALUE	\$144,200.00
TOTAL LAND & BLDG	\$1,533,300.00
FURNITURE & FIXTURES	\$0.00
MACHINERY & EQUIPMENT	\$0.00
TELECOMMUNICATIONS	\$0.00
MISCELLANEOUS	\$0.00
TOTAL PER. PROP.	\$0.00
HOMESTEAD EXEMPTION	\$0.00
OTHER EXEMPTION	\$0.00
NET ASSESSMENT	\$1,533,300.00
TOTAL TAX	\$12,695.72
LESS PAID TO DATE	\$0.00
TOTAL DUE ->	\$12,695.72

FIRST HALF DUE: \$6,347.86
 SECOND HALF DUE: \$6,347.86

TAXPAYER'S NOTICE

Notice is hereby given that your county, school and municipal tax is due for the fiscal year July 1, 2016 through June 30, 2017, and is payable in 2 installments on 09/12/2016 and 03/10/2017. This bill is for the current fiscal year only and does not include past due amounts.

Interest will be charged at the rate of 7% per annum on each installment outstanding as of 09/13/2016 and 03/11/2017.

per state statute, the ownership and taxable valuation of all real and personal property subject to taxation shall be fixed as of April 1st each year. For this tax bill, that date is April 1, 2016. If you have sold your real estate since April 1, 2016, please forward this bill to the new property owners.

If your taxes are paid by your mortgage holder, please forward them a copy of this bill.

After eight months and no later than one year from the date of commitment, which was July 28, 2016, a lien will be placed on all property for which taxes remain unpaid.

INFORMATION

State Statute requires that municipalities inform taxpayers that State Aid for the fiscal year July 1, 2016 through June 30, 2017, has reduced local property taxes by 0.54%.

As of July 28, 2016, the Town of Kennebunkport has outstanding bonded indebtedness in the amount of \$306,666.

For information regarding charges and valuation please contact the Assessor's Office at (207) 967-1603.

For information regarding payments, interest or past due amounts, please contact the Tax Collector's Office at (207) 967-1601 or (207) 967-1811.

The Town Office hours are Monday - Friday 8:00 AM - 4:30 PM.

Payments can be made online with a credit card, pinless debit card or electronic check. A convenience fee is charged for this service.

If you would like to be mailed a receipt, please enclose a self-addressed stamped envelope with your payment.

CURRENT BILLING DISTRIBUTION

COUNTY	\$933.14	7.350%
MUNICIPAL	\$4,504.44	35.480%
SCHOOL	\$7,258.14	57.170%
TOTAL	\$12,695.72	100.000%

Based on \$8.28 per \$1,000.00

REMITTANCE INSTRUCTIONS

Please make check or money order payable to
TOWN OF KENNEBUNKPORT and mail to:

TOWN OF KENNEBUNKPORT
P.O. BOX 588
Kennebunkport, Maine 04046

TOWN OF KENNEBUNKPORT, P.O. BOX 588, KENNEBUNKPORT, ME 04046

ACCOUNT: 027287 RE
 NAME: RAMSEY TRACY A
 MAP/LOT: 034-001-020A
 LOCATION: 207 KINGS HIGHWAY 1
 ACREAGE: 0.00
 INTEREST BEGINS ON 03/11/2017

PLEASE REMIT THIS PORTION WITH YOUR SECOND PAYMENT

TOWN OF KENNEBUNKPORT, P.O. BOX 588, KENNEBUNKPORT, ME 04046

ACCOUNT: 027287 RE
 NAME: RAMSEY TRACY A
 MAP/LOT: 034-001-020A
 LOCATION: 207 KINGS HIGHWAY 1
 ACREAGE: 0.00
 INTEREST BEGINS ON 03/11/2017

pd. 8/31/16
 #137

Fiscal year 2017

03/10/2017 \$6,347.86

Fiscal year 2017

09/12/2016 \$6,347.86

Tracy S. Ramsey
53 Beatrice Circle
Belmont, MA 02478
617-817-2649

Rec'd
1/27/17

January 26, 2017

Town of Kennebunkport
Assessor's Office
Attn: Becky Nolette, CMA
6 Elm Street
P.O. Box 566
Kennebunkport, Maine 04046

Re: 207 King's Highway #1 Kennebunkport, Maine

Dear Assessor's Office,

I wish to appeal my property valuation at 207 Kings Highway #1 Kennebunkport, Maine. The property was previously held by Goose Rocks Beach Holdings, LLC. The property originally consisted of two (2) cottages each having 1,332 square feet of living space. The lot, per a previous tax bill, is 0.4 acres or 17,424 square feet. On September 2, 2015 the property was transferred out of the Goose Rocks Beach Holdings, LLC and turned into two (2) separate condominium units. I, Tracy A. Ramsey, now own Unit #1. My sister, Rachel Aslett, now owns Unit #2.

The property's real estate tax bill in 2014 (pre-condominium) was based on a total valuation of \$1,832,300 (\$1,487,700 land, \$344,600 building). The property tax in 2014 was \$13,757.22 annually. Post condominium conversion (9-2-2015) I received a bill in 2016 for Unit #1 based upon a total valuation of \$1,533,300 (\$1,389,100 land, \$144,200 building). My total property tax is now \$12,695.72 annually. My sister received an identical tax bill and valuation. Our collective tax bill at 207 King's Highway is now \$25,371.44 annually. The Town of Kennebunkport now values the combined condominiums at \$3,066,600 (\$2,778,200 land, \$288,400 building). The property valuation, post transfer into condominiums, increased 67%. The land valuation, post transfer into condominiums, increased 87%.

I am not questioning the town increasing our overall valuation as the property is now two separate condominiums versus one single property with two cottages. I am strongly questioning the exorbitant increase in land value and my accompanying property tax. I put together seven ocean front properties that have sold in the relatively recent past. I have spoken with multiple brokers who also could not explain my huge increase. Here are the properties I present on behalf of my appeal for property valuation:

Address	Land square footage	Building square footage	2016 land valuation	2016 building valuation	Total valuation
9 Sand Point	47,916	2,090	\$1,609,800	0	\$1,609,800
187 King's Highway	18,730	3,169	\$1,497,900	\$308,000	\$1,805,900
105 King's Highway	20,908	1,709	\$1,516,800	\$147,900	\$1,664,700
287 King's Highway	29,620	3,842	\$2,333,800	\$744,000	\$3,077,800
127 King's Highway	19,602	624	\$1,519,300	\$53,200	\$1,572,500
203 King's Highway	23,086	1,224	\$1,918,400	\$385,000	\$2,303,400
195 King's Highway**	18,730	2,151	\$1,853,300	\$353,000	\$2,206,300
Average of 7 properties	25,513	2,115	\$1,749,900	\$284,442	\$2,034,342

** Two completely renovated cottages

Address	Land square footage	Building square footage	2016 land valuation	2016 building valuation	Total valuation
Unit #1	8,712	1,332	\$1,389,100	\$144,200	\$1,533,300
Unit #1 & #2	17,424	2,662	\$2,778,200	\$288,200	\$3,066,600

Note: 9 Sand Point Road, 187 and 287 King's Highway are three of the most unique lots, at Goose Rocks Beach, on the water. They have gracious ocean frontage, unlike 207 King's Highway #1. But even including these spectacular properties, the average per square foot tax evaluation is **\$68.58 per square foot of land**. The average per square foot tax evaluation is \$134.48 per square foot of building space.

If you take 207 King's Highway #1 and assign half the lot (two units) we have 8,712 square feet of land and 1,332 square feet of living space. Assigning the above average figures of the seven ocean front properties my tax valuation should be \$599,821 for land and \$179,127 for building or \$778,948 total. If you combine Unit #1 and #2, then the combined tax valuation (again using the above averages) should be \$1,199,642 for the land and \$357,985 for the building or \$1,557,627 total.

Instead, I have been billed at **\$159.44 per square foot of land** valuation (with far less ocean frontage than the average of the above lots). That is 132% more than the average per square foot. I have been billed \$108.25 per square foot of building valuation. To assign a total valuation of \$2,778,200 for a 17,424 square foot lot would equate to 9 Sand Point land having a valuation of \$7,639,727 and 287 King's Highway land having a land valuation of \$4,722,612 and so on and so on.

All I ask is that the Town of Kennebunkport be fair. I feel a total valuation of \$979,000 (\$800,000 land and \$179,000 building) for Unit #1 is equitable for all parties. At these valuations condominium #1 and

#2 will have a total valuation of \$1,958,000 which will place them above four of the referenced properties which all have larger lots. That will still place Unit #1 at \$91.82 per square foot in land (higher than average) and \$134.38 per square foot in building value (average). But I feel that is fair given the property is now condominiums. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracy S. Ramsey". The signature is fluid and cursive, with the first name "Tracy" being more prominent and the last name "Ramsey" following in a similar style. The signature is written over the printed name.

Tracy S. Ramsey

Becky Nolette

From: David Ramsey <david.ramsey@wtphelan.com>
Sent: Thursday, March 09, 2017 3:56 PM
To: Becky Nolette
Cc: Tracy Ramsey; David Ramsey
Subject: 207 King's Highway #1
Attachments: Appraisal.pdf
Importance: High

Becky,

I had an appraisal completed on November 10, 2016 on 207 #1 King's Highway condominium (attached). The appraisal is based upon comparative condominiums returned with a valuation of \$1,264,000. My wife is being assessed \$1,533,300 by the Town of Kennebunkport. I previously sent detailed information pleading our case. I received a letter in return stating Tracy had been denied. You sent me single family homes as "comps". Single family properties, in my opinion are worth more. They do not share land, property, common space, etc. Were we to sell, we could not expect to receive as much as a single family.

I have repeatedly stated that the property, as two condominiums, is worth more than one property with two structures. However, a 67% increase in property valuation along with an 87% increase in land valuation is patently unfair. All we asked for was "fairness" but we did not receive it. I offered to meet but was refused. I called to discuss my case with Donna Moore Hays who made the decision but was informed she was out on leave sick. Why isn't there someone else who can hear my case and make a judgment when someone is out sick on leave? Again, we are penalized. I was declined my ability to discuss, which was stated within the declination letter received, with the Kennebunkport's decision maker. Again, that is clearly unfair.

I ask that the Assessor's Office reduce our property valuation to that of the November 2016 appraisal- \$1,264,000. That would still place the combined properties at \$2,528,000 or 38% higher than the previous assessment of \$1,832,300 prior to becoming condominiums. I think that is "fair" for the Town of Kennebunkport and "fair" for the Ramsey's. I will await your reply. Thank you for your consideration regarding this matter.

Sincerely,

David

David L. Ramsey

617-876-0876 ext. 7257
WTPhelan.com



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

April 4, 2017

David & Tracey Ramsey
53 Beatrice Circle
Belmont, MA 02478

Dear Mr. & Mrs. Ramsey,

This letter is to follow up to your request for an abatement on your property identified as Map 34 Block 1 Lot 20A, dated January 27, 2017.

In February, we sent you a letter saying that we would be recommending your abatement application be denied at the March 9, 2017 Board of Assessors/Selectmen meeting. After reaching out to see if you had any questions prior to the meeting, you informed us that an appraisal was done on the property in November, 2016. At that time, we requested an extension to April 7th, 2017 to allow us time to review the newly presented information, and removed the abatement denial from the meeting's agenda.

Since that time, we have reviewed the appraisal, and it is unfortunate the comparables used in the appraisal were not located in Kennebunkport nor were condo units used free standing units, similar to yours, rather than units within a complex. We did find some discrepancies in the construction details of the unit; we removed the custom wood paneling, added an outdoor shower unit and central air. We also made an adjustment to the land value to reflect the unique situation surrounding your parcel, as it was previously 1 parcel of land with 2 buildings on it, and is now a condo unit, with common shared area.

After the above adjustments are made, the parcel value is reduced by \$147,100, resulting in an abatement of \$1,217.99 in taxes. Your adjusted assessed value is \$1,386,200.

It will be our recommendation to the Board of Selectmen/Assessors at their April 13, 2017 meeting that this abatement be granted.

If you have any questions, please contact the office at 967-1603.

Sincerely,

Donna Moore Hays, CMA
Assessors Agent

Becky R. Nolette, CMA
Assessing & Development Assistant



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

To: Board of Selectmen/Assessors

From: Becky R. Nolette, CMA, Assessing & Development Assistant
Donna Moore Hays, CMA, Assessors Agent

Date: March 31, 2017

Re: Abatement – Babak Ghayour

We received an abatement request submitted by Babak and Anne Ghayour, on January 26, 2017. Mr. & Mrs. Ghayour own a parcel of land on Henchey Way and requested a reduction in the land value due to a comparison of value they made to an abutting parcel. The abutting parcel has documentation on file to support a greater reduction in land value because of several topographical issues. The Ghayour parcel is currently receiving a reduction to the land value, just not to the extent of the abutting parcel, because of the lack of documentation.

In a letter dated February 15, 2017, Donna and I requested documentation from Mr. & Mrs. Ghayour to support their claim that a further reduction in the land value is warranted due to topographical issues. As of March 30, 2017, no documentation has been received.

For your information, we have enclosed Mr. & Mrs. Ghayour's application, along with copies of the February 15, 2017 letter and our follow up letter of March 31, 2017.

Due to the failure of Mr. & Mrs. Ghayour to provide the requested documentation, we are recommending the abatement request be denied at your April 13, 2017 meeting.

**Town of Kennebunkport
Certificate of Abatement**

36 M.R.S.A. § 841

2016

We, the undersigned Assessors/Municipal Officers of the municipality of Kennebunkport, Maine hereby certify to Laurie A. Smith, Tax Collector that an abatement of property taxes has been denied as follows:

Date: April 27, 2017

Type of Tax: Real Estate

Tax Year: April 1, 2016

Amount Abated: Denied

Taxpayer: Babak & Anne Ghayour
25 Fairbanks Rd.
Lexington, MA 02421

Location: Henchey Way

MBL: 41/2/8

Date: April 27, 2017

Stuart Barwise

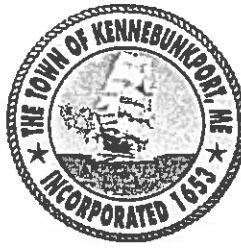
Patrick A. Briggs

Allen A. Daggett

Edward W. Hutchins

Sheila Matthews-Bull

Board of Assessors/Selectmen



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

March 31, 2017

Babak & Anne Ghayour
25 Fairbanks Rd.
Lexington, MA 02421

Dear Mr. & Mrs. Ghayour,

We are writing to follow up on your abatement request for your property identified as Map 41, Block 2, and Lot 8.

On February 15, 2017, we sent you a letter requesting that you provide us with more information on your property, that would warrant a further reduction in the land value, per your abatement request. Currently, your parcel is receiving a reduction to the excess acreage because of topographical issues. We also explained the parcel in which you were using as a comparable, has documentation on file to support a further reduction of the excess acreage due to several topographical issues. To date, we have not received any such documentation from you that would support a further reduction to the land value.

We have enclosed a copy of your property record card, showing the current reduction to the excess acreage.

Due to your failure to provide us with the documentation we requested, it will be our recommendation to the Board of Selectmen/Assessors at their April 13, 2017 meeting that this abatement be denied.

If you have any questions, please contact the office at 967-1603.

Sincerely,

Donna Moore Hays, CMA
Assessors Agent

Becky R. Nolette, CMA
Assessing & Development Assistant

[illegible]



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

February 15, 2017

Babak & Anne Ghayour
25 Fairbanks Rd.
Lexington, MA 02421

Re: Abatement Application/More information needed

Dear Mr. & Mrs. Ghayour,

This is in response to your request for abatement on your property identified as Map 41, Block 2, and Lot 8. We have reviewed your property file and that of 10 Ocean View Avenue.

After reviewing the abutting parcel, 10 Ocean View Avenue, we have documentation, on file, supporting an adjustment in the excess acreage land assessment due to topographical issues on this parcel.

Currently, we do not have any information on file that would support a reduction on your parcel based on topographical issues. We would ask if you could provide any documentation that would support a reduction to the land assessment, based on topo issues, we would be more than happy to review the information provided.

If you have any questions, please contact the office at 967-1603.

Sincerely,

Donna Moore Hays, CMA
Assessors Agent

Becky R. Nolette, CMA
Assessing & Development Assistant

Rec'd

1-26-2017

KENNEBUNKPORT ASSESSOR'S OFFICE
APPLICATION FOR ABATEMENT OF PROPERTY TAXES
(Pursuant to Title 36 M.R.S.A. § 841)

1. NAME OF APPLICANT: Babak & Anne Ghayour
2. ADDRESS OF APPLICANT: 25 Fairbanks rd Lexington ma 02421
3. TELEPHONE NUMBER: 781 862 6363
4. STREET ADDRESS OF PROPERTY: 6 Henchey way Kennebunkport ME 04046
5. MAP/BLOCK/LOT: 041-002-008
6. ASSESSED VALUATION:

(a)	LAND:	\$ <u>784,700</u>
(b)	BUILDING:	\$ <u>—</u>
(c)	TOTAL:	\$ <u>784,700</u>
7. OWNER'S OPINION OF CURRENT VALUE:

(a)	LAND:	\$ <u>550,700</u>
(b)	BUILDING:	\$ <u>—</u>
(c)	TOTAL:	\$ <u>550,700</u>
8. ABATEMENT REQUESTED (VALUATION AMOUNT): \$234,000
9. TAX YEAR FOR WHICH ABATEMENT REQUESTED: 2017
10. AMOUNT OF ANY ABATEMENT(S) PREVIOUSLY GRANTED BY THE ASSESSOR FOR THE ASSESSMENT IN QUESTION: Never Applied

11. REASONS FOR REQUESTING ABATEMENT. PLEASE BE SPECIFIC, STATING GROUNDS FOR BELIEF THAT PROPERTY IS "OVER-VALUED" FOR ASSESSMENT PURPOSES. ATTACH EXTRA SHEETS IF NECESSARY. Please submit any documentation available to support your claim.

Please see the attached sheets

I, the above signatory, certify that the above statements are correct to the best of my knowledge and belief.

Jan 26 2017

DATE

B. Ghayour

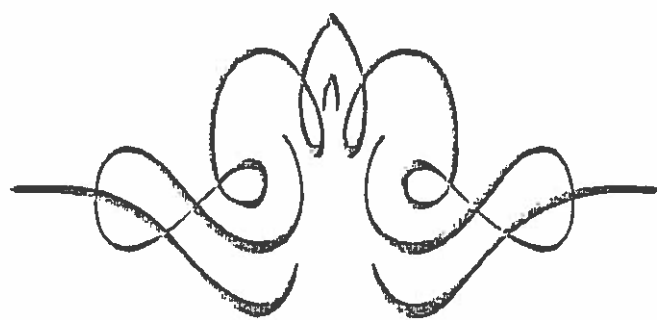
BARCODE

THIS APPLICATION MUST BE SIGNED

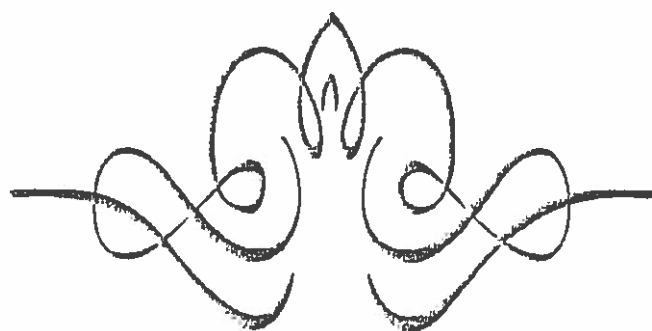
A separate application form should be filed for each separately assessed parcel of real estate believed to be "over-valued."

There was a building on this property. My wife Anne and I donated the building to the Town of Kennebunkport & Fire department which they used along with fire departments from surrounding towns to practice fire drills, before bringing it down to the ground. Since the donation of the home to the town, we are only being assessed for the land. However, comparing the town assessment of slightly larger (by 1.73 Acres) lot, our immediate next door neighbor, 10 Ocean view Avenue, a lot size of 26.51 acres, very similar lots, we feel our lot is greatly over assessed. 10 Ocean view is being assessed at \$597,100 for 26.51 acres and ours is assessed at \$784,700 for 24.78 acres.

We appreciate re-evaluation of our property and we look forward to hearing from you. Thank you in-advance for taking the time to consider this abatement.



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

To: Board of Selectmen/Assessors

From: Becky R. Nolette, CMA, Assessing & Development Assistant
Donna Moore Hays, CMA, Assessors Agent

Date: April 13, 2017

Re: Abatement – Babak Ghayour

We received an abatement request submitted by Babak and Anne Ghayour, on January 26, 2017 for their home located at 22 Skipper Joes Point Rd., Map 30 Block 6 Lot 5.

Mr. & Mrs. Ghayour requested a site visit be made, as they felt their property, in comparison with the other properties in the neighborhood, was overvalued. We requested an extension of time, so we could visit the property and render a decision. The Ghayour's are summer residents and were not returning to their home until early April.

Donna and I completed a thorough inspection of their home and garage. We made several adjustments to the property, including changing the style of the home/garage, updating several construction details, and updating the overall condition of the property to recognize structural issues with the foundation of the home. The changes result in an abatement of \$3,385.10 in taxes.

For your information, we have enclosed Mr. & Mrs. Ghayour's application, along with our response.

We are recommending the abatement request be approved at your April 27, 2017 meeting.

**Town of Kennebunkport
Certificate of Abatement**

2016-7

36 M.R.S.A. § 841

2016

We, the undersigned Assessors/Municipal Officers of the municipality of Kennebunkport, Maine hereby certify to Laurie A. Smith, Tax Collector that an abatement of property taxes has been granted as follows:

Date: April 27, 2017
Type of Tax: Real Estate
Tax Year: April 1, 2016
Amount Abated: \$3,385.70
Taxpayer: Anne & Babak Ghayour
25 Fairbanks Road
Lexington, MA 02421
Location: 22 Skipper Joes Point Road
MBL: 30-6-5
Reason: Adjustments to Building Value

You are hereby discharged from any further obligation to collect the abated amount.

Date: April 27, 2017

Stuart Barwise

Patrick A. Briggs

Allen A. Daggett

Edward W. Hutchins

Sheila Matthews-Bull

Board of Assessors/Selectmen

Rec'd 1/26/2017

KENNEBUNKPORT ASSESSOR'S OFFICE
APPLICATION FOR ABATEMENT OF PROPERTY TAXES
(Pursuant to Title 36 M.R.S.A. § 841)

1. NAME OF APPLICANT: Babak & Anne Ghayour
2. ADDRESS OF APPLICANT: 25 Fairbanks rd Lexington ma 00401
3. TELEPHONE NUMBER: (781) 862-6363
4. STREET ADDRESS OF PROPERTY: 22 Skipper Jones pt. Rd Kennebunkport
5. MAP/BLOCK/LOT: 030-006-005
6. ASSESSED VALUATION:
- | | | |
|-----|-----------|---------------------|
| (a) | LAND: | <u>\$ 1,835,000</u> |
| (b) | BUILDING: | <u>\$ 1,504,200</u> |
| (c) | TOTAL: | <u>\$ 3,339,200</u> |
7. OWNER'S OPINION OF CURRENT VALUE:
- | | | |
|-----|-----------|---------------------|
| (a) | LAND | <u>\$ 1,835,000</u> |
| (b) | BUILDING: | <u>\$ 1,104,200</u> |
| (c) | TOTAL: | <u>\$ 2,939,200</u> |
8. ABATEMENT REQUESTED (VALUATION AMOUNT): \$400,000
9. TAX YEAR FOR WHICH ABATEMENT REQUESTED: 2017 - 16
10. AMOUNT OF ANY ABATEMENT(S) PREVIOUSLY GRANTED BY THE ASSESSOR FOR THE ASSESSMENT IN QUESTION: N/A

11. REASONS FOR REQUESTING ABATEMENT. PLEASE BE SPECIFIC, STATING GROUNDS FOR BELIEF THAT PROPERTY IS "OVER-VALUED" FOR ASSESSMENT PURPOSES. ATTACH EXTRA SHEETS IF NECESSARY. Please submit any documentation available to support your claim.

Please see the attached sheet

The above statements are correct to the best of my knowledge and belief.

Jan. 26, 2017
Date

B. Ghayour
Signature of Applicant

THIS APPLICATION MUST BE SIGNED

A separate application form should be filed for each separately assessed parcel of real estate believed to be "over-valued."

The land assessment of our property seems to be in line with the other properties on the street.

The building assessment, on the other hand is greatly overvalued. In a fair market it should be at least \$400,000 less. Our building is on a cracked foundation with patch-up design and is assessed at \$1,504,200, compared to # 18 Skipper Joes assessed at \$1,425,700, a brand new state of the art design with most sophisticated utilities, features and appliances, and # 41 Skipper Joes which is assessed at \$1,193,700 with much better design and features.

Furthermore, what is most disturbing to us is the assessed value outweighs the sum of what we paid for it plus our additional cost we added to it. We appreciate re-evaluation of our property and we look forward to hearing from you. Thank you in advance for taking the time to consider this abatement.



Need to schedule
a site visit upon
Donnas return

TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

February 16, 2017

Babak & Anne Ghayour
25 Fairbanks Road
Lexington, MA 02421

Re: Abatement Application

Dear Mr. & Mrs. Ghayour,

We are in receipt of your abatement application for your property at 22 Skipper Joes Point Rd, further identified as Map 30 Block 6 Lot 5. By state law, the Assessor must act upon an abatement request within 60 days of receiving the application. Donna Hays is the Assessors Agent for the town, as the agent Donna does not have regularly scheduled office hours. Currently, Donna is out on medical leave until the 2nd week of March, which would bring us close to the 60-day deadline of March 27th, 2017.

When we spoke on the phone, we discussed scheduling a site visit and interior inspection of the home, before a decision is rendered. Due to the uncertainty of Donnas return, she requested a 30 day extension, bringing us to April 27th, 2017. Once we have a better idea of what her schedule is, we will contact you to set up the appointment for the site visit.

If you are agreeable to such an extension, please respond, in writing, via an email to Becky Nolette, Assistant to the Assessors at bnolette@kennebunkportme.gov, or by fax at 207-967-8470, Attn: Becky Nolette.

Thank you for your understanding in this matter, should I be of further assistance please feel free to contact me at 207-967-1603.

Sincerely,

Becky Nolette, CMA
Assistant to the Assessors

(781) 862-6363



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

April 13, 2017

Anne & Babak Ghayour
25 Fairbanks Road
Lexington, MA 02421

Dear Mr. & Mrs. Ghayour,

This is in response to your request for abatement on your property identified as Map 30 Block 6 Lot 5, 22 Skipper Joes Point Rd. We would first like to thank you for taking the time and allowing us to do an interior inspection of your property, especially since the day was not a good one for you and your family. We appreciated your graciousness along with your willingness to show us all aspects of the house, good and bad.

After reviewing the information, we made several adjustments to the construction details of your home and garage including; changing the style of the property, updating bedroom/bathroom counts, updating heating/cooling system, adding the master bedroom deck and changing the overall condition of the property to recognize the structural issues with the foundation.

After the adjustments to the property, your value is reduced to \$2,930,300, which will be an abatement of \$3,385.70 in taxes.

It will be our recommendation to the Board of Selectmen/Assessors that this abatement be granted at their April 27th, 2017 meeting.

If you have any questions, please feel free to contact me at the office, at 207-967-1603.

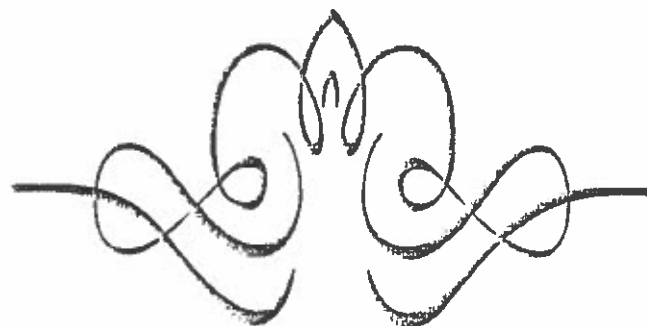
Sincerely,

Becky Nolette, CMA
Assessing & Development Assistant

Donna Moore Hays, CMA
Assessors Agent



Agenda Item Divider



PROPERTY INFORMATION

(17)

Name of Homeowner: Sandollar Associates Date: 4-10-17
Address: 19 Ocean Ave Kipat Me. 04046
Telephone: 1-203-856-1767 Map, Block, Lot: 11-1-11B
Street to be excavated: Ocean Ave
Size of excavation (length and width): 40' x 8'
Reason for excavation: Connect to Town Sewer
Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: May 2017
Name of Contractor: M. WELCH + Sons Inc
Address: 52 WELCH LANE ARUNDEL ME 04046
Telephone: 985-7605 467-1034 cell Fax: 985-7792

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☐ Check ☐ Money Order ☒ Surety Bond ☐ Other
Bond Amount: \$2000.-
Company that issued the bond (if applicable): Chalmers Insurance Group
Person or entity providing the bond to the Town (contractor, property owner, other): M. WELCH + Sons, Inc
Insurance Company: Hanover Group
Signature of person completing the application: Mark J. Welch Date: _____

APPROVED

Highway Superintendent: MWNL
Selectmen: _____
Selectmen: _____
Selectmen: _____
Date Approved: _____

Selectmen: _____
Selectmen: _____
Selectmen: _____

Application Fee: \$25.00
Date Paid: 4-10-17
Amount Paid: 25.00
☐ Cash ☒ Check ☐ Money Order
CH# 4019

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



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

LICENSE OR PERMIT TERM BOND

Bond No. BLPD066286

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

of 24 WELCH LANE ARUNDEL, ME 04046

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

Town of Kennebunkport, Maine, as Oblige, in

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

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

Street Opening

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

LIABILITY UNDER THIS BOND SHALL terminate as of the 12th day of October, 2018 as to any acts subsequent thereto, unless said bond is continued in force from year to year by the issuance of a continuation certificate issued by the Surety. The aggregate liability of the Surety shall in no event exceed the amount of this bond regardless of the number of claims against the bond or the number of years the bond remains in force.

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

Signed, sealed and dated the 12th day of October, 2016

M WELCH & SONS INC.

Principal

By: _____

☒ THE HANOVER INSURANCE COMPANY

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

☐ MASSACHUSETTS BAY INSURANCE COMPANY

By: _____ Attorney-in-Fact



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

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

Pamela J. Fuller

of Chalmers Insurance Group, York, ME

and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, knowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

Street Opening

in the amount of: \$2,000.00

WHEREAS, the Board of Directors of the Company duly adopted a resolution on March 24, 2014 authorizing and empowering certain officers of the Company to appoint attorneys-in-fact of the Company to execute on the Company's behalf certain surety obligations and other writings and obligations related thereto (the "Original Surety Resolution");

WHEREAS, the Company's Board of Directors wishes to affirm the continued authority of all of the attorneys-in-fact that were issued pursuant to the Original Surety Resolution prior to the date hereof and that remain issued and outstanding; and

WHEREAS, the Company's Board of Directors wishes to restate the Original Resolution and adopt certain related resolutions.

NOW THEREFORE, be it hereby:

RESOLVED: That the authority of all attorneys-in-fact of the Company validly issued pursuant to the Original Surety Resolution prior to the date hereof and that remain issued and outstanding as of the date hereof are hereby ratified, confirmed and approved in all respects.

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

RESOLVED: That all such surety Attorneys-in-facts issued by the Company from and including the date hereof shall be authorized pursuant to the foregoing resolution (the "Surety Resolution").

RESOLVED: That the President or any Vice President of the Company, in conjunction with any Vice President, be and hereby are authorized and empowered to establish, and from time to time review and amend, written security measures, protocols and safeguards for all Attorneys-in-fact issued by the Company pursuant to the Surety Resolution, including without limitation, security features on the actual certificates issued by the Company and evidencing such Attorneys-in-fact.

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 27th day of April, 2015.



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

Robert Thomas
Robert Thomas, Vice President

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

J. Michael Peto
J. Michael Peto, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 27th day of April 2015 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



Diane J. Marino
Diane J. Marino, Notary Public
My Commission Expires March 4, 2022

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

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 12th day of October 2016.

CERTIFIED COPY

Theodore G. Martinez
Theodore G. Martinez, Vice President

M. Welch and Sons Inc.
24 Welch Lane
Arundel, ME 04046
207-985-7605

4019

52-74602112

DATE 4/10/17

\$ 25.00

DOLLARS

25
100

Security
Features
See Back

BY THE ORDER OF Town of Kennebunkport

Twenty-five and no

KENNEBUNK SAVINGS BANK
BERWICK, ME 03901

Mark J. Welch

FOR Street opening Permit 19 ocean Ave

⑈004019⑈ ⑆211274502⑆ 66 008658⑈



Agenda Item Divider



(18)
TOWN OF KENNEBUNKPORT
Street Opening Permit

PROPERTY INFORMATION

Name of Homeowner: ITJ Development Date: 4-10-17
Address: 2 Livewell Drive Suite 201
Telephone: _____ Map, Block, Lot: _____
Street to be excavated: Dyke Rd.
Size of excavation (length and width): ± 1900' x 4'
Reason for excavation: new water main extension

Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

NO INTRUSION ANTICIPATED - SHAWN LABBE / MIKE CLAUS TO VIDEO ROAD
CONDITIONS PRIOR TO START OF WORK.

CONTRACTOR INFORMATION

Date of excavation: 4-17-17 - 4-28-17
Name of Contractor: Labbe Excavating Inc.
Address: P.O. Box 1111 Biddeford ME. 04005
Telephone: 282-1426 Fax: 282-4448

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☐ Check ☐ Money Order ☒ Surety Bond ☐ Other

Bond Amount: _____

Company that issued the bond (if applicable): Liberty Mutual Surety

Person or entity providing the bond to the Town (contractor, property owner, other): _____

Insurance Company: _____

Signature of person completing the application: Shawn Labbe Date: 4-10-17

APPROVED

Highway Superintendent: Mill WA

Selectmen: _____

Selectmen: _____

Date Approved: _____

Selectmen: _____

Selectmen: _____

Selectmen: _____

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

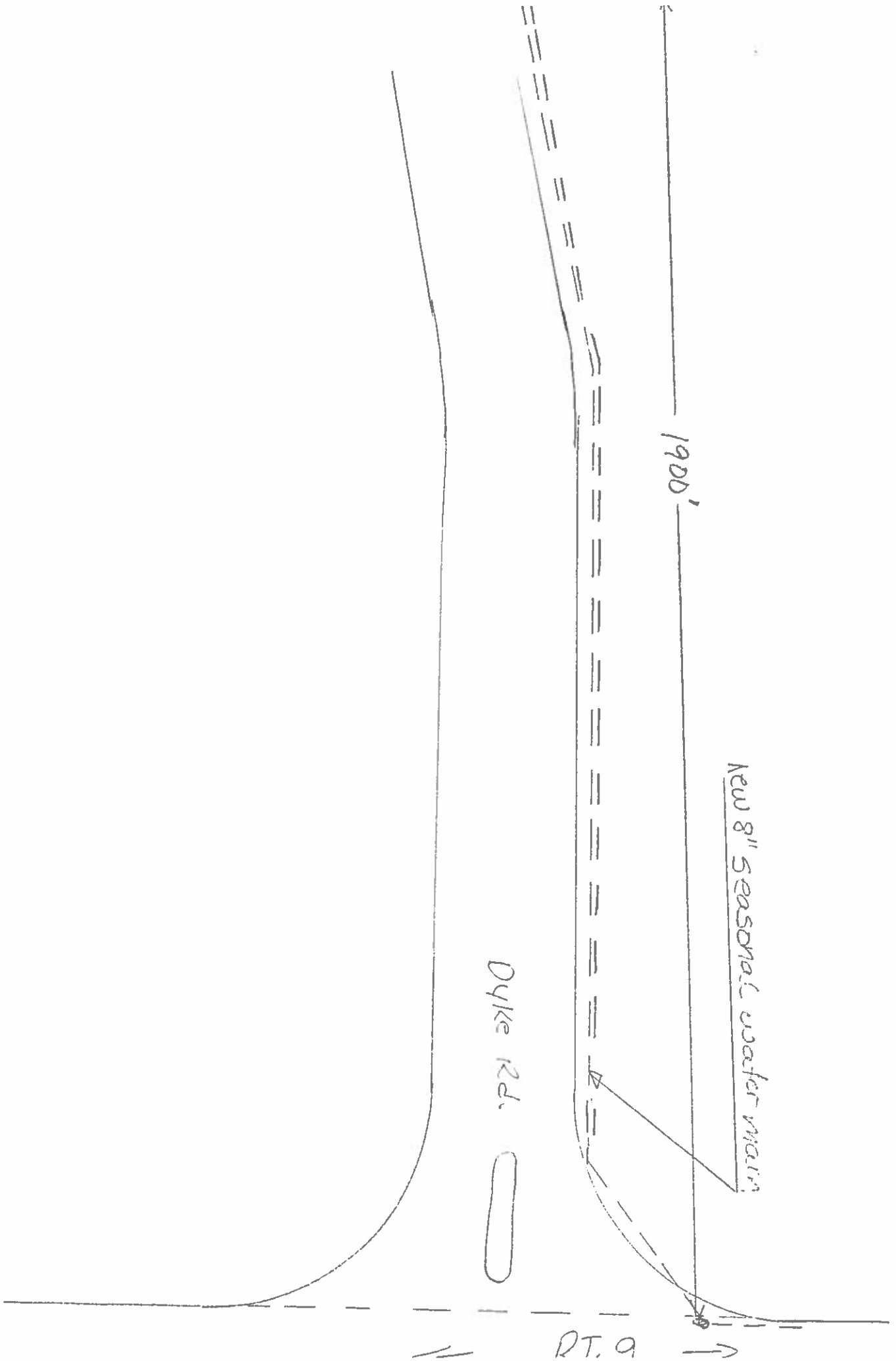
Application Fee: \$25.00

Date Paid: 4-16-17

Amount Paid: 25.00

☐ Cash ☒ Check ☐ Money Order

CN# 1002





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/9/2017

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

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

PRODUCER P&C Insurance 260 Main St. P.O. Box 356 Biddeford ME 04005	CONTACT NAME: Teresa Kowalski PHONE (A/C, No, Ext): (207) 283-1486 E-MAIL ADDRESS: tkowalski@insurancepc.com FAX (A/C, No): (207) 283-4258														
INSURED Labbe Excavating, Inc. PO Box 1111 Biddeford ME 04005	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A: Ohio Security Insurance Company</td><td>24082</td></tr><tr><td>INSURER B: American Fire & Casualty</td><td>24066</td></tr><tr><td>INSURER C: The Ohio Casualty Insurance Company</td><td>24074</td></tr><tr><td>INSURER D: Maine Employers Mutual Ins Co</td><td>11149</td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Ohio Security Insurance Company	24082	INSURER B: American Fire & Casualty	24066	INSURER C: The Ohio Casualty Insurance Company	24074	INSURER D: Maine Employers Mutual Ins Co	11149	INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER: 2016-2017 All Lines

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS														
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		BKS55388042	12/21/2016	12/21/2017	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$ 1,000,000</td></tr><tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td>\$ 300,000</td></tr><tr><td>MED EXP (Any one person)</td><td>\$ 15,000</td></tr><tr><td>PERSONAL & ADV INJURY</td><td>\$ 1,000,000</td></tr><tr><td>GENERAL AGGREGATE</td><td>\$ 2,000,000</td></tr><tr><td>PRODUCTS - COMP/OP AGG</td><td>\$ 2,000,000</td></tr><tr><td></td><td>\$</td></tr></table>	EACH OCCURRENCE	\$ 1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000	MED EXP (Any one person)	\$ 15,000	PERSONAL & ADV INJURY	\$ 1,000,000	GENERAL AGGREGATE	\$ 2,000,000	PRODUCTS - COMP/OP AGG	\$ 2,000,000		\$
EACH OCCURRENCE	\$ 1,000,000																			
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GENERAL AGGREGATE	\$ 2,000,000																			
PRODUCTS - COMP/OP AGG	\$ 2,000,000																			
	\$																			
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		BAA55388042	12/21/2016	12/21/2017	<table border="1"><tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td>\$ 1,000,000</td></tr><tr><td>BODILY INJURY (Per person)</td><td>\$</td></tr><tr><td>BODILY INJURY (Per accident)</td><td>\$</td></tr><tr><td>PROPERTY DAMAGE (Per accident)</td><td>\$</td></tr><tr><td>Medical payments</td><td>\$ 2,000</td></tr></table>	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000	BODILY INJURY (Per person)	\$	BODILY INJURY (Per accident)	\$	PROPERTY DAMAGE (Per accident)	\$	Medical payments	\$ 2,000				
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PROPERTY DAMAGE (Per accident)	\$																			
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C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTIONS 10,000		USO55388042	12/21/2016	12/21/2017	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$ 5,000,000</td></tr><tr><td>AGGREGATE</td><td>\$ 5,000,000</td></tr><tr><td></td><td>\$</td></tr></table>	EACH OCCURRENCE	\$ 5,000,000	AGGREGATE	\$ 5,000,000		\$								
EACH OCCURRENCE	\$ 5,000,000																			
AGGREGATE	\$ 5,000,000																			
	\$																			
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	1810066947	12/31/2016	12/31/2017	<table border="1"><thead><tr><th></th><th>PER STATUTE</th><th>OTH-ER</th></tr></thead><tbody><tr><td>E L EACH ACCIDENT</td><td>\$ 500,000</td><td></td></tr><tr><td>E L DISEASE - EA EMPLOYEE</td><td>\$ 500,000</td><td></td></tr><tr><td>E L DISEASE - POLICY LIMIT</td><td>\$ 500,000</td><td></td></tr></tbody></table>		PER STATUTE	OTH-ER	E L EACH ACCIDENT	\$ 500,000		E L DISEASE - EA EMPLOYEE	\$ 500,000		E L DISEASE - POLICY LIMIT	\$ 500,000			
	PER STATUTE	OTH-ER																		
E L EACH ACCIDENT	\$ 500,000																			
E L DISEASE - EA EMPLOYEE	\$ 500,000																			
E L DISEASE - POLICY LIMIT	\$ 500,000																			

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

CERTIFICATE HOLDER**CANCELLATION**

Town of Kennebunkport
6 Elm St.
Kennebunkport, ME 04046

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

AUTHORIZED REPRESENTATIVE

Doug Willett/CRIQUX

© 1988-2014 ACORD CORPORATION. All rights reserved.

Customer: Labbe Excavating, Inc.

Invoice	Effective	Transaction	Description
625155	01/09/2017	Renew policy	Policy #94A001338 01/09/2017-01/09/2018 Liberty Mutual Surety Surety - Renew policy <i>Trans 01 1: post</i>

TOWN OF KENNEBUNKPORT

POLICY ON TREASURER'S DISBURSEMENT WARRANTS FOR EMPLOYEE WAGES AND BENEFITS

Purpose. This policy allows designated municipal officers (selectmen or councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer's disbursement warrants, for wages and benefits only.

Policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer's warrant, including warrants for wages and benefits.

Delegation of authority. Pursuant to 30-A, M.R.S.A., Section 5603(2)(A)(1), the following authority is granted with respect to treasurer's disbursement warrants for municipal employee wages and benefits only:

☒ Current municipal officers. The municipal officers in office at the time of execution of this policy are: Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Edward W. Hutchins, and Sheila Matthews-Bull.

☒ Any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

☐ Either _____ or _____, acting alone, may review, approve, and sign such warrants.

☐ Only _____, acting alone, may review, approve, and sign such warrants.

Effective date. This policy becomes effective on the date indicated below.

Copies. The Chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer. If the clerk and the treasurer are the same person, a copy shall nonetheless be provided to that person in each capacity.

Lapse. This policy lapses one year after its effective date, if not sooner amended or canceled.

Renewal. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

Reminder. If the municipal treasurer is an appointed official, the treasurer shall remind the municipal officers to consider renewing this policy annually before it lapses. If the municipal treasurer is an elected official, the treasurer is requested to provide such an annual reminder.

Original. The Chair of the municipal officers will maintain the original of this policy on file unless the municipal clerk is an appointed official, in which case the clerk shall maintain it on file, if requested to do so by the Chair.

Dated: April 13, 2017

Municipal Officers:

Stuart E. Barwise

Patrick A. Briggs

Allen A. Daggett

Edward W. Hutchins

Sheila Mathews-Bull

INSTRUCTIONS FOR USE OF FORM FOR POLICY REGARDING DISBURSEMENT WARRANTS FOR WAGES AND BENEFITS

To keep this policy in effect, state law requires that it be renewed annually. It is therefore recommended that it be made an item of business for the first, or organizational, meeting of the municipal officers held after annual elections. Therefore, before using this form or the original of a local revision of it, make copies for use for these annual renewals.

If your municipality has a board of five or seven municipal officers, revise the "checkmark" boxes on this form as you like to reflect that fact; you will also need to add blank lines to name all of the municipal officers in the paragraph captioned "Current municipal officers," and you will need to add signature lines at the foot of the form.

Among the boxes on the form that are designed for a "checkmark," select and check the appropriate box for the kind of authority being delegated, cross out the two choices that do not apply, and, if you elect the second or the third choice, fill in the names(s) of the municipal officers to whom authority is delegated.

Prepared by:
Ellerbe Cole
Staff Attorney
Legal Services
Maine Municipal Association

Originally prepared 6/14/93
Minor revisions 11/22/93



Agenda Item Divider



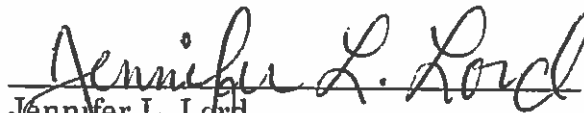
20

WAIVER OF FORECLOSURE FORM

The foreclosure of the sewer lien mortgage on real estate for a sewer fee assessed against Strack, Brian to Town of Kennebunkport dated November 2, 2015, and recorded in the York County Registry of Deeds in Book 17127, Page 477 is hereby waived.

Dated this 24th day of April, 2017.

24 School St.
Bunknuptcy

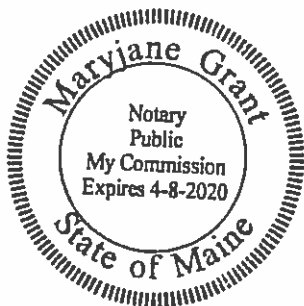

Jennifer L. Lord
Treasurer, Town of Kennebunkport

ACKNOWLEDGEMENT

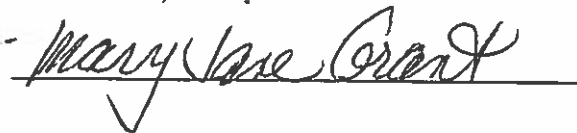
State of Maine
York, s.s.

April 24th, 2017

Then personally appeared the above named Jennifer L. Lord, Treasurer and acknowledged the foregoing instrument to be her free act and deed in her said capacity.

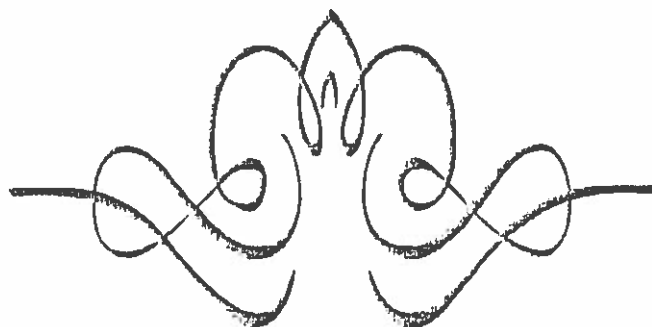


Before me,





Agenda Item Divider



21

Kennebunkport Public Health

April 5, 2017

At: Kennebunkport Board of Selectmen

Laurie Smith Kennebunkport Town Manager

Please accept this generous donation of \$280 from the quilters who meet at Atlantic Hall This gift is to be dedicated to the Kennebunkport Emergency Fuel Program.

Judy Barrett
Alison Kenneway

 FRAIDA AMOR

Pay to the
Order of Town of Kennebunkport \$ 280.00
two hundred eighty _____ Dollars



**Digital Federal
Credit Union**

www.dcu.org

www.dcu.org
Quitters -
Full assistance
Golden Bonds

6942

Town of KENNEBUNKPORT

----- Receipt -----

Thank You for Your Payment

*** REPRINT ***

04/03/17 2:24 PM ID:JLL #12232-1

TYPE-----	REF---	AMOUNT
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Miscellaneous

Amount	280.00
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Total: 280.00*

Paid By: Kathleen Banks/Quilters fuel as:

Remaining Balance: 0.00

Balance reflects all related accounts

Check : 280.00

6942 -	280,00
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