

TOWN OF KENNEBUNKPORT, MAINE

— INCORPORATED 1653 —

**Board of Selectmen Agenda
Village Fire Station- 32 North Street
February 8, 2018 – 6:00 PM**

1. Call to Order.
2. Approve the January 25, 2018, 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. Capital Improvement Plan presentation.
5. Review proposed ordinance revisions for Town Meeting Warrant:
 - a. Street Ordinance
 - b. Administrative Code
 - c. Cape Porpoise Pier
 - d. Revision to Growth Area Map
 - e. Setback from Road/ROW cleanup, Clarification
 - f. Parking Standard revision 6.9 6.10 removal of lot coverage credit for semi-pervious materials
 - g. Removal of fees from Floodplain Management Ordinance
6. Set the 2018 fees for Goose Rocks Beach parking stickers.

Current fees are:

Resident seasonal	\$5.00
Nonresident daily	\$15.00
Nonresident weekly	\$50.00
Nonresident seasonal	\$100.00
7. Adopt the Goose Rocks Beach Parking Sticker Rules/Regulations.

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046 • Tel: (207) 967-4243 Fax: (207) 967-8470

8. Request authorization to sell Fire Department air bottles.
9. Award the bid for a hydraulic pump and hoses for the fire department.
10. Award the backhoe bid.
11. Wastewater Ordinance revisions.
12. Other business.
 - a. Fire Chief selection process.
13. Approve the February 8, 2018, Treasurer's Warrant.
14. Adjournment.



Agenda Item Divider



**Board of Selectmen Meeting
Village Fire Station – 32 North Street
January 25, 2018 – 6:00 PM**

Minutes of the Selectmen's Meeting of January 25, 2018

Selectmen Attending: Stuart Barwise, Patrick A. Briggs, Allen Daggett, Sheila Matthews-Bull, Edward Hutchins

Others: Barbara Barwise, Jim Burrows, Adam Burnett, Michael Claus, Jim Damicis, Michael Davis, Tom Dworetzky, Jim Fitzgerald, Werner Gilliam, Noel Graydon, Paul Hogan, David James, David Kling, Dan Lay, Ki Leffler, Bill Leffler, Jen Lord, Jim McMann, Arlene McMurray, Nina Pearlmutter, Molly Reinfried, John Salo, Dan Saunders, Bob Sherman, Laurie Smith, and others

1. Call to Order.

Chair Briggs called the meeting to order at 6:01 PM.

2. Approve the January 9, and 11, 2017, selectmen meeting minutes.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to approve the January 9, and 11, 2017, selectmen meeting minutes. **Vote:** 4-0-1/Selectmen Barwise abstained because he did not attend those meetings.

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.).

Nina Pearlmutter stated that Kennebunkport is in serious need of an environmental plan. She said she would like to live the rest of her life here and would like residents to do things to beautify the Town. She asked that the Town be reasonable to new development. She reiterated a list from a speech given by Carolyn Sherman at another meeting. Some of her concerns are protection of:

- Wildlife
- Wetlands
- Shoreline
- Soil
- Marshlands (no dogs)

Ms. Pearlmutter said there is the need for:

- Regular testing of septic systems, especially near preserves
- Regulation of kayaking (She doesn't see any Bald Eagles in the summer.)
- Environmental education for homeowners
- Less removal of trees by developers.

4. Consider a liquor license renewal application for Sheila W. Matthews-Bull, DBA Rhumb Line Resort, 41 Turbats Creek Road.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve the liquor license renewal application for Sheila W. Matthews-Bull, DBA Rhumb Line Resort, 41 Turbats Creek Road. **Vote:** 4-0-1/Selectman Matthews-Bull recused herself.

5. Consider a special amusement permit renewal application for Sheila W. Mathews-Bull, DBA Rhumb Line Resort, 41 Turbats Creek Road.

Motion by Selectman Daggett, seconded by Selectman Barwise, to approve the special amusement permit renewal application for Sheila W. Mathews-Bull, DBA Rhumb Line Resort, 41 Turbats Creek Road. **Vote:** 4-0-1/Selectman Matthews-Bull recused herself.

6. H.M. Payson presents annual investment report.

Molly Reinfried gave the investment presentation. (See Exhibit A)

Dan Lay added that the portfolio is designed so that the funds will continue to grow.

Chair Briggs thanked the presenters from H.M. Payson for their financial advice to the Town and added that they assisted with the Town's Investment Policy.

Town Manager Laurie Smith commented that the Town also has an Investment Committee.

7. Housing Assessment Study presentation.

Jim Damicis, of Camoin Associates, presented the Housing Assessment Study and answered questions from the audience. (See Exhibit B)

Bill Leffler, John Salo, and Bob Sherman asked questions.

Chair Briggs thanked the presenters and said now the Town needs to develop a strategy on how to proceed.

Ms. Smith thanked Camoin Associates and the Growth Planning Committee who worked with them. She mentioned that she asked for public input on what people see as the Town's biggest challenges and opportunities in the year(s) ahead, and what our Boards and staff should be focused on. She stated that the two topics people were most concerned about were affordable housing and sustaining Consolidated School.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to ask the Town Boards/Committees to provide the Board with input on how to proceed. **Vote:** 5-0.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to accept the Housing Study report from Camoin Associates. **Vote:** 5-0.

8. Consider the following tax abatement requests:

Property Owner	Location	Map	Blk	Lot(s)	Tax Abatements 2017
William F. Casey, CKM Realty Trst.	272 Mills RD, Unit 1D	37	2	2-1D	Denied
William F. Casey, CKM Realty Trst.	272 Mills RD, Unit 2B	37	2	2-2B	Denied
William F. Casey, CKM Realty Trst.	272 Mills RD, Unit C9	37	2	2-C	Denied

Director of Planning and Development Werner Gilliam spoke on behalf of Assessors Agent Becky Nolette. She found that the current assessments are equitable and a reduction in value of these units is not warranted.

Motion by Selectman Daggett, seconded by Selectman Barwise, to deny the abatement requests for William F. Casey, CKM Realty Trust, 272 Mills RD, Units 1D, 2B, and 2C9 per the recommendation of Assessors Agent Becky Nolette. **Vote:** 5-0.

9. Award the bid for relining deteriorating storm drain pipe to correct drainage problem on Ocean Avenue.

Acting Wastewater Superintendent Michael Claus explained that a storm drain pipe has deteriorated and it is not possible to dig and replace it because it is underneath the Yachtsman Motel. The motel will work with the Town to improve the drainage issues and perform the site excavation at the motel's expense. There are only two contractors that perform this work: Ecoline and Ted Berry and Sons. In 2016, the original quote from Ecoline was \$21,500. This year, their revised quote is \$17,168. Ted Berry and Son's quote is \$14,000. He recommends awarding the bid to Ted Berry and Sons. He said he would pay for this out of the highway capital budget.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to award the bid to Ted Berry and Company at a cost of \$14,000 for relining the deteriorating storm drain pipe to correct the drainage problem on Ocean Avenue. **Vote:** 5-0.

10. Accept \$100 donation from Karen Macgregor to the nurses general account.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to accept the \$100 donation from Karen Macgregor to the nurses general account. **Vote:** 5-0.

11. Other business.

There was no other business.

12. Approve the January 25, 2018, Treasurer's warrant.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the January 25, 2018, Treasurer's Warrant. **Vote:** 5-0.

13. Executive session per MRSA 1, §405-6D to discuss union negotiations and per MRSA 1, §405-6A to discuss personnel.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to go into executive session per MRSA 1, §405-6D to discuss union negotiations and per MRSA 1, §405-6A to discuss personnel. **Vote:** 5-0.

The Board went into executive session at 7:40 PM.

At 9:10 PM the Board came out of executive session.

No action was taken.

14. Adjournment.

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

The meeting adjourned at 9:10 PM.

Submitted by Arlene McMurray
Administrative Assistant

HM Payson

Investment Review

Presented to the Board of Directors

Prepared for

Town of Kennebunkport

Daniel M. Lay, Esq.
PORTFOLIO MANAGER

Molly C. Reinfried, CFP®
RELATIONSHIP MANAGER

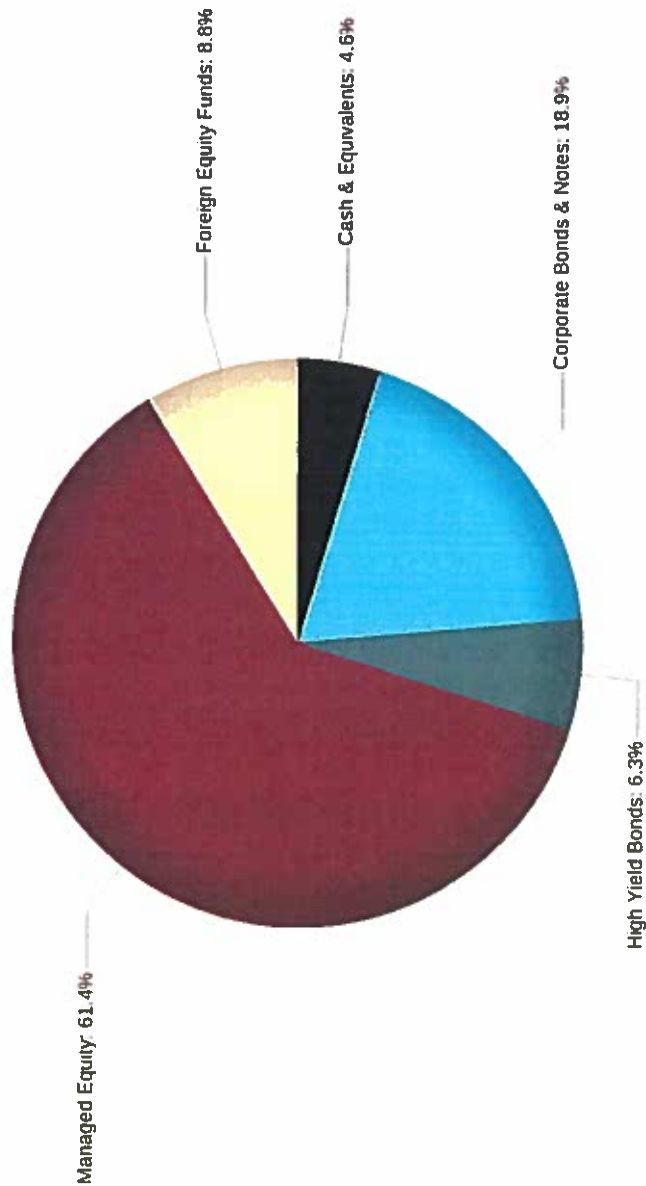
Jenny Lynd Robinson
INVESTMENT ASSISTANT

Town of Kennebunkport Portfolio Composition

Trust	Market Value 12/31/2017	Beneficiaries
Kittredge Trust	\$786,296.54	Vehicles for fire companies (per trust %)
Macomber Trust	\$0.00	Support public health nurse
Picavet Trust	\$529,007.39	½ Police Department equipment ½ Equipment and supplies for Public Health and Nursing Service

Asset Allocation by Account

TOWN OF KENNEBUNKPORT



Style Class	Current Value	Current Percent
Cash & Equivalents	\$60,193	4.6%
Corporate Bonds & Notes	\$248,640	18.9%
High Yield Bonds	\$82,680	6.3%
Managed Equity	\$807,745	61.4%
Foreign Equity Funds	\$116,100	8.8%
Total	\$1,315,358	100.0%

As of December 31, 2017

Account Activity Summary

Fiscal YTD beginning 7/1
\$1,220,165

Start Value	
Dividend Income	\$15,057
Interest Income	\$0
Net Contribution	\$0
Management Fees	(\$4,637)
Other Expenses	(\$29)
Change in Value of Securities Held	\$84,254
Change in Value of Securities Sold	\$548
Ending Value	\$1,315,358

Individual Account Gross Performance

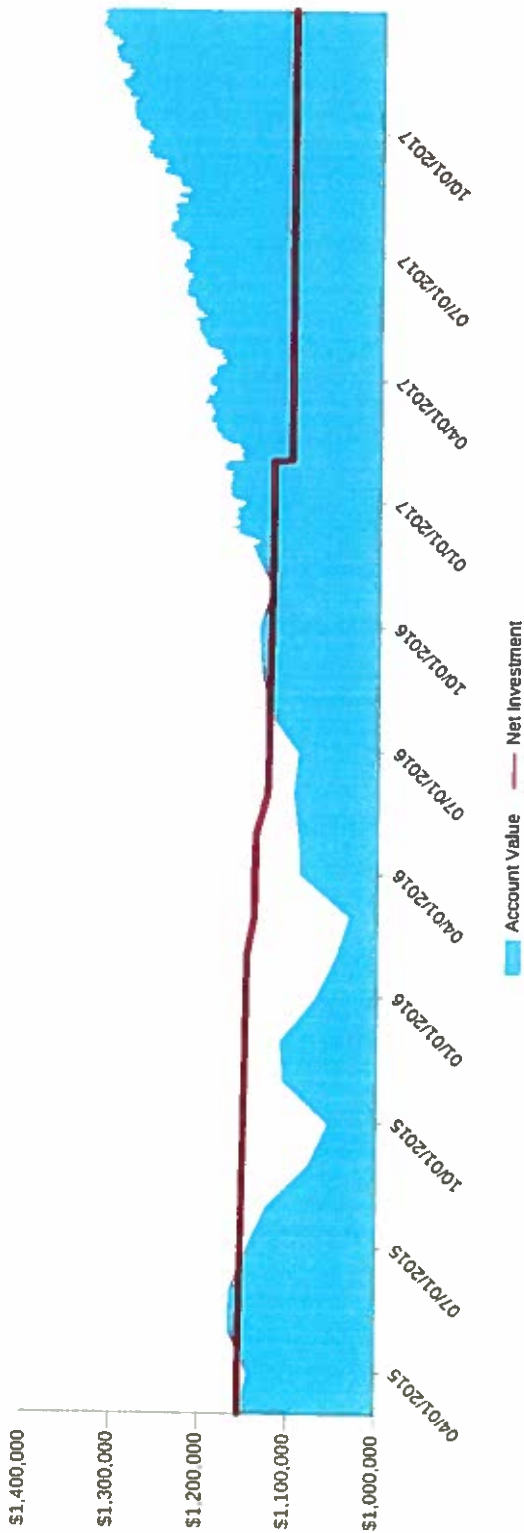
TOWN OF KENNEBUNKPORT

	Value	Weight	Fiscal YTD beginning 7/1 Gross Return	Previous 12 Months Gross Return	Inception to Date (02/28/2015) Gross Return
Cash & Equiv	\$60,193	4.6%	0.7%	1.0%	0.4%
Fixed Income	\$331,320	25.2%	0.7%	2.5%	* 1.9%
Equity	\$923,845	70.2%	11.8%	24.2%	9.7%
75% S&P 500, 25% ACWI ex-US			11.4%	23.2%	10.0%
Total	\$1,315,358	100.0%	8.2%	16.8%	6.9%

* Partial period return
Returns for periods exceeding 12 months are annualized

As of December 31, 2017

Account Value vs. Net Investment



**Inception to Date
(02/28/2015)**

	\$1,154,444
	(\$54,670)
	\$215,583
	\$1,315,358

Fiscal YTD beginning 7/1

Start Value	\$1,220,165
Net Contribution	\$0
Investment Gain/Loss	\$95,193
Ending Value	\$1,315,358

As of December 31, 2017

Town of Kennebunkport Income Review as of 12/31/2017

	2015	2016	2017	Since Inception through 9/30/17
Kittredge Trust	\$ 12,021.77	\$ 16,483.10	\$16,381.87	\$ 44,886.74
Macomber Trust	\$ 100.18	\$ 137.80	\$8.10	\$ 246.08
Picavet Trust	\$ 7,914.33	\$ 10,886.23	\$11,005.34	\$ 29,805.91
TOTAL	\$ 20,036.29	\$ 27,507.13	\$27,395.31	\$ 74,938.73

HMPayson

TOWN OF KENNEBUNKPORT (5990438786, Endowment)

Holdings as of: December 29, 2017

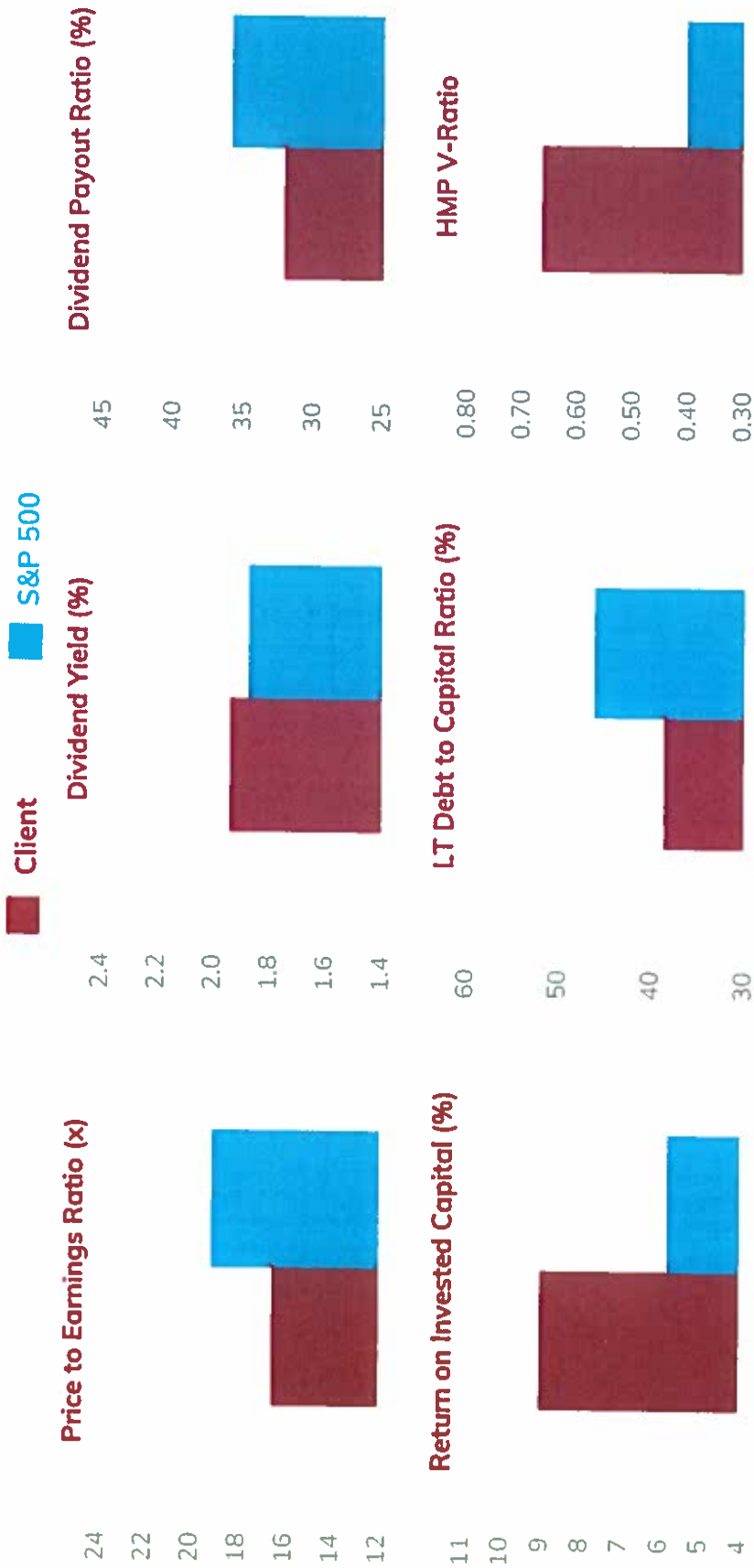
$$\text{V-Ratio} = \frac{\text{ROIC} + \text{Dividend Yield}}{\text{Price-to-Earnings Ratio}}$$

Characteristics Summary	Client	S&P 500
Price to Earnings (x)	16.5	19.1
Dividend Yield (%)	1.9	1.9
Payout Ratio (%)	32	36
Return on Invested Capital (%)	9.0	5.8
Long term Debt to Capital (%)	39	46
V-Ratio	0.66	0.40

ROIC = (Earnings - Dividends) / Total Capital

Consistently profitable companies with shareholder-friendly capital allocation tend to outperform over time. We believe that portfolios constructed around these characteristics, combined with a disciplined approach toward valuation, offer enhanced potential long-term returns. HM Payson's V-Ratio captures these features by weighing an approximation of quality against a measure of price.

Excluded securities: Delphi Technologies Plc Shs

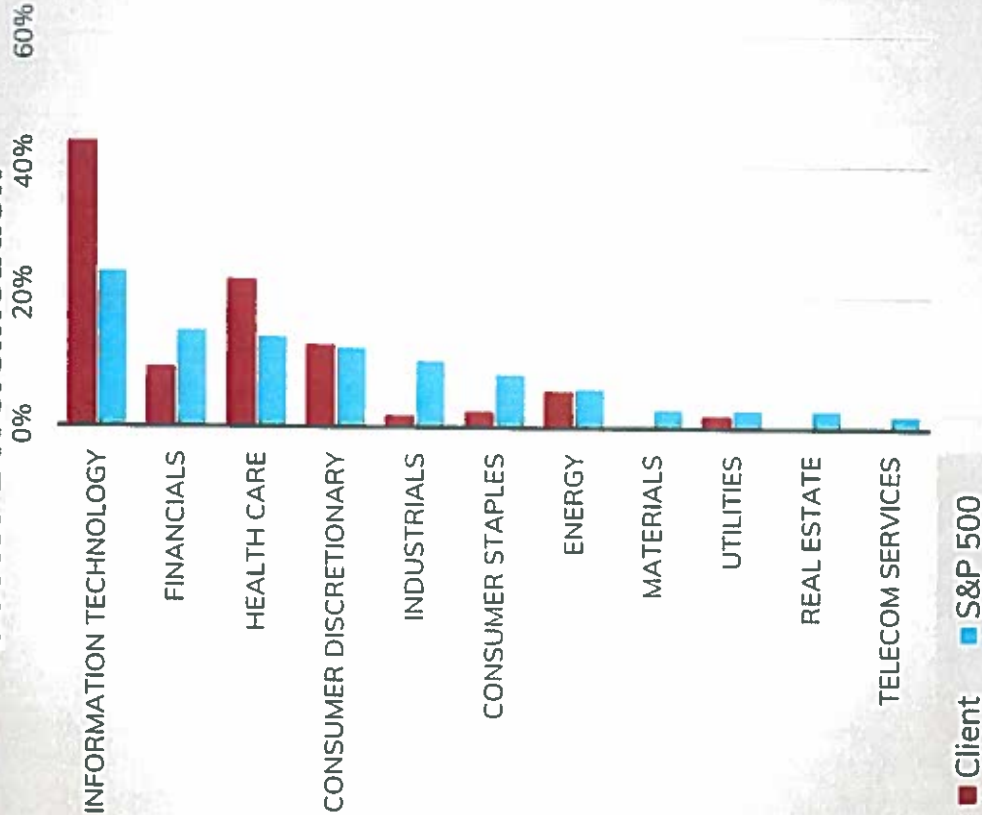


TOWN OF KENNEBUNKPORT (5990438786, Endowment)

Holdings as of: December 29, 2017

Excluded securities: Delphi Technologies Plc Shs

Sector Diversification



Sector	Client	S&P 500	+/-
Information Technology	43.6%	23.8%	+19.9%
Financials	9.2%	14.8%	-5.6%
Health Care	22.5%	13.8%	+8.7%
Consumer Discretionary	12.6%	12.2%	+0.4%
Industrials	1.9%	10.3%	-8.4%
Consumer Staples	2.5%	8.2%	-5.7%
Energy	5.7%	6.1%	-0.4%
Materials	0.0%	3.0%	-3.0%
Utilities	1.9%	2.9%	-1.0%
Real Estate	0.0%	2.9%	-2.9%
Telecom Services	0.0%	2.1%	-2.1%

TOWN OF KENNEBUNKPORT (5990438786, Endowment)

Holdings as of: December 29, 2017

Stock Characteristics - 10 Largest Holdings

Company	Sector	Weight	Yield	Payout	5 Yr Div Growth	5 Yr EPS Growth	P/E	ROIC	LT Debt to Capital
Phillips 66 Com	Energy	5.7%	2.8%	50.5%	NM	-17.0%	18.2	4.4%	29.7%
QUALCOMM Inc	Information Technology	5.4%	3.6%	62.9%	18.8%	-10.2%	17.7	4.0%	38.7%
Apple Inc	Information Technology	5.0%	1.5%	21.5%	44.7%	7.9%	14.4	20.7%	42.0%
Berkshire Hathaway	Financials	4.9%	0.0%	0.0%	NM	18.7%	26.4	4.5%	24.4%
Cisco Systems Inc	Information Technology	4.8%	3.0%	45.9%	31.5%	5.0%	15.2	7.5%	28.2%
Pfizer Inc	Health Care	4.7%	3.5%	47.9%	8.3%	1.1%	13.5	8.8%	36.2%
Amgen Inc	Health Care	4.3%	3.0%	41.5%	48.2%	20.4%	13.7	8.3%	51.2%
Intel Corp	Information Technology	4.0%	2.4%	33.6%	5.9%	-2.4%	14.2	10.5%	27.7%
Mastercard Incorporated	Information Technology	4.0%	0.7%	20.1%	67.5%	19.9%	30.5	35.8%	45.6%
Johnson & Johnson	Health Care	3.9%	2.4%	44.4%	7.0%	11.2%	18.4	11.5%	26.5%
Top 10 Stocks		46.7%	2.3%	39.3%	17.6%	2.1%	17.0	7.8%	33.2%
Total Stock Portfolio			1.9%	32.0%	13.3%	6.1%	16.5	9.0%	38.5%
S&P 500 Index			1.9%	35.9%	9.8%	3.7%	19.1	5.8%	46.1%

Holdings by Account

TOWN OF KENNEBUNKPORT

Description	Quantity	Cost Basis	Value	Weight	Annual Income	Current Yield
Cash & Equivalents		\$60,193	\$60,193	4.6%	\$674	1.1%
Cash		\$60,193	\$60,193	4.6%	\$674	1.1%
Income Cash		\$22,143	\$22,143	1.7%	\$248	1.1%
Principal Cash		\$38,050	\$38,050	2.9%	\$426	1.1%
Corporate Bonds & Notes		\$250,853	\$248,640	18.9%	\$4,295	1.7%
Investment Grade Corporates		\$250,853	\$248,640	18.9%	\$4,295	1.7%
iShares 1-3 Year Credit Bond ETF	1,870	\$197,753	\$195,490	14.9%	\$3,202	1.6%
Vanguard Short-Term Investment-Grade Adm	5,000,000	\$53,100	\$53,150	4.0%	\$1,093	2.1%
High Yield Bonds		\$85,149	\$82,680	6.3%	\$4,706	5.7%
High Yield Bonds		\$85,149	\$82,680	6.3%	\$4,706	5.7%
SPDR® Barclays Short Term Hi Yld Bd ETF	3,000	\$85,149	\$82,680	6.3%	\$4,706	5.7%
Managed Equity		\$640,652	\$807,745	61.4%	\$15,551	1.9%
Consumer Discretionary		\$84,988	\$106,610	8.1%	\$598	0.6%
Adient Plc Ord Shs	300	\$21,273	\$23,610	1.8%	\$330	1.4%
Amazon.com Inc	25	\$19,594	\$29,237	2.2%	\$0	0.0%
Aptiv Plc	305	\$17,445	\$25,873	2.0%	\$268	1.0%
Delphi Technologies Plc Shs	101	\$3,409	\$5,299	0.4%	\$0	0.0%
Priceline Group Inc (The)	13	\$23,266	\$22,591	1.7%	\$0	0.0%
Consumer Staples		\$14,308	\$20,199	1.5%	\$563	2.8%
Unilever Plc Sponsored Adr	365	\$14,308	\$20,199	1.5%	\$563	2.8%
Energy		\$51,537	\$61,162	4.6%	\$2,095	3.4%
Enbridge Inc Com	400	\$16,322	\$15,644	1.2%	\$835	5.3%
Phillips 66 Com	450	\$35,216	\$45,518	3.5%	\$1,260	2.8%

As of December 31, 2017

Holdings by Account

TOWN OF KENNEBUNKPORT

Description	Quantity	Cost Basis	Value	Weight	Annual Income	Current Yield
Managed Equity		\$640,652	\$807,745	61.4%	\$15,551	1.9%
Financials		\$48,865	\$73,680	5.6%	\$705	1.0%
Aflac Inc	205	\$12,378	\$17,995	1.4%	\$369	2.1%
Berkshire Hathaway	200	\$27,802	\$39,644	3.0%	\$0	0.0%
JPMorgan Chase & Co	150	\$8,684	\$16,041	1.2%	\$336	2.1%
Health Care		\$169,376	\$180,844	13.7%	\$4,370	2.4%
Amgen Inc	200	\$33,179	\$34,780	2.6%	\$1,056	3.0%
Celgene Corp	250	\$28,908	\$26,090	2.0%	\$0	0.0%
Danaher Corp	160	\$10,364	\$14,851	1.1%	\$90	0.6%
Gilead Sciences Inc	250	\$24,545	\$17,910	1.4%	\$520	2.9%
Johnson & Johnson	225	\$21,173	\$31,437	2.4%	\$756	2.4%
Merck & Co Inc	325	\$17,431	\$18,288	1.4%	\$624	3.4%
Pfizer Inc	1,035	\$33,775	\$37,488	2.9%	\$1,325	3.5%
Industrials		\$17,718	\$15,244	1.2%	\$416	2.7%
Johnson Controls International PLC	400	\$17,718	\$15,244	1.2%	\$416	2.7%
Information Tech		\$253,861	\$350,007	26.6%	\$6,803	1.9%
Accenture Plc Ireland Shs Cl A	150	\$18,178	\$22,964	1.7%	\$399	1.7%
Alphabet Inc Class A Common Stock	10	\$7,556	\$10,534	0.8%	\$0	0.0%
Alphabet Inc Class C Capital Stock	25	\$18,462	\$26,160	2.0%	\$0	0.0%
Apple Inc	235	\$26,625	\$39,769	3.0%	\$592	1.5%
Applied Materials Inc	265	\$12,460	\$13,547	1.0%	\$106	0.8%
Cisco Systems Inc	1,000	\$27,549	\$38,300	2.9%	\$1,160	3.0%
Intel Corp	700	\$21,182	\$32,312	2.5%	\$763	2.4%
International Business Machines Corp	195	\$29,535	\$29,917	2.3%	\$1,170	3.9%
Mastercard Incorporated	210	\$19,681	\$31,786	2.4%	\$210	0.7%

As of December 31, 2017

Holdings by Account

TOWN OF KENNEBUNKPORT

Description	Quantity	Cost Basis	Value	Weight	Annual Income	Current Yield
Managed Equity						
Information Tech		\$640,652	\$807,745	61.4%	\$15,551	1.9%
Microsoft Corp	290	\$253,861	\$350,007	26.6%	\$6,803	1.9%
QUALCOMM Inc	680	\$12,319	\$24,807	1.9%	\$487	2.0%
Skyworks Solutions Inc	185	\$35,757	\$43,534	3.3%	\$1,550	3.6%
Visa Inc Cl A Common Stock	165	\$12,497	\$17,566	1.3%	\$237	1.3%
		\$12,061	\$18,813	1.4%	\$129	0.7%
Foreign Equity Funds						
International Emerging Market Equity		\$99,804	\$116,100	8.8%	\$2,225	1.9%
DFA Emerging Markets Core Equity I	5,000.000	\$99,804	\$116,100	8.8%	\$2,225	1.9%
Total		\$1,136,651	\$1,315,358	100.0%	\$27,451	2.1%

Housing Needs Analysis and Assessment: Town of Kennebunkport, ME

DRAFT

January 2018

Prepared for:

Town of Kennebunkport
6 Elm Street
Kennebunkport, ME 04045



10 West Main Street, Suite 307
Saugus, MA 01906

617.881.1900

www.camoinassociates.com

About Camoin Associates

Camoin Associates has provided economic development consulting services to municipalities, economic development agencies, and private enterprises since 1999. Through the services offered, Camoin Associates has had the opportunity to serve EDOs and local and state governments from Maine to California, corporations and organizations that include Lowes Home Improvement, FedEx, Volvo (Nova Bus) and the New York Islanders; as well as private developers proposing projects in excess of \$600 million. Our reputation for detailed, place-specific, and accurate analysis has led to projects in 29 states and garnered attention from national media outlets including *Marketplace* (NPR), *Forbes* magazine, and *The Wall Street Journal*. Additionally, our marketing strategies have helped our clients gain both national and local media coverage for their projects in order to build public support and leverage additional funding. We are based in Saratoga Springs, NY, with regional offices in Portland, ME; Boston, MA, and Brattleboro, VT. To learn more about our experience and projects in all of our service lines, please visit our website at www.camoinassociates.com. You can also find us on Twitter [@camoinassociate](https://twitter.com/camoinassociate) and on [Facebook](https://www.facebook.com/camoinassociates).

The Project Team

Jim Damicis

Principal

Tom Dworetzky

Project Manager

Anna Winslow

Analyst



Table of Contents

Executive Summary.....	1
Introduction.....	5
Why Address Housing Affordability?.....	6
Key Findings.....	7
Populations to Address.....	13
Case Studies.....	15
Setting an Affordable Housing Goal.....	21
Strategies and Tools to Consider.....	21
Appendix A: Detailed Data Analysis.....	23
Appendix B: Comprehensive Plan Buildout Analysis, 2008-09.....	40
Appendix C: Business Survey Results.....	41
Appendix D: Data Sources.....	63



Table of Figures

Figure 1: Land Cost per Acre, Residential Properties, Town of Kennebunkport	9
Figure 2: Age Distribution, 2017	10
Figure 3: Populations to Address	13
Figure 4: Percent of Homes Valued over \$500,000	24
Figure 5: Affordability of Kport Homes to County Households	25
Figure 6: Affordability of Kport Rents to County Households	26
Figure 7: Gross Rent as a Percentage of Household Income	27
Figure 8: Renter vs. Owner Occupied Units, 2017	29
Figure 9: Seasonal Vacancy Compared to Overall Vacancy, 2015	30
Figure 10: Housing Units by Year Structure Built, 2014	31
Figure 11: Median Age Comparison	33
Figure 12: Age Distribution, 2017	34
Figure 13: Median Household Income Trends	35
Figure 14: Households by Income, 2017	36
Figure 15: Flow of Commuters, 2015	36
Figure 16: Commute Time	37
Figure 17: Respondent Business Seasonality	41
Figure 18: Respondent Business Size	42
Figure 19: Respondent Industry Type	43
Figure 20: Employee Full-Time/Part-Time Status – All Businesses	44
Figure 21: Employee Full-Time/Part-Time Status – By Business Size	44
Figure 22: Employee Full-Time/Part-Time Status – By Business Seasonality	45
Figure 23: Average Gross Monthly Wages of Employees – All Businesses	45
Figure 24: Average Gross Monthly Wages of Employees - By Business Size	46
Figure 25: Average Gross Monthly Wages of Employees - By Business Seasonality	46
Figure 26: Difficulty Attracting and Retaining Employees – All Businesses	47
Figure 27: Difficulty Attracting and Retaining Employees - By Business Size	47
Figure 28: Difficulty Attracting and Retaining Employees - By Business Seasonality	48
Figure 29: Average Number of Additional Workers that Would be Hired if Available – By Business Size	49
Figure 30: Average Number of Additional Workers that Would be Hired if Available - By Business Seasonality	49
Figure 31: Total Number of Additional Workers that Would be Hired if Available - By Business Size	50
Figure 32: Total Number of Additional Workers that Would be Hired if Available - By Business Seasonality	50
Figure 33: Difficulty Finding Housing – All Businesses	51
Figure 34: Difficulty Finding Housing - By Business Size	51
Figure 35: Difficulty Finding Housing - By Business Seasonality	52
Figure 36: Difficulty Finding Housing - All Businesses	52
Figure 37: Difficulty Finding Housing within Kport - By Business Size	53
Figure 38: Difficulty Finding Housing within Kport - By Business Seasonality	53
Figure 39: Adequate Affordable Housing for Employees - All Businesses	54
Figure 40: Adequate Affordable Housing for Employees - By Business Size	54
Figure 41: Adequate Affordable Housing for Employees - By Business Seasonality	55
Figure 42: Access to Transportation for Employees - All Businesses	56
Figure 43: Access to Transportation for Employees - By Business Size	56
Figure 44: Access to Transportation for Employees - By Business Seasonality	57
Figure 45: Impacts of Lack of Affordable Housing - All Businesses	58
Figure 46: Impacts of Lack of Affordable Housing - By Business Size	58

Figure 47: Impacts of Lack of Affordable Housing - By Business Seasonality	59
Figure 48: Average Response for Agree/Disagree Questions - All Businesses.....	59
Figure 49: Average Response for Agree/Disagree Questions - By Business Size.....	60
Figure 50: Average Response for Agree/Disagree Questions - By Business Seasonality	60
Figure 51: Employee Residency - All Businesses	61
Figure 52: Employee Residency - Business Size	62

Table of Tables

Table 1: Home Ownership Affordability, 2015.....	7
Table 2: Median Homes Sales, Town of Kennebunkport	7
Table 3: Residential Properties by Owner Address	8
Table 4: Kennebunkport Town Employees by Place of Residence	11
Table 5: Home Ownership Affordability, 2015	23
Table 6: Average Home Sale Price, 2017 YTD.....	23
Table 7: Historical Home Ownership Affordability	23
Table 8: Estimated Mortgage Payment, 2000	24
Table 9: Estimated Mortgage Payment, 2010	24
Table 10: Rent as Percent of Income, 2010	25
Table 11: Rent as Percent of Income, 2014	25
Table 12: Rent as Percent of Income, 2000	26
Table 13: Renter Occupied Units by Rent.....	27
Table 14: Occupancy Trends Comparison.....	28
Table 15: Housing Units by Structure	31
Table 16: Historic Population Growth.....	32
Table 17: Median Age Comparison	33
Table 18: Population by Age Distribution, 2017	34
Table 19: Median Household Income	35
Table 20: Commuting Trends	36
Table 21: Where Workers Live and Where Residents Work.....	37
Table 22: All 2-Digit Industries – Kennebunkport.....	38
Table 23: Economic Indicators, 2015	39

Executive Summary

With its picturesque coastal location and quaint village center, the Town of Kennebunkport is well known for its high quality of life, making it a popular tourist destination throughout Maine and the Northeast. Its popularity among tourists and vacationers, however, has led to rising housing costs as more and more people desire to live and vacation in town. While higher home values are certainly a positive for existing residents who own their homes, the increasing cost of housing limits Kennebunkport to only high-income households who can afford it. Moderate-income families simply cannot afford to call Kennebunkport home.

In response, the Town has engaged Camoin Associates to conduct a Housing Needs Analysis and Assessment (the "Assessment"). The purpose of this Assessment is to understand and quantify the housing affordability challenge, envision how the town's high quality of life could change in light of a rising median age and rising housing costs, and provide tools and strategies for addressing the issue.

Key Findings

The key findings from the Assessment are summarized as follows:

- **Housing affordability is a challenge for the Town of Kennebunkport.** The median home value in the town is nearly \$474,000, or almost twice the York County median of \$251,000. In order to afford monthly mortgage and property taxes associated with homeownership for the median home in town, a household would require an income of \$95,000.¹ This is substantially higher than Kennebunkport's median household income of \$72,000, and much higher than the York County median household income of \$61,000.
- **Homeownership costs have risen faster than incomes.** Since 2000, the median home value in Kennebunkport has increased by 102%, more than doubling from \$234,000 to \$474,000. Meanwhile, household incomes have only grown by 32%, with the median income rising from \$54,000 to \$72,000 over this period. If growth in housing costs continues to outpace income growth, the affordability problem will continue to worsen.
- **The constrained supply of year-round rental units limits options for households inclined to rent.** Approximately 19% of permanently occupied (i.e. non-seasonal) units in Kennebunkport are rental units, compared to 29% in York County, 31% in Maine, and 37% nationally. Young professionals, young families, the elderly, and other groups inclined to rent are unlikely to find many adequate and affordable rental options in town.
- **The town's popularity as a vacation destination drives up the cost of land and housing.** High demand for seasonal homes coupled with a limited supply of land translates into high housing costs, meaning that year-round residents and workers must compete with the seasonal population over a finite housing stock.
- **High land costs combined with large-lot zoning result in the construction of high-priced homes.** As the cost of land increases, developers build larger, more expensive homes to maximize their return on investment. This dynamic is exacerbated when zoning requires large minimum lot sizes. New modest, affordable homes are therefore not built in town.

¹ Housing is considered "affordable" if no more than 30 percent of a household's income is allocated to housing costs.

- **Short-term vacation rentals further constrain the year-round rental housing stock.** Oftentimes a homeowner can obtain a higher profit from short-term vacation rentals than renting to a local resident. This creates an incentive to rent to vacationers over year-round residents, therefore limiting the supply of year-round rental options.
- **Housing affordability challenges contribute to limited income diversity.** The high price of housing in Kennebunkport means that only higher-income households can afford to live in town. As housing costs continue to rise, existing long-time residents of modest means may find themselves struggling to make mortgage or rent payments, or pay for utilities. They may eventually be priced out of the town and forced to seek housing elsewhere. Only the highest-income households will be able to move into Kennebunkport, causing the median income to continue rising and income diversity to decline.
- **Kennebunkport's population is heavily skewed toward seniors, and will continue to age.** The median age for Kennebunkport is nearly 55, well above the median of 45 for both York County and Maine. Meanwhile, the younger middle-age population in Kennebunkport is significantly underrepresented. Only 14% of the population falls within the 25-to-44 range, compared to 23% in both York County and Maine. This is the prime age for forming households, having children, and purchasing homes. The availability of affordable housing options strongly impacts the representation of this age cohort.
- **Declining enrollment threatens the long-term viability of Kennebunkport Consolidated School.** The town's school-age population (5- to 18-year-olds) is slightly below but comparable to that of the county (14% vs. 16%). However, projections from the RSU 21 school district indicate that enrollment is expected to decline into the future as resident births slow. Kennebunkport Consolidated School is the only school in the district currently experiencing declining enrollment, and as a result, 2017-18 is the first year that the school has only one kindergarten class instead of two.
- **A high degree of cross-commuting reflects a mismatch between jobs and housing.** Eighty percent (80%) of those who work in Kennebunkport commute into town from elsewhere, while 86% of employed town residents commute out of town for work. These high levels of commuter inflow and outflow indicate that employment and housing opportunities are not aligned.
- **The small share of Town staff living in Kennebunkport will continue to shrink as employees retire.** The Town itself is among the largest employers in Kennebunkport, and only a quarter of full-time Town employees live in town. Over the next five years, 11 of the Town's 47 current full-time employees will reach age 65 and likely retire. Additionally, the median age for volunteer firefighters in Kennebunkport is 54, and 76% of top responders are over the age of 55. The town's small pool of working-age residents and high housing costs means that these vacant positions are unlikely to be filled by Kennebunkport residents, contributing to further decline in the share of Town employees living in town. This aging workforce issue is not unique to Town employees, as businesses have echoed similar concerns.
- **There is substantial undeveloped land remaining in the town that could be used for housing.** Enough undeveloped land still exists to accommodate over 2,800 units under current zoning. Much of this land is located in the rural areas to the north of the town center and inland from the coast.
- **Employer attitudes toward the housing affordability issue vary significantly based on business size and seasonality.** According to survey results, the town's employers tend to agree that it is difficult for their workers to find housing in Kennebunkport. However, employers were split as to whether a lack of housing affordability negatively impacts their businesses.

Case Studies

Case studies were conducted for three communities with comparable housing challenges to Kennebunkport. The strategies outlined in these cases are meant to serve as examples of concrete actions that the Town can take to mitigate its housing affordability issues. The three case studies include the Island Housing Trust (Mount Desert Island, Maine); the Town of Scarborough, Maine; and the Town of Provincetown, Massachusetts. Major themes from the three cases are summarized as follows:

1. Dedicated personnel through a committee or staff person, or both. While a committee is a good oversight body, increasing overall capacity the most will come from a staff person. This could come in the form of hiring a new full or part time staff member, or adding these responsibilities to someone already on payroll.
2. Regulation that impacts future building principles.
3. Channeling funds to a pot of money that can help develop affordable housing.
4. Partnerships with private sector and/or affordable housing developers such as Avesta Housing and Habitat for Humanity.
5. An acknowledgement of affordable housing as an important issue in comprehensive plans, with specific objectives outlined.

Setting an Affordable Housing Goal

Based on data and analysis contained in this Assessment, a review of case studies for similar communities, interviews with businesses, and the 2012 Comprehensive Plan, we recommend the following housing affordability goal:

At a minimum, the Town should strive to add 23 new units of “affordable” housing over the next ten years (by 2028). This is equivalent to 10% of the projected increase in total new housing units in the town over this period. Affordable units are defined as units that are affordable to households earning between 80% and 120% of the town’s median household income as provided by the Maine State Housing Authority Housing Affordability Index. Affordable for-sale units would be available at a price between approximately \$254,000 and \$382,000, based on 2016 income data.

The Board of Selectmen should consider this recommended goal and continue to revise it in the future to meet the needs of the community.

Strategies and Tools to Consider

The appropriate approach for addressing Kennebunkport’s housing challenges depends on the target populations that the Town wishes to assist. There are three key demographic groups the Town may choose to target: existing year-round residents, year-round workers, and seasonal workers. Strategies for ensuring housing affordability will vary across these groups. No matter which market segment the Town chooses to target, solutions will need to address cost of development in Kennebunkport. Due to relatively high land costs, this must include policies to reduce the cost of land. The private market has not and likely will not take care of housing issues without partnerships to reduce development costs so housing units (both rental and for-sale units) can be delivered at various levels of affordability. Success will require partnerships between the Town and other stakeholders or entities with complementary interests. This might include landowners, developers, affordable housing organizations, the State, and other communities within the region. The following are strategies and tools that the Town may wish to consider:

- **Housing Alliance or Housing Trusts** – typically a nonprofit or quasi-governmental entity whose mission is to develop and implement policies or programs for affordable housing. Such an entity could be partially or

fully funded by private sources and assist with the development of new units or with buying down the cost of existing units.

- **Donation of Land to Developer or Housing Entity** – involves the Town providing land to a developer at little or no cost in exchange for the creation of a specified development plan to ensure affordability.
- **Zoning Policies** – including policies such as clustering or density bonuses to increase development potential of a given site relative to land costs.
- **Affordable Housing Tax Increment Financing** – program of Maine State Housing that allows municipalities to dedicate future property tax revenues from affordable housing development to be used to help developers pay for the costs of development including land acquisition, site and infrastructure costs, and management costs.²
- **Partnering with Affordable Housing Developers** – this can be accomplished through issuance of a request for qualifications or proposals in which the Town provides clarity on objectives and policies it is willing to use to achieve them and then solicits development plans through an open process. Resulting partnerships, if proposals are brought to fruition, would likely include a combination of tools to create affordability including land-use policies to allow density, land contributions, or tax increment financing. This can include non-profit development entities such as Habitat for Humanity.

In all cases to be sure the Town is addressing affordable housing over the long term for the target populations it chooses to address, policies or programs implemented must contain methods for:

- (1) ensuring units remain affordable regardless of turnover in owners or renters; and
- (2) ensuring existing residents or workers have an opportunity to access the housing in addition to interested new residents

² <http://www.mainehousing.org/programs-services/housing-development/developmentdetails/affordable-housing-tax-increment-financing>

Introduction

With its picturesque coastal location and quaint village center, the Town of Kennebunkport is well known for its high quality of life, making it a popular tourist destination throughout Maine and the Northeast. Its popularity among tourists and vacationers, however, has led to rising housing costs as more and more people desire to live and vacation in town. While higher home values are certainly a positive for existing residents who own their homes, the increasing cost of housing limits Kennebunkport to only high-income households who can afford it. Moderate-income families simply cannot afford to call Kennebunkport home.

In response, the Town has engaged Camoin Associates to conduct a Housing Needs Analysis and Assessment (the "Assessment"). The purpose of this Assessment is to understand and quantify the housing affordability challenge, envision how the town's high quality of life could change in light of a rising median age and rising housing costs, and provide tools and strategies for addressing the issue.

The process for completing the Assessment included 5 major components: research and data analysis, interviews with stakeholders, an employer survey, case studies, development of tools and strategies, and three public meetings

1. **Research and Data Analysis** – Camoin Associates gathered and analyzed demographic, socioeconomic, and housing data from a variety of public and proprietary sources. See Appendix A for the detailed data analysis and Appendix D for a list of sources consulted.
2. **Interviews with Stakeholders** – To better understand the town's housing challenges, Camoin Associates conducted interviews with members of the local business community, Town departments, the RSU 21 school district, and local real estate brokers.
3. **Employer Survey** – A survey was distributed to the town's employers to solicit feedback on how housing impacts the local workforce availability. See Appendix C for complete survey results.
4. **Case Studies** – Camoin Associates developed case studies for three comparable communities—Mt. Desert Island, Cumberland, and Scarborough—as examples of housing strategies that Kennebunkport could undertake.
5. **Tools and Strategies** – We researched tools and strategies that could be applied to achieve various housing goals.
6. **Public Engagement** – We participated in two public meetings with the Town's Growth Planning Committee to understand needs, present findings, and solicit public feedback. These meetings were held on October 5 and November 6, 2017.

It should be stressed that the purpose of this Assessment is to quantify the town's housing situation today, understand the future of the town if it continues on its current trajectory, and provide a menu of options for working toward various housing goals. The Assessment is not meant to prescribe what the Town *should* do, but instead describe what it *can* do. Armed with this Assessment, the Town will be able to work with the public to set a course of action that aligns with the desires of the community.

Why Address Housing Affordability?

Affordable housing is important to the economic vitality of communities. Affordable homes support the local workforce so they can live close to their jobs. Shorter commutes allow workers to spend more time with their families while the community benefits from reduction in traffic congestion, air pollution, and expenditures on roads. In revitalizing communities, the construction of affordable homes can also help to stimulate economic growth. A healthy mix of housing options, from market-rate and affordable rental housing, single-family homes, and duplexes, as well as developments for seniors, ensures opportunities for all individuals to improve their economic situation and contribute to their communities.³

Offering affordable housing options in Kennebunkport would have numerous benefits for the community. Many of these benefits were recognized in the Town's 2012 Comprehensive Plan, which identified a lack of affordable housing to be a significant issue. A housing stock that employees at the town's businesses can afford supports businesses by making it easier to access and retain workers. It also benefits the community's seniors, allowing them to continue to live in town as they age. Furthermore, allowing people to live close to where they work supports community culture and volunteerism, encouraging people to become invested in the community. It also ensures that a steady flow of younger residents will put down roots in the town and enroll students in the town's schools, join volunteer organizations, and support community groups.

Themes from Stakeholder Interviews and Public Meetings

To better understand the town's housing challenges, Camoin Associates conducted two public meetings and interviewed key employers in the town, including members of the local business community and Town departments, as well as the RSU 21 school district and local real estate brokers. A number of major themes emerged from these meetings and interviews, which were used to inform research, analysis, and strategy development. These themes are summarized as follows:

- Many business owners expressed concern that labor is becoming increasingly difficult to find and retain due to both business seasonality and housing costs.
- Young families and other first-time home buyers would like to live in Kennebunkport but end up seeking housing elsewhere once they are familiarized with housing prices
- There is general support for keeping Kennebunkport Consolidated School open, but there is concern around whether that will be sustainable long-term in light of declining resident births and enrollment.
- There is a lack of rental housing options for both the working population and seniors.
- The community is noticeably aging and fewer young people are staying in town year-round.
- The age of Fire Department volunteers is a major concern in that the town may have to fund a full-time paid fire department if enough younger volunteers cannot be recruited.
- Tourism and second-home ownership is on the rise, and there is a fear that the town could become an exclusively seasonal community.

³ <http://www.housingvirginia.org/housing-virginia-toolkit/why-is-affordable-housing-important-is-rental-or-homeownership-more-important/>

Key Findings

Housing affordability is a challenge for the Town of Kennebunkport. The median home value in the town is nearly \$474,000, or nearly twice the York County median of \$251,000. In order to afford monthly mortgage and property taxes associated with homeownership for the median home in town, a household would require an income of \$95,000.⁴ This is substantially higher than Kennebunkport's median household income of \$72,000, and much higher than the York County median household income of \$61,000. In contrast, to afford the median home in York County, an income of \$51,000 would be needed, meaning that the median county household in terms of income can comfortably afford the median home. See Table 1.

Table 1: Home Ownership Affordability, 2015

Home Ownership Affordability, 2015			
	Kennebunkport		York County
Median Household Income	\$	71,834	\$ 60,612
Median Home Value	\$	473,718	\$ 251,150
Income Required to Afford Median Home	\$	95,280	\$ 50,520

While homes located near the waterfront certainly skew the town's median home value upward, records of single-family home sales from the Town's assessment database show that the median selling price of non-waterfront homes over the past two years is still relatively high, at \$424,600. See Table 2. A household income of \$88,000 would be needed to afford the median non-waterfront home.

Table 2: Median Homes Sales, Town of Kennebunkport

Median Home Sales, Town of Kennebunkport			
Period	All Homes		Non-Waterfront
10/2015 - 9/2016	\$	472,000	\$ 407,650
10/2016 - 9/2017	\$	545,000	\$ 425,000
10/2015 - 9/2017	\$	510,000	\$ 424,600

Includes all qualified sales (arm's length transactions) of single family homes, excluding vacant land.

Source: Town assessment records

Homeownership costs have risen faster than incomes. Since 2000, the median home value in Kennebunkport has increased by 102%, more than doubling from \$234,000 to \$474,000. Meanwhile, household incomes have only grown by 32%, with the median income rising from \$54,000 to \$72,000 over this period. If growth in housing costs continues to outpace income growth, the affordability problem will continue to worsen. High housing costs relative to household incomes indicate that some of the town's existing residents are likely struggling to keep up with housing costs. In fact, nearly 20% of current households are spending more than 30% of income on housing, the generally accepted affordability threshold. In addition, housing in Kennebunkport remains unattainable to a considerable majority of York County households. Only 25% of county households would be able to afford the median home in Kennebunkport.

⁴ According to HUD, housing is considered "affordable" if no more than 30 percent of a household's income is allocated to housing costs

The constrained supply of year-round rental units limits options for households inclined to rent.

Approximately 19% of permanently occupied (i.e. non-seasonal) units in Kennebunkport are rental units, compared to 29% in York County, 31% in Maine, and 37% nationally. This indicates that the town has a rather low share of rental housing even for a state with relatively few rental units. Moreover, the fact that the median monthly rent paid by tenants as reported by the American Community Survey (\$871) is considerably less than asking rents that can be found in the market (\$1,200 to \$1,500 for a 2-bedroom) suggests that a substantial portion of the rental housing stock is being rented at below-market rents. Such rents are typical for units rented to very long-term tenants or family members. Therefore, the number of year-round rentals actually on the market and available to new tenants at any given time is quite low. Young professionals, young families, the elderly, and other groups inclined to rent are unlikely to find many adequate and affordable rental options in town.

The housing stock is dominated by single-family homes, favoring owning over renting. Over 83% of the housing stock in Kennebunkport is comprised of single-family detached homes, compared to 69% in York County. Single-family detached homes tend to be owner-occupied, which explains the high proportion of homeowners in the town. The share of single-family *attached* homes has nearly doubled since 2000, now representing 4% of the housing inventory and pointing to a trend toward somewhat higher density development. Multi-family units (i.e. homes in a structure with at least 2 housing units), however, have remained steady as a share of the overall housing stock since 2000, at around 9%. A restricted supply of multifamily units limits options for populations who tend to rent versus own.

The town's popularity as a vacation destination drives up the cost of land and housing. Kennebunkport's coastal location, small-town charm, and other amenities make it a popular choice for seasonal residents during the warmer months. In fact, the 3,000+/- individuals residing in seasonal homes during the peak season is almost equivalent to the town's permanent year-round population of approximately 3,700.⁵ High demand for seasonal homes coupled with a limited supply of land translates into high housing costs, meaning that year-round residents and workers must compete with the seasonal population over a finite housing stock. As shown in Table 3, about 44% of residential properties are owned by out-of-towners, and these homes are valued 58% higher than those homes owned by permanent residents. The average home owned by a permanent resident is worth \$515,000, while the average home value for a home owned by an out-of-town resident is \$813,000.⁶

Table 3: Residential Properties by Owner Address

Residential Properties by Owner Address		
Mailing Address	Properties	Share
Kennebunkport*	1,432	56.2%
Other Maine	151	5.9%
Massachusetts	440	17.3%
New Hampshire	80	3.1%
Connecticut	80	3.1%
Florida	71	2.8%
New York	67	2.6%
Other	227	8.9%
Total	2,548	100.0%

*Includes Cape Porpoise addresses

Source: Town of Kennebunkport Property Database

⁵ Estimated based on share of residential property recorded to an owner with an out-of-town address and share of seasonally vacant housing units according to the American Community Survey (ACS)

⁶ Calculated based on Town property records as of October 2017

High land costs combined with large-lot zoning result in the construction of high-priced homes.

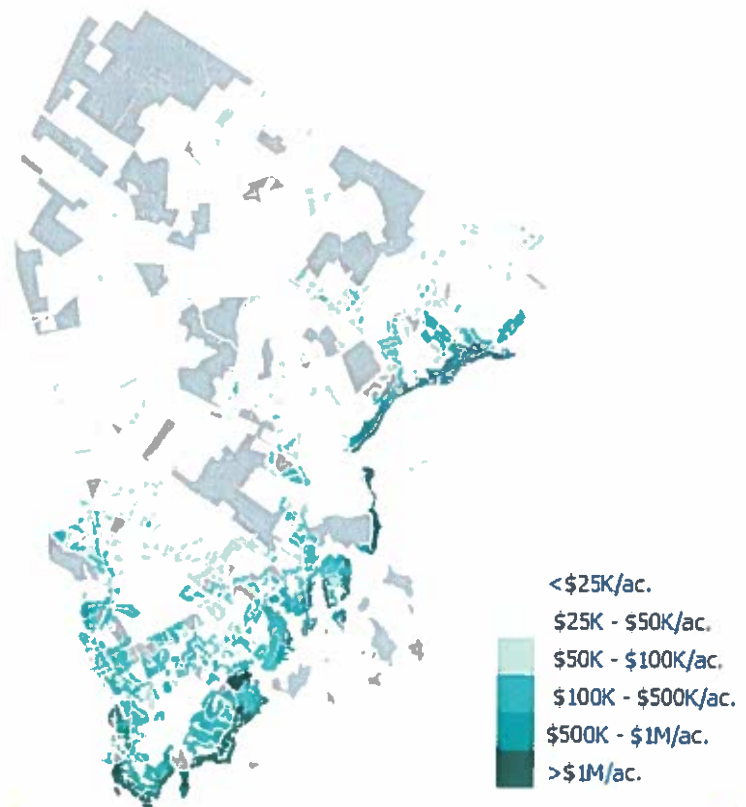
Kennebunkport's housing affordability challenges are a result of market dynamics. On a per-acre basis, land costs in the town are high. The median land value per acre for a developed residential property in Kennebunkport is \$269,000,⁷ accounting for about 36% of total value for the median property. In comparison, for Maine overall the average land value as a share of total property value is just 19.6%.⁸ Figure 1 maps land values per acre for residential properties in town.

As the cost of land increases, developers build larger, more expensive homes to maximize their return on investment. This dynamic is exacerbated when zoning requires large minimum lot sizes. Much of Kennebunkport's undeveloped land is located in the Farm and Forest Zone and Free Enterprise Zone, zoning districts requiring minimum lot sizes of 3 acres and 1 acre, respectively. This means that more land must be purchased in order to build a home. As a result, the market produces high-end homes in order to offset the increased cost. New modest, affordable homes are therefore not built in town. Reducing minimum lot sizes in the areas of town with lower per-acre land costs could help to bring down the cost of developing housing.

Short-term vacation rentals further constrain the year-round rental housing stock.

Platforms such as Airbnb, Home Away, and others have made the short-term rental of bedrooms or whole dwelling units a popular accommodation option for vacationers. Whole dwelling rentals in particular have the effect of driving up the cost of housing for year-round renters or making year-round rental housing difficult to find. Oftentimes a homeowner can obtain a higher profit from short-term vacation rentals than renting to a local resident. For example, at a typical rate of \$1,400 per month for a 2-bedroom apartment, a landlord would earn \$16,800 annually in income from renting out an apartment year-round. Alternatively, the landlord could list the unit as a vacation rental and charge \$250 per night during peak season.⁹ After 10 weeks (i.e. 70 nights), the rental income generated would surpass the annual income from the year-round rental. This creates an incentive to rent to vacationers over year-round residents, therefore limiting the supply of year-round rental options.

Figure 1: Land Cost per Acre, Residential Properties, Town of Kennebunkport



Note: Grayed out parcels are commercial, publicly owned, or under conservation

⁷ Calculated based on Town property records as of October 2017 and reflects only the value of land and *not* the value of improvements.

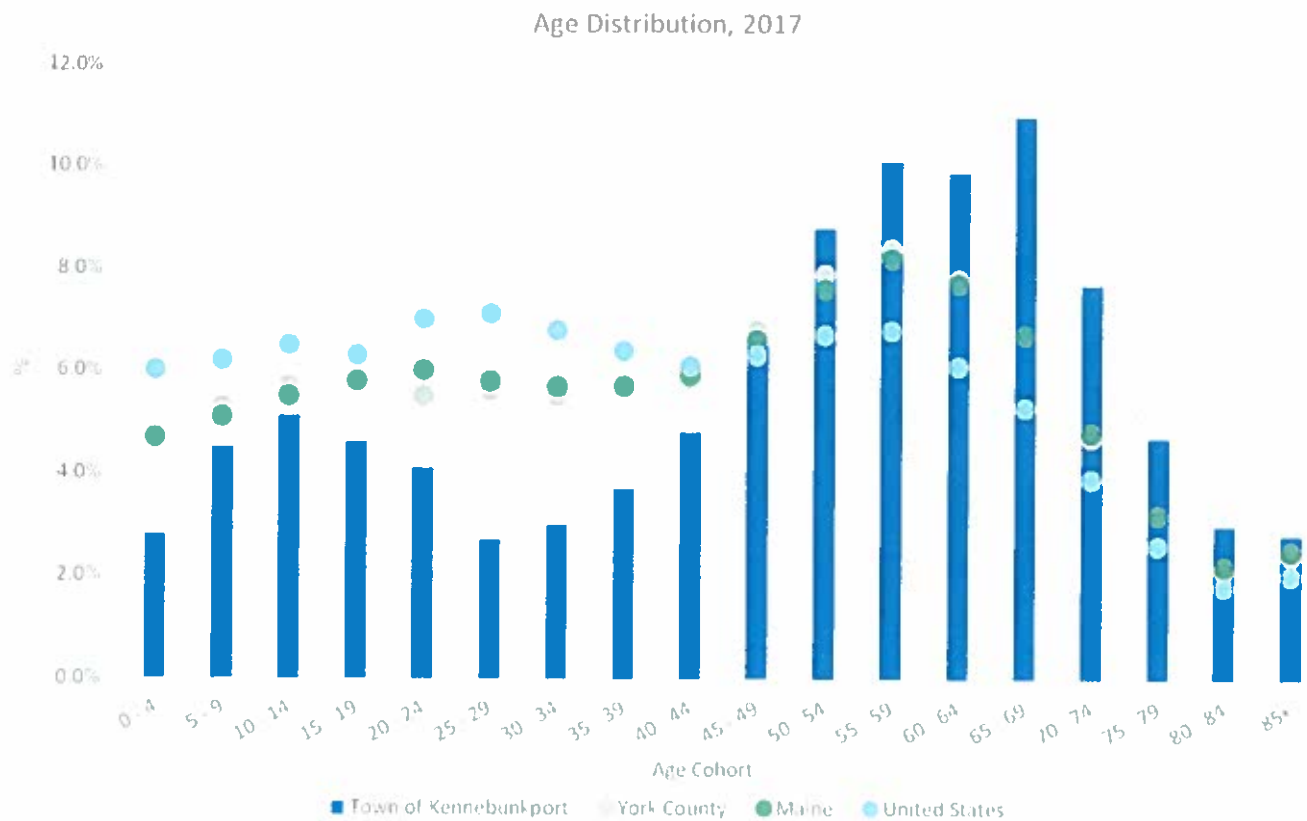
⁸ Lincoln Institute of Land Policy, 2016Q1 data

⁹ \$250 per night is a typical rate for a 2-bedroom unit based on a review of online listings

Housing affordability challenges contribute to limited income diversity. The high price of housing in Kennebunkport means that only higher-income households can afford to live in town. The median household income in Kennebunkport is \$71,834, compared to \$60,612 in York County. Over 21% of the town's households have income of at least \$150,000, more than double the county share (9.3%). A third (33%) of households have an income below \$50,000, compared to 39% in the county. Four percent (4%) of the town's households live below the poverty line.¹⁰ As housing costs continue to rise, existing long-time residents of modest means may find themselves struggling to make mortgage or rent payments, or pay for utilities. They may eventually be priced out of the town and forced to seek housing elsewhere. Only the highest-income households will be able to move into Kennebunkport, causing the median income to continue rising and income diversity to decline.

Kennebunkport's population is heavily skewed toward seniors, and will continue to age. The median age for Kennebunkport is nearly 55, well above the median of 45 for both York County and Maine. Over 29% of residents are 65 or older, compared to 19% in both the county and state. The younger middle-age population in Kennebunkport is significantly underrepresented. Only 14% of the population falls within the 25-to-44 range, compared to 23% in both York County and Maine. This is the prime age for forming households, having children, and purchasing homes. It is during this time that people decide to "put down roots" in a community. The availability of affordable housing options strongly impacts the representation of this age cohort. See Figure 2 for a graph depicting the town's age distribution.

Figure 2: Age Distribution, 2017



¹⁰ According to the US Census, a household is considered to live below the poverty line if household income is below a certain threshold adjusted for family size and number of children

Declining enrollment threatens the long-term viability of Kennebunkport Consolidated School. The town's school-age population (5- to 18-year-olds) is slightly below but comparable to that of the county (14% vs. 16%). However, projections from the RSU 21 school district indicate that enrollment is expected to decline into the future as resident births slow. Kennebunkport Consolidated School is the only school in the district currently experiencing declining enrollment, and as a result, 2017-18 is the first year that the school has only one kindergarten class instead of two.

A high degree of cross-commuting reflects a mismatch between jobs and housing. Eighty percent (80%) of those who work in Kennebunkport commute into town from elsewhere, while 86% of employed town residents commute out of town for work. These high levels of commuter inflow and outflow indicate that employment and housing opportunities are not aligned. Primary employment sectors in the town include accommodation, food services, construction, and retail, industries which tend to offer low to moderate wages. More Kennebunkport workers live in neighboring Kennebunk than in the town itself. Biddeford and Sanford are the third and fourth most common places where the town's workers live. While the vast majority of workers live out of town, more than half (56%) of workers commute fewer than 10 miles to work.

The small share of Town staff living in Kennebunkport will continue to shrink as employees retire. The Town itself is among the largest employers in Kennebunkport, and only a quarter of full-time Town employees live in town, as shown in Table 4. Over the next five years, 11 of the Town's 47 current full-time employees will reach age 65 and likely retire. An additional 6 full-time employees will reach retirement age within 10 years. The town's small pool of working-age residents and high housing costs means that these vacant positions are unlikely to be filled by Kennebunkport residents, contributing to further decline in the share of Town employees living in town.

Table 4: Kennebunkport Town Employees by Place of Residence


Kennebunkport Town Employees by Place of Residence				
Place of Residence	FT	PT Year-Round	PT Seasonal	All Employees
Kennebunkport	25.5%	67.8%	36.6%	49.4%
Kennebunk	23.4%	12.2%	22.0%	17.4%
Other	51.1%	20.0%	41.5%	33.1%
Total	100.0%	100.0%	100.0%	100.0%

n = 178

The comparatively higher share of part-time year-round employees living in town (68%) shown in Table 4 is attributable to a significant number of pay-per-call firefighters. With a median age of 54, many of these firefighters have lived in town for decades and were able to purchase homes when they were more affordable. By comparison, nationally, the median volunteer firefighter in a similarly sized community is in his/her early 40s.¹¹

Moreover, the town's top responders tend to be in the older age group. Of the 17 firefighters who responded to at least 50 calls in the past year, 8 were at least 65 years old, and another 5 were between 55 and 64. In other words, 76% of top responders were 55 or older. As they retire, these firefighters are not being replaced by younger volunteers because high-cost housing has contributed to a lack of young people and shrinking volunteer pool in the town.

¹¹ National Fire Protection Association (NFPA) Survey of Fire Departments for U.S. Fire Experience 2015



There is substantial undeveloped land remaining in the town that could be used for housing. A buildout analysis conducted in 2009 identified the potential for approximately 2,960 new dwelling units in Kennebunkport based on existing zoning and developable land area.¹² Since then, 149 new units have been built, meaning that enough undeveloped land still exists to accommodate over 2,800 units under current zoning. Much of this land is located in the rural areas to the north of the town center and inland from the coast. See Appendix B for map of potential buildout prepared by the Town.

Employer attitudes toward the housing affordability issue vary significantly based on business size and seasonality. According to survey results, the town's employers tend to agree that it is difficult for their workers to find housing in Kennebunkport. Sixty-three percent (63%) of businesses said that it was difficult or very difficult for workers to find housing. For employers with 6-20 employees, the number was 92%. However, employers were split as to whether a lack of housing affordability negatively impacts their businesses. Overall, 52% of employers either disagreed or strongly disagreed that this was the case, while 34% agreed. This was strongly influenced by business size. Only 6% of businesses with 3-5 employees agreed with this statement, while 50% of businesses with 6-20 employees agreed, and 67% of businesses with more than 20 employees agreed. Seasonal businesses were more likely to agree (41%) than non-seasonal businesses (26%). Nearly half of survey respondents indicated that at least 75% of their staff is comprised of full-time employees, suggesting that finding affordable housing is difficult for full-time and part-time workers alike. See Appendix C for detailed survey results.

¹² For additional information on this buildout analysis see the Town of Kennebunkport 2012 Comprehensive Plan, Chapter VII Land Use

Populations to Address

The appropriate approach for addressing Kennebunkport's housing challenges depends on the target populations that the Town wishes to assist. There are three key demographic groups the Town may choose to target: existing year-round residents, year-round workers, and seasonal workers. Strategies for ensuring housing affordability will vary across these groups.

Figure 3. Populations to Address

Year-Round Residents	Year-Round Workers	Seasonal Workers
<ul style="list-style-type: none">• Senior citizens, many retired, who want to "age in place"• Middle-income long-time residents who purchased homes when they were more affordable and want to stay in town• Young adults who want to stay in the town where they grew up	<ul style="list-style-type: none">• People who work in town but live elsewhere• Tend to be younger, middle-income, including young families seeking first home• Employed by Town, School District, service industries, construction, landscaping, etc.	<ul style="list-style-type: none">• Work in service industries during peak season• Modest incomes• Seek affordable, short-term rental housing

Existing Year-Round Residents

While newer residents tend to be high income, long-time residents with moderate incomes were able to purchase homes in town when they were more affordable or inherit housing or land from a family member. Much of the town's existing population is aging, and the future housing needs of the senior population should be considered. Seniors are seeking alternatives to the single-family home to continue living independently. Multifamily units allow the independence seniors desire without the added maintenance efforts that a single-family house requires. Multifamily units also are more likely to offer a single-story living space which is ideal for aging individuals who may have mobility limitations. The single-family detached, owner-occupied homes that dominate the town's housing stock may not be appropriate for seniors who wish to downsize and live in homes with fewer maintenance obligations.

Another demographic of concern is the young adult population. Kennebunkport has a young adult population well below the county and state average, which is driven in part by the lack of affordable housing options, both rental and for-sale units. Young adults who grew up in Kennebunkport may wish to remain in the town but are forced to seek housing and start families elsewhere. Without new younger households putting down roots in Kennebunkport, the town's median age continues to rise.

Year-Round Workers

Commute statistics show that the vast majority of those employed year-round in Kennebunkport do not live in the town. There are nearly 700 workers who fall into this category. Interviews with real estate brokers revealed that many of these families would like to live in Kennebunkport but ultimately seek housing in other less expensive locations. New affordable housing units in Kennebunkport would be absorbed by this group.

Seasonal Workers

Interviews with local business owners revealed a need for housing for workers employed at the town's seasonal hospitality-oriented businesses, including hotels and restaurants. These workers typically seek affordable, short-term housing accommodations. Some businesses provide housing onsite for seasonal workers, while in other cases, seasonal workers live in lower-cost communities and commute into Kennebunkport. The lack of housing in town limits the available workforce for seasonal businesses and constrains economic growth within the community. According to the results of the employer survey, the average seasonal business would hire 5.2 additional workers if labor were more readily available. Strategies for providing seasonal worker housing might be considered to address this challenge.

In order to address these populations, the Town may need to take action to reduce the impact of seasonal residents on the community. Seasonal residents tend to be high-income households who live in Kennebunkport during the peak tourist season. They include seasonal homeowners and renters. Demand from these residents distorts the housing market and contributes to the high cost of housing. Limiting additional housing targeted toward seasonal residents and/or restricting seasonal rentals would help to rein in rising housing costs.

Case Studies

Case studies were conducted for three communities with comparable housing challenges to Kennebunkport. The strategies outlined in these cases are meant to serve as examples of concrete actions that the Town can take to mitigate its housing affordability issues. The three case studies include the Island Housing Trust (Mount Desert Island, Maine); the Town of Scarborough, Maine; and the Town of Provincetown, Massachusetts. Major themes from the three cases are summarized as follows:

6. Dedicated personnel through a committee or staff person, or both. While a committee is a good oversight body, increasing overall capacity the most will come from a staff person. This could come in the form of hiring a new full or part time staff member, or adding these responsibilities to someone already on payroll.
7. Regulation that impacts future building principles.
8. Channeling funds to a pot of money that can help develop affordable housing.
9. Partnerships with private sector and/or affordable housing developers such as Avesta Housing and Habitat for Humanity.
10. An acknowledgement of affordable housing as an important issue in comprehensive plans, with specific objectives outlined.

Island Housing Trust – Mount Desert Island, ME

A 501(c)3 nonprofit founded in 1989, the Island Housing Trust was originally established to serve the population of the Town of Mount Desert on Mount Desert Island, Maine. The organization has since expanded and now serves all three towns on the island, with the mission of promoting viable, year-round island communities by advancing permanent workforce housing on the island. The island's housing stock posed affordability issues for much of the year-round working population. Thus, the organization created an initiative called MDI Tomorrow, with the purpose of addressing major concerns regarding the lack of affordable housing.



In conjunction with the MDI Tomorrow initiative, a housing study was conducted in 2004, which identified specific gaps in the housing stock. With this knowledge, the Trust was able to garner support from both year-round and seasonal residents. Public support did not pose a significant hurdle for the Trust's plan to address affordable housing. In fact, seasonal island residents were excited about the initiative, offering generous support and donations.

Programs

To date, Island Housing Trust has focused on affordable homeownership projects that are protected by affordability covenants. The covenants are agreed to by the homeowner in exchange for the subsidy invested in the residential properties purchased or constructed. These covenants protect that invested subsidy and ensure that over time the properties stay affordable to working households on Mount Desert Island. The maximum resale price for the property is capped at the increase in median wages over the ownership period and balanced against a maximum affordable cost to ensure the property remains affordable to future owners.

To be eligible for assistance through the Trust, applicants must earn no more than 120% or 160% of Maine area median income (AMI), depending on the specific program. Applicants must agree to live in the house year-round.

and be able to obtain bank financing. Finally, applicants must have at least one adult in the household who has earnings from employment on Mount Desert Island equal to or greater than 20% of area median household income.

Successful Projects

Through January 2017, Island Housing Trust had completed 34 homeownership projects for 106 adults and children on Mount Desert Island since 2008. Among these are:

- 9 new, energy-efficient houses at IHT's Ripples Hill workforce housing development in Somesville on land donated by the Town of Mount Desert
- 14 Homeownership Assistance Program (HOAP) projects in which IHT provided bridge grants to enable qualified applicants to purchase year-round houses on MDI
- Four houses in the Sabah Woods workforce housing development in the Thomas Bay area of Bar Harbor
- A donated 2.4-parcel of land in Somesville that became the site of a single-family residence
- A partnership project with Maine Coast Heritage Trust that enabled a couple qualified by IHT to purchase a three-bedroom home on Route 3 in Bar Harbor as their year-round home

Including among the 34 homeownership projects completed by are five successful re-sales of residential properties that carried IHT's affordability covenants and thus were resold at below market-rate to qualified working families and individuals.

Operations and Funding

The Island Housing Trust is a unique organization because it operates entirely on private funds, which support both housing projects and 1.6 staff positions. Most dollars are donated from generous summer residents, who are in full support of the mission. The organization stated that despite this, funding will be a concern going forward, as well as land use ordinances that are in place. The Trust plans to continue its affordable housing initiatives with the addition of multi-family rental units.

For more information on Island Housing Trust, visit: <http://www.islandhousingtrust.org/>.

Town of Scarborough, ME

Just north of Kennebunkport lies the coastal town of Scarborough. While its population is larger than Kennebunkport (just under 19,000) it has been working with similar issues of housing affordability for over a decade. In 2005 the Town commissioned an Affordable Housing Needs Analysis that uncovered multiple housing issues including the availability of affordable housing for seniors, working families, and those needing rentals. Scarborough took the following actions to reverse the trend of its housing shortage:

Habitat for Humanity Partnership

The town developed a partnership with Habitat for Humanity to build multiple, single-family affordable houses. The program, different than traditional Habitat for Humanity projects, has higher income limits and does not require physically assisting in the building of the house. Three-bedroom, two-bath houses are currently available for sale at \$220,000 and feature a covered porch, full basement and Energy Star certification. To qualify, potential buyers cannot make more than 120% of the area median income, and preference is given to those who work or live in the town.¹³



Scarborough Housing Alliance

Formed in conjunction with the 2005 Affordable Housing Needs Analysis, the Scarborough Housing Alliance is tasked with addressing the issues identified in the report. Their stated mission includes:

- Working together to develop and recommend a local affordable housing agenda to the Town Council.
- Implementing a local affordable housing program under the guidance of the Town Council.
- Performing such other duties as may be assigned by the Town Council from time to time.¹⁴

The Alliance has been instrumental in moving regulatory action through the Town Council and acting as an organized voice in progressing affordable housing efforts. They meet monthly and currently have seven members—no small task in a town of its size—which reflects the community's desire to increase housing affordability for all.

Regulatory Supports

Key to creating affordable housing options is the desire of the local governing agency to do so. The Scarborough Town Council understands the impact lack of affordable housing can have and has taken specific actions which have resulted in an increase of affordable housing units. Specifically, they:

- Require new residential development to include a minimum of 10% affordable units. If not provided, then developers must pay into a housing fund. The funds are utilized by engaging nonprofit and/or private affordable housing developers in an RFP process (run by the Scarborough Housing Alliance) for land

¹³ <http://habitatportlandme.org/index.php/info/Scarborough-Housing-Alliance-Homes->

¹⁴ <http://www.scarboroughmaine.org/town-government/boards-committees/scarborough-housing-alliance>

acquisition, infrastructure and/or building costs and possibly for the planning and design phase. Currently \$190,000 resides in the fund with an anticipated \$700,000 to come.¹⁵

- Require at least 10% of new residential units to be those other than single family homes.
- Provide density bonuses (of up to 20%) within residential areas when at least 33% to 40% of the bonus units are affordable.¹⁶
- Utilize Affordable Housing Tax Increment Financing (TIF) to create affordable housing, including "mixed-income" projects. This is currently being utilized for redevelopment of an existing building, South Gate Housing, on Rte. 1 for 50 affordable rental units by Avesta Housing. It was also used in the past for the development of 36 affordable senior apartments on Griffin Road. Additional projects are also before the planning board for approval.
- Updated land use regulation to allow for a range of housing types.
- Utilized a Town building, the Bessey School, to partner with developer for senior housing known as Bessey Commons, which includes maintaining a portion of units as affordable. For more information, visit: <http://besseycommons.com/>.

After the initial completion of the town's Housing Needs Analysis, the combination of creating 1) a body to oversee progress, 2) partnerships with Habitat, and 3) regulatory supports have led to new housing stock which is maintained as affordable.

¹⁵ http://leader.mainelymediallc.com/news/2017-10-13/Front_Page/Alliance_assesses_affordable_options.html

¹⁶ Chapter 6, Town of Scarborough 2006 Comprehensive Plan

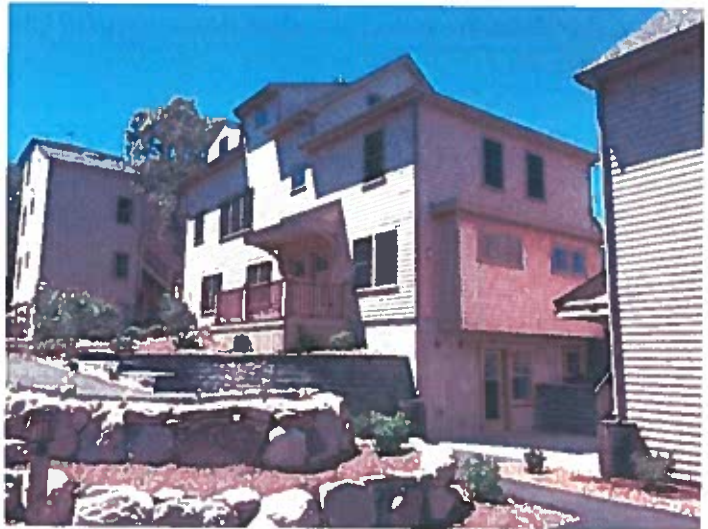
Town of Provincetown, MA

As a popular coastal vacation community with many seasonal residents, Provincetown, Massachusetts has seen some severe housing affordability challenges. With a current median household income of \$43,000, the median value of a single family home is a disproportionate \$790,000. However, this small community of about 3,000, located at the tip of Cape Cod, has matched its housing challenges with deliberate action.

The Town of Provincetown has created the Provincetown Housing Playbook, a living document that serves to record effective efforts in housing affordability. With their full time Community Housing Specialist, Provincetown's local government is very active in pursuing its housing affordability goals.

Provincetown has identified three categories of housing need, creating specific benchmarks within each.

1. *Affordable Housing* provides year-round housing for very low/low/moderate income individuals – at or below 50%, 65%, 80% of Area Median Income (Barnstable County AMI is ~\$77K). To date, 179 deed-restricted rental units and 46 deed-restricted owner units have been built.
2. *Community Housing* provides year-round median/middle income – 80%-160%, of Barnstable County AMI. To date, 5 deed-restricted rental units and 8 deed-restricted owner units (80-100% AMI) have been built.
3. *Seasonal Workforce Rental Housing* currently has no formal programs in place, but the Town is talking to businesses about strategies to implement in the future.



Beyond these currently existing units, the Town has recognized a need for 100 additional affordable units, of which two thirds would be Community Housing (e.g. median and middle-income units). In addition to assistance from the Commonwealth of Massachusetts, the town relies on a variety of tools that have helped create and retain Community Housing. Specific efforts within this category include:

Town Community Preservation Act

A 3% property tax surcharge is matched with state funds, of which 60% goes toward community housing. Funds housing projects up to 100% AMI which may be raised in future

Year-Round Rental Housing Trust

This trust also funds housing projects up to 100% AMI, and was recently created to address Community Housing shortage. The main goal is to create and preserve year-round rental units. The trust currently has \$1.5 million in approved funding. Housing is provided using a lottery system, but local preference is given for current residents of the town, municipal employees, employees of local businesses, and households with children in local schools. This housing program is only for those with year-round residency. Town recently purchased 26 former timeshare units out of bankruptcy and is in process of converting these to rental apartments. The Town has issued an RFP for architectural and property management services.

Zoning

Provincetown sets aside building permits for affordable and community housing. Year-round rentals are required for those permits allowing accessory dwelling units.



Financial

Certain Town services are provisioned for affordable projects such as trash, plowing and street sweeping. In addition, the town waives building permit fees for housing that meets this standard.

Programs

Provincetown has many first-time homebuyer workshops to increase understanding on the home-buying process. They also created a HomeShare program which matches homeowners with available bedrooms with people seeking housing.

Provincetown is dedicated to increasing the supply of affordable housing and, as outlined above, is taking action in multiple ways. This type of approach is key to creating results.

For more information, see the Provincetown Housing Playbook: <http://www.provincetown-ma.gov/DocumentCenter/View/6072>

Setting an Affordable Housing Goal

Based on data and analysis contained in this Assessment, a review of case studies for similar communities, interviews with businesses, and the 2012 Comprehensive Plan, we recommend the following housing affordability goal:

At a minimum, the Town should strive to add 23 new units of “affordable” housing over the next ten years (by 2028). This is equivalent to 10% of the projected increase in total new housing units in the town over this period. Affordable units are defined as units that are affordable to households earning between 80% and 120% of the town’s median household income as provided by the Maine State Housing Authority Housing Affordability Index. Affordable for-sale units would be available at a price between approximately \$254,000 and \$382,000, based on 2016 income data.

The Board of Selectmen should consider this recommended goal and continue to revise it in the future to meet the needs of the community.

Strategies and Tools to Consider

The following is a framework for strategies to be further considered. We use the word “framework” as multiple strategies are likely needed, which can be integrated to begin to impact the different market challenges for the targeted population segments the Town chooses to address. There are three important elements that are at the basis of the strategy framework. They are:

- ✓ First, as indicated previously, there are three key demographic groups the Town may choose to target: existing year-round residents, year-round workers, and seasonal workers. Strategies for ensuring housing affordability will vary across these groups. The Town should continue to facilitate further input and discussion with citizens and the Board of Selectmen which populations/market segments are a policy priority.
- ✓ Second, no matter which market segment the Town chooses to target, solutions will need to address the cost of development in Kennebunkport. Due to relatively high land costs, this must include policies to reduce the cost of land. The private market has not and likely will not take care of housing issues without partnerships to reduce development costs so housing units (both rental and for-sale units) can be delivered at various levels of affordability.
- ✓ Third, success will require partnerships between the Town and other stakeholders or entities with complementary interests. This might include landowners, developers, affordable housing organizations, the State, and other communities within the region.

Utilizing this framework, the following are more detailed strategies for consideration by the Town:

- **Housing Alliance or Housing Trusts** – typically a nonprofit or quasi-governmental entity whose mission is to develop and implement policies or programs for affordable housing. Such an entity could be partially or fully funded by private sources and assist with the development of new units or with buying down the cost of existing units.
- **Donation of Land to Developer or Housing Entity** – involves the Town providing land to a developer at little or no cost in exchange for the creation of a specified development plan to ensure affordability.
- **Zoning Policies** – including policies such as clustering or density bonuses to increase development potential of a given site relative to land costs.
- **Affordable Housing Tax Increment Financing** – program of Maine State Housing that allows municipalities to dedicate future property tax revenues from affordable housing development to be used to

help developers pay for the costs of development including land acquisition, site and infrastructure costs, and management costs.¹⁷

- **Partnering with Affordable Housing Developers** – this can be accomplished through issuance of a request for qualifications or proposals in which the Town provides clarity on objectives and policies it is willing to use to achieve them and then solicits development plans through an open process. Resulting partnerships, if proposals are brought to fruition, would likely include a combination of tools to create affordability including land-use policies to allow density, land contributions, or tax increment financing. This can include non-profit development entities such as Habitat for Humanity.

In all cases to be sure the Town is addressing affordable housing over the long term for the target populations it chooses to address, policies or programs implemented must contain methods for:

- (1) ensuring units remain affordable regardless of turnover in owners or renters; and
- (2) ensuring existing residents or workers have an opportunity to access the housing in addition to interested new residents

¹⁷ <http://www.mainehousing.org/programs-services/housing-development/developmentdetails/affordable-housing-tax-increment-financing>

Appendix A: Detailed Data Analysis

Extensive data analysis was conducted for the Assessment to provide an understanding of the current and future state of housing and demographics in Kennebunkport. This data is presented and analyzed in detail in this appendix.

Affordability of Kennebunkport Housing

Homeownership

Camoin compared median household income with median home values and sale prices between the town and county. There is a significant disparity between county income, and the income threshold that is required to afford the average home in Kennebunkport. Camoin utilized the median home value to calculate the associated mortgage and tax payments that the home owner would pay annually. Then, applying the assumption that the average household spends at most 30% of their income on housing expenses, we calculate the income threshold required to own a median-valued home. The median household income in 2015 for York County was \$60,612, while the income needed to afford a median-value home in Kennebunkport was \$95,280. In addition, according to local realtors, the current average sale price for a home in Kennebunkport is almost \$700K, as compared to \$425K in Kennebunk and \$300K in Wells. Given these prices, county residents are likely unable to move to the town and will choose to locate in towns such as Kennebunk and Wells, where sale prices are drastically lower.

Table 5: Home Ownership Affordability, 2015

Home Ownership Affordability, 2015			
	Kennebunkport		York County
Median Household Income	\$	71,834	\$ 60,612
Median Home Value	\$	473,718	\$ 251,150
Income Required to Afford Median Home	\$	95,280	\$ 50,520

Table 6: Average Home Sale Price, 2017 YTD

Average Home Sale Price, 2017 YTD		
Kennebunkport	\$	695,834
Kennebunk	\$	425,196
Wells	\$	304,464

Source: Local realtor

While home values have doubled since 2000, household incomes have growth by just 32% in the same period. The table below outlines historic growth in home values versus household incomes.

Table 7: Historical Home Ownership Affordability

Home Ownership Affordability				
	2000		Current	Pct. Increase
Median Household Income	\$	54,219	\$ 71,834	32%
Median Home Value	\$	234,200	\$ 473,718	102%
Income Required to Afford Median Home	\$	47,120	\$ 95,280	102%

Source: Census, ACS

The tables to the right provide a historical outlook on housing affordability in the town and county. Kennebunkport homes have become increasingly more expensive over the 10 years from 2000 to 2010. The income threshold required to purchase a median-valued home in Kennebunkport almost doubled, while the income required to purchase a county home increased by less than \$10,000. Purchasing a median-valued home in the town in 2010 required almost double the income as purchasing a median-valued county home in the same year.

Table 8: Estimated Mortgage Payment, 2000

Estimated Mortgage Payment, Using 2000 Estimates			
	Town of Kennebunkport		York County
Median Price of Home	\$	234,200	\$119,500
Down Payment @ 10%	\$	23,420	\$ 11,950
Loan Amount	\$	210,780	\$107,550
Average Mtg Payment 30 Years @ 4%	\$	1,006	\$ 721
Average Tax Payments, Monthly	\$	172	\$ 88
Total Monthly Payment	\$	1,178	\$ 809
Annual HH Income Threshold	\$	47,120	\$ 32,360

Source: Esri, Camoin Associates

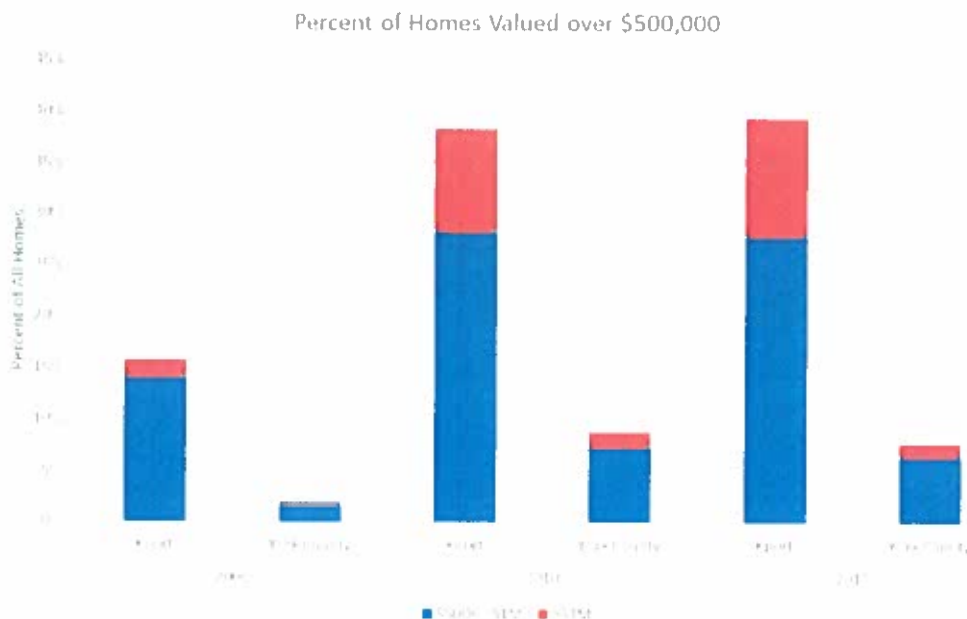
Table 9: Estimated Mortgage Payment, 2010

Estimated Mortgage Payment, Using 2010 Estimates			
	Town of Kennebunkport		York County
Median Price of Home	\$	436,300	\$232,300
Down Payment @ 10%	\$	43,630	\$ 23,230
Loan Amount	\$	392,670	\$209,070
Average Mtg Payment 30 Years @ 4%	\$	1,875	\$ 998
Average Tax Payments, Monthly	\$	320	\$ 170
Total Monthly Payment	\$	2,195	\$ 1,168
Annual HH Income Threshold	\$	87,800	\$ 46,720

Source: Esri, Camoin Associates

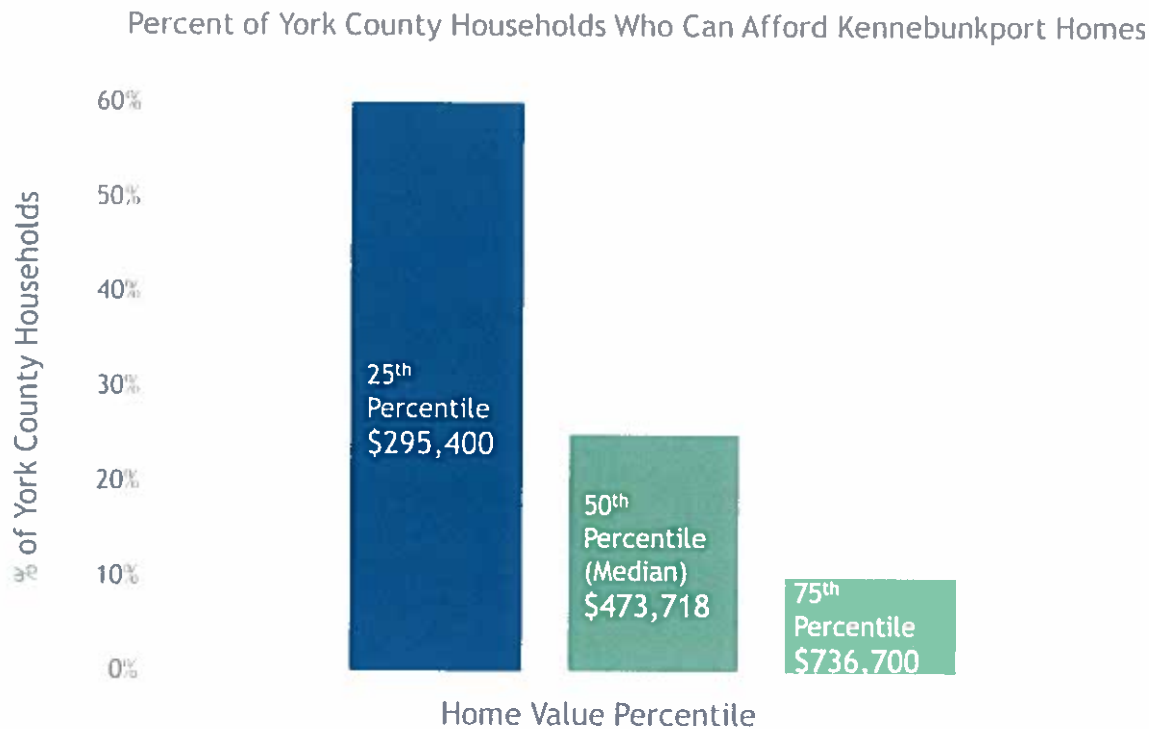
The chart below provides a historical look at the percentage of homes that were valued above half a million dollars and above \$1 million in both the county and town. As evidenced in the data discussed above, Kennebunkport homes surged in value between 2000 and 2010. Over 35% of homes in the town have been valued over \$500,000 since 2010, an increasing portion of which are valued above \$1 million. Very few homes in the county are valued above \$1 million, by comparison.

Figure 4: Percent of Homes Valued over \$500,000



The chart below shows the percentage of York County households who are able to afford Kennebunkport homes. These figures are based on 2014 ACS estimates. About 60% of county households can afford Kennebunkport homes priced in the 25th percentile. However, only about 25% of county households are able to afford median price, and very few (approximately 10%) can afford homes priced in the 75th percentile.

Figure 5: Affordability of Kport Homes to County Households



Rental Affordability

Table 11: Rent as Percent of Income, 2014

Rent as a Percent of Income, Using 2014 Estimates		
	Town of Kennebunkport	York County
Median Rent	\$ 871	\$ 792
Annual HH Income Threshold	\$ 34,840	\$ 31,680

Source: Esri, Camoin Associates

Table 10: Rent as Percent of Income, 2010

Rent as a Percent of Income, Using 2010 Estimates		
	Town of Kennebunkport	York County
Median Rent	\$ 880	\$ 731
Annual HH Income Threshold	\$ 35,200	\$ 29,240

Source: Esri, Camoin Associates

The tables to the left compare household incomes required to afford median rents in both the Town of Kennebunkport and York County. Historically, York County rents have been more affordable than town rents; however, the disparity between town and county income thresholds is far smaller in the rental market than the home ownership market. York County rents have increased, becoming closer to town rents, while town rents have remained similar since 2010.

Note that these rents may appear low as they reflect rents that tenants are currently paying, as reported by the American Community Survey (ACS). The sample includes below-market rents that might be charged to a family member, for example. The ACS samples throughout the year, and therefore includes both peak-season and off-peak rental rates.

Table 12: Rent as Percent of Income, 2000

Rent as a Percent of Income, Using 2000 Estimates		
	Town of Kennebunkport	York County
Median Rent	\$ 766	\$ 568
Annual HH Income Threshold	\$ 30,640	\$ 22,720

Source: Esri, Camoin Associates

Market asking rents are considerably higher, with list prices for a 2-bedroom apartment ranging from \$1,200 to \$1,500. There is also a fairly limited supply of year-round rentals, making this kind of housing difficult to find.

The charts below shows affordability of town rents for county residents in 2014. Again, rents tend to be more affordable than purchase prices throughout the town, though still out of the price range for many county households. About 75% of county households can afford median rent in Kennebunkport, while 65% can afford rents in the 75th percentile.

Figure 6: Affordability of Kport Rents to County Households

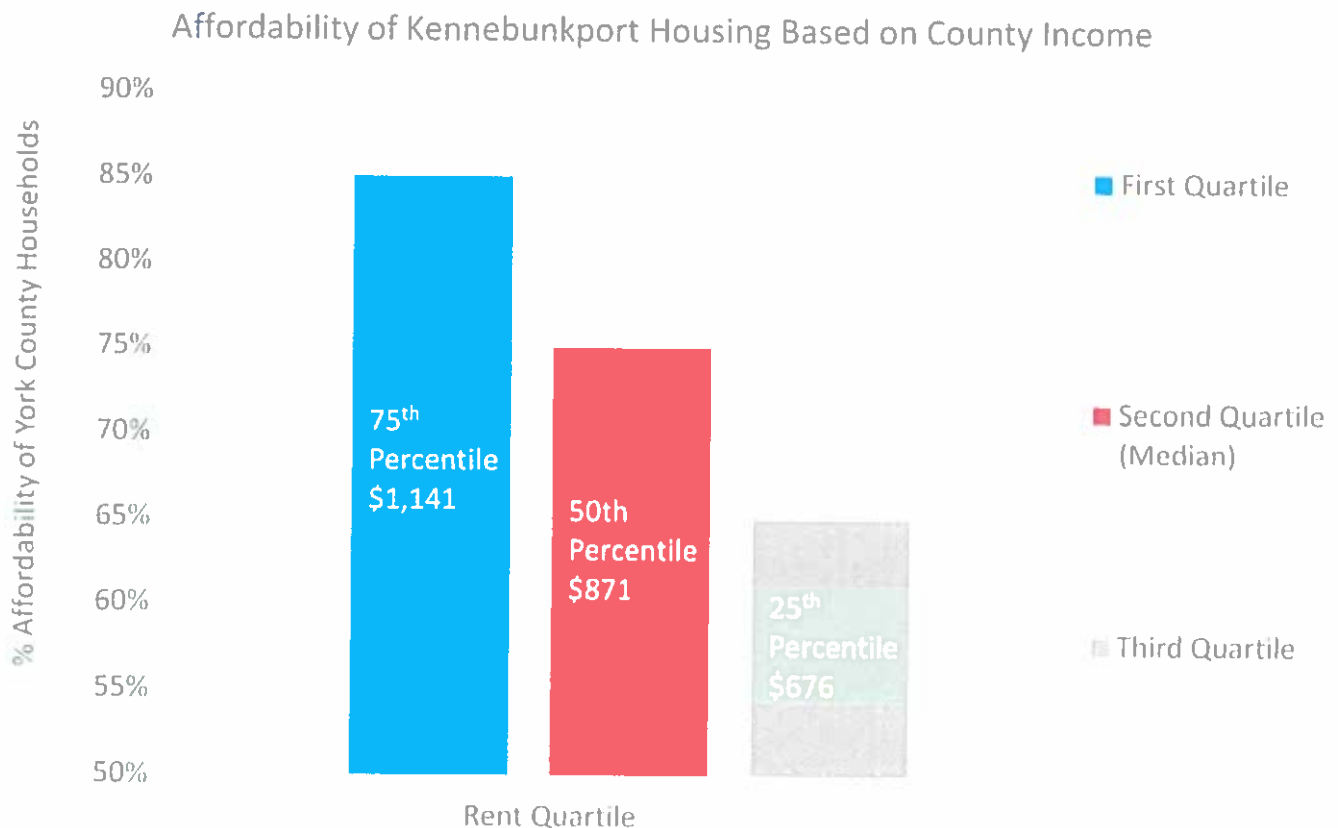
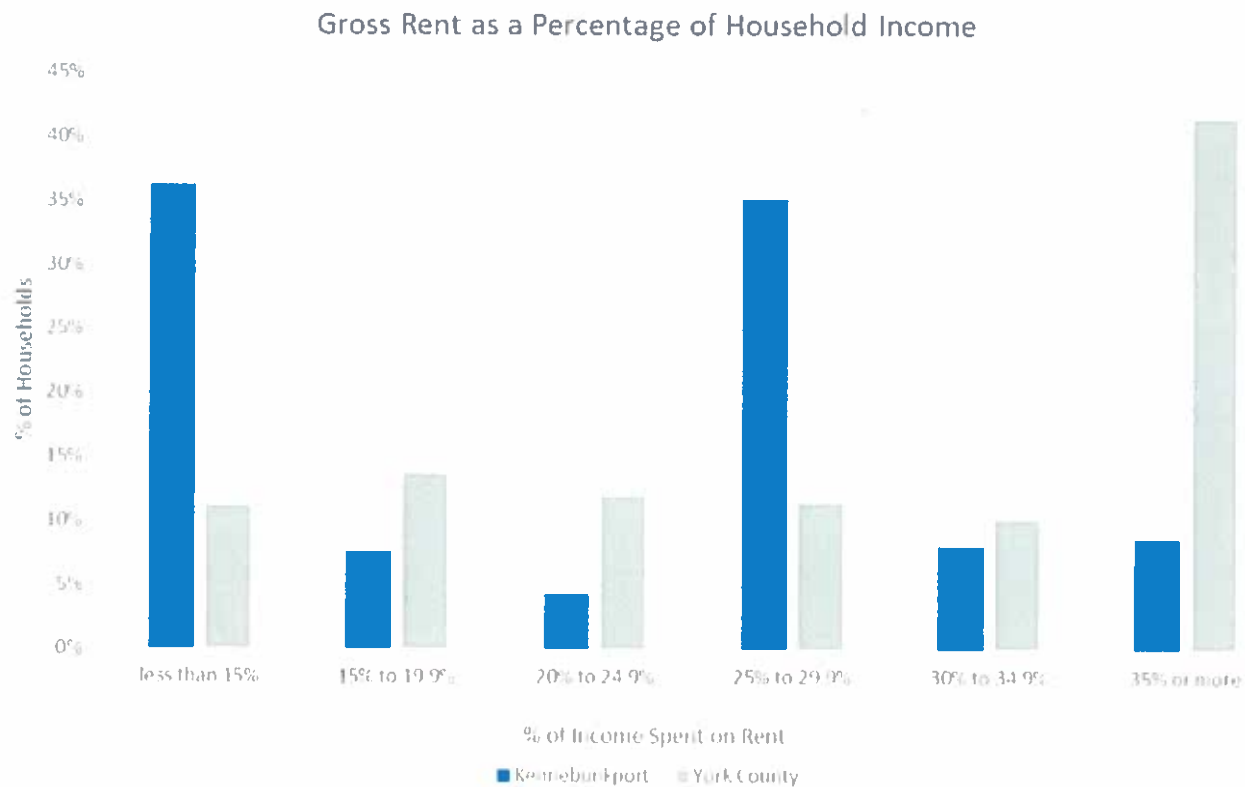


Figure 7: Gross Rent as a Percentage of Household Income



As previously mentioned, median contract rent in Kennebunkport is above that of the county, state, and nation. A vastly higher percentage of town households pay more than \$2,000 per month for rent. However, the largest cohort of households in Kennebunkport pays between \$750 and \$1,000 per month, which is consistent with the county.

Table 13: Renter Occupied Units by Rent

Renter Occupied Housing Units by Monthly Contract Rent, 2014 Estimates					
Contract Rent	Town of Kennebunkport		York County	Maine	United States
	#	%	%	%	%
\$0 to \$499	22	9.1%	13.2%	24.4%	20.3%
\$500 to \$749	44	18.2%	26.3%	32.5%	25.5%
\$750 to \$999	84	34.7%	33.0%	21.8%	19.7%
\$1,000 to \$1,249	16	6.6%	12.5%	8.1%	11.7%
\$1,250 to \$1,499	21	8.7%	5.7%	3.2%	6.8%
\$1,500 to \$1,999	0	0.0%	2.7%	1.8%	6.5%
\$2,000 or more	25	10.3%	1.3%	1.1%	4.2%
Median Contract Rent	\$871		\$792	\$673	\$767

Source: Esri

Housing Stock

The following table provides a detailed historical look at occupancy and vacancy trends in both the town and county over the last 17 years. Vacancy has been increasing in both areas; however, town vacancy is almost twice that of the county, and county vacancy grew over a much slower rate between 2000 and 2017. Seasonal vacancies in 2017 were much higher in Kennebunkport, 40.3% of all units, compared to 17.4% in the county. The otherwise vacant category includes homes that are for rent; rented, not occupied; for sale only; sold, not occupied, and other vacant.

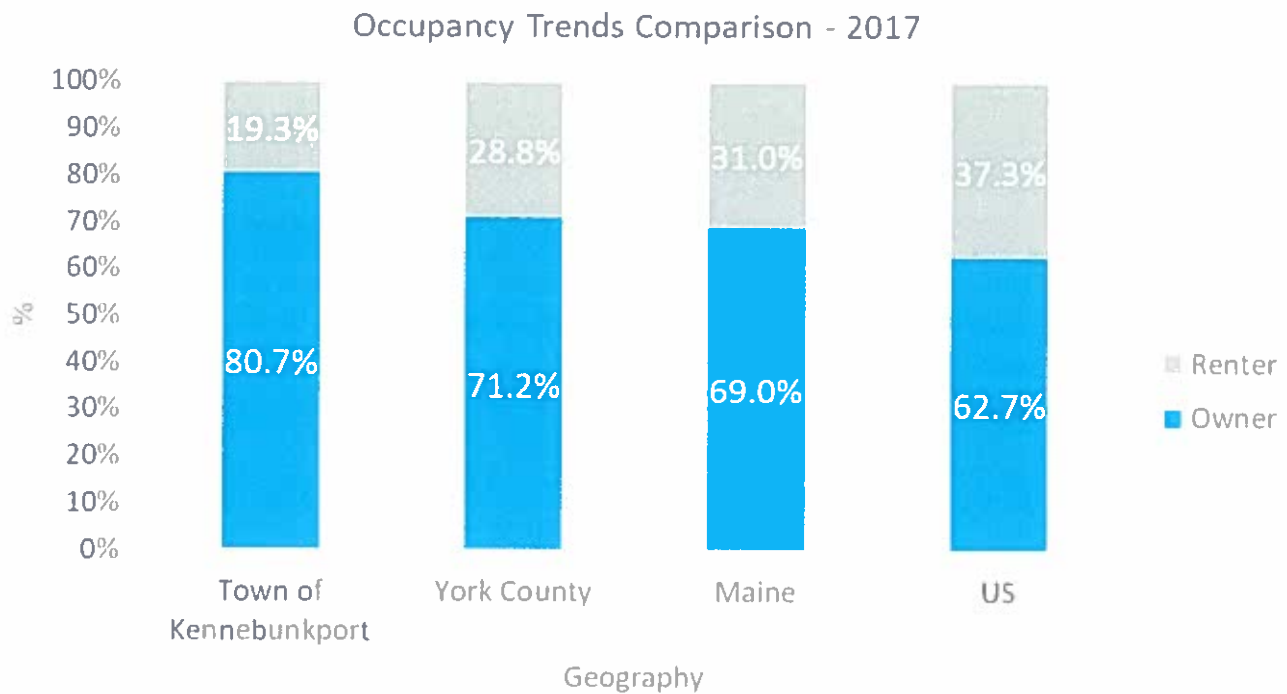
Table 14: Occupancy Trends Comparison

Occupancy Trends Comparison						
	Town of Kennebunkport			York County		
	2000	2010	2017	2000	2010	2017
Total Housing Units	2,555	2,897	3,057	94,234	105,773	112,091
Occupied	1,615	1,578	1,672	74,563	81,009	85,982
Owner	1,351	1,307	1,350	54,157	59,483	61,221
Renter	264	271	322	20,406	21,526	24,761
For Seasonal, Recreational, or Occasional Use	34.2%, 874 units	38.6%, 1,119 units	40.3%, 1,231 units*	17.6%, 16,597 units	17.6%, 18,661 units	17.4%, 19,503 units*
Otherwise Vacant	2.6%, 66 units	6.9%, 200 units	7.0%, 214 units*	3.3%, 3,074 units	5.8%, 6,103 units	5.6%, 6,311 units

*Estimate based on trend and ACS 2016 5-yr estimates

Source: Esri, ACS

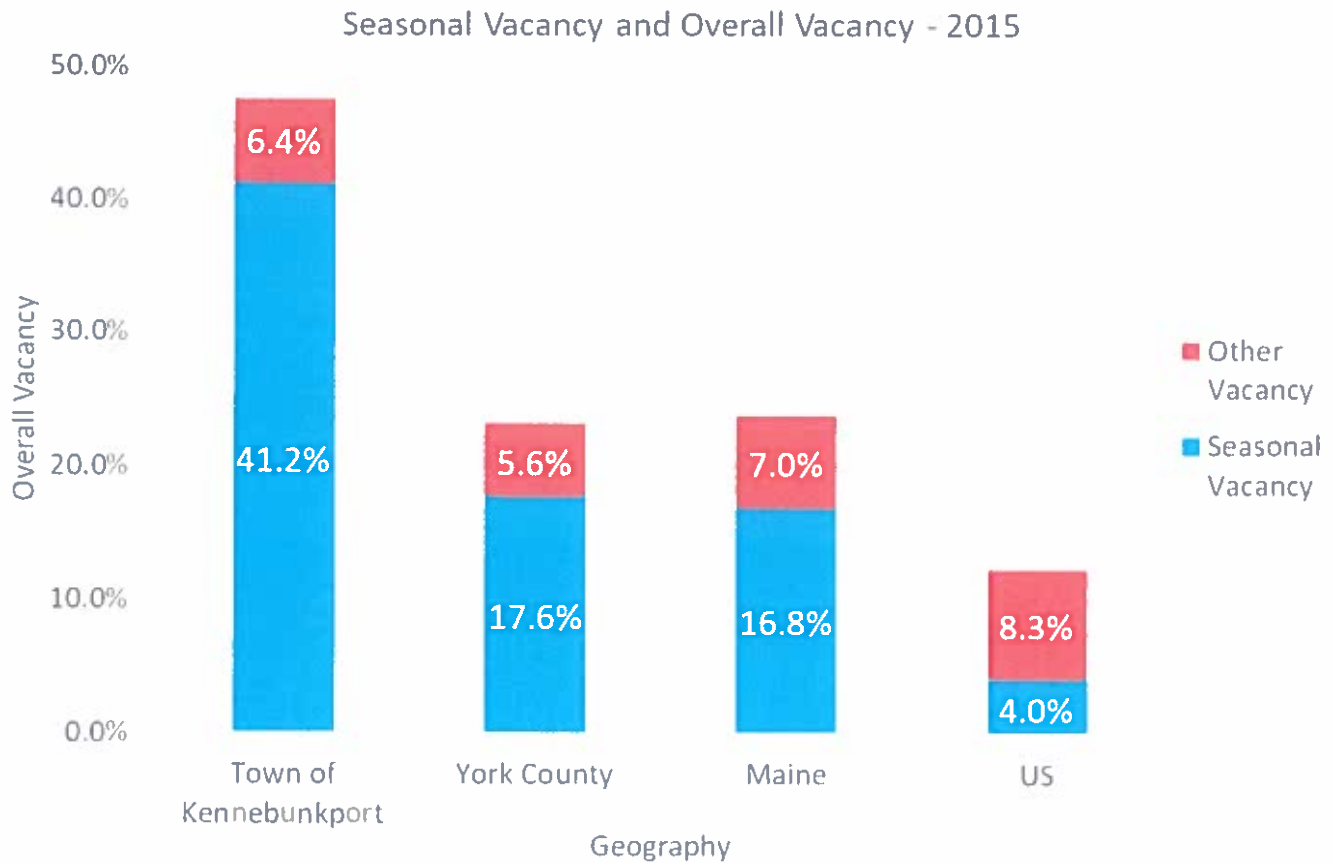
Figure 8. Renter vs. Owner Occupied Units, 2017



The graph above shows the breakdown between owner and renter occupied homes in 2017. Kennebunkport has a significantly higher percentage of homes that are owner-occupied. Percentage of renter-occupied homes increases as the geographical area grows.

Given Kennebunkport's coastal location, much of the housing stock is only seasonally occupied. This can be problematic, as fewer dollars are then spent in the town by residents. As shown by the figure below, Kennebunkport has far more seasonal vacancy than comparison geographies. Over 41% of all Kennebunkport housing was seasonally vacant, while 6.4% was vacant for other reasons in 2015.

Figure 9: Seasonal Vacancy Compared to Overall Vacancy, 2015



Kennebunkport housing consists of mostly single-family detached homes; however, there have been marginal increases in the percentage of multi-unit structures. More specifically, there have been significant additions of five- to nine-unit homes since 2010. The majority of county homes has also consistently been single-family detached structures; however, the county offers a much larger variety of multi-family units. The county also has a significant number of mobile homes, at almost 7.5% of total housing in 2015. Total number of units in Kennebunkport has increased by over 300 since 2000, growth of about 13%, which is consistent with the country's 13% growth rate.

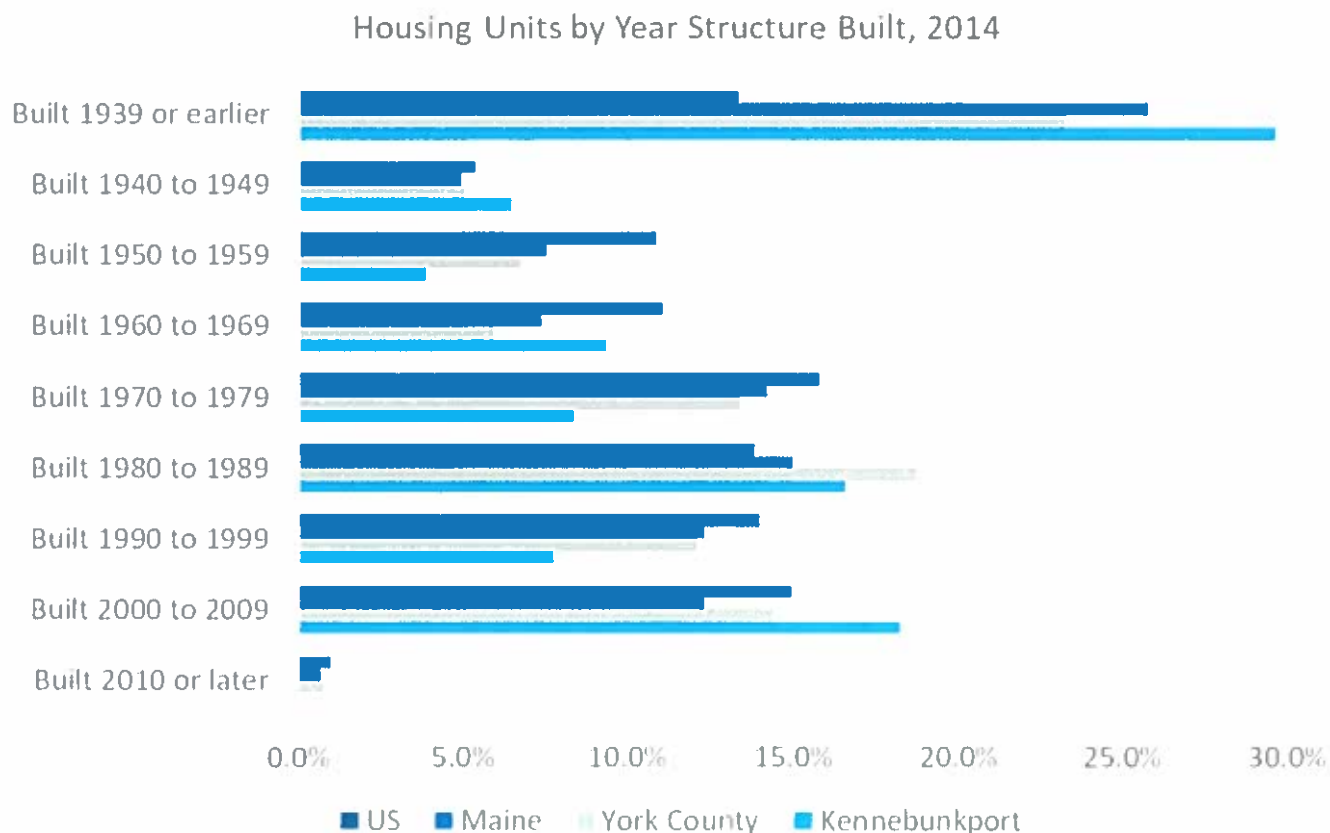
Table 15: Housing Units by Structure

Housing Units by Structure												
Structure Type	Town of Kennebunkport						York County					
	2000		2010		2015		2000		2010		2015	
	#	%	#	%	#	%	#	%	#	%	#	%
1, Detached	2,213	86.6%	2,336	85.4%	2,407	83.1%	63,636	67.5%	71,648	68.4%	73,486	68.7%
1, Attached	56	2.2%	80	2.9%	126	4.4%	2,931	3.1%	2,374	2.3%	2,947	2.8%
2 Units	96	3.8%	121	4.4%	65	2.3%	6,506	6.9%	6,967	6.7%	7,828	7.3%
3 to 4	43	1.7%	52	1.9%	47	1.6%	5,765	6.1%	6,542	6.2%	6,223	5.8%
5 to 9	54	2.1%	19	0.7%	128	4.4%	3,955	4.2%	5,010	4.8%	3,916	3.7%
10 to 19	25	1.0%	10	0.4%	29	1.0%	1,520	1.6%	1,640	1.6%	1,560	1.5%
20 to 49	20	0.0%	-	0.0%	0	0.0%	1,720	0.0%	2,224	0.0%	1,822	1.7%
50 or more	-	0.0%	-	0.0%	0	0.0%	852	0.0%	1,070	0.0%	1,100	1.0%
Mobile Home	48	1.9%	117	4.3%	93	3.2%	6,988	7.4%	7,233	6.9%	7,981	7.5%
Boat, RV, Van, etc.	-	0.0%	-	0.0%	0	0.0%	361	0.0%	16	0.0%	61	0.1%
Total	2,555		2,735		2,895		94,234		104,724		106,924	

Source: Esri, ACS 2014 5-year estimates

Note: The "Mobile Home" category includes manufactured homes

Figure 10: Housing Units by Year Structure Built, 2014



The above offers a visual for the distribution of housing by year built. It is important to note that homes built 2010 and later will be undercounted, as this information represents 2014 ACS estimates. Kennebunkport has more homes built 1939 and earlier, as well as a slightly older median year built at 1971, compared with 1977, 1973, and 1976 for the county, state, and nation, respectively.

Demographics

Kennebunkport saw a loss in population between the years 2000 and 2010, and has begun to see recovery over the last seven years. The town's growth has been on par with the county's since 2010, and just under that of the nation. The state experienced a slower growth rate over the same period, at 3%

Table 16: Historic Population Growth

	Historic Population Growth								
	2000 Population	2010 Population	2017 Population	2010-2017 # Change	2010-2017 % Change	2010 Households	2017 Households	# Change	% Change
Town of Kennebunkport	3,720	3,474	3,657	183	5%	1,578	1,672	94	6%
York County	186,742	197,131	207,699	10,568	5%	81,009	85,982	4,973	6%
Maine	1,274,923	1,328,361	1,367,209	38,848	3%	557,219	575,385	18,166	3%
United States	281,421,906	308,745,538	327,514,334	18,768,796	6%	116,716,292	123,158,887	6,442,595	6%

Source: Esri

Given the cost of housing in the Town of Kennebunkport, it is not surprising that younger generations are not well represented in the demographic data. The graph below compares median age over time for the town, county, state, and nation. York County is almost exactly on par with the trends of the state, while the town is significantly older than all comparison geographies with a median age over 10 years older than the county and state, and about 15 years older than that of the nation. These trends have been consistent since 2000. The town ages at a faster rate than comparison geographies, which is projected to continue through 2022. Within the next five years, town median age is expected to progress to 56.2, while county, state, and national median ages are projected to increase by one year or less.

Figure 11: Median Age Comparison

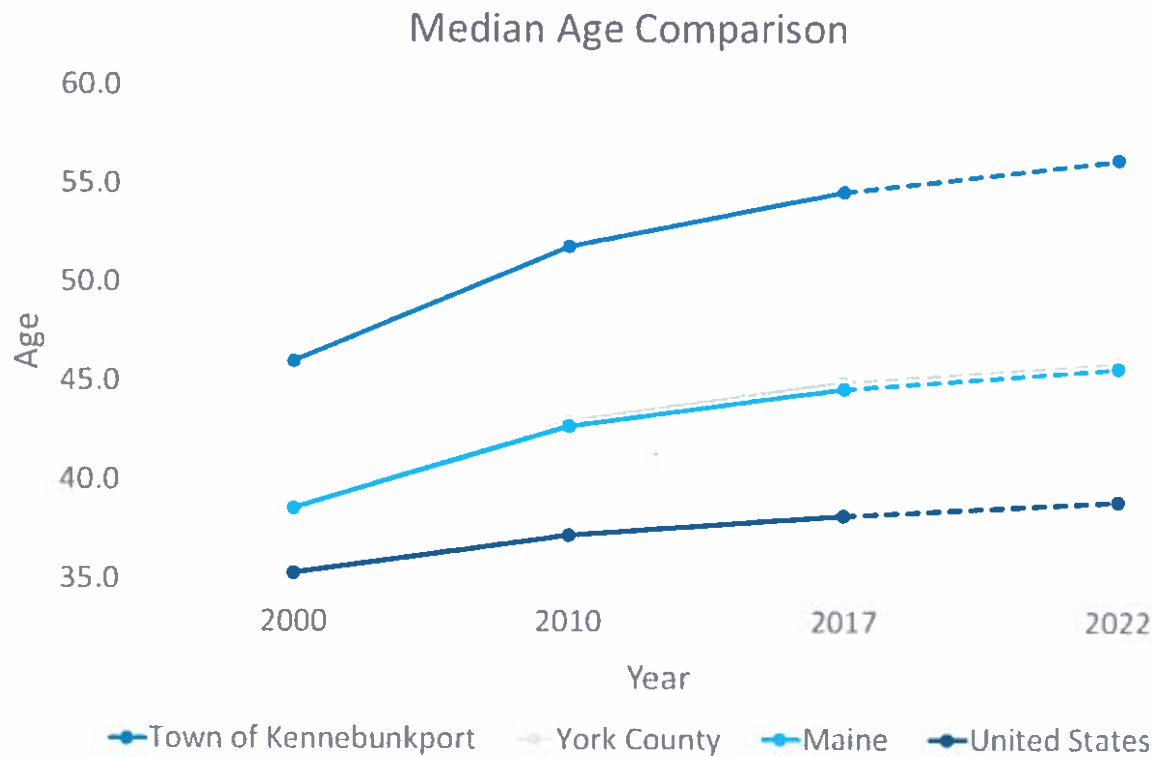


Table 17: Median Age Comparison

Median Age Comparison				
Median Age	Town of Kennebunkport	York County	Maine	United States
2000	46.0	38.5	38.6	35.3
2010	51.8	43.0	42.7	37.2
2017	54.6	45.0	44.6	38.2
2022	56.2	45.9	45.6	38.9

Source: Esri, American FactFinder

The chart below shows the age distribution for Kennebunkport compared to the county, state, and nation. The town has far more residents falling in the 55-84 age range, and far fewer falling in the 0-44 age cohorts. The town specifically lacks population in the 25-44 age groups, which constitutes families most likely to buy homes.

Figure 12: Age Distribution, 2017

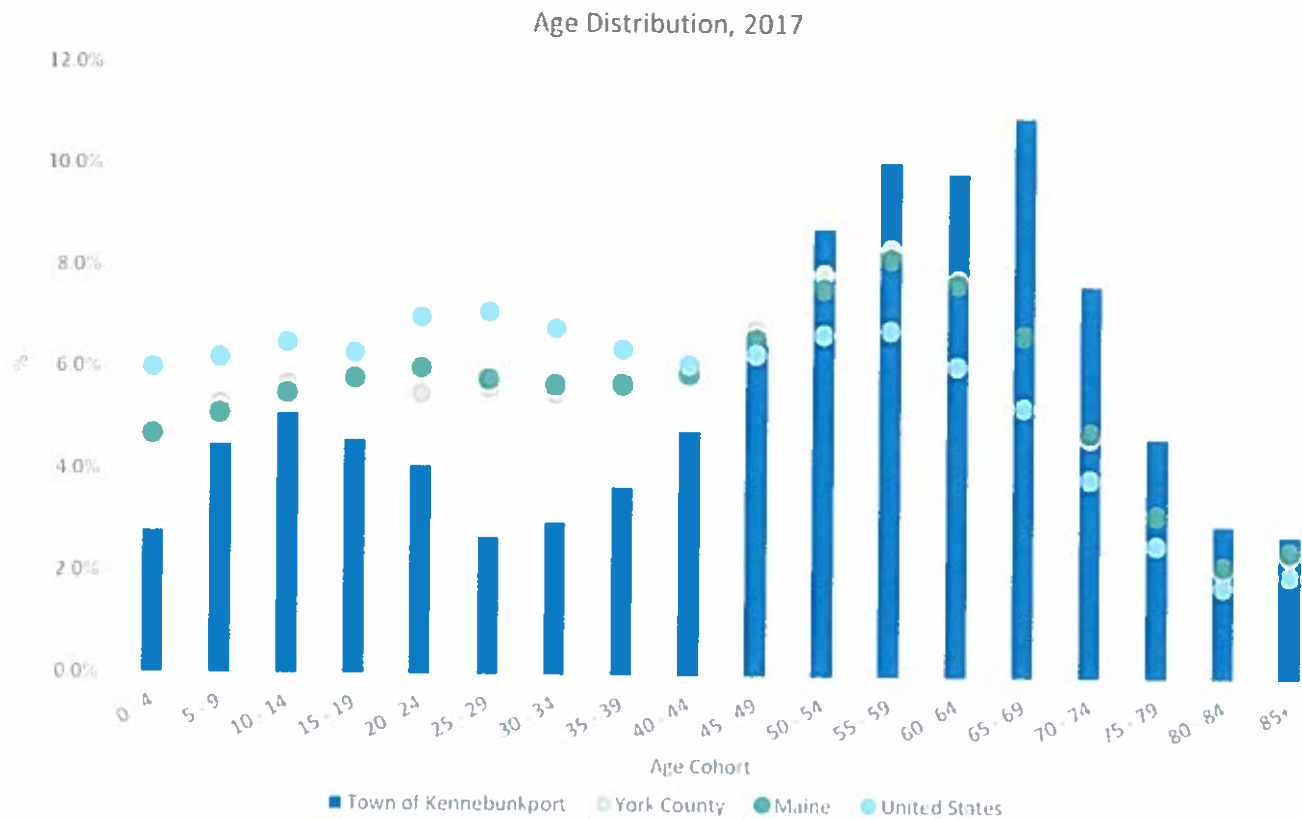


Table 18: Population by Age Distribution, 2017

Population by Age Distribution, 2017				
Age Group	Town of Kennebunkport	York County	Maine	United States
School Age (5-18)	13.7%	15.7%	15.3%	17.6%
Seniors (65+)	29.3%	19.1%	19.4%	15.6%
Median	54.6	45.0	44.6	38.2

Source: Esri

The table to the left shows school age and senior populations in the comparison geographies. Kennebunkport contains the lowest concentration of school-aged people and the highest concentration of seniors.

Figure 13: Median Household Income Trends

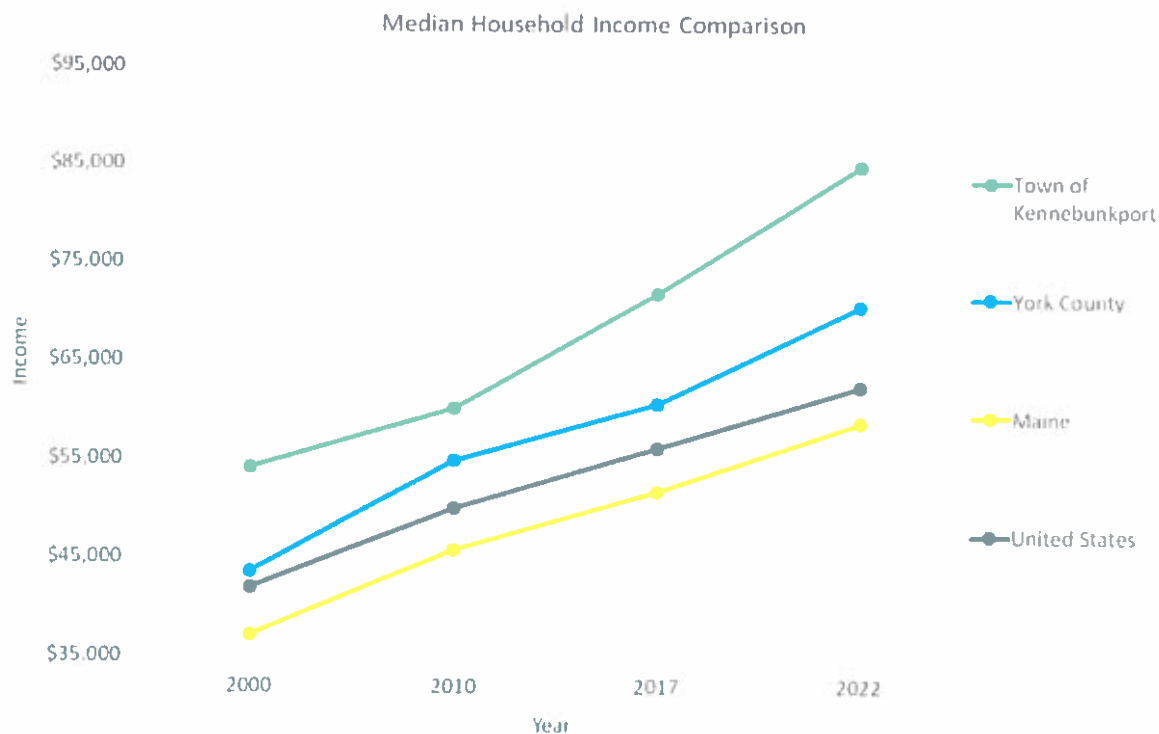


Table 19: Median Household Income

Median Household Income				
	2000	2010	2017	2022
Town of Kennebunkport	\$ 54,219	\$ 60,244	\$ 71,834	\$ 84,769
York County	\$ 43,630	\$ 54,880	\$ 60,612	\$ 70,451
Maine	\$ 37,240	\$ 45,815	\$ 51,709	\$ 58,659
United States	\$ 41,994	\$ 50,046	\$ 56,124	\$ 62,316

Source: Esri, American FactFinder

As demonstrated by the chart above, income growth in Kennebunkport has been short of the growth rates observed in the county, state, and nation. Both the county and state saw 39% growth in median household income between 2000 and 2017, while the nation saw 34% growth and town income grew by 32%. Despite this, Kennebunkport median income remains vastly greater by comparison.

The table to the right shows a breakdown of number of households in the town as compared to the county, state, and nation. Despite Kennebunkport's much greater median household income, 4% of town households are still considered to be below the poverty line. More specifically, almost 10% of Kennebunkport households have annual incomes less than \$25,000 and though this percentage is lower than that of the comparison geographies, it is important to remember that cost of living in Kennebunkport is much greater.

Figure 14: Households by Income, 2017

Households by Income - 2017				
	Town of Kennebunkport	York County	Maine	United States
<\$15,000	4.2%	9.0%	12.8%	11.5%
\$15,000 - \$24,999	5.7%	8.8%	11.1%	10.0%
\$25,000 - \$34,999	9.8%	8.9%	10.7%	9.7%
\$35,000 - \$49,999	13.8%	12.5%	13.4%	13.1%
\$50,000 - \$74,999	18.2%	20.6%	19.2%	17.8%
\$75,000 - \$99,999	11.1%	16.3%	13.4%	12.4%
\$100,000 - \$149,999	16.0%	14.7%	12.1%	13.9%
\$150,000 - \$199,999	11.2%	5.4%	3.9%	5.7%
\$200,000+	10.1%	3.9%	3.4%	6.1%
Households Below the Poverty Line	4.0%	10.6%	13.9%	14.4%

Source: Esri

Commute Patterns

The table to the right shows the breakdown of commutation trends over time for Kennebunkport residents and workers. In 2015, there were 168 people who were both employed in Kennebunkport and living in Kennebunkport. Thus, there is a large proportion of cross-commuting occurring in the town. Over 1,000 residents commute out of town for work, while almost 700 workers commute in to town for work.¹⁸

Table 20: Commuting Trends

Commute Trends			
	2005	2010	2015
Employed and Living in Town	171	188	168
Workers Commuting into Town	766	635	683
Residents Commuting out of Town	1,021	942	1,032
Percent of Workers In-Commuting	82%	77%	80%
Percent of Residents Out-Commuting	86%	83%	86%

Source: US Census OnTheMap



Figure 15: Flow of Commuters, 2015

¹⁸ Source: Census OnTheMap. Data covers all workers employed during the first and second quarters of the reference year and provides a snapshot of all jobs held on April 1. As a result, the majority of jobs captured are non-seasonal.

The pie charts below represent distance traveled for residents commuting out as well as workers commuting in. Most residents commute less than 10 miles to work, while more than 13% commute more than 50 miles. Over 56% of Kennebunkport's workers commute from less than 10 miles away to reach their jobs. Therefore, residents tend to commute farther than workers. According to Esri, the average commute time for Kennebunkport residents is about 32 minutes.

Figure 16. Commute Time

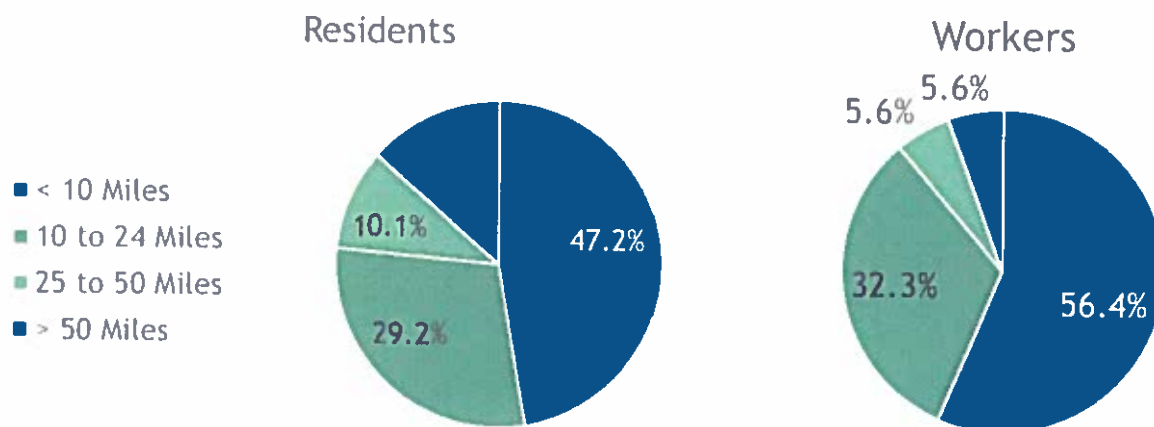


Table 21: Where Workers Live and Where Residents Work

Where Town Workers Live			Where Town Residents Work		
Places Where Workers are Employed	2015		Places Where Workers are Employed	2015	
	Count	Share		Count	Share
Kennebunk Town	184	21.6%	Kennebunk Town	187	15.6%
Kennebunkport Town	168	19.7%	Kennebunkport Town	168	14.0%
Biddeford City	53	6.2%	Biddeford City	129	10.8%
Sanford City	52	6.1%	Portland City	121	10.1%
Portland City	47	5.5%	Saco City	40	3.3%
Wells Town	46	5.4%	Sanford City	36	3.0%
Arundel Town	43	5.1%	South Portland City	34	2.8%
Lyman Town	37	4.3%	Scarborough Town	29	2.4%
Saco City	25	2.9%	York Town	29	2.4%
York Town	15	1.8%	Arundel Town	28	2.3%
All Other Locations	181	21.3%	All Other Locations	399	33.2%

Source: OntheMap

Source: OntheMap

The tables above provide a breakdown of where these commuters live and work more specifically. Most Kennebunkport residents are commuting to Kennebunk, Biddeford, and Portland, while most Kennebunkport workers are commuting from Kennebunk, Biddeford, and Sanford. About 73% of Kennebunkport commuters drive themselves to work and very few utilize public transportation or other means of transportation.

Economic Indicators¹⁹

Kennebunkport saw job growth of about 7% in the last five years, but growth projections through 2022 are meager. Average earnings per job are low compared to the national average, and are approximately \$5,000 lower than county average earnings. The largest industries in the town by number of jobs are Accommodation and Food Services, Construction, Government, and Retail Trade

Table 22: All 2-Digit Industries – Kennebunkport

Town of Kennebunkport, All Industries										
NAICS (2-digit)	Description	2012 Jobs	2017 Jobs	2022 Jobs	2012 - 2017 Change	2012 - 2017 % Change	2017 - 2022 Change	2017 - 2022 % Change	Avg. Earnings Per Job (2017)	2017 Location Quotient
11	Crop and Animal Production	97	98	98	1	1%	0	0%	\$29,452	2.76
21	Mining, Quarrying, and Oil and Gas Extraction	<10	<10	<10	Insf. Data	Insf. Data	Insf. Data	Insf. Data	Insf. Data	0.04
22	Utilities	<10	<10	0	Insf. Data	Insf. Data	Insf. Data	Insf. Data	Insf. Data	0.03
23	Construction	492	510	490	18	4%	(20)	(4%)	\$41,089	3.25
31	Manufacturing	152	141	144	-11	-7%	3	2%	\$58,074	0.62
42	Wholesale Trade	56	76	86	20	36%	10	13%	\$44,652	0.69
44	Retail Trade	337	360	359	23	7%	(1)	(0%)	\$37,228	1.19
48	Transportation and Warehousing	63	62	55	(1)	-2%	-7	-11%	\$49,582	0.61
51	Information	29	54	60	25	86%	6	11%	\$64,228	1.00
52	Finance and Insurance	22	29	32	7	32%	3	10%	\$71,615	0.26
53	Real Estate and Rental and Leasing	40	41	40	1	3%	-1	-2%	\$42,866	0.86
54	Professional, Scientific, and Technical Services	102	109	112	7	7%	3	3%	\$48,394	0.58
55	Management of Companies and Enterprises	<10	<10	<10	Insf. Data	Insf. Data	Insf. Data	Insf. Data	Insf. Data	0.08
56	Administrative and Support and Waste Management and Remediation Services	100	120	134	20	20%	14	12%	\$33,834	0.66
61	Educational Services	22	<10	<10	Insf. Data	Insf. Data	Insf. Data	Insf. Data	Insf. Data	0.11
62	Health Care and Social Assistance	75	84	89	9	12%	5	6%	\$42,047	0.23
71	Arts, Entertainment, and Recreation	123	120	117	(3)	(2%)	(3)	(3%)	\$25,791	2.39
72	Accommodation and Food Services	544	570	578	26	5%	8	1%	\$28,414	2.27
81	Other Services (except Public Administration)	96	116	127	20	21%	11	9%	\$23,574	0.83
90	Government	386	418	427	32	8%	9	2%	\$85,359	0.94
99	Unclassified Industry	0	0	0	0	0%	0	0%	\$0	0.00
Total		2,743	2,923	2,956	180	7%	33	1%	\$44,664	

Source: EMSI

¹⁹ In order to gather industry data for Kennebunkport, Camoin Associates utilized the 04046 zip code which contains a larger geographical area than the Kennebunkport Town county subdivision that is employed throughout other sections of this analysis.

Table 23: Economic Indicators, 2015

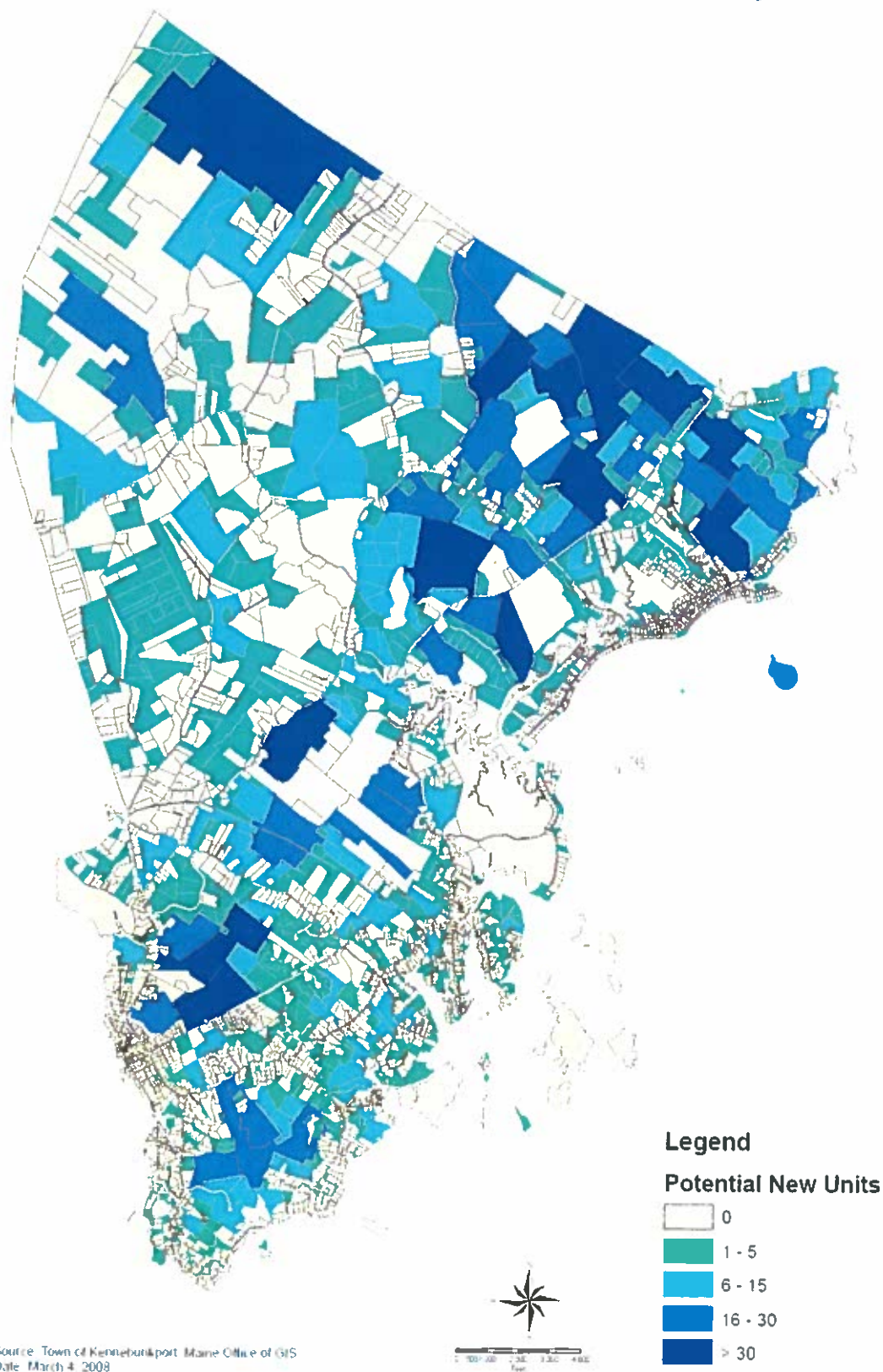
Economic Indicators, 2015 Estimates		
Region	Labor Force Participation Rate	Unemployment Rate
Town of Kennebunkport	65.3%	6.4%
York County	67.0%	5.9%
Maine	63.4%	6.8%
United States	63.3%	8.3%

Note: Only includes the population 16 years and over

Source: American FactFinder

Labor force participation in the town was at 65.3% in 2015, slightly lower than the county's, but slightly higher than the state's and the nation's. Kennebunkport's unemployment rate of 6.4% was slightly higher than that of the county, but lower than that of the state and nation.

Appendix B: Comprehensive Plan Buildout Analysis, 2008-09



Appendix C: Business Survey Results

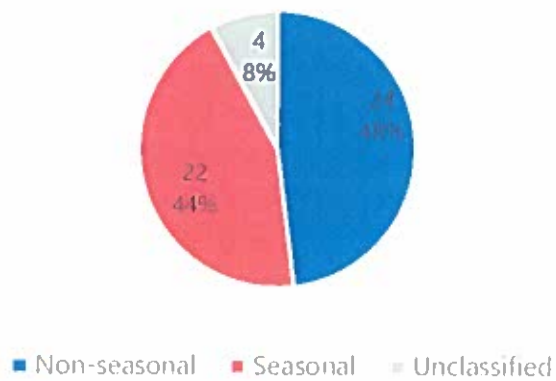
The Town of Kennebunkport Workforce and Housing Survey was sent to local business owners in order to better understand the challenges and opportunities around housing as they relate to local workforce availability. All owners of businesses located in the Town of Kennebunkport were invited to participate in this survey. Results of the survey are summarized below.

Characteristics of Business Survey Respondents

Of the 50 respondents to the survey, 48% (24 respondents) were classified as non-seasonal businesses meaning their average employment did not fluctuate by more than 20% from their lowest quarter of employment to their highest quarter of employment. Conversely, 44% of businesses (22 respondents) were classified as seasonal meaning their average employment from their highest quarter of employment was more than 20% higher than their lowest quarter of employment. The remaining 8% (4 respondents) did not specify quarterly employment figures, and are therefore “unclassified.”

Figure 17. Respondent Business Seasonality

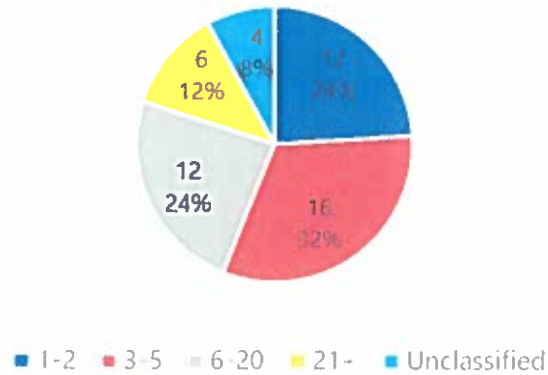
Respondent Business Seasonality,
n=50



Business size was determined based on average number of employees throughout the year. Businesses with 1–2 employees comprised 24% of the respondents. Businesses with 3–5 employees represented 32%. Businesses with 6–20 comprised 24% and businesses with 21 or more employees made up 12%. An additional 8% did not specify business employment figures and are therefore “unclassified.”

Figure 18: Respondent Business Size

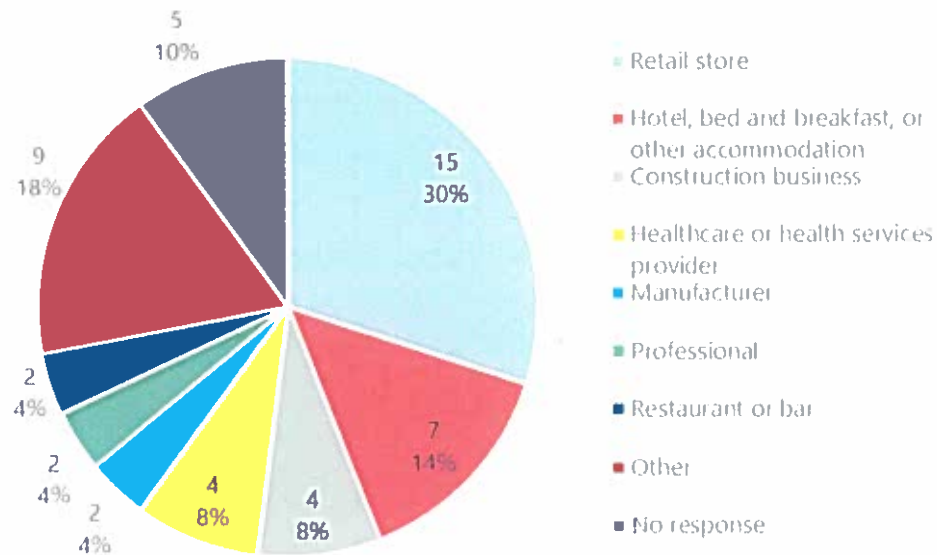
Respondent Business Size
(number of employees), n=50



Respondents were asked to select the establishment type that most closely describes their business from a preselected list or to enter an establishment type for their business. Retail store was the most prominent industry type among respondents, accounting for 30% of all responses. Seven respondents selected Hotel, bed and breakfast, or other accommodations which represented 14% of the sample. Construction business and Healthcare or health services provider each comprised 8%. The industry types Manufacturer, Professional, and Restaurant or bar were represented by 2 businesses each or 4% of the total share. Nine respondents, or 18%, entered establishment types that did not align with the aforementioned industry types and were therefore counted as Other. Five respondents did not provide an industry type, accounting for 10% as No response.

Figure 19: Respondent Industry Type

Respondent Industry Type, n=50



Survey Analysis

Q: Considering all workers employed by your company in 2017, approximately what percentage of employees worked 30 or more hours per week?

Within the Kennebunkport area there is range full-time and part-time employment across businesses of varying size and seasonality. Out of all businesses nearly a half, have 75% or more full time employees. Three quarters of businesses with 1–2 employees have 75% or more full time employees. Zero businesses with 6 or more employees reported that they had less than 25% full time employees. Non-seasonal businesses outpaced seasonal businesses in the less than 25% full time and 75% or more full time employees categories.

Figure 20: Employee Full-Time/Part-Time Status – All Businesses

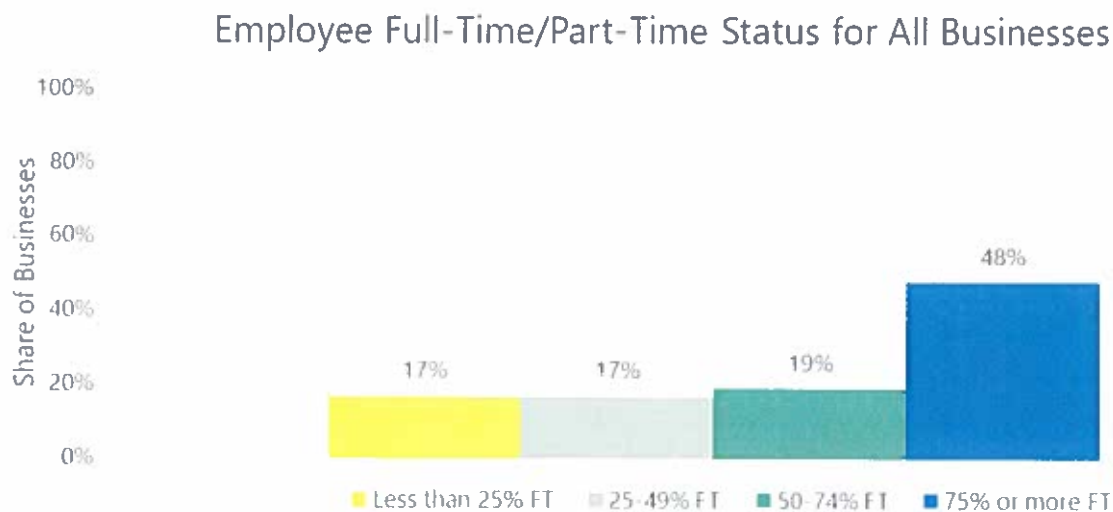
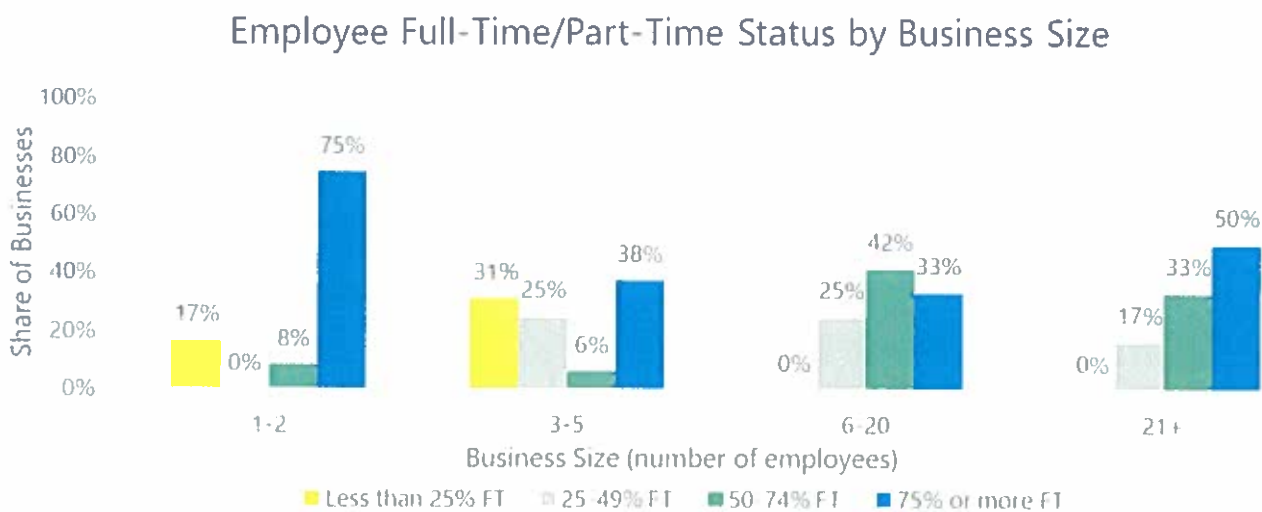
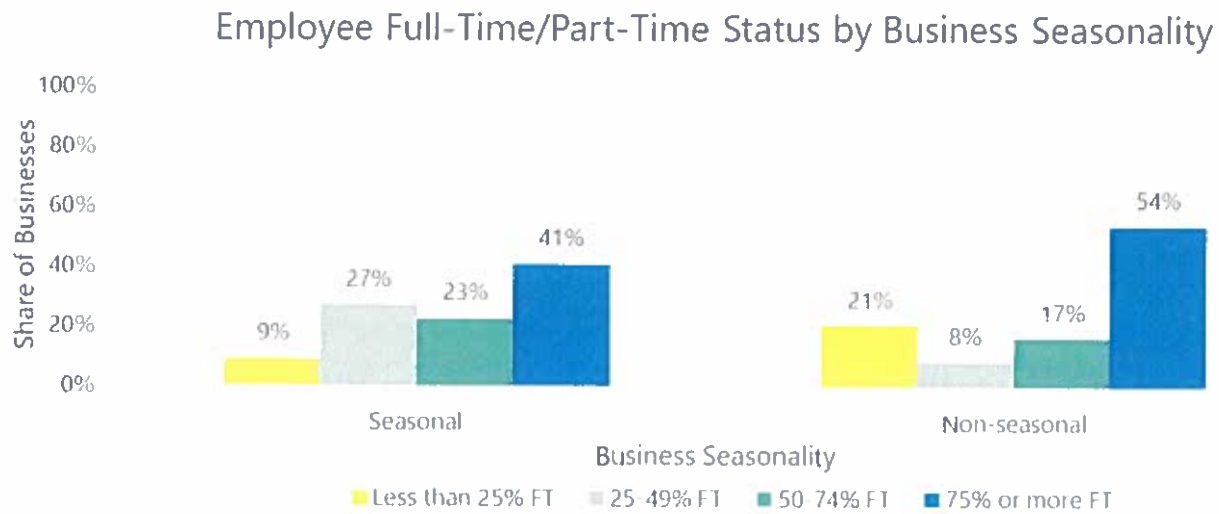


Figure 21: Employee Full-Time/Part-Time Status – By Business Size



Note: A full-time worker is defined as working at least 30 hours per week.

Figure 22: Employee Full-Time/Part-Time Status – By Business Seasonality



Q: What is/was the average gross monthly wage of your employees in 2017? Include tips.

Average gross monthly wages varied between business size and seasonality. Overall 32% of businesses reported average gross monthly wage for employees of \$1,000 to \$1,999. Only businesses with 1–2 employees reported an average gross monthly wage of 6,000 or more. Seventeen percent of businesses with 1–2 employees reported average monthly wage of 6,000 or more. There was less variation in average monthly wages among businesses with 21 or more employees. Half of businesses in this category have average monthly wages of \$2,000 to \$2,999 while \$1,000 to \$1,999, \$3,000 to \$3,999 and \$4,000 to \$5,999 each held 17% of the share. Non-seasonal businesses have a higher percentage of businesses in the higher average gross monthly wage categories, with 33% of non-seasonal businesses with average gross monthly wages of \$3,000 or more compared to 19% of seasonal businesses.

Figure 23: Average Gross Monthly Wages of Employees – All Businesses

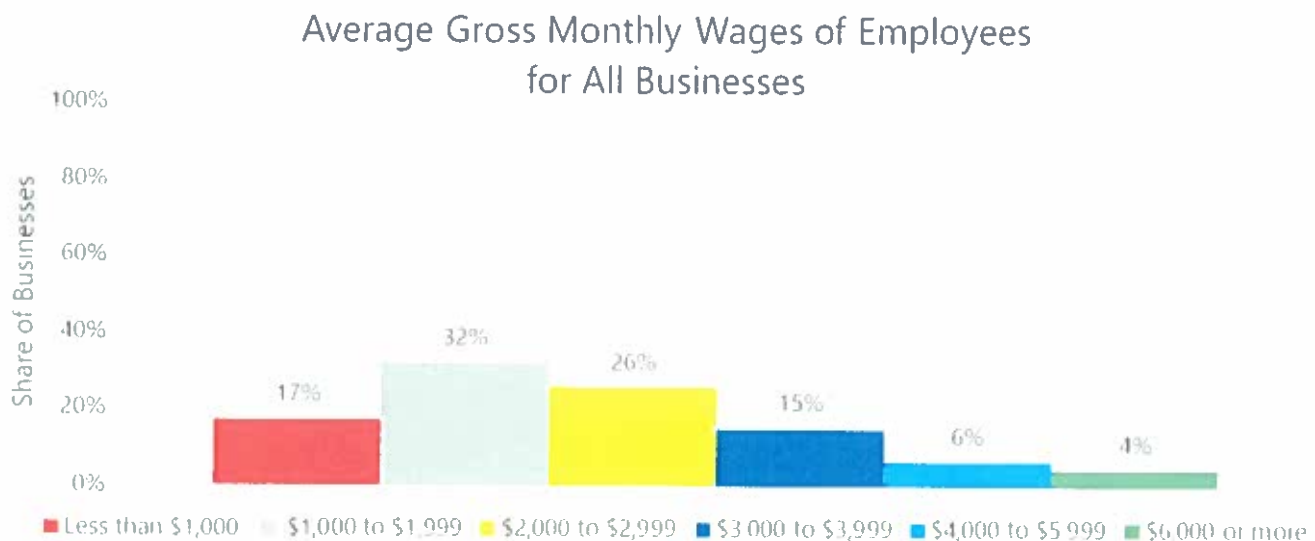


Figure 24: Average Gross Monthly Wages of Employees - By Business Size

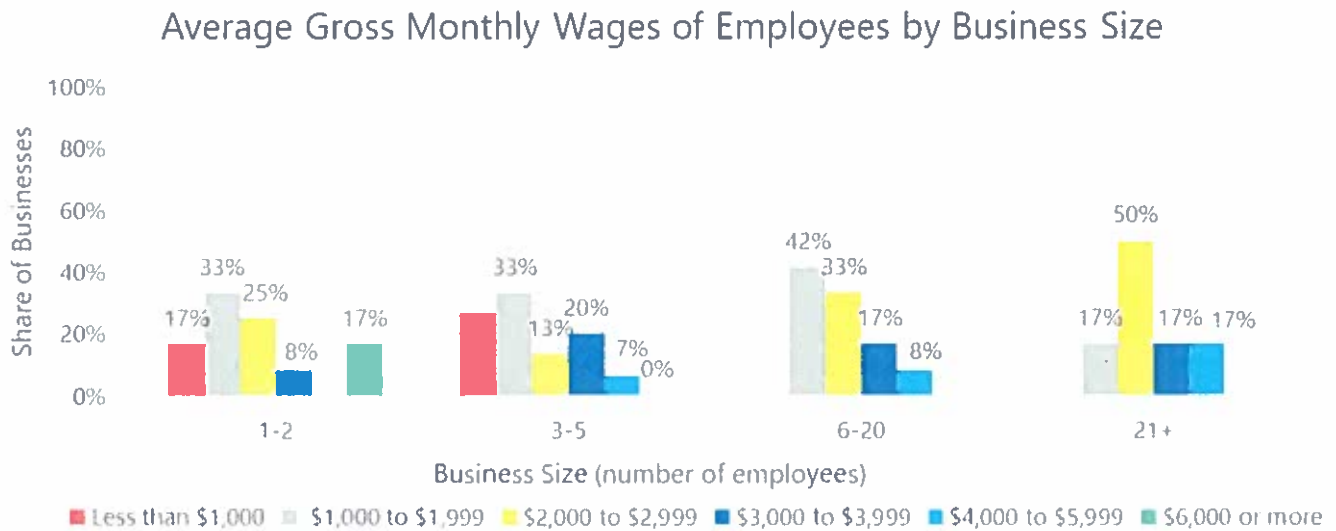
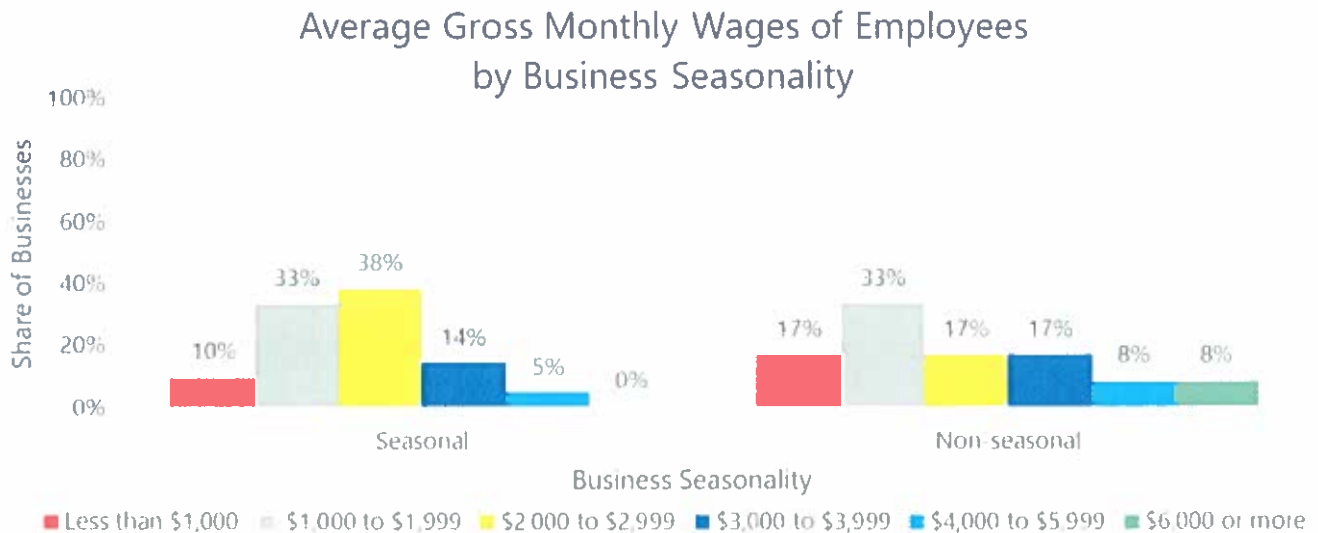


Figure 25: Average Gross Monthly Wages of Employees - By Business Seasonality



Q: On a scale of 1 (not at all difficult) to 5 (very difficult), how difficult is it for you to attract and retain employees?

Overall, 21% of businesses found it is very difficult to attract and retain employees while 23% found it to be not at all difficult. Companies with 6 or more employees were more likely to find it very difficult to attract and retain employees compared to businesses of smaller sizes. Half of businesses with 6–20 employees and 21 or more employees find it very difficult to attract and retain employees. About 36% of seasonal businesses found it very difficult to attract and retain employees compared to 8% of non-seasonal businesses.

Figure 26: Difficulty Attracting and Retaining Employees – All Businesses

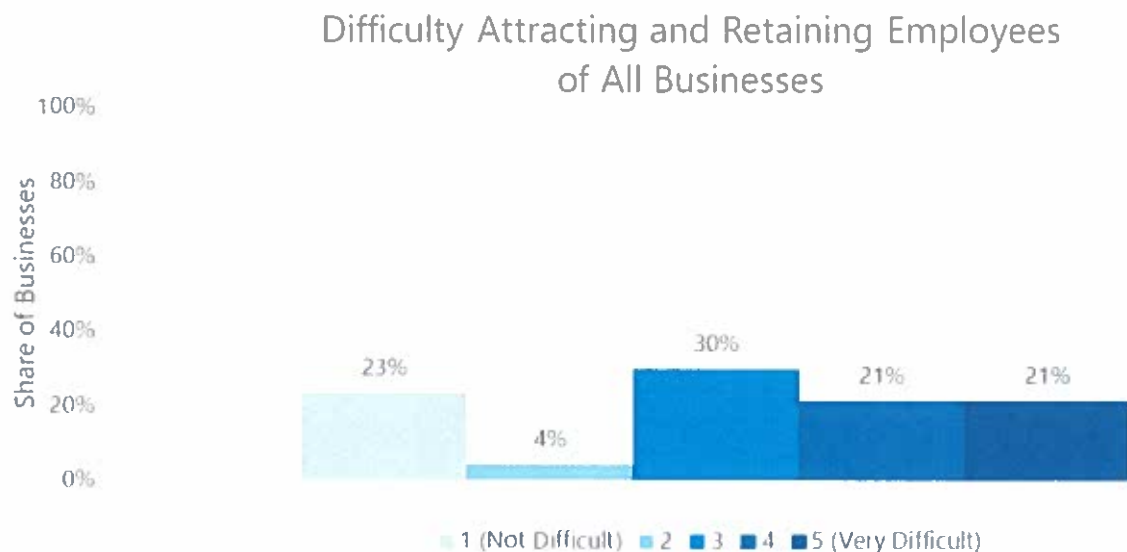


Figure 27: Difficulty Attracting and Retaining Employees - By Business Size

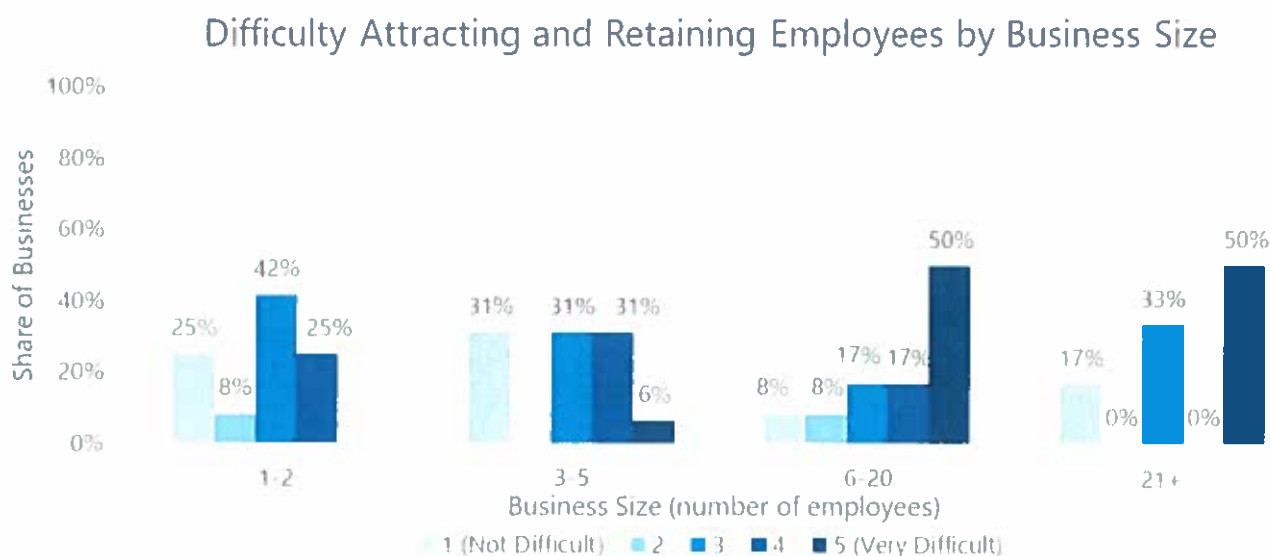
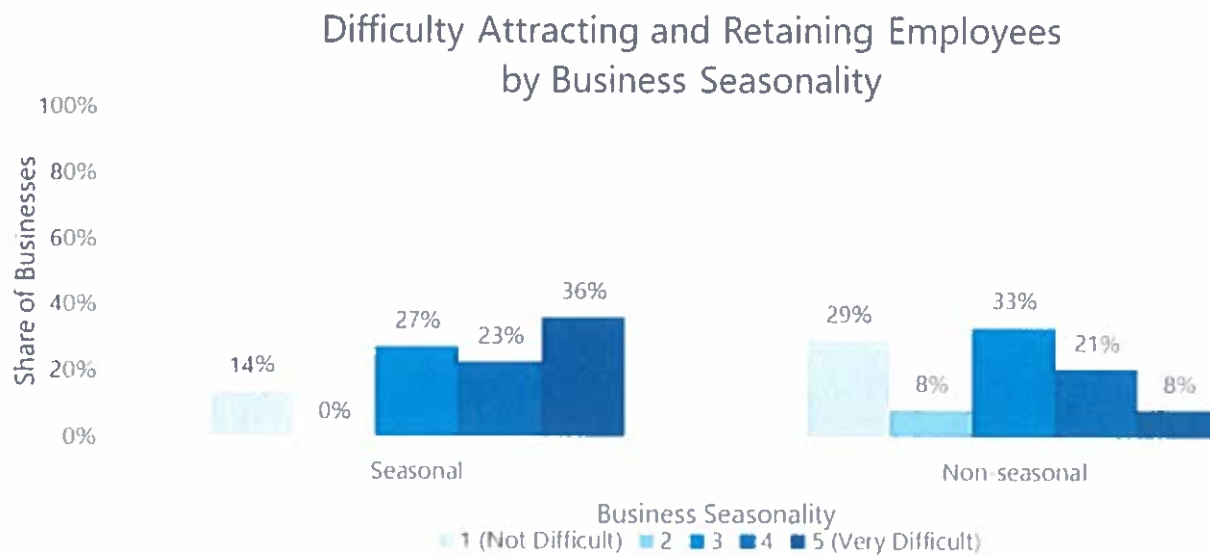


Figure 28: Difficulty Attracting and Retaining Employees - By Business Seasonality



Q: In 2017, how many ADDITIONAL workers would you have hired if labor was more readily available?

The average number of additional workers that would be hired if they were available increases with increasing business size. The average number of workers that would be hired is 3.4 across all businesses. Businesses with 1–2 employees would hire 0.2 additional workers on average whereas businesses with 21 or more employees would hire an average of 14.3 additional workers. There is a greater demand for additional workers among seasonal businesses compared to non-seasonal businesses, with seasonal businesses wanting to hire 5.2 additional workers on average, this is compared to 1.6 on average for non-seasonal businesses.

Figure 29: Average Number of Additional Workers that Would be Hired if Available – By Business Size

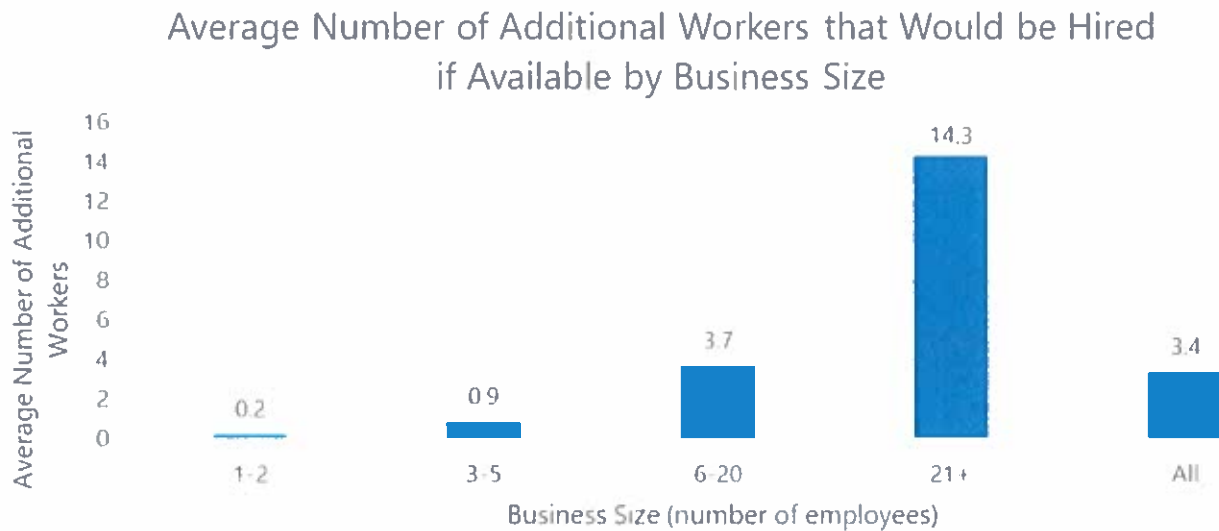
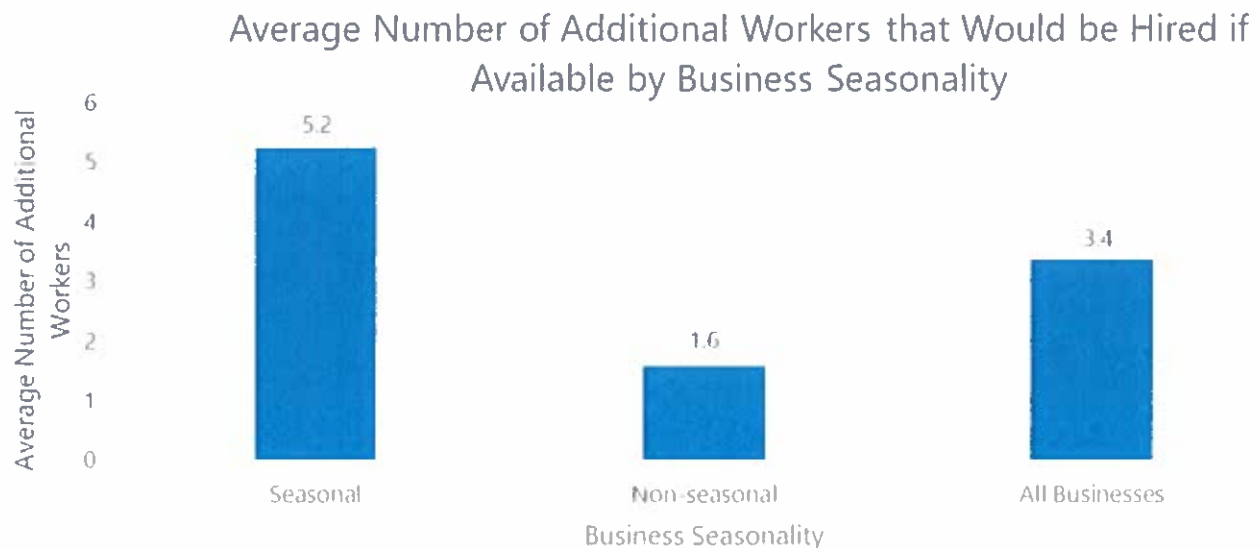


Figure 30: Average Number of Additional Workers that Would be Hired if Available – By Business Seasonality



Collectively, the Kennebunkport businesses that responded to the survey have a demand for an additional 145 workers. Seasonal businesses demand 110 additional workers and non-seasonal businesses demand 35 additional workers. In terms of business size, the largest demand is among businesses with 21 or more employees demanding 86 additional employees.

Figure 31: Total Number of Additional Workers that Would be Hired if Available - By Business Size



Figure 32: Total Number of Additional Workers that Would be Hired if Available - By Business Seasonality



Q: To the best of your knowledge, how difficult is it for your workers to find adequate housing (in Kennebunkport or elsewhere)? Answer on a scale of 1 (not at all difficult) to 5 (very difficult).

Of all businesses, regardless of size or seasonality, 31% find it very difficult and 21% do not find it difficult. Businesses with 21 or more employees had the highest percentage of businesses, at 67%, who stated workers find it very difficult to find adequate housing in Kennebunkport or elsewhere. Businesses with 3–5 employees ranked the highest in terms of finding it not difficult for workers to find adequate housing at 31%.

Seasonal businesses were slightly more likely to find it very difficult for workers to find adequate housing, at 36%, compared to non-seasonal businesses, at 30%.

Figure 33 Difficulty Finding Housing – All Businesses

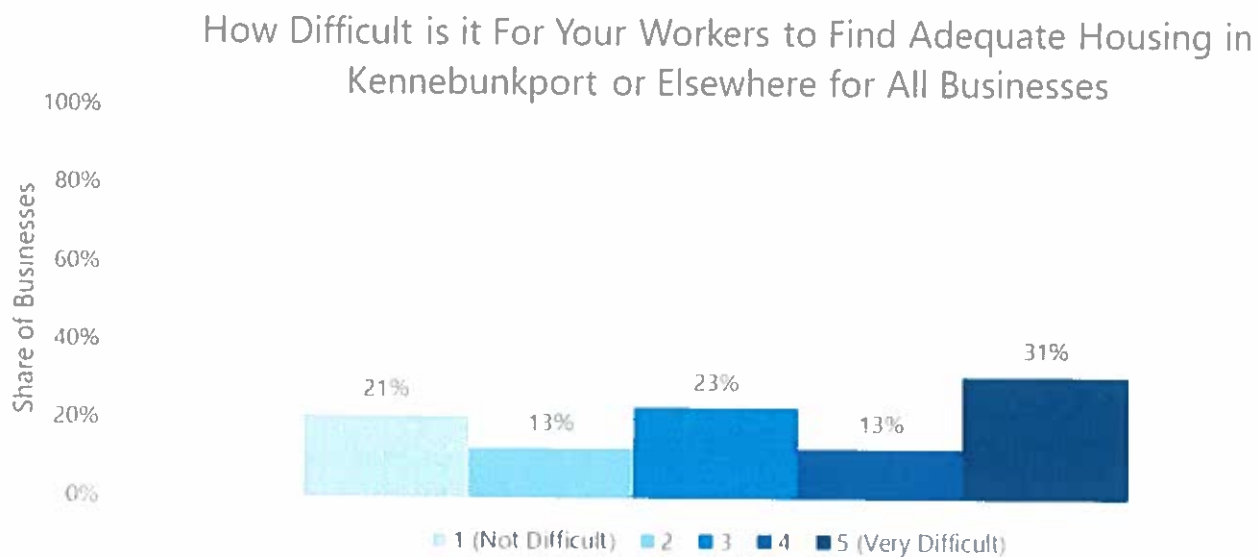


Figure 34 Difficulty Finding Housing – By Business Size

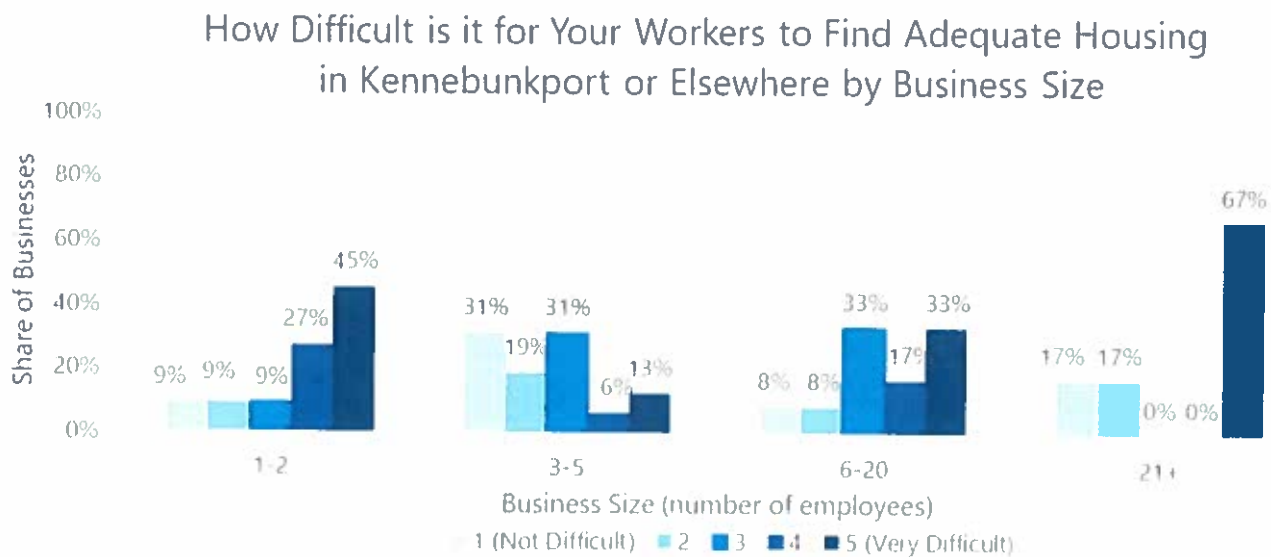
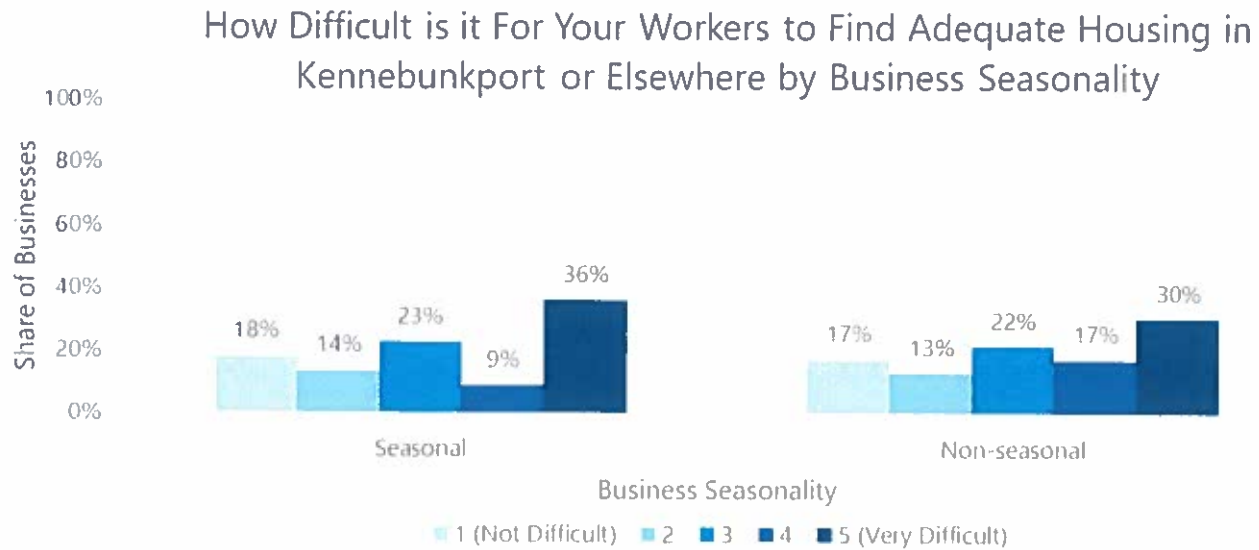


Figure 35: Difficulty Finding Housing - By Business Seasonality



Q: To the best of your knowledge, how difficult is it for your workers to find adequate housing within Kennebunkport? Answer on a scale of 1 (not at all difficult) to 5 (very difficult).

Specifically, regarding housing in Kennebunkport, 83% of businesses with 21 or more employees find it very difficult for workers to find adequate housing. Businesses with 3–5 employees were the least likely to find it difficult to find adequate housing within Kennebunkport and had the highest percentage that did not find it difficult. A higher percentage of seasonal businesses found it difficult to find adequate housing within Kennebunkport compared to non-seasonal businesses. Overall half of all businesses find it very difficult for workers to find adequate housing within Kennebunkport.

Figure 36: Difficulty Finding Housing - All Businesses

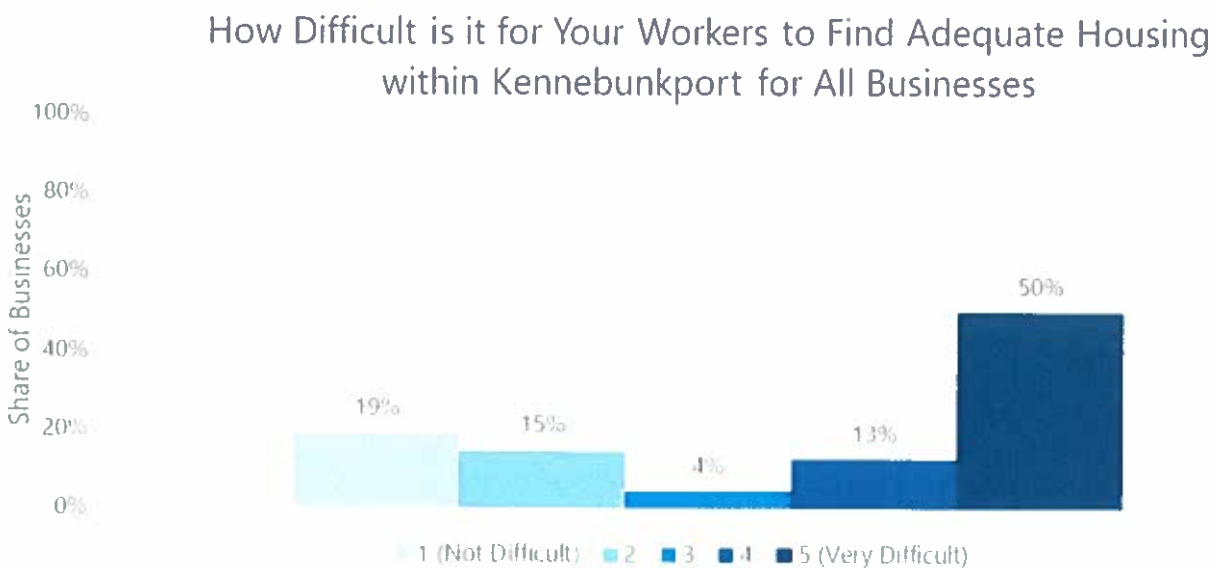


Figure 37: Difficulty Finding Housing within Kport - By Business Size

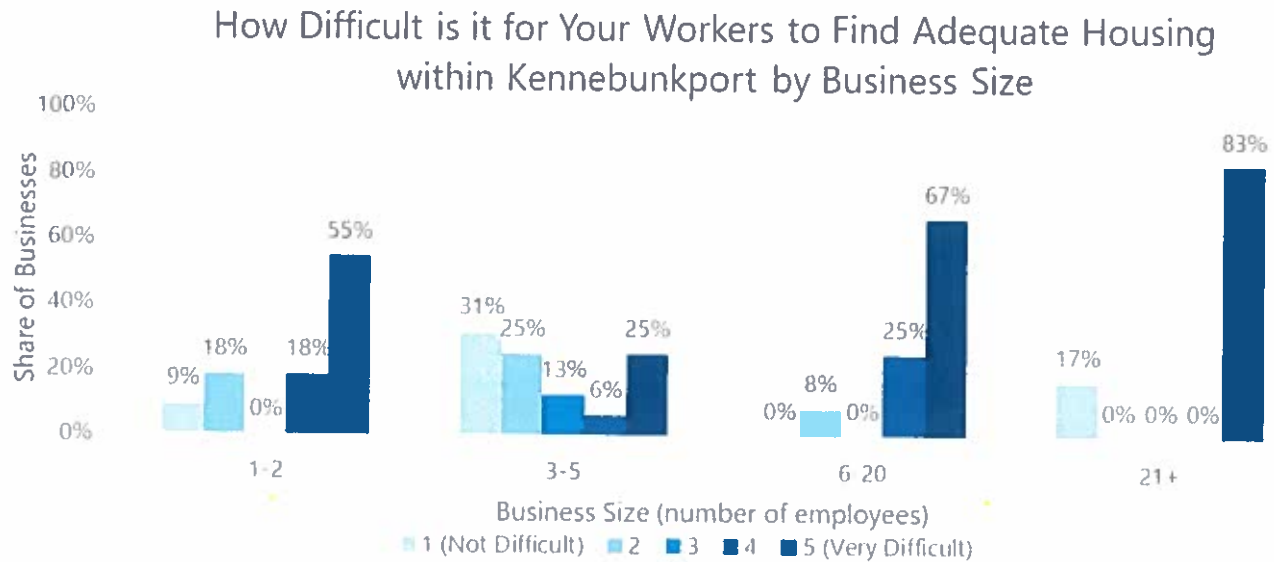
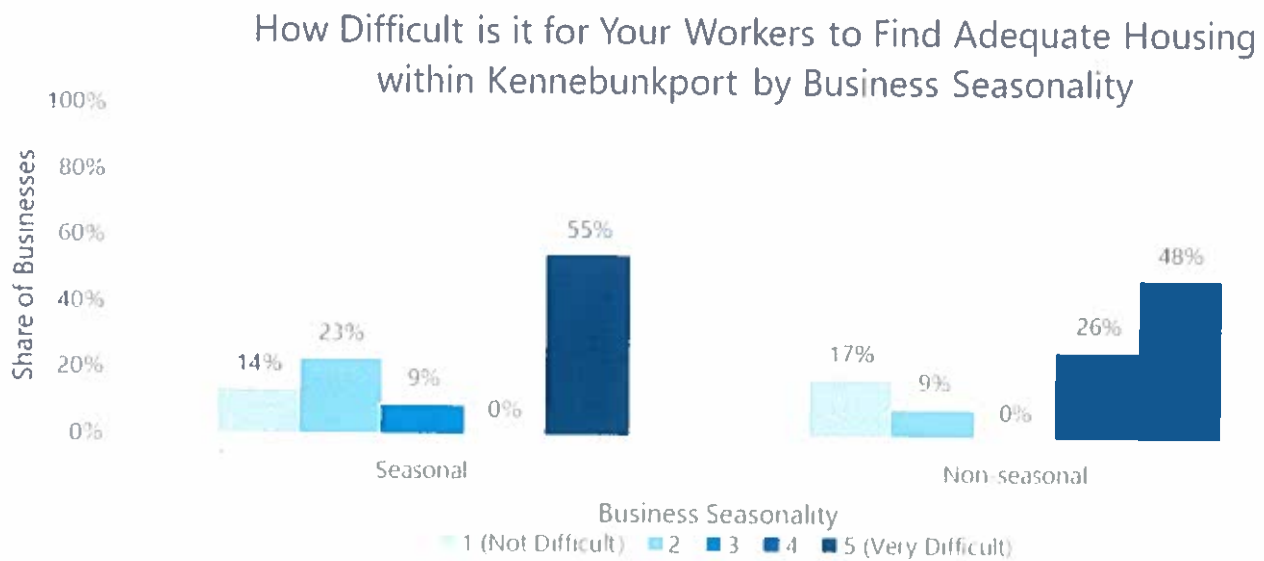


Figure 38: Difficulty Finding Housing within Kport - By Business Seasonality



Q: On a scale of 1 (strongly disagree) to 5 (strongly agree), indicate the degree to which you agree or disagree with the following statement: Finding adequate housing that is affordable is a major challenge for my employees.

The majority of businesses with 6–20 and 21+ employees strongly agreed that finding adequate affordable housing is a major challenge for employees. Half of businesses with 3–5 employees strongly disagreed that employees are challenged with finding adequate affordable housing. The percentage of seasonal businesses that strongly agreed that finding adequate affordable housing in a major challenge for employees was slightly higher than non-seasonal businesses at 45% and 43%, respectively. Overall, 44% of all businesses strongly agreed that finding adequate affordable housing is a major challenge for employees

Figure 39. Adequate Affordable Housing for Employees - All Businesses

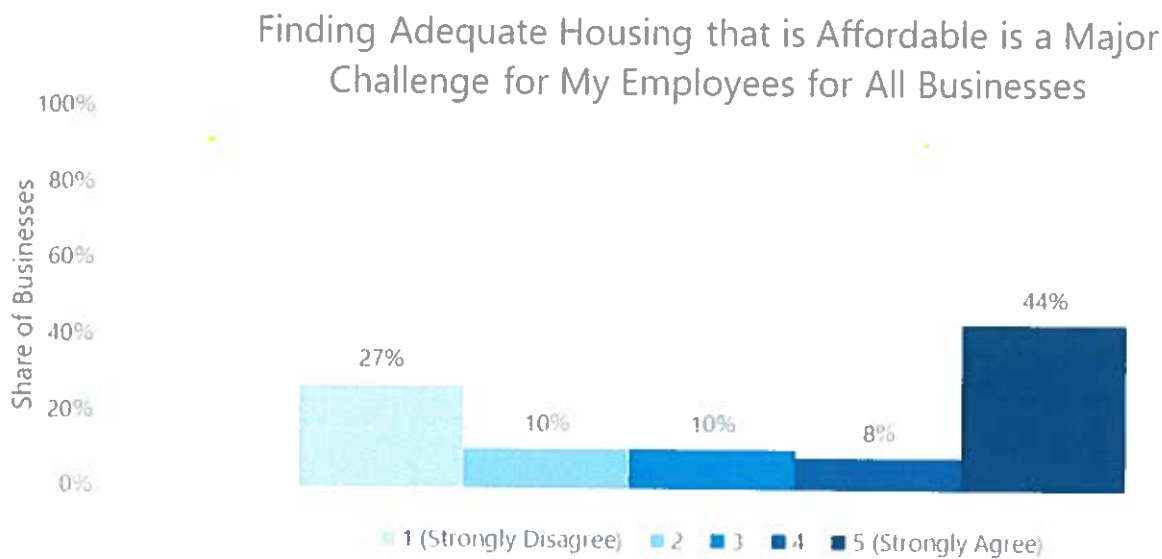


Figure 40. Adequate Affordable Housing for Employees - By Business Size

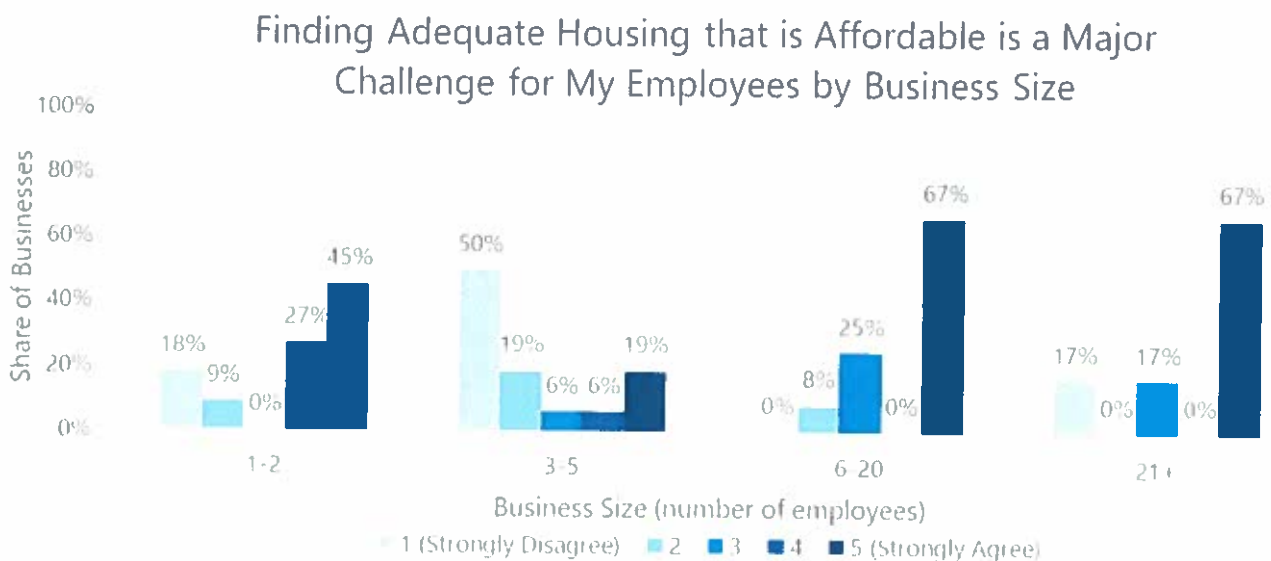
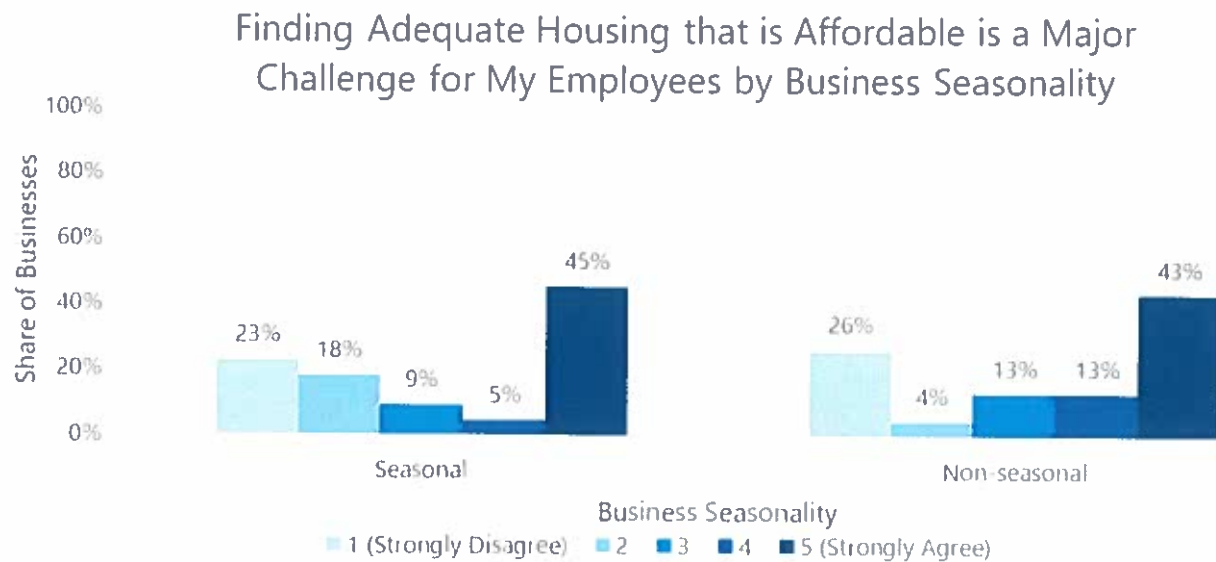


Figure 41: Adequate Affordable Housing for Employees - By Business Seasonality



Q: On a scale of 1 (strongly disagree) to 5 (strongly agree), indicate the degree to which you agree or disagree with the following statement: Access to transportation is a major challenge for my employees.

Respondents were asked to assess if access to transportation is a major challenge for employees by selecting 1 through 5, with 1 being strongly disagree and 5 being strongly agree. Overall, 35% of the businesses strongly disagreed that access to transportation is a challenge, compared to 15% who strongly agreed that it is a challenge. Businesses with 1–2 employees were the most likely to strongly disagree that access to transportation is a major challenge for employees at 45% while businesses with 6–20 employees had the lowest percentage of businesses who strongly agreed at 8%. Among the businesses with 3–5 employees, zero responded that it they strongly agreed that access to transportation is a major challenge for employees. Seasonal businesses found it more of a challenge than non-seasonal business with 23% of seasonal businesses strongly agreeing to the statement compared to 9% of non-seasonal businesses.

Figure 42: Access to Transportation for Employees - All Businesses

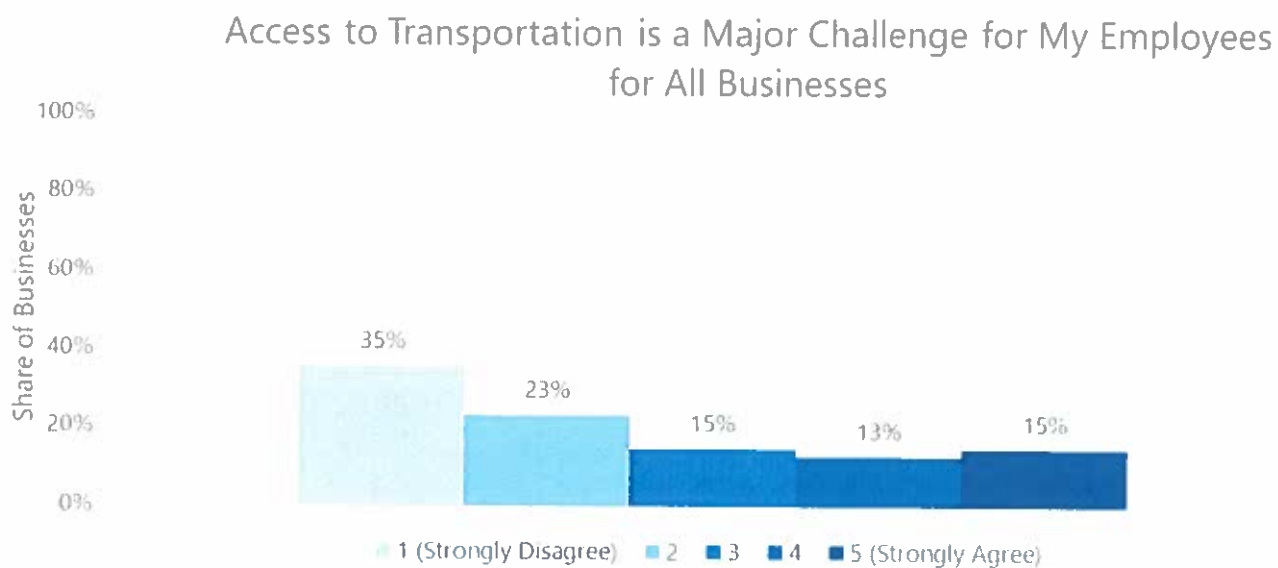


Figure 43: Access to Transportation for Employees - By Business Size

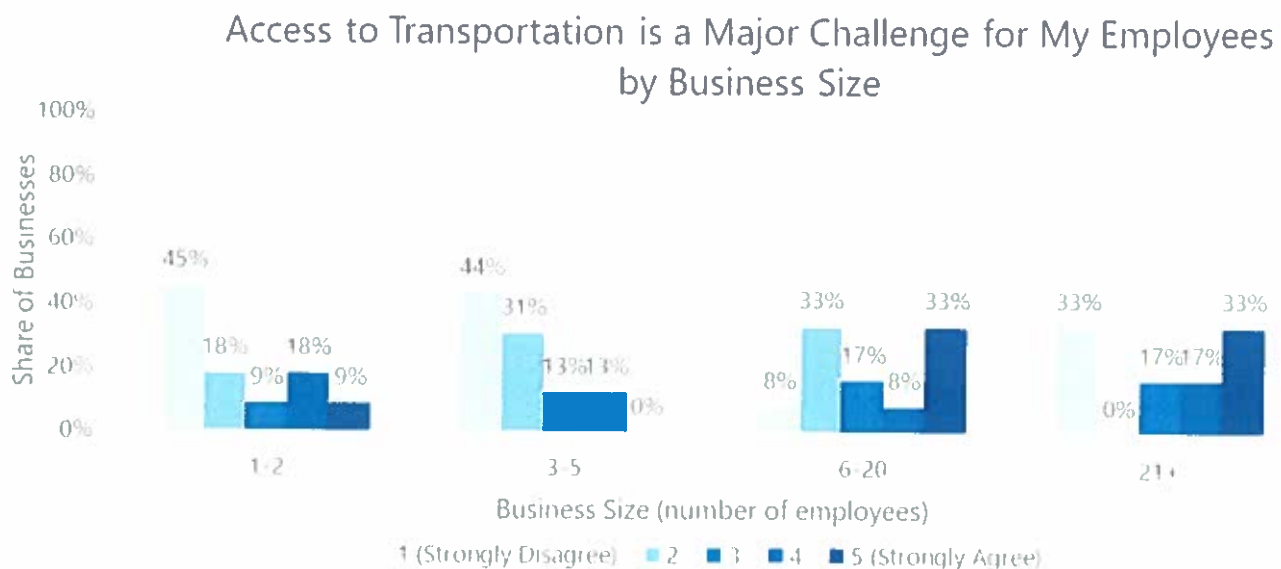
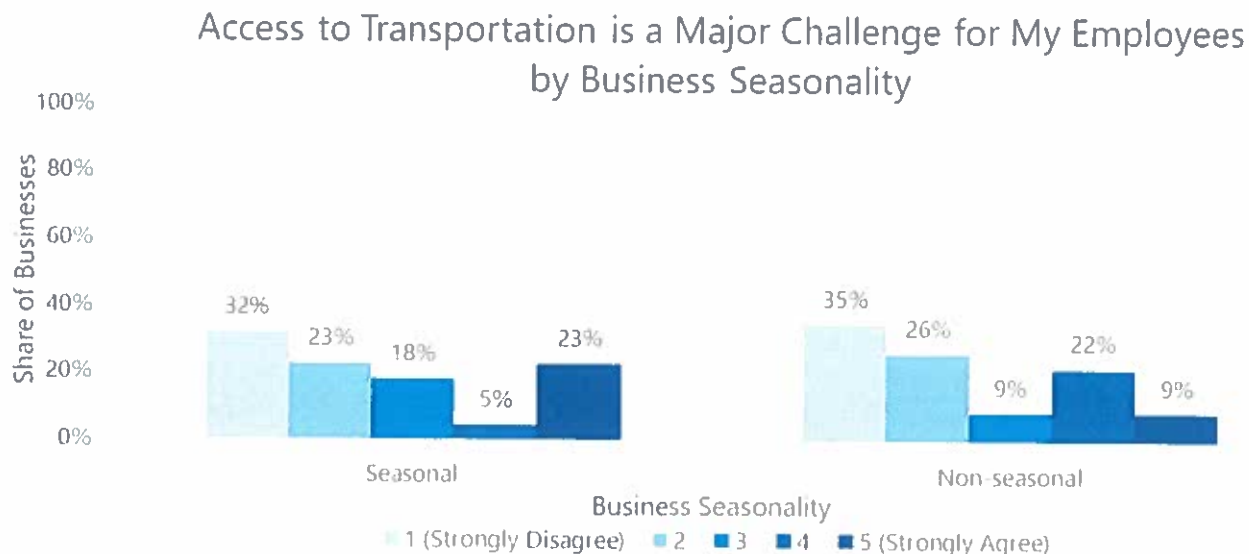


Figure 44: Access to Transportation for Employees - By Business Seasonality



Q: On a scale of 1 (strongly disagree) to 5 (strongly agree), indicate the degree to which you agree or disagree with the following statement: The lack of affordable housing options in Kennebunkport negatively impacts my business.

Businesses varied in response regarding if lack of affordable housing options in Kennebunkport negatively impacts their business. Comparing by business size, businesses with 21 or more employees had the highest percentage that strongly agreed to the statement at 50%. Conversely, business with 3–5 employees had the highest percentage that strongly disagreed at 63%.

Comparing business responses by seasonality, seasonal business had a higher percentage, at 27%, that strongly agreed that lack of affordable housing options in Kennebunkport negatively impacts their business. Overall, 35% of businesses strongly disagreed that lack of affordable housing options negatively impacts their business while 21% of businesses strongly agree.

Figure 45: Impacts of Lack of Affordable Housing - All Businesses

Lack of Affordable Housing Options in Kennebunkport Negatively Impacts My Business for All Businesses

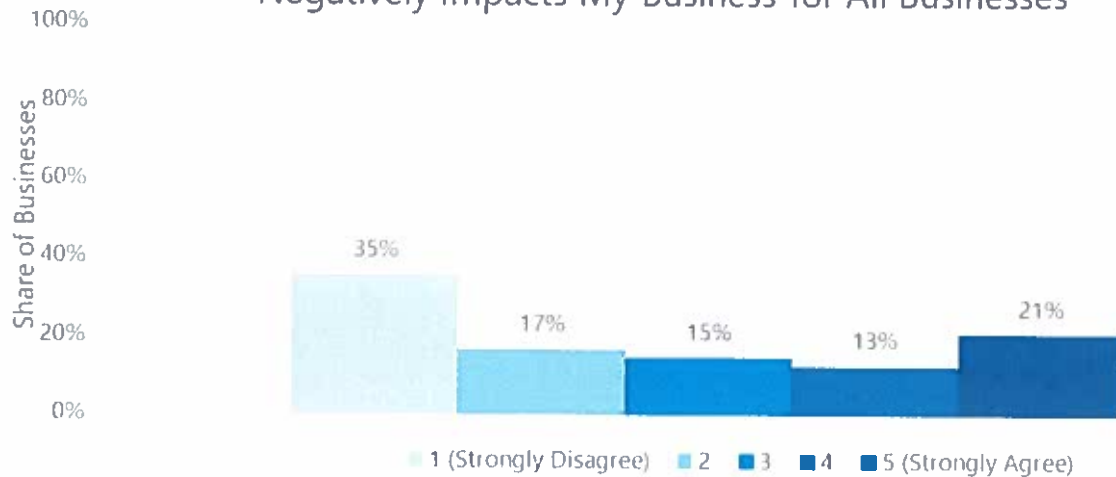


Figure 46: Impacts of Lack of Affordable Housing - By Business Size

Lack of Affordable Housing Options in Kennebunkport Negatively Impacts My Business by Business Size

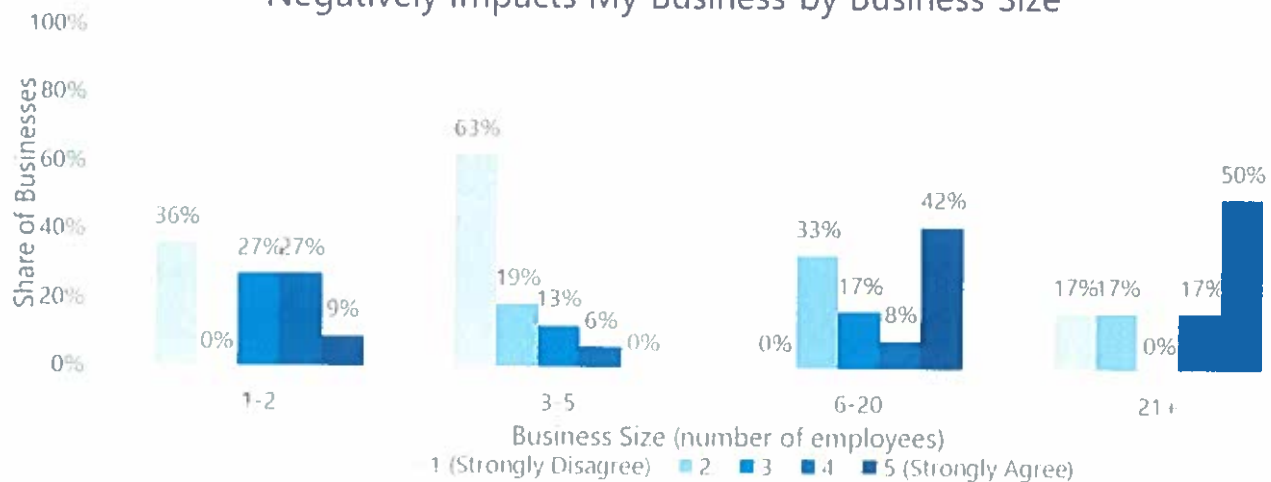
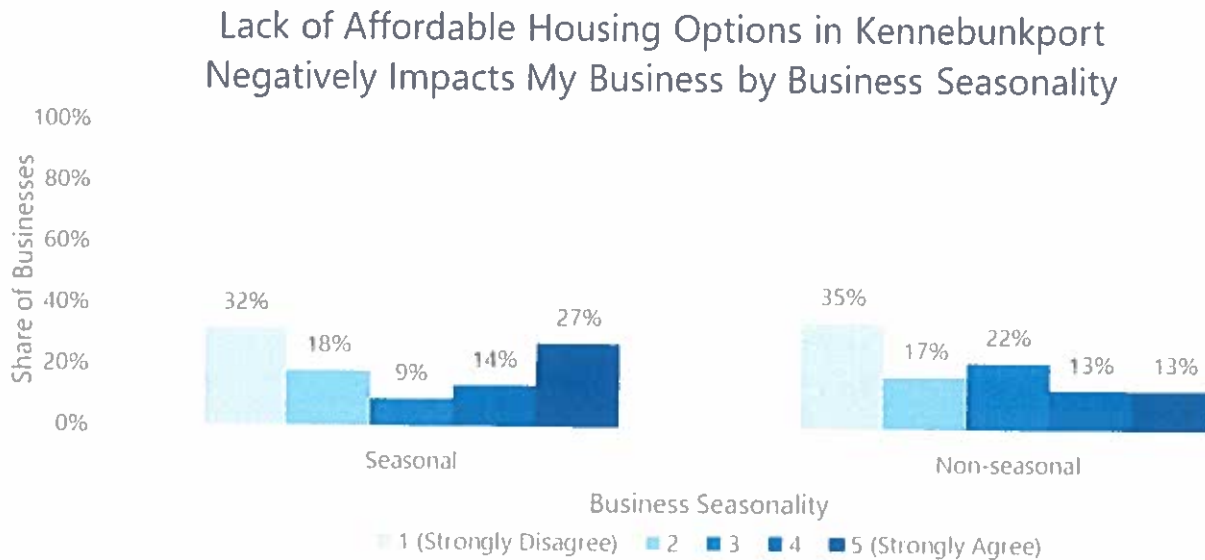


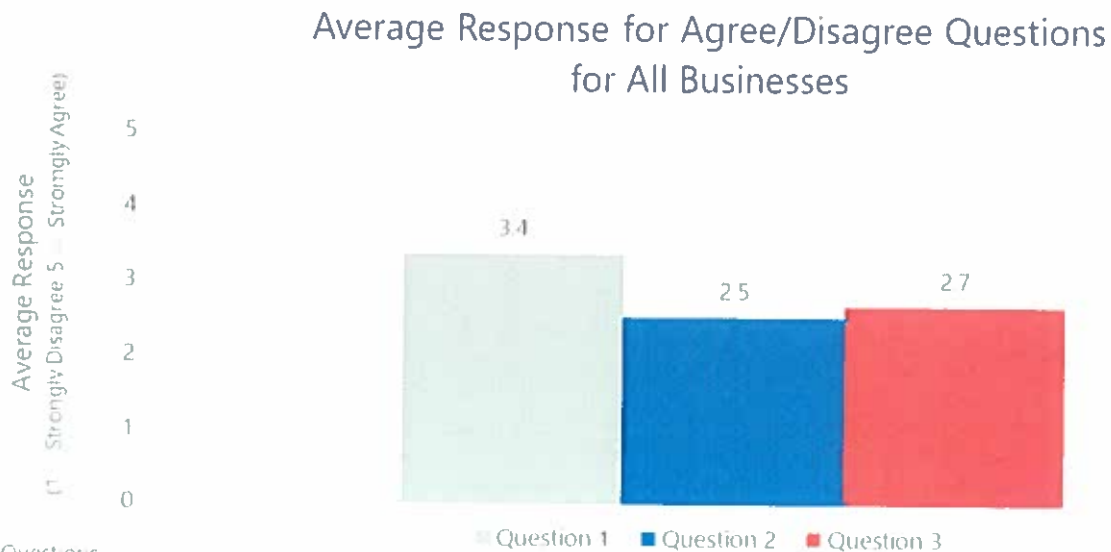


Figure 47: Impacts of Lack of Affordable Housing - By Business Seasonality



Average responses for the agree/disagree questions regarding affordable housing and access to transportation as challenge to employees as well as lack of affordable housing negatively impacting business were examined to determine trend among business size and seasonality. The figures below illustrate the average response for 3 agree/disagree questions. On average businesses with 6–20 and 21 or more employees were more likely to strongly agree to questions. Businesses with 3–5 employees were skewed towards strongly disagree, ranking below average. Comparing seasonality, average response rates were similar for seasonal and non-seasonal businesses.

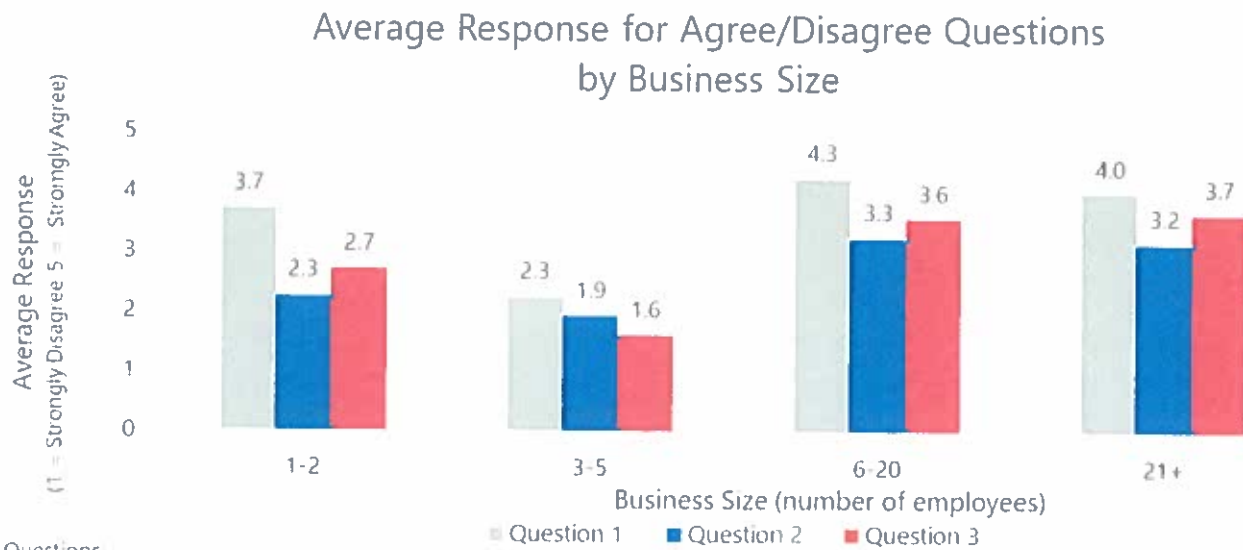
Figure 48: Average Response for Agree/Disagree Questions - All Businesses



Questions

- 1 Finding adequate housing that is affordable is a major challenge for my employees
- 2 Access to transportation is a major challenge for my employees
- 3 Lack of affordable housing options in Kennebunkport negatively impacts my business

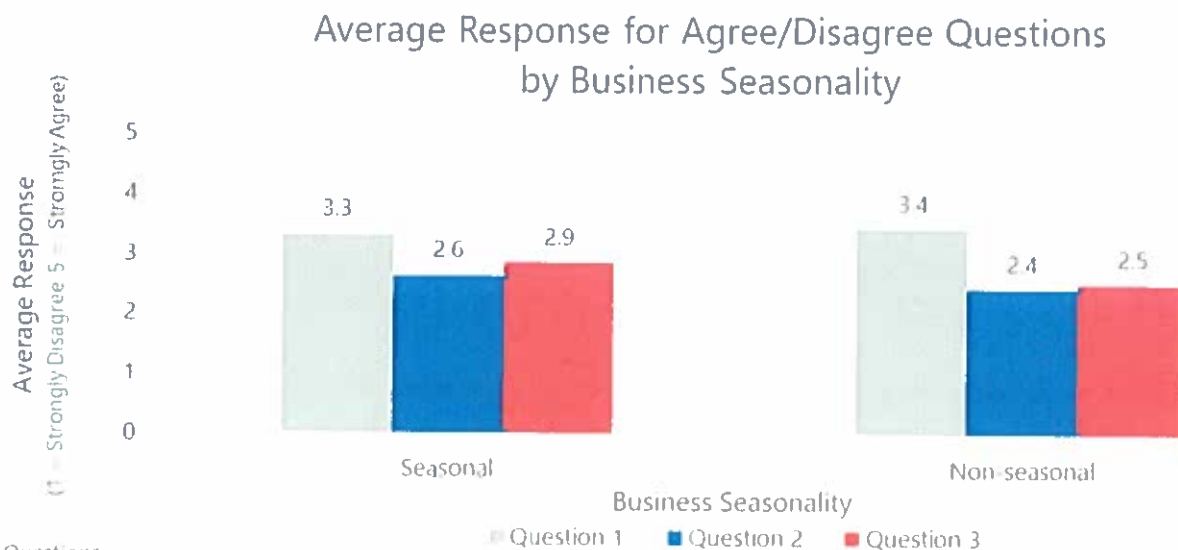
Figure 49: Average Response for Agree/Disagree Questions - By Business Size



Questions:

- 1 Finding adequate housing that is affordable is a major challenge for my employees
- 2 Access to transportation is a major challenge for my employees
- 3 Lack of affordable housing options in Kennebunkport negatively impacts my business

Figure 50: Average Response for Agree/Disagree Questions - By Business Seasonality



Questions:

- 1 Finding adequate housing that is affordable is a major challenge for my employees
- 2 Access to transportation is a major challenge for my employees
- 3 Lack of affordable housing options in Kennebunkport negatively impacts my business

Q: The next series of questions ask about your employees' permanent residence. Please answer to the best of your knowledge, and provide your best guess if not known. Values should sum to 100 percent. Considering all workers employed by your company in 2017, estimate the percentage of employees who are permanent residents of:

- Kennebunkport

- **Arundel or Kennebunk**
- **Other communities in the region (York County, Cumberland County, or the greater Portsmouth-NH area).**
- **Outside the region, but within the US**
- **Outside the US**

Overall about 18% of Kennebunkport business employees are residents of Kennebunkport, 39% are residents of Kennebunk or Arundel, 37% are residents of other communities in the region, 4% are residents outside the region but within the United States and 1% are residents outside the United States. Businesses with 6–20 and 21 or more employees were the only business size categories that noted employing residents outside the United States. Seasonal businesses have a higher percentage of Kennebunkport residents (22%) compared to non-seasonal businesses (10%). Seasonal businesses also have a higher percentage of residents from other countries at 4% compared to 0% for non-seasonal businesses.

Figure 51: Employee Residency - All Businesses

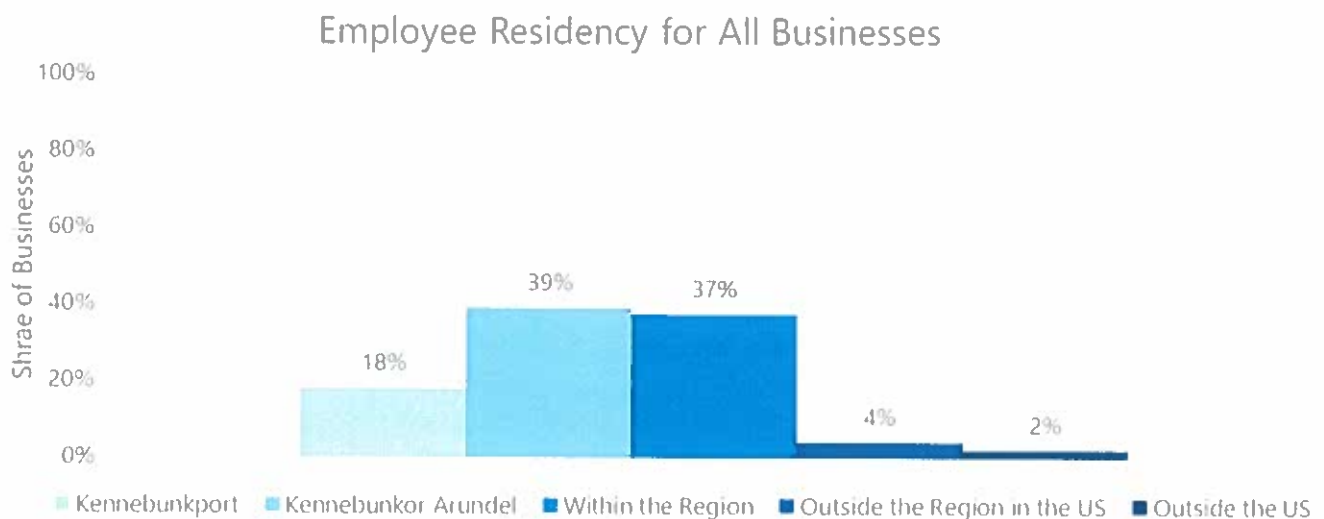
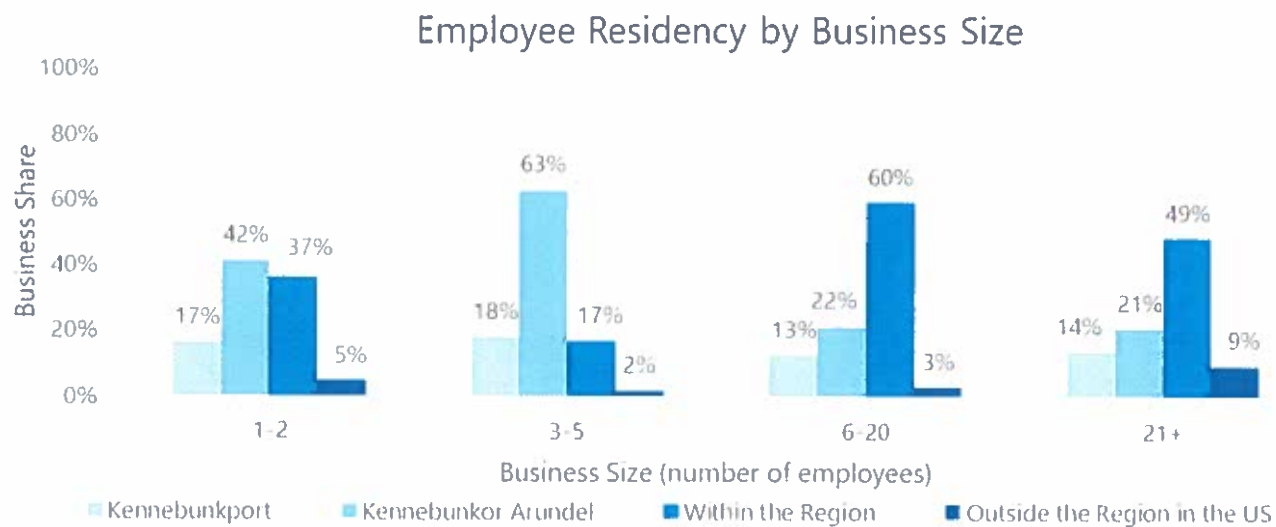


Figure 52: Employee Residency - Business Size



Appendix D: Data Sources

American Community Survey (ACS), U.S. Census

The American Community Survey (ACS) is an ongoing statistical survey by the U.S. Census Bureau that gathers demographic and socioeconomic information on age, sex, race, family and relationships, income and benefits, health insurance, education, veteran status, disabilities, commute patterns, and other topics. The survey is mandatory to fill out, but the survey is only sent to a small sample of the population on a rotating basis. The survey is crucial to major planning decisions, like vital services and infrastructure investments, made by municipalities and cities. The questions on the ACS are different than those asked on the decennial census and provide ongoing demographic updates of the nation down to the block group level. For more information on the ACS, visit <http://www.census.gov/programs-surveys/acs/>

Economic Modeling Specialists International (EMSI)

To analyze the industrial makeup of a study area, industry data organized by the North American Industrial Classification System (NAICS) is assessed. Camoin Associates subscribes to Economic Modeling Specialists Intl. (EMSI), a proprietary data provider that aggregates economic data from approximately 90 sources. EMSI industry data, in our experience, is more complete than most or perhaps all local data sources (for more information on EMSI, please see www.economicmodeling.com). This is because local data sources typically miss significant employment counts by industry because data on sole proprietorships and contractual employment (i.e. 1099 contractor positions) is not included and because certain employment counts are suppressed from BLS/BEA figures for confidentiality reasons when too few establishments exist within a single NAICS code.

Esri Business Analyst Online (BAO)

ESRI is the leading provider of location-driven market insights. It combines demographic, lifestyle, and spending data with map-based analytics to provide market intelligence for strategic decision-making. ESRI uses proprietary statistical models and data from the U.S. Census Bureau, the U.S. Postal Service, and various other sources to present current conditions and project future trends. Esri data are used by developers to maximize their portfolio, retailers to understand growth opportunities, and by economic developers to attract business that fit their community. For more information, visit www.esri.com.

Local Area Unemployment Statistics (LAUS), U.S. Bureau of Labor Statistics (BLS)

The Local Area Unemployment Statistics (LAUS) program estimates total employment and unemployment for approximately 7,500 geographic areas on a monthly basis, from the national level down to the city and town level. LAUS data is developed through U.S. Bureau of Labor Statistics (BLS) by combining data from the Current Population Survey (CPS), Current Employment Statistics (CES) survey, and state unemployment (UI) systems. More information on LAUS can be found here: <http://www.bls.gov/lau/lauov.htm>

OnTheMap, U.S. Census

OnTheMap is a tool developed through the U.S. Census Longitudinal Employer-Household Dynamics (LEHD) program that helps to visualize Local Employment Dynamics (LED) data about where workers are employed and where they live. There are also visual mapping capabilities for data on age, earnings, industry distributions, race, ethnicity, educational attainment, and sex. The OnTheMap tool can be found here, along with links to documentation: <http://onthemap.ces.census.gov/>

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Agenda Item Divider



4

MEMO

To: Board of Selectmen
Fr: Laurie Smith, Town Manager
Re: FY 19 Capital Improvement Plan
Dt: February 5, 2018

Attached please find the five-year capital improvement plan for FY 19 – 23. We began an annual CIP after I arrived as part of the budgeting process. It is difficult to make major financial decision unless you are aware of what other impacts you are likely to face in the short and long term. This will especially prove important as we weigh some large capital projects in the next five years.

There are three major capital expenses (over \$1.0 million) in the next five years. These include the reconstruction of a portion of Ocean Avenue, the replacement of the Cape Porpoise Pier and a possible Town Office/Fire Department project.

The Ocean Avenue project was originally identified a few years ago as part of a study by Woodward and Curran engineers. The portion of Ocean Avenue between Nonantum Hotel and Glen Creek Bridge is constructed on top of a seawall. The wall needs to be replaced in order to maintain the integrity of the road. Mike Claus hired Woodward and Curran to review the current status of the wall, redesign improvements to limit impacts on abutting homes and businesses and update the construction costs. The proposed project is \$1.1 million. Due to its current condition we are proposing the project be funded in FY 19, and this would likely be a bond project.

Over the past couple of years we have seen a continued degradation to the infrastructure under Cape Porpoise Pier. In FY 18 we budgeted funds to perform geotechnical and survey work to better understand the best course of action. In preparation for the FY 19 budget we have asked Baker Design Consultants to develop a cost estimate for the necessary replacement and repairs in Cape Porpoise. The current estimate is just shy of \$1.5 million, and we are currently looking at a construction in FY 21 in order to access State grant funds.

The last large project for consideration is a Town Hall/Fire Station project. This one is further down the road than the previous two; however, I can foresee that the current Town Hall will need replacement, if for no other reason than a

lack of parking for staff and the public. We also are examining the current fire station locations and equipment usage. As we scrutinize the future needs of the Fire Department we may find that alternate locations and buildings are needed to meet the demands of future service.

The Wastewater Department and Fire Department have made some changes to the 5-year plan from last year. The biggest changes in Fire are relative to the reduction in Fire Vehicles and the lengthening of the replacement date for each vehicle. We are also seeing the introduction of an increased reserve account for Fire SCBA replacements as they will reach the end of their life cycle in 2026. The new Fire Chief will of course revise this in the next year and provide their own personal input into the plan.

I look forward to discussing these projects with you on the 8th and look forward to your feedback.

Capital Improvement Program

Department	Type	FY 19	FY 20	FY 21	FY 22	FY 23	Future
<u>Administration</u>							
Review of Town Zoning and Land Use	Admin	\$ 20,000					
Town Office Pavement Restoration	Bldg/Facilities	\$ 19,000					
Community Survey	Admin	\$ 5,000					
Records Preservation	Admin	\$ 5,000					
Records Preservation	Admin		\$ 5,000				
Document Management System	Equipment			\$ 50,000			
Records Preservation	Admin			\$ 5,000			
Records Preservation	Admin				\$ 5,000		
Records Preservation	Admin					\$ 5,000	
Town Office Building Project	Bldg/Facilities					\$ 1,000,000	
Replace 2017 Codes Vehicle	Equipment						\$ 30,000
Records Preservation	Admin						\$ 200,000
Town Office Building Renovations	Bldg/Facilities						\$ 100,000
		\$ 49,000	\$ 5,000	\$ 55,000	\$ 5,000	\$ 1,005,000	\$ 330,000
subtotal - Administration							
<u>Communications</u>							
Replace Building Cooling System	Bldg/Facilities			\$ 30,000			
Boiler Replacement	Bldg/Facilities						\$ 20,000
		\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ 20,000
subtotal - Communications							
<u>Dock Square</u>							
Parking Lot Pavement Restoration	Infrastructure	\$ 30,000					
Union Square enhancements	Infrastructure	\$ 25,000					
Replace sidewalks / healing maintenance East Side (bridge to	Infrastructure		\$ 87,000				
Sidewalk replacement on West side of Dock square	Infrastructure		\$ 26,500				
Wayfinding signs for Downtown	Bldg/Facilities						\$ 25,000
		\$ 55,000	\$ 113,500	\$ -	\$ -		\$ 25,000
subtotal - Dock Square							

4

Capital Improvement Program

Department	Type	FY 19	FY 20	FY 21	FY 22	FY 23	Future
<u>Fire</u>							
Firefighter PPE	Equipment	\$ 17,000					
SCBA replacement and air bottles	Equipment	\$ 36,045					
North Street Renovations - Chief's Office	Bldg/Facilities	\$ 14,500					
Wildes Dist, Fire Station - Door Safety Devices	Bldg/Facilities	\$ 14,000					
Firefighter PPE	Equipment	\$ 17,000					
Radio equipment	Equipment	\$ 5,000					
SCBA replacement and air bottles	Equipment	\$ 42,608					
Firefighter PPE	Equipment			\$ 17,000			
Radio equipment	Equipment			\$ 5,000			
SCBA replacement and air bottles	Equipment			\$ 43,932			
Replace base station, antenna & cable	Equipment			\$ 18,000			
SCBA replacement and air bottles	Equipment		\$ 44,168				
Radio equipment	Equipment		\$ 10,500				
Firefighter PPE	Equipment		\$ 17,000				
SCBA replacement and air bottles	Equipment				\$ 44,412		
Firefighter PPE	Equipment				\$ 17,000		
Replace Brush 35 1980 GMC	Equipment				\$ 60,000		
Replace Engine 12 - PV REPLACE (2027)	Equipment					\$ 635,000	
Replace Brush 15 1984 GMC (2028)	Equipment					\$ 60,000	
Replace Squad 11 REPLACE (2031)	Equipment					\$ 150,000	
Engine 23 REPLACE (2034)	Equipment					\$ 900,000	
Replace Tank 1 - GRB REPLACE (2038)	Equipment					\$ 300,000	
Replace Ladder 34 - GRB REPLACE (2039)	Equipment					\$ 1,500,000	
Rigid Inflatable Boat/engine/trailer - GRB	Equipment					\$ 18,000	
Rigid Inflatable Boat/engine/trailer - WD	Equipment					\$ 18,000	
SCBA Air Packs (29)	Equipment					\$ 190,000	
Generator - WD	Equipment					\$ 7,500	
Generator - Village	Equipment					\$ 20,000	
Hydraulic rescue tool	Equipment					\$ 80,000	
Village Fire Station	Bldg/Facilities					\$ 700,000	
Wildes Dist, Fire Station	Bldg/Facilities					\$ 250,000	
subtotal - Fire		\$ 81,545	\$ 64,608	\$ 83,932	\$ 71,668	\$ 121,412	\$ 4,828,500

Capital Improvement Program

Department	Type	FY 19	FY 20	FY 21	FY 22	FY 23	Future
<u>Parks and Recreation</u>							
Improvements to Parson's Field	Infrastructure	\$ 10,000					
Parks and Recreation Building Furniture and Fixtures	Bldg/Facilities	\$ 50,000					
Sledding Hill	Bldg/Facilities	\$ 10,000					
Community Survey	Admin		\$ 5,000				
Improvements to Cape Porpoise Park and Rotary Parks	Infrastructure		\$ 17,500				
Resurface Tennis Courts	Infrastructure			\$ 50,000			
Replacement mower	Equipment			\$ 10,000			
Trail Development	Infrastructure				\$ 10,000		
Trail Development	Infrastructure					\$ 10,000	
Future Parks and Recreation Addition	Bldg/Facilities						\$ 300,000
Replace 2016 Bus	Equipment						\$ 60,000
Public Boat Access	Infrastructure	\$ 70,000	\$ 22,500	\$ 60,000	\$ 10,000	\$ 10,000	\$ 100,000
	subtotal - Parks and Recreation						\$ 460,000
<u>Piers</u>							
<u>Cape Porpoise</u>							
#4 Hoist Replacement	Bldg/Facilities	\$ 5,000					
Pier Design and Permitting	Bldg/Facilities	\$ 100,000					
Float Replacement	Bldg/Facilities		\$ 5,000				
Pier Repairs	Bldg/Facilities			\$ 1,500,000			
#2 Hoist Replacement	Equipment			\$ 5,000			
Punt Float Pylons	Bldg/Facilities			\$ 10,000			
#3 Hoist Replacement	Equipment			\$ 5,000			
#2 Hoist Replacement	Equipment				\$ 5,000		
Replace Fuel Tanks	Bldg/Facilities					\$ 100,000	
#1 Hoist Replacement	Equipment						\$ 5,000
Fuel Pumps	Bldg/Facilities						\$ 5,000
Harbormaster Boat	Equipment						\$ 100,000
Cape Porpoise Pier	Bldg/Facilities						\$ 1,200,000

Capital Improvement Program

Department	Type	FY 19	FY 20	FY 21	FY 22	FY 23	Future
Government Wharf							
Replace Coolers	Bldg/Facilities						\$ 25,000
Government Wharf Maintenance Dredge	Infrastructure						\$ 50,000
subtotal - Piers		\$ 105,000	\$ 5,000	\$ 1,520,000	\$ 5,000	\$ 100,000	\$ 1,385,000
Police							
Replace 2015 Cruiser	Equipment	\$ 30,500					
Replace 2016 Cruiser & Travel Car	Equipment		\$ 61,000				
Replace 3 work stations	Equipment		\$ 15,000				
Replace 2XXX Cruiser (2)	Equipment			\$ 62,500			
HVAC replacement inside PD	Equipment			\$ 35,000			
Replace 2XXX Cruiser	Equipment				\$ 31,000		
Replace 2XXX Cruiser	Equipment					\$ 31,500	
Replace 2XXX Cruiser (2)	Equipment						\$ 62,000
Replace 2XXX Cruiser	Equipment						\$ 31,000
Replace 2XXX Cruiser (2)	Equipment						\$ 62,000
Replace 2XXX Cruiser	Equipment						\$ 31,000
Replace 2XXX Cruiser (2)	Equipment						\$ 62,000
subtotal - Police		\$ 30,500	\$ 76,000	\$ 97,500	\$ 31,000	\$ 31,500	\$ 248,000
Public Works							
Replace 2007 Trackless	Equipment	\$ 175,000					
Replace 2006 Ford F350 4x4	Equipment	\$ 42,000					
Repair and reconstruct roads	Infrastructure	\$ 717,000					
Repair and construct sidewalks.	Infrastructure	\$ 93,000					
Replace Keegard fueling system	Equipment	\$ 12,000					
Repair and reconstruct roads	Infrastructure		\$ 439,000				
Repair and construct sidewalks.	Infrastructure		\$ 41,000				
Replace Fuel Pumps	Equipment		\$ 10,000				
Replace 2006 Ford Ranger	Equipment		\$ 35,000				
Replace 2005 Z Trac JDF887	Equipment		\$ 12,000				
Replace 2011 International	Equipment			\$ 170,000			
Replace 2009 Ford F350	Equipment			\$ 45,000			

Capital Improvement Program

Department	Type	FY 19	FY 20	FY 21	FY 22	FY 23	Future
Repair and reconstruct roads	Infrastructure			\$ 573,000			
Repair and reconstruct sidewalks.	Infrastructure			\$ 84,000			
Repair and reconstruct roads	Infrastructure				\$ 327,000		
Repair and reconstruct sidewalks.	Infrastructure				\$ 67,000		
Replace 2004 International Tandem	Equipment					\$ 225,000	
Repair and reconstruct roads	Infrastructure					\$ 207,900	
Replace 2012 International	Equipment						\$ 170,000
Replace 2021 International	Equipment						\$ 170,000
Replace 2017 Titan 5000 Line Striper	Equipment						\$ 9,000
Repair and reconstruct roads	Infrastructure						\$ 411,330
Repair and reconstruct sidewalks.	Infrastructure						\$ 29,106
Repair and reconstruct roads	Infrastructure						\$ 182,346
Repair and reconstruct roads	Infrastructure						\$ 391,200
Repair and reconstruct sidewalks.	Infrastructure						\$ 10,915
Repair and reconstruct roads	Infrastructure						\$ 100,242
Replace 2015 International	Equipment						\$ 170,000
Repair and reconstruct roads	Infrastructure						\$ 98,103
Replace 2013 JD Loader	Equipment						\$ 160,000
Replace 2020 Ford Ranger	Equipment						\$ 35,000
subtotal - Public Works		\$ 1,039,000	\$ 537,000	\$ 872,000	\$ 394,000	\$ 432,900	\$ 1,937,242

Special Projects

Ocean Avenue reconstruction / River Club	Infrastructure	\$ 1,100,000					
Dock Sq Granite Support Wall Engineering Study	Infrastructure		\$ 50,000				
Pier Road Reconstruction	Infrastructure						
subtotal - Special Projects		\$ 1,100,000	\$ 50,000	\$ -	\$ -	\$ -	\$ 800,000

Wastewater

Grinder Pump Replacement	Equipment	\$ 25,000					
Replace Generator Pump Station #12	Equipment	\$ 20,000					
Replace Compost Building Sidewalls	Equipment	\$ 30,000					
Replace 6 Smith & Loveless Wet Well Hatches	Equipment	\$ 10,000					
Gas Detector and Docking Station	Equipment	\$ 5,000					

Capital Improvement Program

Department	Type	FY 19	FY 20	FY 21	FY 22	FY 23	Future
Replace Kohler Portable Generator	Equipment		\$ 38,000				
Grinder Pump Replacement	Equipment		\$ 25,000				
Upgrade South Main St Pump Station	Equipment		\$ 200,000				
Axial Flow Pumps (2) (2011)	Equipment			\$ 85,000			
Submersible Mixer (2) (2011)	Equipment			\$ 71,000			
Grinder Pump Replacement	Equipment			\$ 25,000			
Grinder Pump Replacement	Equipment				\$ 25,000		
Replace 2004 JD Loader	Equipment				\$ 120,000		
Replace 2006 Jelter	Equipment				\$ 60,000		
Replace 2013 Ser. Truck	Equipment					\$ 35,000	
Replace 2008 Crane	Equipment					\$ 10,000	
Huber fine screen #101 2011	Equipment						\$ 125,000
Huber fine screen #102 2011	Equipment						\$ 125,000
Return Sludge Pump #1 2011	Equipment						\$ 4,000
Return Sludge Pump #2 2011	Equipment						\$ 4,000
Return Sludge Pump #3 2011	Equipment						\$ 4,000
Grinder Pump Replacement	Equipment						\$ 25,000
Replace Generator @ Green St. Pump Station #3 (2000)	Equipment						\$ 20,000
Replace Generator @ Chicks Cr. Pump Station #4 (2001)	Equipment						\$ 20,000
Replace Generator @ Paddy Cr. Pump Station #9 (2011)	Equipment						\$ 25,000
Replace Generator @ Cape Porpoise Pump Station #10 (2011)	Equipment						\$ 25,000
Replace Generator @ Wilds Dist. Pump Station #8 (2013)	Equipment						\$ 30,000
Greplace Generator @Mill Lane Pump Station #2 (2014)	Equipment						\$ 30,000
Replace Magnum Portable Generator (2010)	Equipment						\$ 45,000
Replace Filter Press (2)	Equipment						\$ 250,000
Replace Mills Lane Pump Station #2	Infrastructure						\$ 250,000
Replace Ocean Ave. Pump Station #6	Infrastructure						\$ 250,000
Replace Turbats Creek Pump Station #7	Infrastructure						\$ 250,000
Replace Wildes Rd. Pump Station #8	Infrastructure						\$ 250,000
Replace Paddy Creek Pump Station #9	Infrastructure						\$ 250,000
Replace Cape Porpoise Pump Station #10	Infrastructure						\$ 250,000
Replace Mills Rd. Pump Station #11	Infrastructure						\$ 250,000
Replace Kings Highway Pump Station #12	Equipment						\$ 50,000
Replace Kings Lane Pump Station #13	Equipment						\$ 40,000
Replace Kings Highway (West) Pump Station #14	Equipment						\$ 25,000

Capital Improvement Program

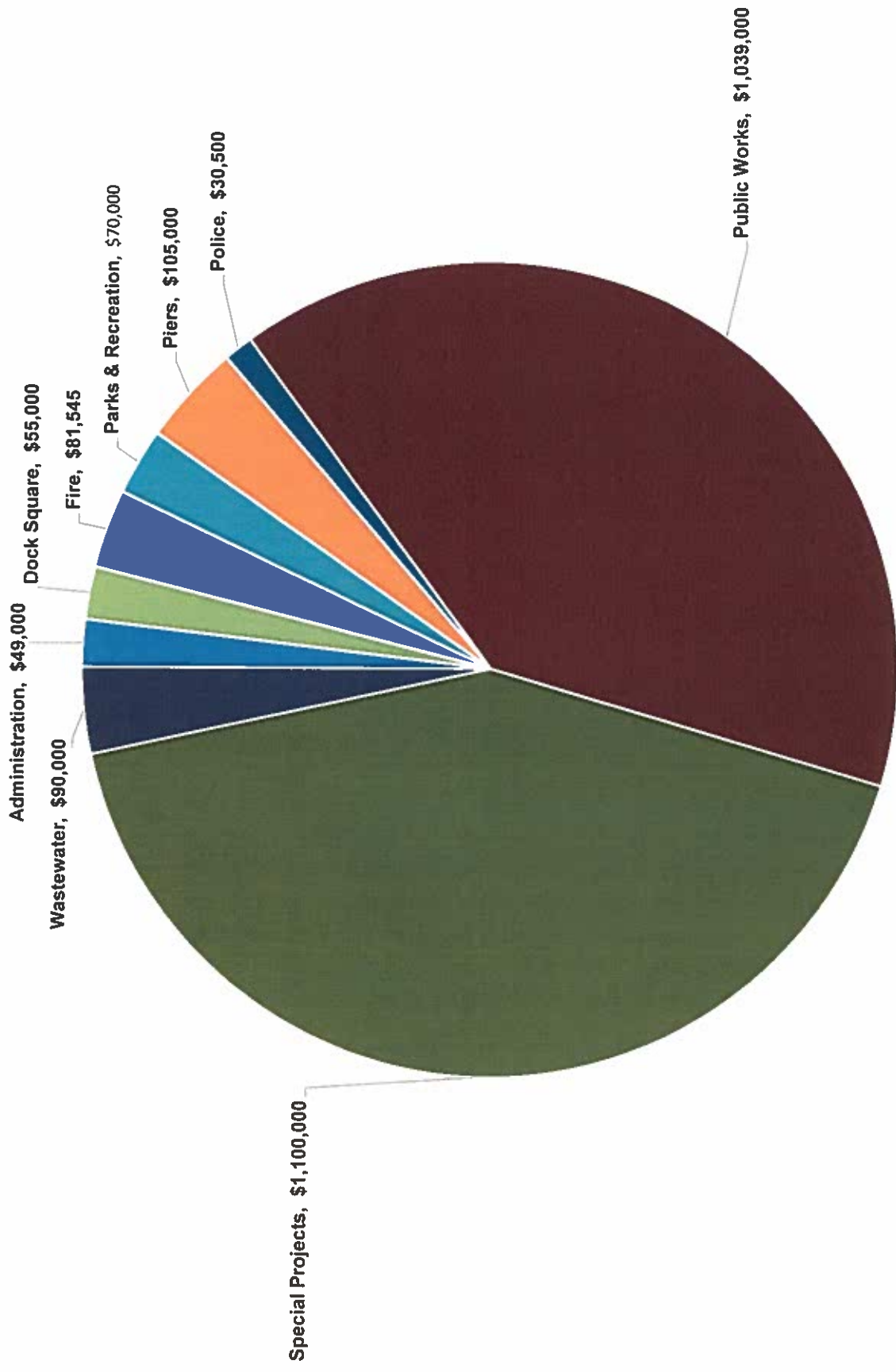
Department	Type	FY 19	FY 20	FY 21	FY 22	FY 23	Future
Replace Prescott Drive Pump Station #15	Infrastructure						\$ 15,000
Replace Washington Court Pump Station #16	Infrastructure						\$ 20,000
Replace Wakefield Pasture Pump Station	Infrastructure						\$ 20,000
Replace 4.3 miles 1972 Sewer Lines	Infrastructure						\$ 6,000,000
subtotal - Wastewater		\$ 90,000	\$ 263,000	\$ 181,000	\$ 205,000	\$ 45,000	\$ 8,652,000

Road Name	Road Length (in miles)	Road Width	Sewered	2019	2020	2021	2022	2023
Acacia Road	0.089	18	Yes					
Arlington Street	0.176	20	Yes					
Arundel Road - North Street to GRB	2.226	22	No					
Arundel Road - River Road to North Street	0.503	22	No					
Atlantic Avenue	0.037	20	Yes					
Bailey Court	0.189	20	No					
Bartlett Avenue	0.077	20	Yes					
Beachwood Avenue	2.400	20	No					
Beacon Avenue	0.140	20	No	\$12,128				\$207,900
Belair Avenue	0.111	18	Yes					
Bellevue Avenue	0.022	16	Yes					
Bellewood Avenue	0.064	18	Yes					
Belvidere Avenue	0.116	18	Yes					
Birch Court	0.090	18	Yes					
Broadway Avenue	0.050	14	Yes		\$3,032			
Central Avenue	0.104	20	Yes					
Chestnut Street	0.084	30	Yes	\$18,300				
Church Street	0.128	26	Yes					
Clover Leaf Farm Road	0.097	16	No					
Community House Road	0.226	18	Yes					
Community House Way	0.100	18	Yes					
Crescent Avenue	0.175	16	Yes					
Cross Street	0.041	24	No					
Dorrance Road	0.090	14	Yes		\$5,457			
Dyke Road	0.660	22	Yes					
East Avenue	0.176	18	Yes					
Edgewood Avenue	0.116	18	Yes					
Ed Bridge Lane	0.084	16	Yes	\$5,821			\$9,044	
Elm Street	0.122	20	Yes		\$10,568			
Fairfield Hill Road	0.300	20	No			\$1,000		
Fishers Lane	0.146	18	Yes			\$11,383		
Goose Rocks Road	4.000	22	No					
Grandview Avenue	0.133	22	Yes			\$12,673		
Gravelly Brook Road	0.700	18	No			\$4,000		
Greene Street	0.125	24	Yes	\$12,994				
Guinea Road - Biddeford Line to Whitten Hill Road	0.798	22	No					
Guinea Road - Goose Rocks Road to Whitten Hill Road	1.039	22	No	\$99,004				
Haverhill Avenue	0.144	16	Yes	\$9,979				
Hayward Avenue	0.053	14	Yes		\$3,214			
High Point Drive	0.246	20	Yes					
High Street	0.048	18	Yes			\$3,742		
Jefferys Way	0.057	18	Yes					
Josiah Curtis Lane	0.039	20	Yes		\$34,000			
Kings Highway - Batsons Creek to Sand Point Road	1.657	24	Yes			\$172,245		
Colony Ave	0.151	20	Yes	\$13,080				
Kings Highway - Sand Point Road to Little River	0.180	22	Yes				\$17,152	
Langsford Road	0.571	18	Yes					
Locke Street	0.174	16	Yes					
Magnolia Drive	0.220	16	Yes	\$15,246				
Main Street	0.634	24	Yes		\$65,904			

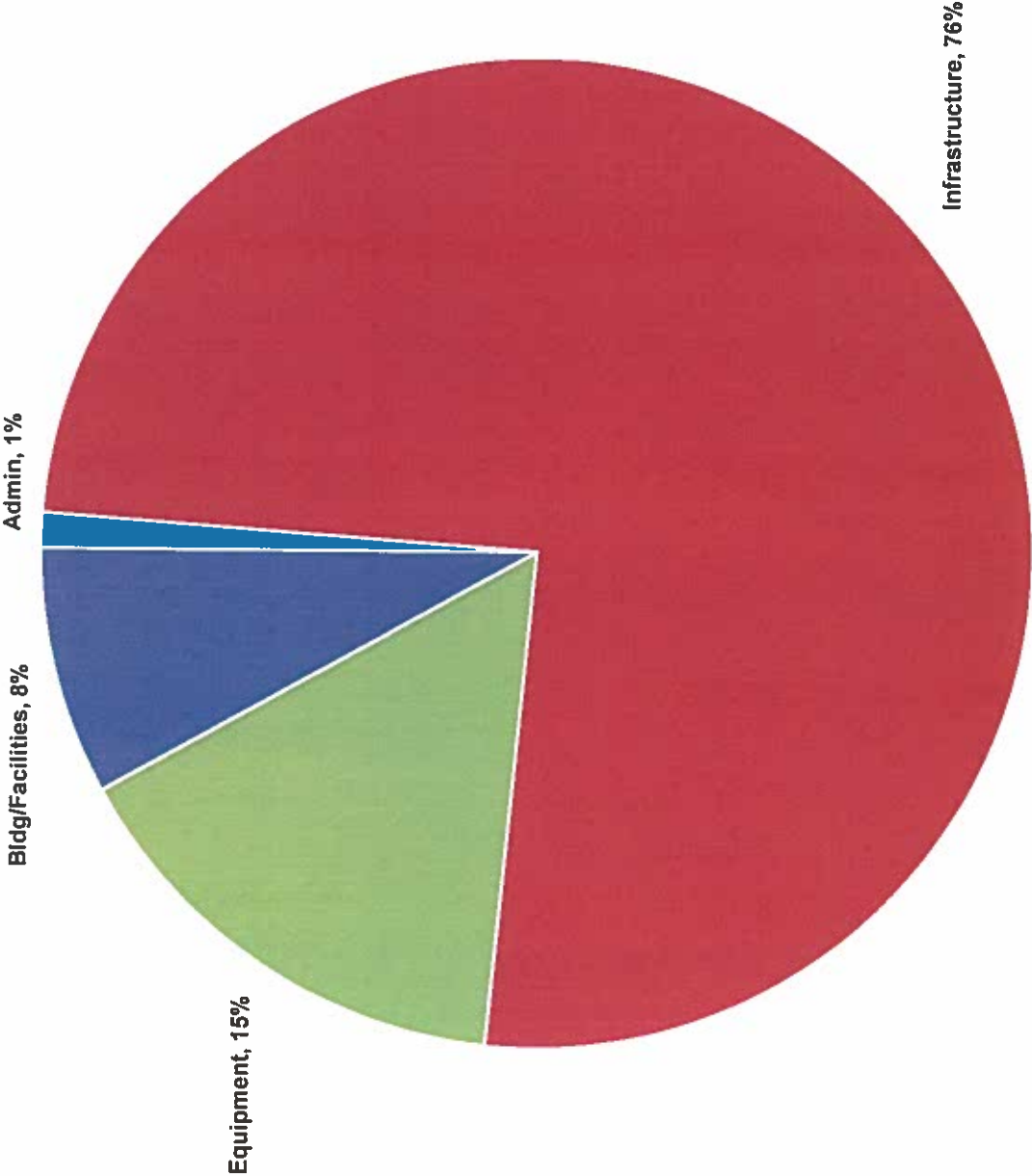
Road Name	Road Length (in miles)	Road Width	Sewered	2019	2020	2021	2022	2023
Maine Street - North Street to School Street	0.253	30	Yes		\$40,000			
Maine Street - Wildes District Road to School Street	0.340	22	Yes					
Spruce Lane (Formerly Mapleview Avenue)	0.163	20	No					
Mast Cove Lane	0.050	18	Yes			\$3,898		
Meserves Lane	0.076	14	Yes					
Mill Lane	0.044	16	Yes	\$3,049				
Mills Road - Beachwood Avenue to Biddeford Line	2.673	24	Yes	\$321,850				
Mills Road - Main Street to Beachwood Avenue	1.680	24	Yes					
Mount Kinco Road	0.424	18	No					
New Biddeford Road	0.867	26	Yes					
North Street	1.420	24	Yes	\$233,400				
Northwood Drive	0.698	18	No					
Norwood Lane	0.059	16	Yes			\$4,089		
Oak Ridge Road	1.669	22	No					
Oak Street	0.170	16	Yes					
Ocean Avenue - Chicks Creek Bridge to Kings Highway	0.449	24	Yes					
Ocean Avenue - Kings Highway to Wamby	1.261	24	Yes					
Ocean Avenue - Spring Street to Chicks Creek Bridge	0.520	22	Yes					
Ocean Avenue - Wamby to Turbats Creek Road	0.930	22	Yes					
Old Cape Road	1.228	22	No					
Old Fort Avenue	0.149	20	Yes					
Paddy Creek Hill Road	0.100	16	Yes	\$6,930				
Paddy Creek Road	0.100	16	Yes	\$6,930				
Pearl Street	0.121	24	Yes		\$12,578			
Pier Road	0.644	22	Yes				\$61,365	
Pleasant Street	0.125	18	Yes	\$9,745				
Port Farm Road	0.100	20	Yes	\$8,663				
Proctor Avenue	0.090	18	Yes					
River Road	0.613	22	No			\$58,411		
Saddle Way	0.070	20	Yes					
School Street	1.400	24	Yes					
Sherwood Drive	0.100	20	Yes					
South Main Street	0.726	22	Yes		\$69,179			
South Street	0.068	18	Yes		\$5,301			
Spouting Rock Avenue	0.050	12	No			\$5,569		
Spring Street	0.151	28	Yes				\$18,313	
Squier Lane	0.248	24	No				\$25,780	
Stone Road	0.978	22	No					
Stonewood Lane	0.131	22	No					
Summit Avenue	0.248	20	Yes					
Temple Street	0.058	30	Yes	\$7,536				
Towne Street	0.146	18	Yes					
Turbats Creek Road	0.700	18	Yes					
Union Street	0.089	20	Yes	\$7,710				
Wakefield Pasture Road	0.200	18	Yes					
Walkers Lane	0.329	22	No				\$31,350	
Ward Road	0.274	20	Yes					
Washington Court	0.141	28	Yes	\$17,100				
Wasmore Circle	0.100	14	Yes					
West Street	0.086	16	Yes					

Road Name	Road Length (in miles)	Road Width	Sewered	2019	2020	2021	2022	2023
Whitten Hill Road	1.367	22	No					
Wildes District Road	1.800	18	Yes					
Wildwood Avenue	0.347	18	Yes					
Wiley Road	0.415	22	No					
Windemere Drive	0.100	18	No					
Winslow Lane	0.120	20	Yes					
Winter Harbor Road	0.600	22	No					
Woodlawn Avenue	0.200	20	Yes					
Sidewalks and Paved Shoulders				\$92,736	\$40,952	\$83,412	\$66,705	\$0
Road Reconstruction and/or Paving				\$717,014	\$438,582	\$573,307	\$326,297	\$207,900
Total	48.166			\$809,750	\$479,534	\$656,719	\$393,002	\$207,900

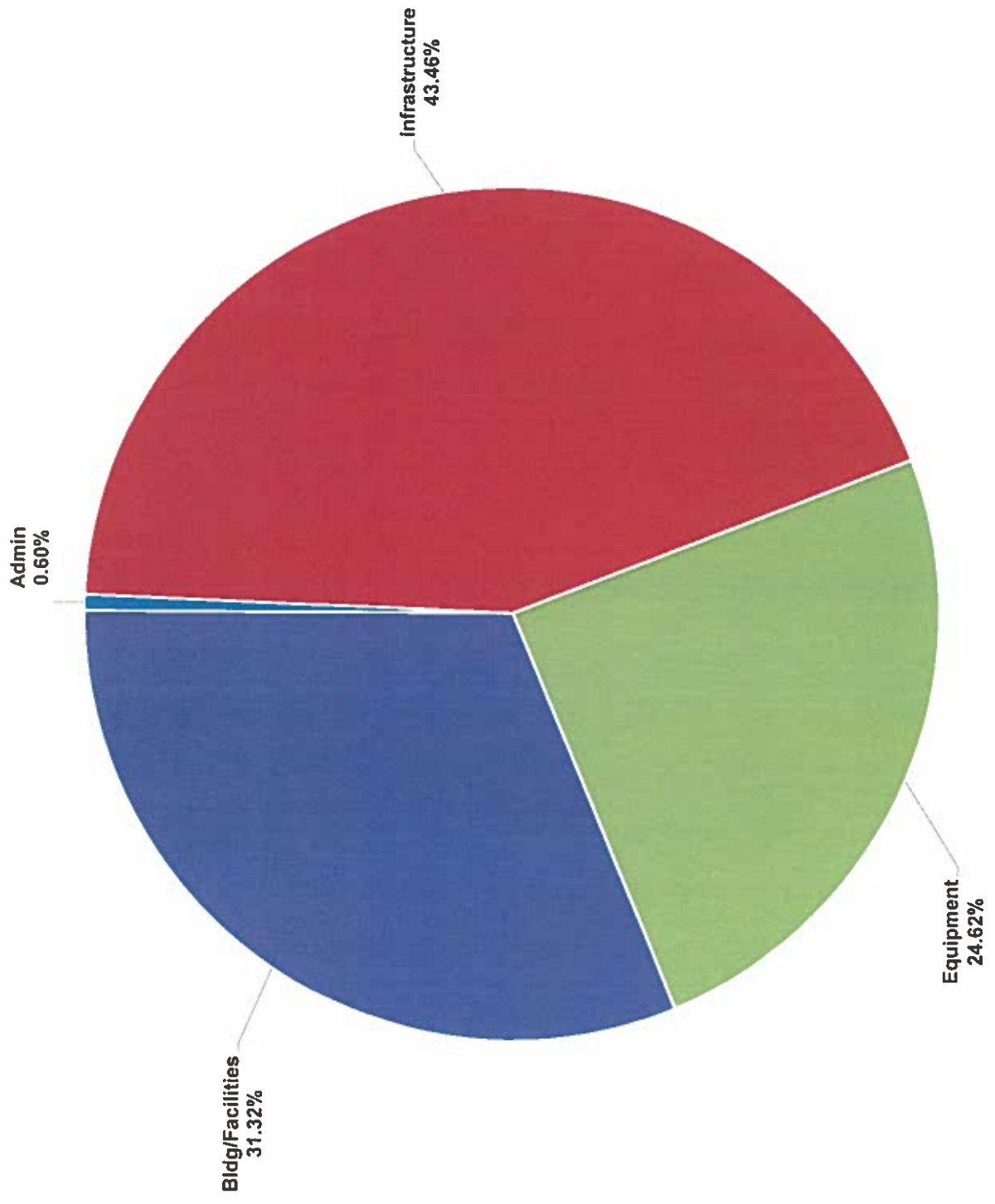
FY19 by Department



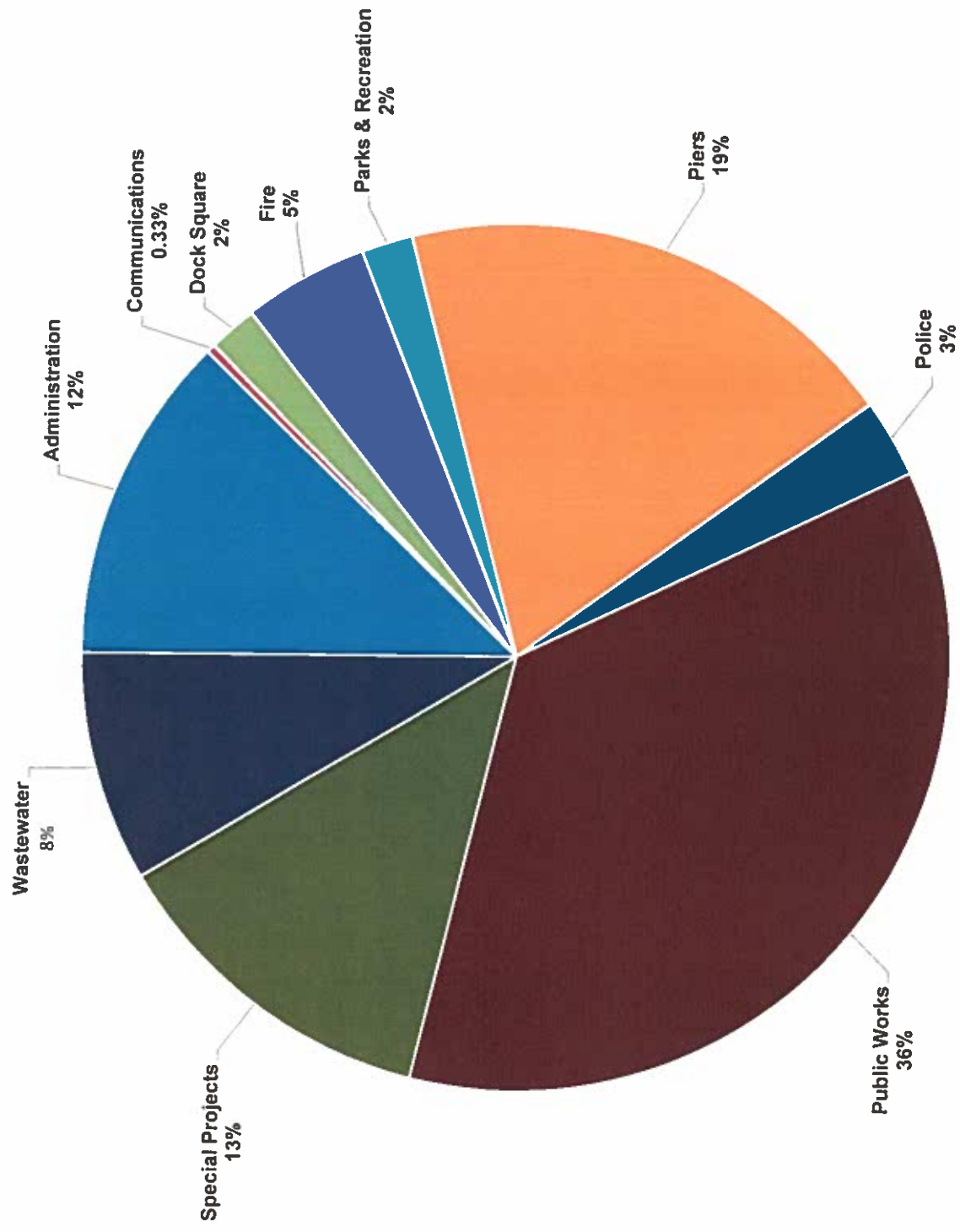
FY19 by Type



Five Year Plan by Type - FY 19 - FY 23



Five Year Plan by Dept. - FY 19- FY 23





Agenda Item Divider





MEMO

To: Board of Selectmen

Fr: Laurie Smith, Town Manager

Re: Ordinance revisions in accordance with organization changes

Dt: February 5, 2018

The Town of Kennebunkport is considered a small town, both in its character and year-round population of about 3,500. However; the Town has a variety of full time services, sophisticated seasonal and year-round residents, and a seasonal population that tops over 12,000 people. Since our last budget process, I have spent considerable time reviewing our strengths, weaknesses, and service delivery models. We have also lost a valuable member of our team who led two departments and we need to examine how we will meet the challenges of the future. One of those will be the probable retirement of 12 out of the 47 full time employees within the next **five** years, which equates to 25% of our workforce.

As I plan for future Town operations, I see there are benefits to examining our current structure and deliberating the pros and cons of a change. Currently the Town Manager oversees 10 directors, often times creating a "spinning plate" management. We are currently without department directors in Wastewater and Fire and hence it is a good time to review structure. Flexibility and adaptability will be important in meeting service needs in the future while maximizing use of our current staff resources

My proposal is to reorganize the Harbormaster/Pier Manager position under the Police Department and combine Highway and Wastewater into one department under Public Works. Although there will be challenges, which I will address through the budget process I believe this structure meets the issues I outlined above.

In order to accomplish these structural changes there are some ordinance changes required in the administrative code, the cape porpoise pier ordinance and the wastewater ordinance.



TOWN OF KENNEBUNKPORT, MAINE

STREET ORDINANCE

PURPOSE: The purpose of this ordinance is to provide each street, road and way (hereinafter referred to as street) both public and private, with one official and approved name and all residences and businesses thereon assigned numbers that will enable quick, easy identification and location of same by police, fire, emergency medical personnel and mercantile delivery services, as well as the U. S. Postal Service address. Use of a Post Office Box for mail delivery does not defeat the purpose of this Ordinance.

ARTICLE I - AUTHORITY

This Ordinance is adopted pursuant to, and consistent with, the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A, M.R.S.A. Section 3001. Date of Adoption: January 9, 1997. **Amended:**

ARTICLE II - NAMING SYSTEM

All roads that serve two or more structures shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare. A road name assigned by the municipality shall not constitute or imply acceptance of the road as a public way.

The following criteria shall govern the naming system:

1. No two roads shall be given the same name (ex. Pine Road and Pine Lane)
2. No two roads shall have similar-sounding names (ex. Beech Lane and Peach Lane).
3. Each road shall have the same name throughout its entire length.

PRIVATELY OWNED STREETS

All privately owned streets serving two or more properties shall be named, either by the developer or abutting property owners. A developer, sub dividing property owner or abutting property owners shall submit proposed street names with the development or sub dividing plan, the proposed street names will be reviewed by the public safety committee, in accordance with Article 2 of this ordinance.

ARTICLE II - PUBLIC STREETS

All public streets shall be named; duplication and confusing similarities shall be avoided. Use of a different type of way, i.e., Avenue, Lane, Court, etc., with the same name will be considered a duplication. Also, like sounding names with a different spelling will be considered a confusing similarity.

TOWN OF KENNEBUNKPORT, MAINE

STREET ORDINANCE CONT'D

1. All residences and businesses shall have a number assigned by the official(s) designated in Article V of this Ordinance. Numbers shall be assigned in anticipation of future growth and increase in density in order to avoid numbers with alphabetical or other suffixes such as, 31A or 31B, or 31 Front and 31 Rear. The rule of thumb will be one number (each side) for each one hundred (100) feet of street. Two (2) adjacent residences/businesses fronting on the same street, may share a common driveway. However, the driveway will be assigned a sequential (odd or even) street number.
2. An "in home" business will have the same street number as the residence.
3. Streets will be defined as "running from" one street "to" another street, dead end or Town line. The "from" end will be known as the "origin" of the street, the "to" end will be the "terminus". The numbering shall start at the origin of a street, with odd numbers on the right and even numbers on the left, in ascending order to the terminus of the street. Two (2) Three (3) streets, River Road Woodlawn Avenue and Poets Lane, have odd numbers on the left and even on the right and are grandfathered.
4. Multiple Two (2) family residences shall have a number for each unit. Apartment houses shall have a number for each front entryway with apartment numbers for each apartment accessed from that entryway.
5. Each business unit shall have a unique number even if housed within the same building.
6. All residences, businesses and other properties assigned a street number shall exhibit that number on or near the main front entrance of the building. If that entrance does not face the street to which the number is assigned, it shall be exhibited on the corner of the building nearest the main entrance and facing the street to which it applies. The number shall be a minimum of four (4) inches in height if placed within fifty (50) feet from the street and six (6) inches high if over fifty (50) feet from the street. If the building is over one hundred (100) feet from the street, or not readily visible from the street, the number shall be displayed on a post, monument or other structure next to the driveway where it enters the street. For residences/businesses receiving mail by means of a rural delivery box, the number on the box or support post will suffice provided it: 1) is located on the street to which the number is assigned; 2) is adjacent to, or directly opposite from, the driveway or front walkway to that residence/business; 3) has numbers a minimum of two (2) inches high; 4) is placed on (A) both sides of the box; or, (B) on the front of the box; or, (C) on the post, above the box and facing the street. All numbers shall be of a contrasting color to their background so as to be easily recognizable. All buildings shall have their assigned number(s) affixed as delineated above no later than six (6) months after adoption of this Ordinance.

ARTICLE IV – COMPLIANCE

All owners of structures shall display and maintain in a conspicuous place on said structure, assigned numbers in the following manner:

TOWN OF KENNEBUNKPORT, MAINE

STREET ORDINANCE CONT'D

2. If the Board delegates the responsibility to another official or committee, the Town Manager will rule on the first appeal and, if not resolved, the Board shall hear a final appeal. All appeals shall be filed within thirty (30) days of the denial and ruled upon within thirty (30) days of filing the appeal.

ARTICLE VI - ADDITIONAL REQUIREMENTS

1. All named streets shall have a signpost erected at each end thereof, except that a dead end street will not require one on the dead end. A cul-de-sac or other turn around will be considered a dead end. All signs shall be of a uniform size, lettering and color as designated by the Town Manager.
2. Costs for erecting signs for all streets within a private development will be borne by the developer.
3. Appendix I of this Ordinance shall be a complete list of all streets in the Town of Kennebunkport as of the date of enactment of this Ordinance. Said list will contain a brief description, locating the street by reference to the origin and terminus of the street, list all intersecting streets and the point of intersection. Appendix I will also be maintained current with a record of changes/additions thereto and the date of the change/addition. ~~Appendix I will also be maintained on the Fire Computer located in the Police/Fire/EMS dispatching center.~~
- ~~4. A street will not be designated as an extension of another street. Any extension of an existing street on the highest numbered end will have the name of the street being extended and assigned sequential numbers, otherwise it will be given a new name.~~
- ~~5. There shall be no numerical names such as First Street, or alphabetical names such as "A" street. A street name shall not be preceded or appended by a compass direction.~~
4. Any circumstance, situation or question determined to not be covered in this Ordinance, shall be resolved by the Board and that resolution made part of this Ordinance.

ARTICLE VII - NAME CHANGES

1. Except for the purpose of removing existing duplications and similarities, it is the intent of this Ordinance that a street not have its name changed. However, if a two-thirds majority of the residents and property owners on that street provide a compelling reason and petition the Board for a name change, the Board shall deliberate the request and render their decision no later than two (2) months after the first meeting held after receipt of the request. The Board's decision may be to grant or deny the request, or, if the change has Town-wide significance, to present the request to the voters of the Town of Kennebunkport at a Town Meeting, either annual or special.
2. Existing duplications and similarities will be reviewed by the Board, if the Board decided that a name should be changed, the procedure for naming streets outlined in Article III shall be used as a guide.
3. If a name change is approved, the local postmaster or office will be advised and requested to provide a change-over period which will recognize both the old and the new address.



Agenda Item Divider





KENNEBUNKPORT ADMINISTRATIVE CODE

TABLE OF CONTENTS

June 13, 2017 Revision

- 1. Elected Officers
 - 1.1 Town Meeting Moderator
 - 1.2 Selectmen
 - 1.3 Removal
- 2. Municipal Administration
 - 2.1 Town Manager
 - 2.2 Removal
 - 2.3 Municipal Departments
 - 2.4 Electronic Mail Policy
- 3. Appointed Officers
 - 3.1 Animal Control Officer
 - 3.2 Shellfish Warden
 - 3.3 Emergency Management Director
 - 3.4 Code Enforcement Officer
 - 3.5 Fire Inspector
 - 3.6 Harbor Masters
 - 3.7 Health Officer
 - 3.8 Registrar of Voters

- 3.9 Tree Warden
- 3.10 Town Forester
- 3.11 Town Clerk

- 4. Boards and Committees
- 4.1 Qualification and Removal
- 4.2 Legal Standing
- 4.3 Decisions of Boards and Committees
- 4.4 Parsons Way Committee
- 4.5 Planning Board
- 4.6 Public Safety Committee
- 4.7 Lighting Committee
- 4.8 Sewer Advisory Committee
- 4.9 Cemetery Committee
- 4.10 Growth Planning Committee
- 4.11 Cape Porpoise Pier Committee
- 4.12 Government Wharf Committee
- 4.13 Recreation Committee
- 4.14 Solid Waste Committee
- 4.15 Administrative Code Committee
- 4.16 River Committee
- 4.17 Board of Appeals
- 4.18 Budget Board

- 4.19 Conservation Commission
- 4.20 Sidewalk Committee
- 4.21 Shade Tree Committee
- 4.22 Board of Assessment Review

- 5. Town Meetings
- 6. Enactment of Ordinances
- 7. Municipal Elections
- 8. Oath of Office
- 9. Conflict of Interest
- 10. Severability
- 11. Municipal Ordinances
- 12. Amendment
- 13. Amendment of State Statutes
- 14. Relationship to State Statutes
- 15. Effective Date

TOWN OF KENNEBUNKPORT ADMINISTRATIVE CODE

ARTICLE I ELECTED OFFICERS

1.1 TOWN MEETING MODERATOR

1.1.1 Election

Each town Meeting shall elect a Moderator as prescribed by statute.

1.1.2 Qualification

The Town Meeting Moderator shall be a registered voter of the Town.

1.1.3 Duties

In addition to the duties prescribed by statute, the Town Meeting Moderator shall appoint a sufficient number of members to the Budget Board to constitute a Board consisting of twelve members, the terms of four members expiring every three years.

1.2 SELECTMEN

1.2.1 Number

There shall be five Selectmen elected at large, for staggered terms of three years each.

1.2.2 Qualifications

Selectmen shall be registered voters of the Town.

1.2.3 Vacancy

The office of a Selectman shall become vacant (1) upon the death, resignation, non-acceptance, permanent disability, incompetence or removal from office in any manner authorized by law or by this Code and (2) upon the failure to qualify, failure to elect, or forfeiture of office.

1.2.4 Forfeiture of Office

A Selectman shall forfeit his office if he:

- a. Lacks at any time during his term of office any qualification for the office described by this Code or by statute;
- b. Is convicted of a felony or a crime involving moral turpitude;
- c. Misses three (3) consecutive regularly scheduled meetings of the Board for reasons other than those of health. If illness or health reasons are claimed, the Board may request verification from a doctor; or
- d. Misses five (5) regularly scheduled meetings in any three-month period.

If a Selectman's absence is due to extenuating circumstances as determined by a majority of the Board, the requirements of subsections c and d above may be waived.

1.2.5 Filling of Vacancies

If a vacancy in the office of a Selectman shall occur when there are more than ninety (90) days remaining before the next regular Town Meeting, the remaining Selectmen shall call a Special Town meeting for the election of a qualified person to fill such vacancy. If a vacancy shall occur when there are less than ninety (90) days remaining before the next regular Town Meeting, the remaining Selectmen may, in the exercise of their sole and absolute discretion, call a Special Town Meeting to fill such vacancy. If at any time, two or more offices in the Board of Selectmen are vacant, a Special Town Meeting and election shall be held to fill such offices. In the event that all five (5) positions on the Board of Selectmen are vacant, the aforesaid Special Town Meeting shall be called by the Town Clerk.

1.2.6 Selectmen's Salary

Selectmen shall be paid a yearly salary as determined by the annual Town Meeting.

1.2.7 Expenses

Selectmen shall be reimbursed for their actual and necessary expenses incurred during the performance of their duties, provided such expenses shall be approved by the full Board.

1.2.8 General Powers and Duties

The Board of Selectmen shall have all powers of the Town which can be legally vested in the Board of Selectmen except as otherwise provided by ordinance, statute or this Code.

1.2.9 Enumeration of Responsibilities

The powers and duties of the Board of Selectmen shall include, but not be limited to, the following:

- a. To be assessors and overseers of the poor;
- b. To provide for an annual audit pursuant to statute;
- c. To appoint members of the Planning Board, the Appeals Board, the Board of Assessment Review, and other boards, agencies and positions as provided by statute and by this Code. The Board of Selectmen reserves the right to use whatever factors it deems appropriate in considering the appointment or reappointment of a citizen to a town board or commission;
- d. To propose to the Town Meeting the enactment or repeal of ordinances which require approval by a Town Meeting;
- e. To adopt, amend or repeal ordinances and regulations which do not require approval by a Town Meeting;
- f. To provide for the granting of licenses and permits for the conduct of any business in accordance with statute for such periods of time and in accordance with such rules and regulations not inconsistent with statute and upon payment by the licenses of such fees as the Board of Selectmen may establish;
- g. To recommend a budget to the Annual Town Meeting;
- h. To adopt and modify the official maps of the Town;

- i. To oversee all activities within the Town government but not to direct Town employees, either in public or in private, such being the responsibility of the Town Manager. Notwithstanding the above and with the exception of personnel matters the Board of Selectmen have the authority to discuss any issue affecting the Town with any employee of the Town;
- j. To inquire into the conduct of any office, department or agency of the Town and make investigation as to all municipal affairs not otherwise provided for by ordinance or statute;
- k. To adopt purchase procedures providing for the delegation of purchasing authority to department heads and/or the Town Manager within defined categories and limits;
- l. To prepare and post in the Town Office an agenda for its regular and special meetings one day in advance thereof, indicating the time, place of the meeting and the matters to be considered;
- m. To obtain professional services on behalf of the Town, including but not limited to legal services, accounting services and engineering services;
- n. To adopt regulations for the management of Government Wharf, the Cape Porpoise Pier and the Kennebunkport parking lot system;
- o. To adopt regulations for the internal management of the several municipal departments;
- p. To confirm the appointment by the Town Manager of the heads of the several municipal departments and to delegate to department heads the power to make internal regulations and operating procedures for such departments;
- q. To the extent permitted by state law, to establish fees for public services provided by the Town government;

- r. To the extent permitted by State law and consistent with the inter-local agreements between Arundel, Kennebunk and Kennebunkport, to adopt regulations for the management of the Kennebunk River and Cape Porpoise Harbor and to delegate to the respective harbormaster the power to make such further regulations as may be necessary for the proper usage of those waterways, such regulation and management of the Kennebunk River to be conducted in conjunction with other towns, where appropriate;
- s. To enact emergency regulations and ordinances as may be permitted by statute;
- t. To appoint ad hoc advisory or study committees as the need may arise and to charge them with specific duties;
- u. To declare as “surplus” certain old or used equipment or property which is no longer of significant use to the Town, and to dispose of said equipment or property on such terms as the Selectmen deem to be in the Town’s best interest;
- v. To evaluate on an annual basis the duties, performance and performance objectives of the Town Manager; and
- w. To appoint members of Boards and Committees as provided herein but not to direct or attempt to direct the Board of Zoning Appeals or the Planning Board in their decision making on the appeals and applications before them.

1.2.10 Assumption of Office

The Board of Selectmen shall meet within five days following adjournment of the annual Town Meeting or at any special Selectman’s meeting duly called. At such meeting all Selectmen elected shall be sworn to the faithful discharge of their duties by the Town Clerk or a Notary Public.

1.2.11 Chairman

At the first meeting of the Board of Selectmen following the adjournment of the annual Town Meeting, or as soon thereafter as practicable, the Board shall elect by majority vote of the entire Board one of its members as Chairman and one of its members as Vice Chairman for the ensuing year. The Board may fill at any

time, at any meeting duly called therefore, any vacancy in the office of Chairman or Vice Chairman that may occur. The Chairman shall preside at the meetings of the Board and shall be recognized as head of Town government for ceremonial purposes and by the Governor of the State of Maine for the purposes of military law. The Chairman shall be entitled to a vote, which vote shall be counted in all matters and things as a vote equal to that of the other members of the Board. In the temporary absence or disability of the Chairman, the Vice Chairman shall exercise the powers of the Chairman during the temporary absence or disability.

1.2.12

Meeting Procedure

The Board of Selectmen shall hold a regular meeting the second and fourth Thursday evenings of each month at the Town Offices or such other times and places as the Selectmen shall announce in the agenda of their meeting. Special meetings may be held on the call of the Chairman or any member upon no less than twelve (12) hours notice to each member of the Board, whenever possible. Emergency meetings of the Board of Selectmen may be called at any time by the Chairman or by any member of the Board.

Any action taken at any such emergency meeting by a quorum present thereat shall be deemed the lawful action of the Board of Selectmen. All meetings of the Board of Selectmen shall be open to the public, reserving to the Board of Selectmen the right to recess for the purpose of holding discussion in an executive session, as permitted by state statutes, provided the general subject matter for consideration is expressed in the motion calling for executive session and that any final action taken by the Board be taken in public session. The Selectmen shall keep minutes of their proceedings, which minutes shall be available to the public in the town office. Voting, except on procedural motions, shall be by ayes and nays and shall be recorded in the minutes of the Board of Selectmen. Three (3) members of the Board of Selectmen shall constitute a quorum for the conduct of business. A majority of the Board of Selectmen (not a majority of the quorum) is needed to pass a motion.

1.3 REMOVAL

Any elected official of the Town of Kennebunkport may be removed from elective office by the voters of the Town of Kennebunkport in the following manner:

- a. A number of voters equal to at least ten (10) percent of votes cast in the town at the last gubernatorial election, but in no case less than ten (10), may present a written petition, which petition shall fully set forth the reasons therefore, to those members of the Board of Selectmen having no conflict of interest in the subject matter of said petition;
- b. In or within fifteen (15) days after the receipt of such petition said Selectmen shall hold a public hearing on said petition, which hearing shall be restricted and limited to presentation and discussion of those matters set forth in the petition. Said public hearing shall be conducted by said Selectmen having no interest in the subject matter of the petition in accordance with rules of conduct and guidelines established by and set forth by them at the outset of the hearing;
- c. Notice for the aforesaid public hearing shall be given in the same manner as is provided for and established with regard to notice for a Town Meeting;
- d. In or within fifteen (15) days after the aforesaid public hearing, a Town Meeting shall be called by the said Selectmen and a vote by secret ballot shall be taken; and
- e. In the event of an affirmative vote for such removal, such vote shall take effect and such removal shall be effective as of recording thereof in the record of the Meeting, subject to such recount of the vote as may be requested and provided by statute.

ARTICLE II MUNICIPAL ADMINISTRATION

2.1 TOWN MANAGER

The Selectmen shall appoint a Town Manager who shall be responsible to them. In addition to such powers and duties as prescribed by statute for the Town Manager and such other responsibilities as specifically designed by the Board of Selectmen, the Town Manager shall:

- a. Act as the Chief Administrative and Executive Officer of the Town of Kennebunkport;
- b. Be responsible to the Board of Selectmen for the Administration of all departments and offices over which the Board has control;
- c. Execute all laws and ordinances of Kennebunkport;
- d. Serve in any office as the head of any department under the control of the Board of Selectmen when so directed by the Selectmen;
- e. Appoint, subject to confirmation by the Board of Selectmen, supervise and control heads of departments under control of the Selectmen when the department is not headed by the Town Manager under Paragraph d;
- f. Appoint, supervise and control all Town Officials which the Municipal Officers are required by statute to appoint, unless otherwise provided by ordinance ~~or this code~~ and except members of boards, commissions and committees; and appoint, supervise and control all other officials, including the Town Treasurer, the Road Commissioner and the Tax Collector, subordinates and assistants. The Town Manager may delegate this authority to a head of a department and report all appointments to the Board of Selectmen for confirmation;
- g. Act as purchasing agent of the Town as directed by the Selectmen;
- h. Attend all meetings of the Board of Selectmen, except during illness or vacation, or otherwise with prior approval of the Board of Selectmen;
- i. Attend municipal meetings and hearings as requested by the Board of Selectmen;
- j. Keep the Board of Selectmen informed as to the financial condition of the Town;

- k. Collect data necessary for the preparation of the budget, assist and work with the Budget Board;
- l. Assist, insofar as possible, residents and taxpayers in discovering their lawful remedies in cases involving complaints of unfair vendor, administrative and governmental practices;
- m. Exercise exclusive authority to remove for cause, after notice and hearing, all persons whom the Town Manager is authorized to appoint and report any removals to the Board of Selectmen. However, all employees shall serve a probationary period of six months and may be removed without cause, notice or hearing prior to the expiration of this probationary period;
- n. Prepare applications for state and federal grants;
- o. Coordinate departmental activities and set attainable goals for all municipal departments;
- p. Monitor all state and federal programs that may benefit the Town of Kennebunkport and supervise these programs in the Town of Kennebunkport. The Town Manager will also be responsible for any municipal programs initiated by the Board of Selectmen;
- q. Appoint at least one Deputy Tax Collector subject to confirmation by the Board of Selectmen; and
- r. Prepare or have prepared and submit to the Board of Selectmen for approval job descriptions for all municipal employees and appointed officers of the Town.

2.2 **REMOVAL**

All officers appointed by the Board of Selectmen and reporting to the Town Manager may, upon recommendation of the Town Manager, be removed by the Selectmen for cause, after notice and hearing, which hearing shall be conducted by the Board of Selectmen consistent with statute.

2.3 MUNICIPAL DEPARTMENTS

The municipal administration shall be divided into the following departments:

- 2.3.1 Administrative Department
 - Fire Department
 - Health Department
 - Parks & Recreation Department
 - Planning & Development Department
 - Police Department
 - Public Works Department
 - Town Clerk Department
 - ~~Wastewater Department~~

2.4 ELECTRONIC MAIL POLICY

Use of the electronic mail (e-mail) by members of any Kennebunkport Board or Committee should conform to the same standards of judgment, propriety and ethics as other forms of Board or Committee related communication. All Board and Committee members shall comply with the following guidelines when using e-mail in the conduct of Board or Committee business:

- a. Boards and Committees shall not use e-mail as a substitute for deliberations at meetings or for other communications or business properly confined to meetings.
- b. Board and Committee members should be aware that e-mail and e-mail attachments received or prepared for use in Board or Committee business or containing information relating to Board or Committee business are public records which may be inspected by any person upon request, unless made confidential by Maine's Right to Know Law (1 M. R. S. A., Section 401 et seq).
- c. Board or Committee members should avoid reference to confidential information about employees, personnel or other matters in e-mail communications because of the risk of improper disclosure. All Board and Committee members should comply with the same standards as Town employees with regard to confidential information.

ARTICLE III APPOINTED OFFICERS

3.0 APPOINTED OFFICERS

The Board of Selectmen shall appoint the following officers:

Animal Control Officer
Assessor's Agent
Assistant Code Enforcement Officer
Assistant Plumbing Inspector
Emergency Management Director
Code Enforcement Officer
Constable
Fire Inspector
Harbor Masters
Health Officer
Plumbing Inspector
Road Commissioner
Registrar of Voters
Shellfish Warden
Street Naming & Numbering Delegate
Tax Collector
Town Clerk
Treasurer
Tree Warden
Town Forester

3.1 ANIMAL CONTROL OFFICER

3.1.1 Appointment

The Board of Selectmen shall appoint annually an Animal Control Officer. The Animal Control Officer shall report directly to, and be supervised by, the Town Manager, or his or her designee,

3.1.2 Duties

The duties of the Animal Control Officer shall be the enforcement of statutes relating to the duties of animal control officers and such other duties as may be required by the Board of Selectmen.

3.1.3 Compensation

The compensation of the Animal Control Officer shall be on the basis of a salary to be determined by the Board of selectmen and not otherwise.

3.2 SHELLFISH WARDEN

3.2.1 Appointment

The Board of Selectmen shall appoint annually a Shellfish Conservation Committee consisting of one or more persons.

3.2.2 Chairman

The Chairman of the Shellfish Conservation Committee shall be known and serve as the Shellfish Warden. The Shellfish Warden shall report directly to, and be supervised by, the Town Manager, or his or her designee. Notwithstanding any other provision of this Administrative Code, the Chairman of the Shellfish Conservation Committee serving as Shellfish Warden shall not be required to be a resident of the Town.

3.2.3 Duties

The duties of the Shellfish Conservation Committee shall be as set forth in the Shellfish Conservation Ordinance of the Town of Kennebunkport.

3.3 EMERGENCY MANAGEMENT DIRECTOR

3.3.1 Appointment

The Board of Selectmen shall appoint annually the Emergency Management Director. The Emergency Management Director shall report directly to, and be supervised by, the Town Manager, or his or her designee.

3.3.2 Duties

The duties of the Emergency Management Director shall be as specified by the Board of Selectmen, by statute, and by ordinances of the Town.

3.4 CODE ENFORCEMENT OFFICER

3.4.1 Appointment

The Board of Selectmen shall appoint annually the Code Enforcement Officer and may appoint an Assistant Code Enforcement Officer. The Code Enforcement Officer shall report directly to, and be supervised by, the Town Manager, or his or her designee.

3.4.2 Qualifications

The Code Enforcement Officer and the Assistant Code Enforcement Officer shall hold the certifications required by State statute. Prior to their appointment by the Board of Selectmen, the qualifications of the Code Enforcement Officer and the Assistant Code Enforcement Officer shall be reviewed by the Planning Board and Appeals Board.

3.4.3 Duties

The duties of the Code Enforcement Office shall be prescribed by the Land Use Ordinance of the Town of Kennebunkport, the Planning Board Regulations, the State Plumbing Code and any applicable federal and state statute. The Code Enforcement Officer or someone appointed to act with his authority is the sole municipal officer authorized to notify any person of non-compliance with the Kennebunkport Land Use Ordinance.

3.5 FIRE INSPECTOR

3.5.1 Appointment

The Fire Chief(s) shall serve as the Fire Inspector as required by 25 M.R.S.A. Sec. 2391. The Fire Inspector shall appoint annually such Deputy Fire Inspectors as he/she deems necessary to perform the duties and functions of the Fire Inspector. The Fire Chief shall report directly to, and be supervised by, the Town Manager, or his or her designee.

3.5.2 Duties

The duties of the Fire Inspector shall be as set forth in the statutes of the State of Maine, as the same may be amended from time to time, and such other duties as shall be prescribed by the Board of Selectmen.

3.5.3 Inspections

The Fire Inspectors shall maintain a list of all public buildings in the Town of Kennebunkport, shall inspect all such public buildings periodically and shall issue a permit of compliance in accordance with the statutes of the State of Maine and the ordinances of this Town. The Fire Inspector shall deny a permit when violations of such statutes or ordinances are found. The Fire Inspector shall submit to the Board of Selectmen copies of all permits and/or denials issued.

3.5.4 Authority

The Fire Inspector shall have the authority to close a building to public use when that building is found to be in violation of fire and safety regulations, laws, or statutes of the State of Maine, or the ordinances of the Town of Kennebunkport, when in the judgment of the Fire Inspector there is a danger to the public.

3.5.5 Fees and Compensation

The Town of Kennebunkport may charge a nominal fee to the owner of the building for such annual inspection. Such fees shall be made payable to the Town of Kennebunkport.

3.6 HARBOR MASTERS

3.6.1 Cape Porpoise Harbormaster

The Board of Selectmen shall annually appoint a Harbormaster for Cape Porpoise Harbor. The Harbormaster shall report directly to, and be supervised by, the ~~Town-Manager~~ Police Chief, or his or her designee. The duties of the Cape Porpoise Harbormaster shall be the effective management of Cape Porpoise Harbor, Goose Rocks Beach and Turbat's Creek and for the enforcement of any municipal ordinance relating to harbors and any other duties specified by the Board of Selectmen or by Federal or State Statute. The Cape Porpoise Harbormaster may also serve as the Pier Manager upon appointment by the Town Manager.

3.6.2 Kennebunk River Harbormaster

The Harbormaster for the Kennebunk River is appointed annually by the Boards of Selectmen of Kennebunk and Kennebunkport. Certain duties and responsibilities of this office are prescribed by Title 38, M.R.S.A. The Harbormaster has the additional duty to administer and enforce the provisions of the Kennebunk River Committee Ordinance with the

authority granted by law and through his appointment as Harbormaster, any other duties specified by federal or state statute.

3.7 HEALTH OFFICER

3.7.1 Appointment

The Board of Selectmen shall annually appoint a Health Officer.

3.7.2 Qualifications

The Health Officer shall be a duly qualified, State certified medical practitioner.

3.7.3 Duties

The duties of the Health Officer shall be as prescribed by statute.

3.8 REGISTRAR OF VOTERS

3.8.1 Appointment

The Board of Selectmen shall appoint in writing a qualified Registrar of Voters by January 1st of each odd-numbered year. The Registrar of Voters shall report directly to, and be supervised by, the Town Manager, or his or her designee.

3.8.2 Qualifications

The Registrar must be a citizen of the United States, a resident of the State and at least 18 years of age. The Registrar may not hold or be a candidate for any State or county office, or be an officer in a municipal, county or State party committee.

3.8.3 Term of Office

The Registrar shall serve for 2 years and until a successor is appointed and sworn. If the Clerk is appointed to serve as Registrar, the term of the Registrar is the same as the term of the Clerk.

3.8.4 Vacancy

When there is a vacancy in the office of Registrar, the Board of Selectmen shall appoint a qualified person to fill the vacancy for the remainder of the term of office. If the Board of Selectmen fails to appoint a Registrar to fill the vacancy within 15 days after the Board of Selectmen receives notification of the vacancy, the Clerk shall appoint a qualified person to fill the vacancy for the remainder of the term of office.

3.9 TREE WARDEN

3.9.1 Appointment

The Board of Selectmen shall annually appoint a Tree Warden. The Tree Warden shall report directly to, and be supervised by, the Town Manager, or his or her designee.

3.9.2 Duties

The duties of the Tree Warden shall be as prescribed by ordinances of the Town and statute.

3.10 TOWN FORESTER

3.10.1 Appointment

The Board of Selectmen shall annually appoint a Town Forester. The Town Forester shall report directly to, and be supervised by, the Town Manager, or his or her designee.

3.10.2 Duties

The duties of the Town Forester shall be the management of the Town forest and such duties as may be prescribed by ordinances of the Town and statute.

3.11 TOWN CLERK

The Selectmen shall appoint annually the Town Clerk. The Town Clerk shall report directly to, and be supervised by, the Town Manager. The Town Clerk shall exercise such powers and duties as prescribed by law and such other responsibilities as specifically designated by the Town Manager.

ARTICLE IV

BOARDS AND COMMISSIONS

4.1 QUALIFICATION AND REMOVAL

4.1.1 Residence Qualification

All persons appointed to Boards and Committees under Article IV shall be registered voters in the Town of Kennebunkport and shall continue to serve only so long as they remain registered voters, except as provided in Article 4.11.1, Article 4.12.1 and Article 4.16.

4.1.2 Removal of Appointees to a Board or Committee

A vacancy on any board or committee may occur by the following means: non-acceptance, death, resignation, permanent disability or incompetence, failure to qualify for the office within 10 days after written demand by the Board of Selectmen, removal from office in any manner provided by law, and forfeiture of office as provided in this Administrative Code.

4.1.3 Appointees to a board or committee shall forfeit their office if they:

- a. Lack at any time during their term of office any qualifications for the office prescribed by the Administrative Code or by the Constitution and Laws of the State of Maine;
- b. Violate any express prohibition of this Code;
- c. Are convicted of a crime punishable by imprisonment for more than 30 days whether or not such imprisonment actually occurs;
- d. With respect to all boards or committees other than the Board of Selectmen, fail to attend the greater of three (3) consecutive regular meetings of the board or commission or more than 25% of all meetings within any 6 month period, unless such absences are determined not to be grounds for forfeiture pursuant to Section 4.1.3;
- e. Fail to disclose a conflict of interest; or
- f. Fail to perform the duties of the office.

4.1.4 Determination of Forfeiture

The determination of whether a forfeiture has occurred shall be made by the Board of Selectmen by appropriate proceedings of a judicial nature and after written notice and hearing. After receipt of such written notice, where the reason of alleged forfeiture is failure to attend the requisite number of meetings, the six month period for determining whether the member failed to attend the requisite percentage of all meetings shall end on the date of such written notice, and no subsequent meetings may be included in determining whether a forfeiture has occurred. Notice of the hearing shall be given to all other individuals who are members of the board or committee at the time the alleged grounds for forfeiture occurred. The determination of when a vacancy exists shall be made by the Board of Selectmen no later than its next regularly scheduled meeting. Upon such determination, a vacancy shall be deemed to "occur" for purposes of filling such vacancy.

4.1.5 Attendance

- a. The failure of an appointed board or committee member to attend the greater of three consecutive regular meetings of the board or commission or more than 25% of all meetings within any six month period shall not result in forfeiture of office if the Board of Selectmen determines that the absences were justified and that forfeiture is not in the best interests of the Town. In making this determination, the Board of Selectmen shall consider all relevant evidence, including but not limited to the following:
 - (i) whether the reason for the absence was within or beyond the board/committee members control;
 - (ii) whether the absence interfered with the efficient operational functioning of the board or committee;
 - (iii) whether the board/committee member could have given advance notice;
 - (iv) the attendance history of the board/committee member.
- b. The board/committee member shall have the burden of establishing by a preponderance of the evidence that the absences were justified and forfeiture is not in the best interests of the Town.

4.1.6 Filling a Vacancy

When a vacancy occurs in any appointed Town office or position, the Board of Selectmen shall appoint a qualified person to fill the vacancy within 60 days.

4.1.7 Town Employees

Employees of the Town of Kennebunkport may not serve on standing boards and commissions, except by ex-officio appointment. This limitation does not apply to individuals who are hired by the Town to serve as temporary election workers or wardens, occasional part time or temporary employees, or volunteer fire and reserve police personnel. Such individuals may serve on a board or commission unrelated to their work for the town.

4.2 LEGAL STANDING

No Board or Committee established under this Administrative Code shall have legal standing to appeal a decision of any other municipal body or officer or to monitor an action at law against any other municipal body or officer without the consent of the Board of Selectmen unless such standing is specifically granted by State Statute.

4.3 DECISIONS OF BOARDS AND COMMITTEES

A quorum shall consist of the majority of the full membership of a Board or Committee. A simple majority of the full membership (not a majority of the quorum) is needed to pass a motion. For purposes of this section, full membership shall mean the regular membership of a Board or Committee not including alternate members unless alternate member(s) are designated regular members in the absence or disqualification of any regular member(s). Alternate members, when there are alternate members, of any Board or Committee may participate in proceedings but may only vote when designated as a voting member by the Chair to act for a member who is unable to vote because of absence or disqualification.

4.4 PARSONS WAY COMMITTEE

4.4.1 Composition

The Parsons Way Committee shall be composed of three or more members.

4.4.2 Appointment

The Board of Selectmen shall appoint the members of the Parsons Way Committee.

4.4.3 Terms

The members of Parsons Way Committee shall serve for three-year terms, and the terms shall be staggered. Appointments to replace members unable to complete their terms shall be for the unexpired portion of the three-year term.

4.4.4 Organization

The members of the Parsons Way Committee shall elect annually from its membership a Chairman and a Secretary.

4.4.5 Duties

The duties of the Parsons Way Committee shall be to make recommendations to the Board of Selectmen for the management of Parsons Way consistent with the conditions under which Henry Parsons deeded Parsons Way to the Town (by deed dated July 29, 1944, recorded in the York County Registry of Deeds in Book 1018 at Page 179), accepted by the Town of Kennebunkport at the March 6, 1944 Town Meeting, Warrant Article 53, and with further reference to a 3-page letter signed by Henry Parsons dated March 2, 1944, addressed "To the Citizens of Kennebunkport", expressing his intent.

4.5 PLANNING BOARD

4.5.1 Composition

The Planning Board shall consist of five members and two alternate members.

4.5.2 Appointment

The Board of Selectmen shall appoint the members of the Planning Board.

4.5.3 Terms

The members of the Planning Board shall serve for three year terms on a staggered basis. Members are limited to serving three full, consecutive terms. Reappointment may occur after a one year period of non-service. The Board of Selectmen may, despite the term limitations in this section and for good cause shown, appoint a member for an additional one year of service beyond the three consecutive terms.

4.5.4 Organization

The members of the Planning Board shall elect annually from its membership a Chairman, a Vice-Chairman and a Secretary.

4.5.5 Powers and Duties

The powers and duties of the Planning Board shall be as prescribed by statute. Members shall attend and complete a training session for Planning Board members sponsored by the Maine Municipal Association in their first year of service and in their sixth year of service.

4.5.6 Regulations

The Planning Board may adopt such procedures for the conduct of its own business and such standards for evaluating the proposals brought before it as are consistent with ordinances of the Town and statute.

4.6 PUBLIC SAFETY COMMITTEE

4.6.1 Composition

The Public Safety Committee shall be composed of seven members: the Fire Chief, the Chief of Police, the Highway Superintendent, the Sewer Department Supervisor, the Emergency Management Director, the Chief of Service for the Kennebunkport Emergency Medical Services and one Selectman.

4.6.2 Organization

The Public Safety Committee shall annually elect from its members (other than the Selectman) a Chairman.

4.6.3 Duties

The Public Safety Committee shall be an advisory committee. The Committee shall annually review the communications budget which shall be prepared by the Chief of Police and make recommendations for the acceptance, amendment or non-acceptance of each budget item.

4.7 LIGHTING COMMITTEE

4.7.1 Composition

The Lighting Committee shall be composed of five or more members.

4.7.2 Appointment

The Board of Selectmen shall appoint the members of the Lighting Committee.

4.7.3 Terms

The members of the Lighting Committee shall serve for three years.

4.7.4 Organization

The members of the Lighting Committee shall choose from its membership a Chairman and Secretary. The Committee may adopt such further procedures as it deems necessary for its own organization.

4.7.5 Duties

The Selectmen may charge the Lighting Committee with specific tasks.

4.8 SEWER ADVISORY COMMITTEE

4.8.1 Composition

The Sewer Advisory Committee shall be composed of three or more members.

4.8.2 Appointment

The Board of Selectmen shall appoint the members of the Sewer Advisory Committee.

4.8.3

Terms

Members of the Sewer Advisory Committee shall serve for terms of one year.

4.8.4 Organization

The members of the Sewer Advisory Committee shall elect annually from its membership a Chairman and a Secretary. The Sewer Advisory Committee may adopt such further procedures as it deems necessary for its own organization.

4.8.5 Duties

The Selectmen may charge the Sewer Advisory Committee with specific tasks.

4.9 CEMETERY COMMITTEE

4.9.1 Composition

The Cemetery Committee shall be composed of three or more members.

4.9.2 Appointment

The Board of Selectmen shall appoint the members of the Cemetery Committee.

4.9.3 Terms

The members of the Cemetery Committee shall serve for terms of one year.

4.9.4 Organization

The members of the Cemetery Committee shall elect annually from its membership a Chairman and a Secretary.

4.9.5 Duties

The Cemetery Committee shall be responsible, within the limitations of its budget, for the maintenance of those cemeteries in the Town of Kennebunkport for which there are no other provisions.

4.10 GROWTH PLANNING COMMITTEE

4.10.1 Composition

The Growth Planning committee shall be composed of five members and two alternate members.

4.10.2 Appointment

The Board of Selectmen shall appoint the members of the Growth Planning Committee.

4.10.3 Terms

The members of the Growth Planning Committee shall serve for terms of three years on a staggered basis as provided in said ordinance.

4.10.4 Organization

The members of the Growth Planning Committee shall elect annually from its membership a Chairman and a Secretary. The Committee may adopt such further procedures as it deems necessary for its own organization.

4.10.5 Duties

The Growth Planning Committee shall have such duties as may be set forth in a growth planning ordinance to be adopted by the Town Meeting.

4.11 CAPE PORPOISE PIER COMMITTEE

4.11.1 Composition

The Cape Porpoise Pier Committee shall be composed of five or more members, one of whom shall be a member of the Board of Selectmen. Nonresidents may be appointed to this committee provided they are commercial fishermen from the Cape Porpoise Pier and at least 75% of the membership are registered voters of Kennebunkport.

4.11.2 Appointment

The Board of Selectmen shall appoint the members of the Cape Porpoise Pier Committee.

4.11.3 Terms

The members of the Cape Porpoise Pier Committee shall serve for terms of one year.

4.11.4 Organization

The members of the Cape Porpoise Pier Committee shall elect annually from its membership a Chairman, a Vice-Chairman and a Secretary.

4.11.5 Duties

The Cape Porpoise Pier Committee shall advise the Board of Selectmen on all matters addressed in the Cape Porpoise Pier Ordinance.

4.12 GOVERNMENT WHARF COMMITTEE

4.12.1 Composition

The Government Wharf Committee shall be composed of five or more members, one of whom shall be a member of the Board of Selectmen. Nonresidents may be appointed to this committee provided they are commercial fishermen from Government Wharf and at least 75% of the membership are registered voters of Kennebunkport.

4.12.2 Appointment

The Board of Selectmen shall appoint the members of the Government Wharf Committee.

4.12.3 Terms

The members of the Government Wharf Committee shall serve for terms of one year.

4.12.4 Organization

The members of the Government Wharf Committee shall elect annually from its membership a Chairman, a Vice-Chairman and a Secretary.

4.12.5 Duties

The Government Wharf Committee shall advise the Board of Selectmen on all matters relating to the management of Government Wharf.

4.13 RECREATION COMMITTEE

4.13.1 Composition

The Recreation Committee shall consist of five or more members.

4.13.2 Appointment

The Board of Selectmen shall appoint the members of the Recreation Committee.

4.13.3 Terms

All members of the committee will serve two-year terms.

4.13.4 Organization

The members of the Recreation Committee shall elect annually from its membership a chairman, vice-chairman, secretary and treasurer.

4.13.5 Duties

The Recreation Committee shall be charged with the assessment and enhancement of Kennebunkport's public recreation facilities in response to the community's needs and priorities. It will work with the Department of Parks and Recreation to help develop a long range plan of facilities.

4.14 SOLID WASTE COMMITTEE

4.14.1 Composition

The Solid Waste Committee shall consist of three or more members.

4.14.2 Appointment

The Board of Selectmen shall appoint the members of the Solid Waste Committee.

4.14.3 Terms

Members of the Solid Waste Committee shall serve for terms of three years.

4.14.4 Organization

The members of the Solid Waste Committee shall elect annually from its membership a Chairman and a Secretary. The Solid Waste Committee may adopt such procedures as it deems necessary for its own organization.

4.14.5 Duties

The Selectmen may charge the Solid Waste Committee with specific tasks.

4.15 ADMINISTRATIVE CODE COMMITTEE

4.15.1 Composition

The Administrative Code Committee shall consist of five or more members.

4.15.2 Appointment

The Board of Selectmen shall appoint the members of the Administrative Code Committee. For two positions preference shall be given to former members of the Board of Selectmen. For one position preference shall be given to persons who are members or former members of the Zoning Board of Appeals, the Planning Board or to persons trained in the Law.

4.15.3 Terms

All members of the committee will serve one-year terms. Successive terms are permissible.

4.15.4 Organization

The members of the Administrative Code Committee shall elect annually from its membership a chairman and a vice-chairman.

4.15.5 Duties

The Administrative Code Committee shall propose amendments to the Administrative Code either on its own initiative or at the request of the Board of Selectmen.

4.16 RIVER COMMITTEE

The River Committee, established by the inter-local Agreement among Kennebunkport and Kennebunk, shall be responsible for all Kennebunk River harbor activities as set forth in the Agreement, the Kennebunk River Committee Ordinance and as otherwise required by law.

4.17 BOARD OF APPEALS

4.17.1 Composition

The Board of Appeals shall consist of seven members.

4.17.2 Appointment

The Board of Selectmen shall appoint the members of the Board of Appeals.

4.17.3 Terms

Members of the Board of Appeals shall serve three-year terms which shall be staggered. Members are limited to serving three full, consecutive terms. Reappointment may occur after a one year period of non-service. The Board of Selectmen may, despite the term limitations in this section and for good cause shown, appoint a member for an additional one year of service beyond the three consecutive terms.

4.17.4 Organization

The members of the Board of Appeals shall elect annually from its membership a chairman, a vice-chairman and a recorder. The board may adopt such further procedures as may be necessary for its organization.

4.17.5 Powers and Duties

The powers and duties of the Board of Appeals shall be as prescribed by the Kennebunkport Land Use Ordinance and the statutes of the State of Maine. Members shall attend and complete a training session for Appeals Board members sponsored by the Maine Municipal Association in their first year of service and in their sixth year of service.

4.18 BUDGET BOARD

4.18.1 Composition

The Budget Board shall consist of twelve members.

4.18.2 Appointment

The Moderator of the Town Meeting shall appoint four members to the Budget Board each year.

4.18.3 Terms

Members of the Budget Board shall serve for terms of three years. Any vacancies arising in the Budget Board for any reason shall be filled by the Moderator of the preceding Town Meeting by appointment for the unexpired term.

4.18.4 Qualifications

No member of the Board of Selectmen, the School Committee or any Department Head with financial responsibility, or the spouses of any of the aforementioned persons shall serve on the Budget Board.

4.18.5 Organization

The members of the Budget Board shall elect a Chairman, Vice-Chairman and Secretary at the first Budget Board meeting after the annual Town Meeting.

4.18.6 Meetings

The Budget Board shall meet to review receipts and expenditures at the call of the Chairman.

4.18.7 Duties

The Budget Board shall consider any and all financial questions for the purpose of making reports and recommendations to the Town. The Chairman of the Budget Board and the Town Manager shall establish budgetary guidelines, and shall prepare a budget calendar for budgetary preparation and review. The Budget Board shall review all budget proposals submitted and make recommendations. These recommendations shall be included in the warrant for consideration at the annual or special Town Meetings.

4.18.8 Prerogatives

The Budget Board or any subcommittee of the Budget Board may call upon department heads or any persons requesting town funds for assistance on information during the budget review process.

4.19 CONSERVATION COMMISSION

4.19.1 Composition

The Conservation Commission shall be composed of five or more members.

4.19.2 Appointment

The Board of selectmen shall appoint members of the Conservation Commission.

4.19.3 Terms

The terms of office initially shall be 1, 2, and 3 years, such that the terms of approximately 1/3 of the members shall expire each year, or until the appointment of their successors, and their successors shall be appointed for terms of 3 years each. Any commissioner presently serving a term greater than 3 years may serve until his term expires. The appointment of his successor shall be for a term of 3 years.

4.19.4 Organization

The Conservation Commission shall elect one of its members annually to be Chairman.

4.19.5 Duties

The duties of the Conservation Commission shall be those prescribed by the Board of Selectmen and any other duties prescribed by ordinances of the Town or statute.

4.20 SIDEWALK COMMITTEE

4.20.1 Composition

The Sidewalk Committee shall be composed of three or more members.

4.20.2 Appointment

The Board of Selectmen shall appoint the members of the Sidewalk Committee.

4.20.3 Terms

The members of the Sidewalk Committee shall serve for terms of one year.

4.20.4 Organization

The members of the Sidewalk Committee shall elect annually from its membership a Chairman, a Vice-Chairman, and a Secretary.

4.20.5 Duties

The Sidewalk Committee shall advise the Board of Selectmen on all matters concerning the construction and maintenance of sidewalks in the Town of Kennebunkport.

4.21 SHADE TREE COMMITTEE

4.21.1 Composition

The Shade Tree Committee shall consist of three (3) or more members.

4.21.2 Appointment

The Board of Selectmen shall appoint the members of the Shade Tree Committee. The town Tree Warden shall be an ex-officio member of the committee.

4.21.3 Terms

The members of the Shade Tree Committee shall serve for terms of one year.

4.21.4 Organization

The members of the Shade Tree Committee shall elect annually from its membership a Chairman and a Secretary. The Shade Tree Committee may adopt such procedures as it deems necessary for its own organization.

4.21.5 Duties

The Shade Tree Committee shall be charged with regulating the planting, protection, maintenance and removal of shade trees in the town rights of way and easements. This work shall be done in cooperation with the property owners, public agencies, local and state officials. The improvement and preservation of shade trees shall follow the standard policies and specifications of state and national organizations with modifications to suit local conditions and the recommendations of the committee.

4.22 BOARD OF ASSESSMENT REVIEW

4.22.1 Composition

The Board of Assessment Review shall consist of five members and two alternate members.

4.22.2 Appointment

The Board of Selectmen shall appoint the members of the Board of Assessment Review.

4.22.3 Terms

The members of the Board of Assessment Review shall serve for three years each or until their successors are appointed, except that for transition purposes, initial terms shall be staggered. Members are limited to serving three full, consecutive terms. Reappointment may occur after a one year period of non-service. The Board of Selectmen may, despite the term limitations in this section and for good cause shown, appoint a member for an additional one year of service beyond the three consecutive terms.

4.22.4 Organization

The members of the Board of Assessment Review shall elect annually from its membership a Chairman, and a Secretary.

4.22.5 Powers and Duties

Pursuant to 30-A M.R.S.A § 2526(6) and other applicable statutes the Board of Assessment Review shall hear and decide all appeals properly taken from the refusal of the Municipal Assessors to make such property tax abatements as are asked for. Members shall attend and complete a training session for Assessment Review Board members sponsored by the Maine Municipal Association in their first year of service and in their sixth year of service.

4.22.6 Regulations

The Board of Assessment Review may adopt such procedures for the conduct of its business as are consistent with ordinances of the Town and statute. The Board may take such evidence and testimony as it deems necessary and may grant such abatements as it thinks proper. The Board's decisions may be appealed in accordance with 36 M.S.R.A. § 843.

ARTICLE V ANNUAL & SPECIAL TOWN MEETINGS

- 5.1 The Annual Town Meeting shall convene on the second Tuesday of each June for the purpose of electing Town Officials and for voting on referendum articles and other secret ballot articles and shall adjourn to the Saturday immediately following the second Tuesday of June for the purpose of considering and adopting the budget and acting upon remaining business. The terms of those elected Town officials whose terms would have expired in March on the date of the annual town meeting shall be automatically extended to the date of the next corresponding Annual Town Meeting in June. All annual and special Town Meetings shall be called in accordance with the provisions of the statutes of the State of Maine.

The Town's fiscal year shall be July 1 through the following June 30, commencing July 1, 2002, with a six month interim fiscal and budget year running from January 1, 2002, through June 30, 2002, to provide for the change in the fiscal year. In addition, property taxes will be billed on or about February 1, 2002, to fund the six month interim budget and thereafter twice a year with half of the taxes to be billed on or about August 1 and the second half to be billed on or about February 1.

- 5.2 A notification of any annual or special Town Meeting shall be sent to all box holders of the Town of Kennebunkport and shall also occur by the following methods: by posting the warrant at five (5) conspicuous places in the Town, by advertisement in a newspaper of general circulation in the Town and by announcement on a local cable television channel at least seven (7) days prior to

that annual or special Town Meeting date. The notification shall also name the location of the distribution points where the warrant for the annual or special Town Meeting is available.

ARTICLE VI ENACTMENT OF ORDINANCES

6 PURPOSE

The Town of Kennebunkport may enact ordinances for all purposes authorized or permitted under the Constitution of Maine and state statute; including without limitation ordinances promoting the general welfare, preventing disease, providing for the public health and safety, and restricting the use of real property by zones as provided by the statutes of the State of Maine.

Proposed ordinances to be presented to the voters of the Town of Kennebunkport shall be written by or under the direction of the Board of Selectmen in such a fashion as they shall deem necessary and enacted by the Town of Kennebunkport in the following manner:

- a. A proposed ordinance may be brought before a Town Meeting on the Warrant either at the direction of the Board of Selectmen, to include it, or by petition procedures duly established by the laws of the State of Maine. Any proposed amendment to the Land Use Ordinances of the Town shall be established and enacted in accordance with the provisions for such action as the same are set forth within the Land Use Ordinance of the Town of Kennebunkport, as the same shall be amended from time to time.
- b. One copy of the proposed ordinance shall be certified by the Selectmen to the Town Clerk at least seven (7) days prior to the election to be preserved as a public record. Copies shall be made available for the distribution to the voters by the Town Clerk prior to and at the Town Meeting.
- c. The subject matter of the proposed ordinance shall be reduced to the question, "Shall an ordinance entitled _____ be enacted?" and shall be submitted to the Town Meeting for action as an article in the Warrant or as a question on a secret ballot.

- d. To the extent authorized by statute, the Board of Selectmen may by majority vote enact ordinances for the regulation of vehicular traffic and for the promotion of public safety on public ways as they deem necessary following proper posting in a local newspaper seven (7) days before the hearing is held.
- e. Except as provided in Sub-Paragraph d of this Article, the provisions of the Article shall not apply to ordinances which may be enacted by the Selectmen.

ARTICLE VII MUNICIPAL ELECTIONS

7.1 MUNICIPAL ELECTIONS

Regular elections for the Board of Selectmen, except as otherwise provided herein for the filling of vacancies, shall be held at the annual Town Meeting as their terms expire. In accordance with the general laws of the State of Maine, any registered voter of the Town of Kennebunkport may be nominated for the Board of Selectmen or any other elected Town Office.

7.2 CONDUCT OF MUNICIPAL ELECTIONS AND TOWN MEETINGS

All Town meetings and municipal elections shall be governed by the applicable provisions of the statutes of the State of Maine.

ARTICLE VIII OATH OF OFFICE

8 OATH OF OFFICE

Every elected and appointed official of the Town of Kennebunkport and every member of the Zoning Board of Appeals, Planning Board, Board of Assessment Review and Budget Board shall, before entering upon the duties of his office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the Town Clerk:

“I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and of the State of Maine; that I will, in all respects, observe the provisions of the ordinances of the Town of Kennebunkport and the statutes of the State of Maine and will fully discharge the duties of _____.”

ARTICLE IX CONFLICT OF INTEREST

9 PERSONAL FINANCIAL INTEREST

Any official or employee of the Town of Kennebunkport who has a financial interest, either direct or indirect or by reason of ownership interest in any business entity, enterprise or corporation, in any agreement or contract with the Town of Kennebunkport for the sale of land, materials, supplies, or services to the Town shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as an official of the Town or an employee of the Town in the making of any such sale or purchase or in any other manner relating to the undertaking or performance of any such contract or agreement. Any officer or employee of the Town who willfully conceals such financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and such action shall constitute grounds for removal from office or position as herein provided. Violation of this section by any municipal officer or employee with the knowledge either expressed or implied, of such financial interest shall render any related contract, sale, agreement, or obligation voidable by the disinterested members of the Board of Selectmen in the exercise of their sole and absolute discretion. Any officer or employee violating the provisions of this section shall be held personally liable for any damages suffered by the Town or any office or agency of the Town arising out of such action.

ARTICLE X SEVERABILITY

- 10 In the event that any portion of this Code shall be held invalid, such invalidity shall not affect the validity and full force and effect of the remaining portions hereof.

ARTICLE XI MUNICIPAL ORDINANCES

- 11 All ordinances of the Town of Kennebunkport in full force and effect as of the effective date of the adoption of this Code, which said ordinances shall not be inconsistent with the provisions of this Code, shall continue in full force until repealed.

ARTICLE XII AMENDMENT

- 12 This Code may be revised or amended by a vote of the Town by Article or Referendum at any Town Meeting duly called and held in accordance with the laws of the State of Maine.

ARTICLE XIII AMENDMENT OF STATE STATUTES

- 13 Any reference herein to the statutes of the State of Maine is made to those statutes of the State of Maine in effect as of the effective date of this Code, together with any amendments to said statutes as the same shall be made from time to time.

ARTICLE XIV RELATIONSHIP TO STATE STATUTES

- 14 Except as permitted under the Town's home rule authority, in the event of a conflict between this ordinance and any provision of state statute the state statute shall control.

ARTICLE XV EFFECTIVE DATE

- 15 The code shall be effective at the conclusion of the Town Meeting whereat an affirmative vote for the enactment was recorded.



Agenda Item Divider



5c

CAPE PORPOISE PIER ORDINANCE

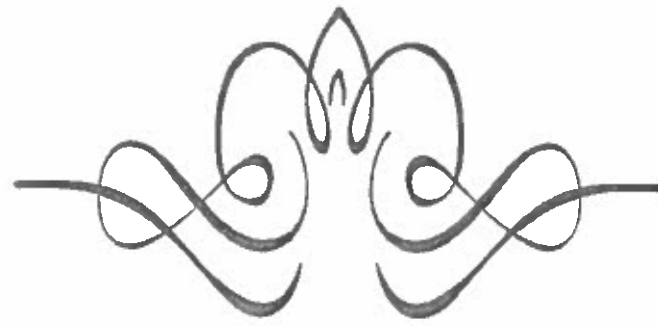
1. **Preamble:** The Inhabitants of Kennebunkport having determined that the operation of a fish pier and public landing is a public purpose and having determined that such a facility is needed in Cape Porpoise Harbor for the convenience and economic well-being of the Inhabitants of the Town of Kennebunkport, enact this ordinance to be known as the "Cape Porpoise Fish Pier Ordinance".
2. **Definitions:**
 - a. **Cape Porpoise Pier:** "Cape Porpoise Pier" means the existing pier on Bickford's Island in Cape Porpoise and the related real estate, fixtures, personal property, easements and other rights belonging to the Town of Kennebunkport and any replacement, improvement, extension or modification of said premises and facilities made hereafter.
 - b. **Town:** "Town" means the Town of Kennebunkport organized and existing as a municipal corporation under the laws of the State of Maine.
3. **Purposes:** The Cape Porpoise Pier shall be managed by the municipal officers of the Town, or their designee, primarily as a public fish pier for the berthing, servicing, loading, offloading, repair and other needs of commercial fishing vessels. To the extent compatible with its primary use as a public fish pier, and to the extent permitted by agreements between the Town and the State of Maine, the pier shall also be available for use by other vessels, by residents of the Town, and by members of the general public.
4. **Fee structure:** After notice and public hearing, the municipal officers shall establish a reasonable schedule of fees for the use of the Cape Porpoise Pier, its related facilities, and for services provided at the pier. In establishing the schedule of fees, the municipal officers shall consider the value of the services provided, the costs to the Town for administration, maintenance, salaries, equipment, debt service and repairs to the pier, the expenses incurred by the Town for piers, docks and harbors and the amounts collected by the Town in personal property taxes on boats. Copies of the schedule of fees as established by the municipal officers shall be available at the municipal office during normal business hours and shall be posted in the vicinity of the Cape Porpoise Pier.
5. **Regulations:** After notice and public hearing the municipal officers are authorized to adopt regulations governing the rules of operation of the Cape Porpoise Pier which rules shall be designed to ensure its primary use as a fish pier, to prevent obstruction, overcrowding and unnecessary delays, to prevent

personal injury or damage to vessels or property, to maintain safe and healthful conditions, to prevent vandalism and theft of property, to establish reasonable limits on the hours of operation, to prevent disturbance of the peace, to ensure that fees established are collected, and to govern such other matters as may be necessary or useful to the management and operation of the pier.

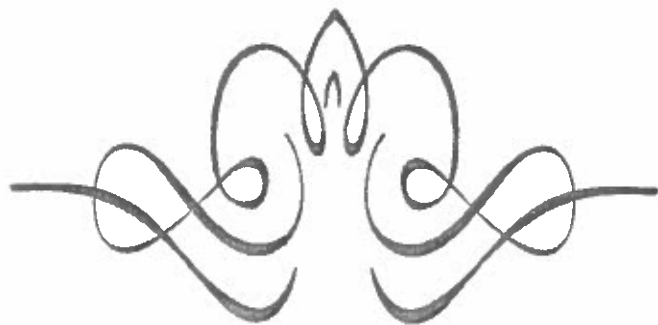
6. **Authority to contract:** The municipal officers are authorized to contract on such terms and conditions as are in the best interest of the Town with private persons or corporations for the provision of services to fishermen, vessels, residents of the Town and members of the public using the Cape Porpoise Pier and to contract for the operation of food take-out, ship store, retail and wholesale, lobster pounds and other incidental businesses on the Cape Porpoise Pier facilities. Prior to entering into any such contract, the municipal officers shall give notice of their intention to enter into such a contract and shall afford interested persons a reasonable opportunity to submit proposals for consideration.
7. **Cape Porpoise Pier Account:** All fees, rents, leasehold payments or other sums collected by the Town in connection with the operation of the Cape Porpoise Pier shall be kept in a separate account to be known as the Cape Porpoise Pier Account. The funds in said account shall be used by the municipal officers to supplement any other sums appropriated by the Town for the costs association with the Cape Porpoise Pier, including without limitation, expenses for administration, salaries, debt service, maintenance, equipment and repairs. Funds remaining in the Cape Porpoise Pier Account at the end of the fiscal year shall not lapse and such funds shall not be transferred to other accounts unless by vote of the Town at a regular or special town meeting.
8. **Authority to Retain Pier Manager:** The municipal officers are authorized to contract with or employ a Pier Manager and such other personnel as may be necessary to the operation of the Cape Porpoise Pier on such terms and conditions as are in the best interest of the Town. The municipal officers may delegate to the Pier Manager responsibility for the management and operation of the Cape Porpoise Pier under the general direction and supervision of the **municipal officers Police Chief, or his or her designees**, provided that the municipal officers shall not delegate the authority to establish fees under Section 4, to adopt regulations under Section 5 or to enter into contracts under Section 6 of this ordinance.
9. **Penalties:** Whoever violates the provisions of this ordinance or any regulation or rule established under this ordinance shall be punished by a fine of not more than \$100 for each such occurrence. If any violation continues for a period longer than 24 hours, each day that it continues shall be deemed a separate violation subject to the penalty herein provided. The right of any person to use the Cape Porpoise Fish Pier may be suspended by the municipal officers, after reasonable notice and hearing, for failure to pay any fees due or for violation of regulations adopted pursuant to this ordinance.

10. **Notice:** The notice requirements under Sections 4, 5 and 6 of this ordinance shall be met by positing in three public places within the Town and by publication in a newspaper of general circulation at least seven days prior to the hearing.

Adopted – April 14, 1982 at a Special Town Meeting



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

Proposed Ordinance Revisions June 2018

- ***Revisions to Land Use Ordinance regarding Growth Area Map.*** When the Growth Area Map was created in 2010 showing properties that met the written definitions of Growth, Rural and Transitional, it did not consider the progression and expansion of public utilities such as sewer and water. This amendment allows the Growth Planning Committee to periodically review and update the map to reflect current infrastructure access, allowing properties to be reclassified from one type of rate of growth area to another. This will allow for properties to be treated equitably with other like properties related to the issuance of growth permits.
- ***Revisions to Land Use Ordinance clarifying setbacks related to lot lines and rights of way.*** This ordinance amendment removes confusing and contradictory language regarding setbacks from road rights of way. As a matter of practice, the code office has consistently interpreted structure setbacks to be measured from the edge of a road right of way. And while the ordinance supports that interpretation there has been confusion when in places setbacks refer to "street" and in other places refer to "right of way". Furthermore, there has been confusion surrounding pedestrian rights of way vs. road rights of way. This ordinance amendment clarifies lot setbacks are related to vehicular access rights of way, public and private, and should not be used for pedestrian rights of way nor should setbacks be measured to the actual constructed street or road.
- ***Revisions to Land Use Ordinance regarding lot coverage credit for semi pervious materials.*** Within the Shoreland Zone driveways are calculated towards a lot's overall lot coverage restriction. Several years ago, many coastal communities with the support of the Maine DEP allowed lot coverage reductions when semi-pervious materials such as grass pavers were used. After a trial period of a few years DEP reversed their position regarding this practice. It was found that some communities were not consistently enforcing the policy in addition to finding that many contractors were improperly installing the alternatives, which over time reduced their overall effectiveness.
- ***Revisions to Floodplain Management Ordinance.*** This ordinance amendment removes the floodplain permit fee from the ordinance and places it in a fee schedule set annually by the Board of Selectmen.

5d

Proposed Revision to LUO Regarding Growth Area Map

11.12 Growth Management Permit Required

H.

2. Growth management permits issued by the Code Enforcement Officer may be replaced by building permits according to their rankings. Growth management permits issued by the Code Enforcement Officer shall be separated into three groups: Growth Areas, Transitional Areas and Rural Areas. These Areas are identified within the Comprehensive Plan and further identified on a Map entitled: Kennebunkport Rate of Growth Areas Comprehensive Plan. June 2010. The Rate of Growth Area Map may be reviewed and updated periodically by the Growth Planning Committee in order to reflect current infrastructure development. As a result, parcels may be reclassified to reflect their actual access to municipal infrastructure such as sewer and water. The allocation of growth management permits shall be as follows: fifty percent (50%) available for Growth Areas, thirty percent (30%) available for Transitional Areas and the remaining twenty percent (20%) for Rural Areas. Decimals resulting from this formula shall be rounded up to the nearest whole number for decimals greater than 0.5 and down to the nearest whole number for decimals less than or equal to 0.5. If the rounding results in an unallocated growth management permit, that permit shall be allocated to the Growth Areas.

(5e)

Proposed Revisions to LUO to clarify setbacks related to lot lines and Rights of Way.

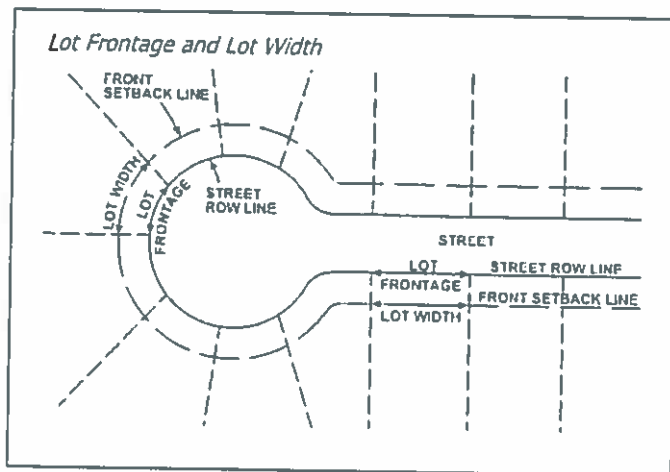
Frontage, Street: The horizontal distance measured in a straight line between the intersections of the side lot lines with the right-of-way of a street or road public or private.

Lot, Corner: A lot with at least two (2) contiguous sides abutting upon a street, road or right-of-way.

Lot Lines: The property lines bounding a lot as defined below:

- a. **Front Lot Line:** On an interior lot the line separating the lot from ~~the street or private road.~~ the right of way containing the street or private road providing vehicular access to the lot regardless of if the street or road has been built. On a corner or through lot, the line separating the lot from each ~~street or right-of-way.~~ right of way containing the street or private road providing vehicular access to the lot regardless of if the street or road has been built.

Lot Width: The width of any lot as measured wholly within the lot at the required front setback to the road or street right of way along a line parallel to the straight line connecting the intersections of the front lot line with the side lot lines.



Setback: The horizontal distance from a lot line or right of way containing the street or private road providing vehicular access to the lot regardless of if the street or road has been built, to the nearest part of a structure.

5-8

Proposed removal of reduction of lot coverage credit for semi-pervious materials

6.9 Off-Street Parking and Loading – Non-Residential

16. Parking spaces must be composed of sufficient impervious or semi-pervious material (e.g. asphalt, concrete, composites, gravel) to support a vehicle in all conditions. Semi-pervious materials such as “grass pavers” or similar materials can be used ~~and can qualify for a reduction in lot coverage up to 50% of the material’s total square footage.~~

6.10 Residential Parking Standards

4. Parking spaces must be composed of sufficient impervious or semi-pervious material (e.g. asphalt, concrete, composites, gravel) to support a vehicle in all conditions. Semi-pervious materials such as “grass pavers” or similar materials can be used ~~and can qualify for a reduction in lot coverage up to 50% of the material’s total square footage.~~

59

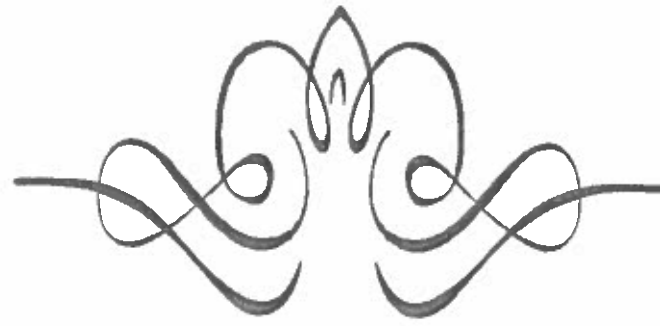
Proposed Revision to Kennebunkport Floodplain Management Ordinance

ARTICLE IV - APPLICATION FEE AND EXPERT'S FEE

~~A non-refundable application fee of \$50.00 shall be paid to the Code Enforcement Officer and a copy of a receipt for the same shall accompany the application.~~

The Municipal Officers shall annually set the amount of application fees required by this Ordinance after providing opportunity for public comment and after considering actual costs of implementing this Ordinance.

An additional fee may be charged if the Code Enforcement Officer and/or Board of Appeals needs the assistance of a professional engineer or other expert. The expert's fee shall be paid in full by the applicant within 10 days after the town submits a bill to the applicant. Failure to pay the bill shall constitute a violation of the ordinance and be grounds for the issuance of a stop work order. An expert shall not be hired by the municipality at the expense of an applicant until the applicant has either consented to such hiring in writing or been given an opportunity to be heard on the subject. An applicant who is dissatisfied with a decision of the Code Enforcement Officer may appeal that decision to the Board of Appeals.



Agenda Item Divider



7

Goose Rocks Beach Parking Sticker Rules/Regulations

Parking in the Goose Rocks Beach area is regulated during the summer season through a parking sticker program because the demand for parking far exceeds the limited number of on-street parking spaces available. Parking stickers are available for daily, weekly and seasonal use.

Kennebunkport Taxpayers

Seasonal parking stickers are available to Kennebunkport residents and taxpayers at a cost of \$5.00 per vehicle. In order to qualify for the resident sticker an individual must either pay property taxes on property in Kennebunkport or be a resident of Town and pay excise taxes to the Town on a motor vehicle registered in his/her name. Individuals paying property taxes to the Town may obtain parking stickers for more than one vehicle so long as each vehicle is registered in his/her name. Individuals seeking residential stickers shall provide a copy of the vehicle registration for each residential sticker issued. In circumstances where ownership of the property is dispersed among multiple people it is the individual's responsibility to provide proof of ownership interest to the Town. The sticker shall be permanently affixed to the lower left-hand corner of the rear window of the vehicle to which it is issued. Any sticker not permanently affixed in that location shall be considered void and a violation of these regulations and Kennebunkport Traffic and Parking Control Ordinance.

Non-Kennebunkport Taxpayers

Non-Kennebunkport taxpayers shall pay \$15.00 for daily stickers, \$50.00 for weekly stickers, and \$100.00 for seasonal stickers. Each sticker shall be permanently affixed to the lower left-hand corner of the rear window of the vehicle to which it is issued. Any sticker not permanently affixed in that location shall be considered void and a violation of these regulations and Kennebunkport Traffic and Parking Control Ordinance.

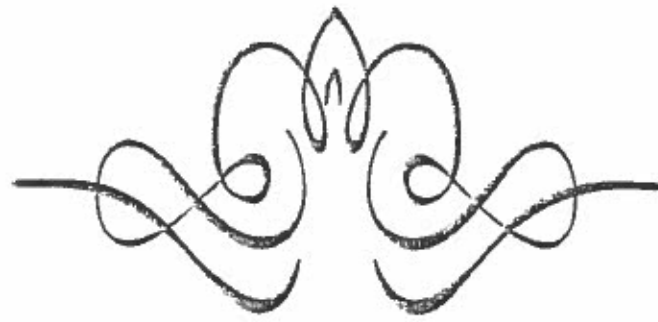
Hotels, Inns, Rental Properties and the Goose Rocks Beach General Store

Hotels, inns, owners of rental properties (including room rentals) and the Goose Rocks Beach General Store shall be allowed to purchase, for re-sale to their customers, daily and weekly stickers for \$13.00 and \$50.00 each, respectively. Stickers must be marked with a laundry marking pen or other indelible marker to show the date or dates for which they are issued, and each sticker must be permanently affixed to the lower left-hand corner of the rear window of the vehicle to which it is issued. If these conditions are not met, the sticker will be considered void. The establishment selling the sticker is responsible for recording the license plate number of the vehicle, the sticker number, the day or week for which the sticker is issued and explaining to the customer the beach and parking rules and regulations.

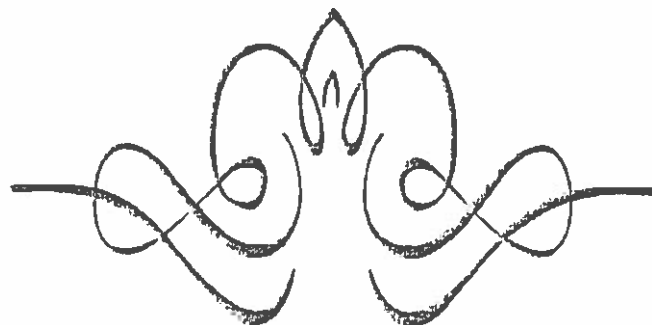
It shall be the policy of the Town of Kennebunkport to deny the issuance of any Goose Rocks Beach Parking Sticker to a registered vehicle that has an outstanding parking ticket(s) until said parking ticket fine(s) has been paid in full.

Adopted by the Kennebunkport Board of Selectmen on March 24, 2005 in accordance with Section 13.II of the Kennebunkport Traffic and Parking Control Ordinance.

Approved or amended January 12, 2006, November 9, 2006, June 14, 2007, November 13, 2008, May 13, 2010, and April 9, 2015, January 28, 2016, April 13, 2017.



Agenda Item Divider



9

Kennebunkport Fire Department
Proposed Purchase Act #3904-3003
Extrication Equipment

1/31/2018

This purchase is phase 3 of 3 of the project to upgrade our extrication equipment ("jaws of life"). Over the last two fiscal years, various cutting and spreading tools were purchased to allow for the stronger metals used in contemporary motor vehicles. The new extrication tools allow us to remove the occupants of a crashed vehicle faster and with significantly increased safety for our personnel. Genesis brand tools were selected for several unique features, including a unique single hydraulic hose design and enhanced ergonomics of the tools themselves.

This final part of the project is to replace our existing hydraulic pump and hoses with a modern design unit that will operate more efficiently. This pump will also allow two rescue tools to be operated simultaneously on a seriously damaged vehicle or on two vehicles in close proximity.

We received the following prices:

Dealer	Mfgr	Item	Qty	Net Price	Total
HSE Fire & Safety Lewiston, ME	Genesis	Hydraulic Pump Mach III Simo Pump w/5.5 HP Honda Engine	1		6508.00
	Genesis	Hoses, 30' w/OSC connectors	2	695.00	1390.00
		Shipping estimate			160.00
		HSE Total			8028.00
Fire Tech & Safety Winthrop, ME	Amkus	Hydraulic Pump Mini Simo w/3 HP Honda Engine	1		7995.00
	Amkus	Hoses, 30' w/adaptors for OSC connectors	2	1080.00	2160.00
		Shipping estimate		Not provided	
		FTS Total			10155.00

We are requesting this purchase be made from HSE Fire & Safety at \$8,028.00.

Note that \$10,000 was budgeted for this project for FY2018 in capital acct. #3904-3003

Dick Stedman
Fire Administrator

Dick Stedman

From: Will Burk <willie@hsefiresafety.com>
Sent: Thursday, December 21, 2017 11:35 AM
To: Dick Stedman
Subject: Genesis Gas Powered Simo Pump Quote
Attachments: genesis_cat_sm.pdf

Dick,

Find the literature on the Genesis tools. Inside there are specs on each Simo Pump. Find below the pricing you requested:

✓ 1- Genesis Mach III Simo Gas Pump w/OSC Couplers
p/n ART.593.508.1. Price: \$6508.00

X Option: Genesis Mach III Outlaw Simo Gas Pump w/OSC Couplers p/n ART.593.508.1 Price: \$7216.00

2- Genesis 30' Extension Hoses, OSC Couplers
p/n ART30OSC_. Price: \$695.00/ea

Shipping: approximately \$160.00

If you have any questions, please let me know. Have a safe week and happy Christmas season! Thinking of all of you!

Willie

Willie Burk, Sales Representative
Harrison Shrader Enterprises
13 Westminster St.
Lewiston, Me 04240
Cell: 207-317-6968
Office: 207-241-0325 (new number)
***New Email- willie@hsefiresafety.com
***New Website- www.hsefiresafety.com

More Speed When You Need It...

Time is of the essence in all extrication operations. That is why the Genesis line of simultaneous pumps gives rescue personnel the ability to switch all the flow to one tool, thereby doubling the speed at which that tool operates. This gives the operator the critical seconds when needed. We say "when needed" because with the Genesis Push Button Control, you can still slow all that extra power down to a crawl when delicate situations require it. The M1X is the premier mini pump weighing in at only 40 lbs, yet sacrificing very little in tool operational speed which is the drawback with most switch over type mini pumps.

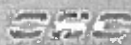


M1X Mini Pump



Length:	16 in (40.6 cm)
Width:	11 in (27.9 cm)
Depth:	17 in (43.2 cm)
Weight:	40 lbs. (18 Kg)
Over Drive:	No
Engine:	3 HP (2.2 KW)
Pressure:	10,500 psi (720 bar)
NFPA Compliant:	Yes
Electric:	Available

Mach III Mini Sime Pump



Length:	17 in (43.2 cm)
Width:	13.5 in (34.3 cm)
Depth:	20 in (50.8 cm)
Weight:	64 lbs. (29 Kg)
Over Drive:	Yes
Engine:	5.5 HP (4.1 KW)
Pressure:	10,500 psi (720 bar)
NFPA Compliant:	Yes
Electric:	Available

Mach III Outlaw Sime Pump



Length:	18 in (45.7 cm)
Width:	14.8 in (37.6 cm)
Depth:	18.8 in (47.8 cm)
Weight:	67 lbs. (30.4 Kg)
Over Drive:	Yes
Engine:	6.5 HP (4.5 KW)
Pressure:	10,500 psi (720 bar)
NFPA Compliant:	Yes
Electric:	Available

FIRE TECH & SAFETY OF NEW ENGLAND, INC.
 90 Progress Avenue
 Tyngsborough, MA 01879
 1-800-256-8700 Fax (978) 649-6833

Quote

Date	Quote #
1/29/2018	182267

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

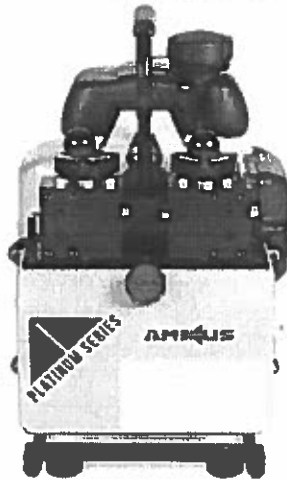


Project	Terms	Rep
	Net 30	JB

Qty	Description	Unit Price	Total
✓ 1	AMKUS MINI SIMO PUMP 3HP HONDA	7,995.00	7,995.00
1	AMKUS MONO COUPLER PUMP KIT 2 PORTS	0.00	0.00
1	AMKUS 30' RED EXTENSION HOSE WITH MONO COUPLING	1,080.00	1,080.00
1	AMKUS 30' BLUE EXTENSION HOSE WITH MONO COUPLING	1,080.00	1,080.00
X 1	AMKUS BRIGGS & STRATON POWER UNIT SIMO PUMP	6,950.00	6,950.00
X 1	AMKUS HONDA POWER UNIT, CAGE, GH2S2-XLNT	7,950.00	7,950.00
		Total	\$25,055.00

GH2B-MCH MINI POWER UNIT

Part Number 701200FHDD1A



Lightest Power Unit in our lineup!



Certified Compliant to
NFPA 1936, 2015 Edition

SPECIFICATIONS

Length (with couplings):	17.75 in.	(451 mm)
Length (without couplings):	15.50 in.	(394 mm)
Width:	12.50 in.	(318 mm)
Height:	18.50 in.	(470 mm)

All weights include gas, engine oil, and hydraulic fluid

Weight (with Standard Couplings):	58.77 lbs.	(26.66 kg)
Weight (with Female Mono Couplings):	58.60 lbs.	(26.58 kg)
Weight (without couplings):	55.40 lbs.	(25.13 kg)

Fluid Type: AMKUS MV-1 Mineral Base Hydraulic Fluid

(For equipment stored and operated in environments below freezing use AMKUS MV-0 Mineral Base Hydraulic Fluid)

Rated Output Pressure:	10,500 psi	(724 bar)
Hydraulic Fluid Reservoir Capacity:	0.6 gals. US	(2.27 liters)

Delivery of pump, stage 1:	0.584 gpm per port x 2	(2212 cc/min)
Delivery of pump, stage 2:	0.151 gpm per port x 2	(574 cc/min)

BOOST Mode: *Single tool operation only*

Delivery of pump, stage 1:	1.168 gpm	(4424 cc/min)
Delivery of pump, stage 2:	0.32 gpm	(1148 cc/min)

DESIGN & OPERATIONAL FEATURES

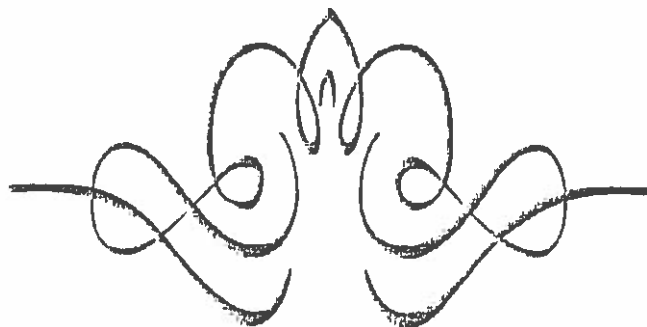
- Gasoline powered Honda[®] engine
- Two tool simultaneous operation
- "BOOST" mode. When in alternate tool operation, increases tool speed in both pump stages
- Increased first stage pressure reduces cycle times
- Newly designed 3-position control valves



4201 Montdale Drive
Valparaiso, IN 46383-4098
219-548-5000
800-592-6587
Fax: 219-476-1669



Agenda Item Divider



Kennebunkport 2018 Backhoe Bid Review

Johne Deere 310 SL HL

Bid Price \$119,000 Trade In: \$31,000

Case 580 SN T4F

Bid Price \$119,316.27 Trade In: \$25,500

Caterpillar 420 F2 IT

Bid Price \$125,700 Trade In \$30,000

In our Equipment / Reserve Capital account we budgeted \$140,000 to pay for a new backhoe and \$20,000 for a sale of the machine. Kennebunkport Public Works has received bids for and demonstrated the above backhoes. Our crew reviewed backhoe demonstrations as follows:

1. The Case 580 SN had the best cab operator layout and visibility.

John Deer has single cylinder and center exhaust stack compared to twin side cylinders and side of cab exhaust stack on Case backhoe.



2. Other than the visibility issues the two machines are very similar and our equipment operators thought they would work very well for us. Based on the better visibility I am recommending we accept the Case bid.
3. We have reviewed the trade in bids from the 3 bidders. In reviewing sale prices on similar machines we think that a realistic sale price will be from \$36,000 to \$40,000. We recommend that after the new backhoe is delivered we request sale bids on our 2009 backhoe with a minimum bid of \$32,000. I have attached current sale prices of similar backhoes with this review.

By: Michael Claus, Kennebunkport Public Works Director

2008 JOHN DEERE 310J BACKHOES in LAPEER, MI

\$48,500

☐ Price Alerts

Specification

Year:	2008
Make:	JOHN DEERE
Model:	310J
Class:	EARTHMOVING
Category:	Backhoes
Hours Used:	2,426
New/Used:	U
Horsepower:	84
Price:	\$48,500

 Less

Contact this Seller: (866) 721-2598

 15 Photos Play Brochure

Description

John Deere 310J backhoe, 4WD, cab, heat, 2 lever controls, E-Hoe, turbo, 24" rear bucket, 84" front bucket with cutting edge, flip over forks, power shift trans, 19.5-24 rear tires, diff lock, run and drives great

About M Nolan Farms Inc

M-Nolan Farms, Inc. Your #1 source for quality used Farm Equipment, Construction Equipment, and Rental Equipment! John Deere®, New Holland, Ford, Case, Caterpillar and more! Stop in or call today!

Seller Information

 Report This Ad

[M Nolan Farms Inc Website](#)
(866) 721-2598

3096 N Lapeer Rd
Lapeer, MI
48446 [Map](#)

[See All Inventory](#)

Contact Seller

*required

2010 DEERE 310J

For Sale Price: \$47,900



Contact Information

Joe Welch Equipment

9 Caledonia, Minnesota 55921

Phone: (507) 724-3183

Fax: (507) 725-3184

Contact: Joe Welch



Description

4IN1 FRONT BUCKET. CAB WITH HEAT AND A/C. PILOT CONTROLS. EXTENDA HOE 90% REAR TIRES 70 % FRONT TIRES.
24 IN REAR BUCKET. NEW BOLT ON CUTTING EDGE. JUST IN PLEASE CALL FOR DETAILS

Specifications

Year	2010	Manufacturer	DEERE
Model	310J	Condition	Used
Stock Number	188492	Hours	1,900
Horsepower	84	Drive	4 WD
ROPS	Enclosed		

2008 DEERE 310J



For Sale Price: \$52,500

Contact Information

ADMAR SUPPLY CO INC

📍 Rochester, New York 14623

Phone: (585) 763-7014

Fax: (585) 272-9165

Contact: Richard DiMarco



Description

- 72 hp
- Dual door cab A/C.
- Ride control
- Stick controls.
- 16,140 lbs. operating weight.
- 1.25 yd. loader bucket
- 8497 lbs. bucket break out force.
- 6206 lbs. lift capacity at full height.
- 24" bucket.
- 14' 3" dig depth.
- 10' 9" load height.
- 17' 8" reach along the ground.
- 28 gal/min pump flow capacity.

Specifications

Year	2008	Manufacturer	DEERE
Model	310J	Serial Number	T0310JX165879
Condition	Used	Stock Number	75001
Hours	1,502	Horsepower	84
Drive	4 WD	ROPS	Open

Search by make, model, state, price, my serial#, etc.



MyLittleSalesman.com - MLS Listing # 9299106

2010 John Deere 310J Backhoe



\$36,900.00 USD

📍 Located in Kemp, TX, US

FastLane Equipment Sales

9526 East Highway 175,
Kemp, TX 75143
☎ (972) 571-9674

Notes

Year	2010
Manufacturer	John Deere
Model	310J
Condition	Used
Stock Number	1706
MLS Number	9299106
Usage	2,893 Hours
Drive Type	4WD

2010 JOHN DEERE 310J LOADER BACKHOE TRACTOR. ONLY 2893 HRS READING ON METER. LOADED! 4WD. EXTENDAHOE. CAB AC/HEAT. PILOT CONTROLS. GOOD RUBBER. BUCKET HOOKS FOR FORKS. NICE TRACTOR ALL AROUND. NATIONWIDE SHIPPING AVAILABLE. CALL (972)571-9674 TODAY OR (ESPAÑOL 972-571-1055).

BID PROPOSAL FORM
BACKHOE Contract No. 2017-01

SUBMIT TO: Town Manager's Office
Town of Kennebunkport
6 Elm Street
P.O. Box 566
Kennebunkport, Maine 04046

BID DATE: Wednesday, January 31, 2018, 1:00 p.m.

The undersigned hereby certifies he/she has examined and fully comprehends the requirements of these specifications for the above equipment and offers to furnish all labor, materials, equipment, supplies and related to do the work as detailed for the following lump sum price.

Model Bid 2018 John Deere 310SLHL

Bid for Specified Equipment \$ \$ 119,000.00
(In Numbers)

Expected Delivery Time after Receipt of Purchase Order 45-60 DAYS

Deduct Alternate No. 1 (Allowance for Trade - In, See Section 1.10)

Amount: \$ 31,000.00 (in numbers)

NAME OF FIRM:

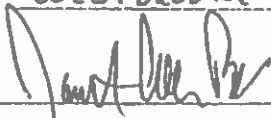
Nortrak, Inc.

ADDRESS:

396 County Road

Westbrook, ME 04092

AUTHORIZED SIGNATURE:



PRINT NAME AND TITLE:

Adam Brock - Territory Manager

TELEPHONE:

207-844-4314

DATE

1-29-2018

Required Attachments: 1. Detailed Backhoe Manufacturer Specifications with Specified Options

Quote Summary

Prepared For:
KENNEBUNKPORT PUBLIC WORKS
MIKE CLAUS
Po Box 566
Kennebunkport, ME 04046

Prepared By:
ADAM BROCK
 Nortrax, Inc
 396 County Road
 Westbrook, ME 04092
 Phone: 207-773-3777
 Mobile: 207-894-4314
 adam.brock@nortrax.com

Quote Id: 16726669
Created On: 29 January 2018
Last Modified On: 29 January 2018
Expiration Date: 23 February 2018

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE 310SL HL BACKHOE LOADER	\$ 119,000.00 X	1 =	\$ 119,000.00
John Deere Extended Warranty-36 MONTHS/3000 HOURS POWERTRAIN AND HYDRAULICS	\$ 0.00 X	1 =	\$ 0.00

Equipment Total **\$ 119,000.00**

Trade In Summary	Qty	Each	Extended
2004 JOHN DEERE 310J - T0310JX171762	1	\$ 31,000.00	\$ 31,000.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 31,000.00

Trade In Total **\$ 31,000.00**

Quote Summary

Equipment Total	\$ 119,000.00
Trade In	\$ (31,000.00)
SubTotal	\$ 88,000.00
Total	\$ 88,000.00
Balance Due	\$ 88,000.00

Salesperson : X _____

Accepted By : X _____

Selling Equipment

Quote Id: 16726669

Customer: KENNEBUNKPORT PUBLIC WORKS

JOHN DEERE 310SL HL BACKHOE LOADER

Hours:

Stock Number:

Code	Description	Qty
0A80T	310SL HL BACKHOE LOADER	1
Standard Options - Per Unit		
170C	JDLink Ultimate Cellular - 5 Years	1
1065	John Deere PowerTech Plus 4.5L (276 Cu. In.) Engine Meets Final Tier 4 and Stage IV Emissions	1
2035	Cab	1
2401	English Decals with English Operator and Safety Manuals	1
3065	Mechanical Front Wheel Drive (MFWD) with Limited Slip Differential	1
4482	Galaxy 550 Radial - 500/70R24 Rear & 340/80R18 Front	1
5285	Pilot Controls, Two Lever, with Pattern Selection	1
5400	Less Coupler	1
5600	Less Backhoe Bucket with Bucket Pins	1
6020	Extendible Dipperstick	1
6230	Auxiliary Hydraulic with One & Two Way Flow (Hammer & Thumb/Swinger)	1
7085	Loader Coupler, 3-Function Hydraulics, Single Lever	1
7650	1.3 Cu. Yd. (1.0 Cu. M.) 92 in. (2.34 m) wide Heavy-Duty Long-Lip Coupler Bucket with Cutting Edge and Skid Plates	1
8455	750 Lb. (340 kg) Front Counterweight	1
8685	Dual Maintenance Free Batteries With Disconnect and Jump Post	1
9060	Front View Mirror	1
9080	Engine Coolant Heater	1
9210	Left Side Console Storage with Cup Holders	1
9505	Full MFWD Driveshaft Guard	1
9515	Diagnostic Oil Sampling Ports	1
9905	Strobe Light with Magnetic Mount	1
9916	Radio, Bosch Premium Package	1
9919	Sun Visor	1
9920	Exterior Rear View Mirrors (2)	1

Selling Equipment

Quote Id: 16726669

Customer: KENNEBUNKPORT PUBLIC WORKS

9965	Seat, Cloth Air-Suspension	1
Dealer Attachments		
AT308138	Forks, Pallet (2) 48 in.(1.22m) with 60 in. (1.52m) Coupler Fork Carriage	1
AT371257	MFWD Wheel Fender Kit for 18 in. tires only	1
AT431340	Accu-Swing Kit for Backhoe	1
AT448592	Auxillary Backhoe Hydraulic Plumbing Kit (2 way) for Thumb, Clamp, Swinger or Jaw Bucket	1
AT450437	K-Series Style Loader Control Grip Kit	1
AT431161	Sixth Function Valve Kit (2 way flow for thumb swinger or grapple)	1
AT187707	License Plate Bracket and Light	1
AT194368	Attachment Plumbing Kit	1
XLS-C	Wain Roy XLS Swinger Coupler	1
XLS-12D	WainRoy 12in HD Dig Bucket	1
XLS-24D	WainRoy 24in HD Dig Bucket	1
XLS-48G	WainRoy 48in HD Ditch Bucket	1
XLS-HD1	Wain Roy E-Stick Hyd. Thumb	1
SB10B	Deere SB10B Snow Pusher	1
MANUALS	Operators, Parts And Svc Manuals in Print	1
Service Agreements		
John Deere Extended Warranty - 36 MONTHS/3000 HOURS POWERTRAIN AND HYDRAULICS		

Bid specifications for Deere 310SL HL or similar Backhoe Loader

Compliance

Engine

- yes ☒ no ☐ Four Cylinder, turbocharged, isolation mounted diesel engine and shall be designed and built by the manufacturer
- yes ☒ no ☐ Engine shall be certified to EPA Final Tier 4 / EU Stage IV
- yes ☒ no ☐ Engine shall have a individually replaceable, wet-sleeve cylinder liner design to dissipate heat for reduced ring wear and oil breakdown.
- yes ☒ no ☐ Engine displacement shall be no less than 4.5 liters (276 cu. in.)
- yes ☒ no ☐ Net Peak Power (ISO 9249) 75 kW (100 hp) at 2,240 rpm
- yes ☒ no ☐ Engine shall develop at least a 21% torque rise and should have at least 315 lb-ft (427 Nm) net torque @ 1400 rpm
- yes ☒ no ☐ Daily check points shall be accessible from the right side of the engine and shall be done from ground level
- yes ☒ no ☐ Engine shall have a serpentine belt with automatic belt tensioner reducing required maintenance
- yes ☒ no ☐ Under-hood engine air cleaner shall be dry type, dual element with evacuator valve, restriction sensor and in-cab restriction warning light
- yes ☒ no ☐ The backhoe shall have a one-piece tilt hood for easy engine access without having to remove engine side shields.
- yes ☒ no ☐ Engine shall have no more than 30-micron rated primary fuel filter with water separator

Cooling

- yes ☒ no ☐ Engine coolant shall be rated to -40 degrees (-40 C)
- yes ☒ no ☐ The backhoe shall be equipped with an oil-to-water engine oil cooler
- yes ☒ no ☐ Unit shall have a coolant recovery tank provided
- yes ☒ no ☐ Unit shall have a electronically-controlled, variable rate suction-type fan with fan-guard
- yes ☒ no ☐ The AC condenser will be swing-out for fast radiator clean-out. Remote mounted transmission and hydraulic coolers will offer better air exchange and fewer stacked cores.
- yes ☒ no ☐ The hydraulic and transmission circuits will be water cooled for fast winter warm-up for increased productivity

Power Train

- yes ☒ no ☐ The transmission shall be a hydraulically actuated powershift with torque converter clutch-free; fully synchronized five forward (automatically shifts between 4th and 5th gear), three reverse speeds.
- yes ☒ no ☐ The sealed axle, with no breather, will be mechanical -front-wheel-drive with traction control limited-slip differential with electric on/off control
- yes ☒ no ☐ The machine will disengage MFWD in 4th gear to allow for longer life of tires and drive train but will engage MFWD when brakes are applied for four wheel braking
- yes ☒ no ☐ The axle will be sealed to protect against contamination
- yes ☒ no ☐ The driveshaft will be painted for protection, and will have a factory installed, full guard
- yes ☒ no ☐ The clutch engaged MFWD can be engaged on the fly during operation.
- yes ☒ no ☐ The transmission shall be isolation mounted to the mainframe to minimize shock load stress
- yes ☒ no ☐ The rear axle shall have a differential lock, electric foot-actuated as standard equipment.
- yes ☒ no ☐ The single electric Transmission Control lever will have gear selection fully integrated in the lever as well as forward, neutral and reverse (FNR power shuttle).
- yes ☒ no ☐ Transmission oil cooler shall be provided as standard equipment

Bid specifications for Deere 310SL HL or similar Backhoe Loader

Compliance

- yes ☒ no ☐ The backhoe shall have hydrostatic power steering with emergency manual mode
- yes ☒ no ☐ The machine will have a dial throttle that will allow the operator to road the machine on cruise control. Upon engagement of the brake pedal, the engine RPMs return to idle
- yes ☒ no ☐ The final drives shall be heavy-duty outboard planetary distributing loads over three gears sealed in cooling oil bath for long-life and trouble free service.
- yes ☒ no ☐ The front axle shall have remote grease bank for front axle for easy access.
- yes ☒ no ☐ The rear axle bearings shall be self-lubricating and shall not need to be greased
- yes ☒ no ☐ The service brakes shall be inboard, wet-multiple disk, self-adjusting and self equalizing and hydraulically actuated for a long and trouble-free life, sealed from water, mud and dust contamination
- yes ☒ no ☐ MFWD shall have a driveshaft guard
- yes ☒ no ☐ The parking brake shall be independent of service brakes, spring applied, hydraulically released, wet multi-disk, and sealed from water, mud and dust contamination.

Hydraulic System

- yes ☒ no ☐ Hydraulic cooler will have an independent reservoir for continuous running of attachments at high ambient outside air temperatures
- yes ☒ no ☐ The hydraulic fittings shall have "O"-ring face seal connectors to secure a tight, leak-free seal
- yes ☒ no ☐ Machine shall be equipped with Auto Idle to lower rpm when hydraulics are not active to conserve fuel and reduce noise levels.
- yes ☒ no ☐ Machine shall be equipped with Economy Mode with dual feature that can be applied to backhoe or loader functions separately or together for improved fuel economy.
- yes ☒ no ☐ The hydraulic filter shall be no more than 6 micron and will be vertically mounted, spin on design for ease of installation and leak-free replacement.
- yes ☒ no ☐ An automatic bucket return-to-dig control will be standard
- yes ☒ no ☐ Hydraulic pump shall be 42 gpm (159L/min.) @ 2,200 rpm at 3,625 psi (24 993 kPa) closed center hydraulic pressure compensated load sensing (PSLS), axial piston driven

Electrical

- yes ☒ no ☐ The backhoe shall have a 12 volt system with 120 amp alternator
- yes ☒ no ☐ Dual maintenance free batteries shall be included, 300-min reserve rated capacity, 1900 CCA with battery disconnect and jump posts.
- yes ☒ no ☐ Factory Installed plug in block heater
- yes ☒ no ☐ The machine shall have blade type, multi-fused circuits
- yes ☒ no ☐ The starter shall have a bypass start safety cover
- yes ☒ no ☐ Cab will be factory pre-wired for communications radio
- yes ☒ no ☐ Cab will be pre-wired for rotating beacon and radio-ready
- yes ☒ no ☐ Rotating Beacon installed by dealer
- yes ☒ no ☐ Unit shall be equipped with 10 halogen driving/working lights, (4) front driving/working; (4) rear; (2) side docking lights The front lights shall be adjustable and the bulbs shall be no less than 32,500 candlepower each.
- yes ☒ no ☐ Unit shall be equipped with two front and two rear turn signal/flashing and two rear stop and tail lights and two rear reflectors
- yes ☐ no ☒ Unit shall be equipped with a 3-year JDLink Ultimate Telematics systems that can provide fleet management, logistics and remote diagnostics capabilities. **5-YEARS**

Operator Station

- yes ☐ no ☒ Unit shall be equipped with isolation mounted modular design ROPS/FOPS canopy and molded roof **Premium Full Cab**

Bid specifications for Deere 310SL HL or similar Backhoe Loader

Compliance

- yes ☒ no ☐ Access to the cab shall be from the right and left side with protected, wide, rigid, slip-resistant steps and ergonomically located hand-holds
- yes ☒ no ☐ 3" (76mm) retractable seat belt shall be provided
- yes ☒ no ☐ Coat hook, built-in beverage holder, operator manual storage compartment, interior rearview mirror and two 12 volt outlets shall be provided
- yes ☒ no ☐ Unit shall be equipped with illuminated electronic gauges with audible warning for: engine coolant temperature, oil temperature and fuel level.
- yes ☒ no ☐ Machine manufacturer will provide a factory installed onboard security system for total machine integration. System will have the ability to accommodate no less than ten operator codes.
- yes ☒ no ☐ The monitor system shall have audible and visual warnings: engine air restriction, low alternator voltage, engine oil pressure and temperature, hydraulic filter restriction, parking brake on/off, and low brake pressure. The seat belt will have a digital warning.
- yes ☒ no ☐ The keyless start will have an electric fuel shut-off and ability to have auto shutdown setup in monitor
- yes ☒ no ☐ The monitor will have a multi-language (English, French and Spanish) digital monitor for diagnostics (including diagnostic messages and fault code readings), calibrations and machine information.
- yes ☒ no ☐ Unit will have a machine security electronic protection system provided through the monitor or sealed switch module.
- yes ☒ no ☐ Unit will have a sealed switch module for easy location of controls on the right hand console and increased durability.
- yes ☒ no ☐ Unit shall have digital display for: engine rpm, engine hours, system voltage, and hydraulic oil temperature.
- yes ☒ no ☐ The foot throttle shall be suspended
- yes ☒ no ☐ Lockable left hand storage with cupholders
- yes ☒ no ☐ Outside Rearview Mirrors and Interior Frontview Mirrors
- yes ☒ no ☐ AM/ FM Weatherband Radio **XM and Bluetooth ready**
- yes ☒ no ☐ The machine will have a factory installed cab air conditioner.
- yes ☒ no ☐ The seat shall be air suspension, cloth, swivel, with fully adjustable armrests and lumbar support.

General Specifications

- yes ☒ no ☐ Vandal protection shall cover the instrument panel (canopy only). Engine hood, toolbox, hydraulic reservoir, and fuel filler shall be lockable.
- yes ☒ no ☐ The tilt hood shall have two service positions for easy operation
- yes ☒ no ☐ An easy to read periodic maintenance and grease chart shall be easily accessible on the machine.
- yes ☒ no ☐ Fuel tank capacity shall be no less than 37 gallons (140.1 L) and shall be accessible from the ground and lockable. DEF tank to be no less than 4 gallons and accessible from ground and lockable.
- yes ☒ no ☐ Factory installed fluid sampling valves will be available.
- yes ☒ no ☒ Front 12.5/80-18 Michelin All Season Radial or equivalent (Note if not Michelin) **ALLIANCE / Galaxy**
- yes ☒ no ☒ Rear 19.5L x 24.0 Michelin All Season Radial or equivalent (Note if not Michelin) **ALLIANCE / Galaxy**
- yes ☒ no ☐ Operating weight shall be no more than 18,231 lbs without optional equipment.

Frames and Structures

- yes ☒ no ☐ The mainframe shall be a one-piece unitized construction for maximum strength
- yes ☒ no ☐ Unit shall have four built-in vehicle tiedowns, two in front and two in rear for safe transport between jobs

Bid specifications for Deere 310SL HL or similar Backhoe Loader

Compliance

- yes ☒ no ☐ The side plate thickness on the loader boom, backhoe boom and mainframe shall be 4.5 mil or greater
- yes ☒ no ☐ Machine shall be equipped with an exterior mounted, ground level accessed and lockable storage compartment
- yes ☒ no ☐ OEM front fenders, articulating with the tires for maximum coverage, shall be dealer installed and delivered with machine.
- yes ☒ no ☐ OEM rear fender extensions shall be dealer installed and delivered with the machine.

Backhoe

- yes ☒ no ☐ The backhoe with standard dipperstick digging depth shall be at least 14 ft 10in (4.51 m)
- yes ☒ no ☐ The lift capacity at ground level with standard dipperstick shall be no less than 3045 lb (1381kg)
- yes ☒ no ☐ Maximum SAE dig depth with extendable dipperstick extended shall be no less than 18 ft 12 in (5.52m)
- yes ☒ no ☐ 340 kg. (750 lb.) front counterweight
- yes ☒ no ☐ The lift capacity at full height with standard dipperstick shall be no less than 3745 lb (1699 kg)
- yes ☒ no ☐ The swing lock pin shall be stored in the operator's station
- yes ☒ no ☐ Machine shall be equipped with a lift mode to increase craning capacity
- yes ☒ no ☐ The stabilizer shall have reversible pads
- yes ☒ no ☐ Extendible dipperstick shall extend no less than 3 ft 6 in (1.07 m)
- yes ☒ no ☐ the backhoe boom shall be a curved design.
- yes ☒ no ☐ The backhoe boom shall be a power curve design, hourglass shape for maximum strength and optimized visibility to the work tool.
- yes ☒ no ☐ Digging force with standard backhoe, bucket cylinder shall be at least 15,947 lb (70.9 kN)
- yes ☒ no ☐ The backhoe shall be equipped with a rubber bumper/linkage style boom locks to keep the backhoe from vibrating on the swing frame
- yes ☒ no ☐ Unit shall be equipped with pilot backhoe controls with integral pattern select
- yes ☒ no ☐ Wainroy 2XLS Swinger Coupler System
- yes ☒ no ☐ All Buckets Main Hydraulic Pin compatible with Wain-Roy Thumb
- yes ☒ no ☐ 24" Wain-Roy XLS Trenching Bucket
- yes ☒ no ☐ 12" Wain-Roy XLS Trenching Bucket
- yes ☒ no ☐ 48" Wain-Roy XLS Ditching and Grading Bucket
- yes ☒ no ☐ Wain-Roy HD1 Extendahoe Backhoe Hydraulic Thumb
- yes ☒ no ☐ compatible with Wainroy 2XLS Swinger Coupler System
- yes ☒ no ☐ The swing casting shall have dual yokes: on top and on the bottom

Loader

- yes ☒ no ☐ Ride Control
- yes ☒ no ☐ Lift Capacity with 1.3 cu yd at full height shall be at least 7181 lbs (3257 kg)
- yes ☒ no ☐ Dump Clearance @ 45 deg. shall be no less than 8 ft 9 in (2.67 m)
- yes ☒ no ☐ Digging depth below ground, bucket level shall be no less than 6.6 in. (168mm)
- yes ☒ no ☐ Bucket breakout force shall be no less than 10,587 lb (47.1 kN)
- yes ☒ no ☐ Single, greaseless bucket tilt cylinder and bucket level indicator
- yes ☒ no ☐ The loader shall have hydraulic self-leveling and bucket-level indicator.
- yes ☒ no ☐ The loader shall have divergent loader arms for excellent visibility to the bucket
- yes ☒ no ☐ For truck loading, the loader arms will have a curved-knee design for loading into the center of the truck bed
- yes ☒ no ☐ Loader shall have a single cylinder and linkages for tilt and curl on bucket.

Bid specifications for Deere 310SL HL or similar Backhoe Loader

Compliance

yes ☒ no ☐

yes ☒ no ☐

yes ☒ no ☐

yes ☒ no ☐

yes ☒ no ☐

yes ☒ no ☐

yes ☐ no ☐

The loader control will be single-lever with electric clutch disconnect

John Deere Quik-Tatch Attachment System compatible with all loader attachments

John Deere 1.3 CY Long Lip Bucket with Bolt On Cutting Edge

John Deere Worksite Pro Rail Style 48 inch Pallet Forks

John Deere SP10 120" Snow Pusher with Rubber Edge Package
and replaceable steel wear shoes

The loader shall have a non-removable, hinged loader boom service lock.

Warranty

yes ☒ no ☐

yes ☐ no ☒

yes ☐ no ☒

Full machine warranty of 12 months, unlimited hours

Engine warranty of two years or 2,000 hours

Power train warranty of two years or 2,000 hours

3 YEARS - 3000 HOURS

3 YEARS - 3000 HOURS

BID PROPOSAL FORM
BACKHOE Contract No. 2017-01

SUBMIT TO: Town Manager's Office
Town of Kennebunkport
6 Elm Street
P.O. Box 566
Kennebunkport, Maine 04046

BID DATE: Wednesday, January 31, 2018, 1:00 p.m.

The undersigned hereby certifies he/she has examined and fully comprehends the requirements of these specifications for the above equipment and offers to furnish all labor, materials, equipment, supplies and related to do the work as detailed for the following lump sum price.

Model Bid Case 580 SN T4F

Bid for Specified Equipment \$ 119,316.27
(In Numbers)

Expected Delivery Time after Receipt of Purchase Order 60-90 days

Deduct Alternate No. 1 (Allowance for Trade - In, See Section 1.10)

Amount: \$ 25,500.00 (in numbers)

NAME OF FIRM: Beauregard Equipment

ADDRESS: 14 Gibson Rd.

Scarborough Me. 04074

AUTHORIZED SIGNATURE:

PRINT NAME AND TITLE:

Adam J. Labbe - Branch Manager

TELEPHONE: 207-885-0600

DATE: 1-30-2018

Required Attachments: 1. Detailed Backhoe Manufacturer Specifications with Specified Options

Section 3.01

CASE 580SN Tier IV Final LOADER BACKHOE

The loader shall be equipped with the following features and/or specifications:

MACHINE SPECIFICATIONS

ENGINE

- | | |
|--|--|
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | 4-cylinder, turbocharged diesel engine with a minimum 95 net horsepower at 2,200 RPM. |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Diesel Oxidation Catalyst with SCR |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Engine displacement of 207 cubic inches |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Minimum SAE net torque rating of 326 ft-lbs at 1,400 RPM. |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Minimum torque rise at rated speed of 45% |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Engine to be Tier 4 Final certified per Federal Emissions Standards. |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Direct high pressure common rail fuel injection |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Parent metal bore design |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Internal oil cooler |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Integral water pump |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Engine shall be equipped with a 9 blade suction fan with minimum diameter of 19.6 inches |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Aspirated dual-stage air cleaner |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Poly-V belt for fan and alternator |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Automatic self-adjusting belt |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Vertical spin-on engine oil filter |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Cold weather starting aid to be that of non-ether based system |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Liquid cooled engine |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | 500-hour engine oil change interval |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Auto Engine Protection Shutdown |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Eco - Mode Detent on backhoe hand throttle, push switch on dash |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Master disconnect switch and remote jump-start terminals |

ELECTRICAL

- | | |
|--|--|
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | 12-volt electrical system |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Factory pre-wired for communications radio |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | 160-amp alternator |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Rotating Beacon, factory pre-wired and installed by dealer |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Dual batteries with 850 cca (each), Glow Plugs, Block Heater |

FULLY SYNCHRONIZED TRANSMISSION

- | | |
|--|--|
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Torque converter drive with a fully synchronized transmission |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Four forward and three reverse speeds on Powershift Transmission S type on Steering Column |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Minimum forward travel speed of 24.0 MPH with standard tires |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Minimum reverse travel speed of 28.8 MPH with standard tires |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Planetary transmission gears |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Clutch disconnect button on shift lever |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Clutch disconnect button on loader control lever |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Shall have a kickdown function for ease of operation of Powershift Transmission |

DRIVE TRAIN

- | | |
|--|--|
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | The loader backhoe power train shall be componentized. |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Heavy duty axles with brakes that can be serviced without removing the axle from the frame |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | On-the-go control mounted electro-hydraulic rear differential lock engagement (DELETE) |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Lube-for-life drive shaft cross bearings |
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | A single fill and check point for rear axle shall be standard equipment |

Four-wheel drive units include the following features

- | | |
|--|--|
| Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | Conventional differentials in the front axle |
|--|--|

CASE 580SN Tier IV Final LOADER BACKHOE

- | | | | |
|---|-------------------------------------|---|--|
| Y | <input checked="" type="checkbox"/> | N | Conventional differentials in the rear axle |
| Y | <input checked="" type="checkbox"/> | N | On-the-go electrical four-wheel drive engagement |
| Y | <input checked="" type="checkbox"/> | N | Front and rear axles with outboard planetaries |
| Y | <input checked="" type="checkbox"/> | N | Single, double-rod steering cylinder |
| Y | <input checked="" type="checkbox"/> | N | Steering cylinder located behind the axle |
| Y | <input checked="" type="checkbox"/> | N | Lube-for-life drive shaft cross bearings |

The axle load rating shall be:

- | | | | |
|---|-------------------------------------|---|---|
| Y | <input checked="" type="checkbox"/> | N | Front Axle (4wd) maximum static – 64,613 lbs minimum |
| Y | <input checked="" type="checkbox"/> | N | Rear Axle maximum static – 90,145 lbs minimum |
| Y | <input checked="" type="checkbox"/> | N | Front Axle (4wd) dynamic operating – 39,328 lbs minimum |
| Y | <input checked="" type="checkbox"/> | N | Rear Axle dynamic operating – 56,200 lbs minimum |
| Y | <input checked="" type="checkbox"/> | N | Front Axle (4wd) static operating – 15,732 lbs minimum |
| Y | <input checked="" type="checkbox"/> | N | Rear Axle static operating – 22,480 lbs minimum |

BRAKES

- | | | | |
|---|-------------------------------------|---|---|
| Y | <input checked="" type="checkbox"/> | N | Outboard mounted, fully hydraulic, multiple wet disc brakes |
| Y | <input checked="" type="checkbox"/> | N | Low effort, power boosted, oil cooled brakes |
| Y | <input checked="" type="checkbox"/> | N | Brakes operated by two, suspended brake pedals |
| Y | <input checked="" type="checkbox"/> | N | Maintenance-free and self-adjusting |
| Y | <input checked="" type="checkbox"/> | N | Spring applied, hydraulically released (SAHR) parking brake |

LOADER AND LINKAGE FEATURES

- | | | | |
|---|-------------------------------------|---|--|
| Y | <input checked="" type="checkbox"/> | N | The loader arms shall be heavy duty and in-line. |
| Y | <input checked="" type="checkbox"/> | N | Arch design for short turning circle |
| Y | <input checked="" type="checkbox"/> | N | Dual parallel lift cylinders |
| Y | <input checked="" type="checkbox"/> | N | Cushioned loader cylinders |
| Y | <input checked="" type="checkbox"/> | N | Automatic ride control with adjustable speed setting |
| Y | <input checked="" type="checkbox"/> | N | Auxiliary Hydraulics for loader-mounted equipment with thumb operated proportional control |

The loader linkage shall have the following features:

- | | | | |
|---|-------------------------------------|---|---|
| Y | <input checked="" type="checkbox"/> | N | Dual parallel bucket cylinders |
| Y | <input checked="" type="checkbox"/> | N | Cushioned bucket cylinders |
| Y | <input checked="" type="checkbox"/> | N | Bucket cylinders with reverse linkage |
| Y | <input checked="" type="checkbox"/> | N | Dual cast dump links to bucket |
| Y | <input checked="" type="checkbox"/> | N | Full bucket rollover for dozing |
| Y | <input checked="" type="checkbox"/> | N | Full bucket rollover for stability in backhoe operation |
| Y | <input checked="" type="checkbox"/> | N | Automatic bucket self-leveling |
| Y | <input checked="" type="checkbox"/> | N | Return-to-dig |

LOADER ATTACHMENTS AND BUCKET

- | | | | |
|---|-------------------------------------|---|--|
| Y | <input checked="" type="checkbox"/> | N | The loader bucket shall be a minimum of 93 inches wide with a 1.29 cubic yard heaped capacity. |
| Y | <input checked="" type="checkbox"/> | N | Long Lip Bucket with Pre-drilled Bolt On Edge |
| Y | <input checked="" type="checkbox"/> | N | Case CE Pallet Forks LB-LTC |
| | | | Case Snow Push 120" Path Width, |
| | | | Reversible 1.5" x 10" rubber edge on main blade, |
| | | | Reversible, Replaceable .75" x 6" AR400 steel wear shoes, |
| Y | <input checked="" type="checkbox"/> | N | Case 120" Pull Back Kit with Rubber Edge |
| Y | <input checked="" type="checkbox"/> | N | Heavy duty lifting eyes |
| Y | <input checked="" type="checkbox"/> | N | Bucket position indicator |
| Y | <input checked="" type="checkbox"/> | N | Minimum SAE dump cylinder breakout force of 10,947 pounds force |
| Y | <input checked="" type="checkbox"/> | N | Minimum SAE lift cylinder breakout force of 9,833 pounds force |
| Y | <input checked="" type="checkbox"/> | N | Minimum SAE lift capacity to full height of 7,044 pounds |

CASE 580SN Tier IV Final LOADER BACKHOE

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum SAE dump clearance of 8 feet 9.9 inches at full height and 45 degree dump angle
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum SAE dump reach of 31.5 inches at full height and 45 degree dump angle
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum hinge pin height of 11 feet 2.5 inches
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum dig depth below ground of 6.1 inches
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum loader lowering time (power down) of 2.5 seconds
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum loader lowering time (return-to-dig) of 3.6 seconds
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum bucket dumping time of 1.8 seconds
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum bucket raising time to full height of 3.4 seconds
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Hydraulic Coupler Engage/ Release Attachment Control from Operator's Seat
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Case FFC Quick Attach Hydraulic Coupler

BACKHOE AND CONTROLS

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Grease pins in the swing tower to boom base
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Replaceable bushings in the swing tower to boom base mounting pins
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Wainroy 2XLS Swinger Coupler System
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Extendible exterior dipper stick
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Extendible dipper stick can be pinned to prevent movement
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Internal bolt-on, replaceable wear strip for extendible dipper stick
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum 700-pound front-mounted counterweight for Extendahoe
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Stabilizers fully retractable within the width of the tires
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Over-center backhoe design for improved balance during transport and roading
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Pro Control system to provide precise control and eliminate over-swing
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Standard serrated teeth on dipper arm for gripping objects
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Hardened steel bolt on gripper teeth
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The backhoe controls shall be of an ergonomic design with low lever effort.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Factory two lever Pilot Controls with control pattern change switch
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Pilot Controls shall have fore aft and lateral position adjustment
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Pilot controls must have wrist, infinite distance adjustments with reach of the operator
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Pilot Controls shall be equipped with "auto up" stabilizers
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Hydraulic lockout activation and pattern changer mounted to the pilot control tower within operator reach.

BACKHOE ATTACHMENTS AND BUCKETS

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	All Buckets Main Hydraulic Pin compatible with Wain-Roy Thumb
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	24" Wain-Roy XLS Trenching Bucket
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	12" Wain-Roy XLS Trenching Bucket
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	48" Wain-Roy XLS Ditching and Grading Bucket
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Wain-Roy HD1 Extendahoe Backhoe Hydraulic Thumb
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	compatible with Wainroy 2XLS Swinger Coupler System

TRACTOR DIMENSIONS AND TIRES

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum wheel base of 84.0 inches
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum overall transport width of 7 feet 1.5 inches
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum height of 8 feet 11 inches to top of cab / 8 feet 8.8 inches to top of canopy
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum height to top of exhaust stack 8 feet 6.9inches
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum transport height of 11 feet 0.5 inches
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Front 12.5/80-18 Michelin All Season Radial or equivalent (Note if not Michelin)
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Rear 19.5L x 24.0 Michelin All Season Radial or equivalent (Note if not Michelin)

BACKHOE - Extendahoe

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum SAE dig depth with over-center Extendahoe extended for 24-inch flat bottom of 17 feet 9 8 inches
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Auxiliary backhoe unidirectional hydraulics

CASE 580SN Tier IV Final LOADER BACKHOE

Y	<input checked="" type="checkbox"/>	N	Button operated for pilot controls includes unidirectional and bidirectional
Y	<input checked="" type="checkbox"/>	N	Power Lift feature
Y	<input checked="" type="checkbox"/>	N	Minimum digging force, bucket cylinder, 13,576 pounds force (retracted)
Y	<input checked="" type="checkbox"/>	N	Minimum digging force, bucket cylinder, 13,576 pounds force (extended)
Y	<input checked="" type="checkbox"/>	N	Minimum digging force, dipper cylinder, 8,657 pounds force (retracted)
Y	<input checked="" type="checkbox"/>	N	Minimum digging force, dipper cylinder, 6,305 pounds force (extended)
Y	<input checked="" type="checkbox"/>	N	Maximum stabilizer spread in operating position of 9 feet 7.2inches
Y	<input checked="" type="checkbox"/>	N	Minimum boom lift capacity at 10 feet of 3,281 pounds (retracted)
Y	<input checked="" type="checkbox"/>	N	Minimum boom lift capacity at 10 feet of 2,593 pounds (extended)
Y	<input checked="" type="checkbox"/>	N	Minimum boom lift capacity at 12 feet of 3,201 pounds (retracted)
Y	<input checked="" type="checkbox"/>	N	Minimum boom lift capacity at 12 feet of 2,536 pounds (extended)
Y	<input checked="" type="checkbox"/>	N	Minimum dipper lift capacity at 10 feet of 5,399 pounds (retracted)
Y	<input checked="" type="checkbox"/>	N	Minimum dipper lift capacity at 10 feet of 3,984 pounds (extended)
Y	<input checked="" type="checkbox"/>	N	Minimum dipper lift capacity at 12 feet of 5,618 pounds (retracted)
Y	<input checked="" type="checkbox"/>	N	Minimum dipper lift capacity at 12 feet of 4,046 pounds (extended)
Y	<input checked="" type="checkbox"/>	N	Minimum boom lift capacity at 10 feet of 3,566 pounds (retracted), Power Lift option
Y	<input checked="" type="checkbox"/>	N	Minimum boom lift capacity at 10 feet of 2,818 pounds (extended), Power Lift option
Y	<input checked="" type="checkbox"/>	N	Minimum boom lift capacity at 12 feet of 3,479 pounds (retracted), Power Lift option
Y	<input checked="" type="checkbox"/>	N	Minimum boom lift capacity at 12 feet of 2,757 pounds (extended), Power Lift option
Y	<input checked="" type="checkbox"/>	N	Minimum dipper lift capacity at 10 feet of 5,399 pounds (retracted), Power Lift option
Y	<input checked="" type="checkbox"/>	N	Minimum dipper lift capacity at 10 feet of 3,984 pounds (extended), Power Lift option
Y	<input checked="" type="checkbox"/>	N	Minimum dipper lift capacity at 12 feet of 5,618 pounds (retracted), Power Lift option
Y	<input checked="" type="checkbox"/>	N	Minimum dipper lift capacity at 12 feet of 4,046 pounds (extended), Power Lift option

OPERATOR ENVIRONMENT

Y	<input checked="" type="checkbox"/>	N	Speed Selectable Auto Ride Control
Y	<input checked="" type="checkbox"/>	N	Comfort Steering with momentary latching switch, two speed steering pump and 3rd/4th gear cutout
Y	<input checked="" type="checkbox"/>	N	Rops/Fops Certified Protected Cab
Y	<input checked="" type="checkbox"/>	N	Floor Mat
Y	<input checked="" type="checkbox"/>	N	Pull Down Sun Visor
Y	<input checked="" type="checkbox"/>	N	Front and Rear Window Washer
Y	<input checked="" type="checkbox"/>	N	Air Conditioning
Y	<input checked="" type="checkbox"/>	N	The loader backhoe shall have a cab with one door on the left side of machine.
Y	<input checked="" type="checkbox"/>	N	Power Lift option to increase backhoe hydraulic pressure to increase lift capacity while reducing the engine RPM decreasing the dBa and fuel consumption.
Y	<input checked="" type="checkbox"/>	N	Minimum of four isolation mounts
Y	<input checked="" type="checkbox"/>	N	Insulation for maximum temperature and sound control
Y	<input checked="" type="checkbox"/>	N	Sound level maximum of 72 dBa
Y	<input checked="" type="checkbox"/>	N	Suspended brake pedals
Y	<input checked="" type="checkbox"/>	N	Suspended accelerator
Y	<input checked="" type="checkbox"/>	N	Electro-hydraulic differential lock
Y	<input checked="" type="checkbox"/>	N	Transmission shift lever within easy reach of the operator and integrated clutch disconnect button
Y	<input checked="" type="checkbox"/>	N	All glass surfaces free of rubber moldings
Y	<input checked="" type="checkbox"/>	N	Rear side glass swing open 180 degrees (both sides)
Y	<input checked="" type="checkbox"/>	N	Front and rear windshield wipers
Y	<input checked="" type="checkbox"/>	N	Interior dome light
Y	<input checked="" type="checkbox"/>	N	Interior rear view mirror
Y	<input checked="" type="checkbox"/>	N	Retractable seat belt
Y	<input checked="" type="checkbox"/>	N	Air Ride suspension seat with flip up armrests, 180 swivel, cloth, electric height adjustment
Y	<input checked="" type="checkbox"/>	N	adjustable back rest and lumbar support
Y	<input checked="" type="checkbox"/>	N	Radio, AM/FM Stereo/WB, MP3 Auxiliary input
Y	<input checked="" type="checkbox"/>	N	Built-in molded cup holder

CASE 580SN Tier IV Final LOADER BACKHOE

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Front console storage area
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Single handle loader control with top-mounted clutch cut-out button
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Auxiliary loader hydraulic control built into the single handle loader control
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Forward/reverse power shuttle lever mounted on the steering column
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Parking brake switch located within easy reach to the right of the operator
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Operator warning system that alerts the operator with an audible alarm when the parking brake is applied and the operator engages the forward/reverse lever
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Instrumentation located to the right of the operator
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	OEM front fenders, articulating with the tires for maximum coverage, shall be dealer installed and delivered with machine.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	OEM rear fender extensions shall be dealer installed and delivered with the machine.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Factory Installed plug in block heater
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Two accessory power plugs

The loader backhoe cab also shall have the following for backhoe operation:

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Easy-to-swing seat to access backhoe controls
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Audible alarm to alert operator of transmission engagement when swinging seat
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Over-center backhoe release inside the cab
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Rotary throttle control located within easy reach to the left of the operator
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Stabilizer controls located together to permit one-hand operation
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Flip Over Stabilizer Pads
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Pilot Operated Control System

HYDRAULICS

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The loader hydraulics shall be closed center and allow for smooth loader operation.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The backhoe hydraulics shall be variable volume and allow for smooth backhoe operation.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Variable displacement axial piston pump, transmission mounted
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Total pump flow to be 40 GPM at 2,340 psi available to the loader valve and backhoe valve
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Anti-cavitation valves in the dipper and loader circuit
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Pilot-operated check valves for stabilizers and boom circuit
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Anti-rebound valve for backhoe swing precision
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Factory installed backhoe auxiliary hydraulics to be of a uni-directional or combo directional design with adjustable flow control

SERVICEABILITY

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The loader backhoe shall be easy to service from ground level
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Tilt hood that permits access to the engine with the loader arms raised or lowered
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Remote hydraulic test ports for ground level service diagnosis
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Optional remote battery disconnect switch and jump start
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum 35 gallon side-mounted fuel tank
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum hydraulic system (total) fill of 125 quarts (standard hoe) / 131 quarts (extendahoe)
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum transmission total system fill of 18.0 quarts (2WD) / 19 quarts (4WD)
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum engine oil fill (with filter) of 8.5 quarts
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum 53 quarts hydraulic reservoir (with filter)
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Minimum window washer reservoir fill of 3 quarts
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Lube for life drive line components
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Remote front axle pivot lubrication fitting
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	500 hour service interval for engine oil

WARRANTY

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Full machine warranty of 12 months, unlimited hours
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine warranty of two years or 2,000 hours
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Power train warranty of two years or 2,000 hours

BID PROPOSAL FORM
BACKHOE Contract No. 2017-01

SUBMIT TO: Town Manager's Office
Town of Kennebunkport
6 Elm Street
P.O. Box 566
Kennebunkport, Maine 04046

BID DATE: Wednesday, January 31, 2018, 1:00 p.m.

The undersigned hereby certifies he/she has examined and fully comprehends the requirements of these specifications for the above equipment and offers to furnish all labor, materials, equipment, supplies and related to do the work as detailed for the following lump sum price.

Model Bid CAT 420F 2 IT

Bid for Specified Equipment \$ 125,700.00

(In Numbers)

Expected Delivery Time after Receipt of Purchase Order CAT 420F2 IT IN STOCK

Deduct Alternate No. 1 (Allowance for Trade - In, See Section 1.10)

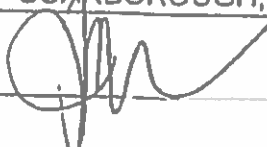
Amount: \$ 30,000.00 (in numbers)

NAME OF FIRM: MILTON CAT

ADDRESS: 16 PLEASANT HILL RD

SCARBOROUGH, ME 04074

AUTHORIZED SIGNATURE:



PRINT NAME AND TITLE: JEFF STOHRER/MANAGER

TELEPHONE: 207 883 9586

DATE: 01/22/2017

Required Attachments: 1. Detailed Backhoe Manufacturer Specifications with Specified Options

Section 3.03

Caterpillar 420F2 IT

BASIC SPECIFICATIONS

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Backhoe shall have a minimum digging depth of 14' 4" (4360 mm) with standard stick and 17' 11" (5442 mm) with extendible stick
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Turbocharged engine net flywheel horsepower shall be at least 93 HP (69 kW) according to SAE J1349
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine net peak power @ 1800 rpm shall be at least 105 HP (78kW) according to SAE J1349
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Machine to be equipped with an economy control function for maximum fuel efficiency
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Unit shall have a maximum overall transport height of 11 ft 9 in (3577 mm) with standard tires and standard stick
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Unit shall have a maximum overall transport height of 11 ft 11 in (3631 mm) with standard tires and extendible stick
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Unit shall have a maximum height to the top of the canopy of 9 ft 3 in (2819 mm) with standard tires
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum overall transport length shall be 23' 11" (7282 mm) with standard tires and standard stick
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Maximum overall transport length shall be 23' 11" (7288 mm) with standard tires and extendible stick
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Unit shall have a maximum width of 7' 7" (2322 mm) with a general-purpose bucket
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Unit shall have a minimum wheelbase of 7' 3" (2200 mm)

ENGINE

Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine must comply with U.S. EPA Tier 4 Final / EU Stage IV off road emission requirements
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Machine shall utilize Selective Catalytic Reduction (SCR)
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall have an economy mode to help maximize fuel efficiency, while maintaining backhoe performance
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Turbocharged engine net flywheel horsepower shall be at least 93 HP (69 kW) @ 2200 RPM according to SAE J1349
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Turbocharged engine net flywheel horsepower shall be at least 94 HP (70 kW) @ 2200 RPM according to ISO9249
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Turbocharged engine net peak flywheel horsepower shall be at least 105 HP (78 kW) @ 1800 RPM according to SAE J1349
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Turbocharged engine net peak flywheel horsepower shall be at least 106 HP (79 kW) @ 1800 RPM according to ISO 9249
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Net peak torque at 1400 rpm shall be not less than 322 ft-lb (436 N-m) with 46% torque rise
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine compartment side panels shall have standard noise reduction and heat control insulation
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Units shall be equipped with a turbocharged, four cylinder, direct injection diesel engine with high strength, cast iron alloy single block design for high strength and long life
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have three-ring pistons made of lightweight, silicon/aluminum alloy for strength and maximum thermal conductivity
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have a forged chrome/molybdenum-steel crankshaft with salt bath nitro carburized pins and journals
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have front and rear crankshaft oil seals that are "lip" type Viton and PTFE designs featuring an integral dust lip
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have nitrided, martensitic chrome silicon steel inlet valves and nitrided, austenitic chrome manganese-nickel steel exhaust valves for durability.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have a high strength, deep skirt cylinder block that is a cast iron alloy, monobloc design for increased strength and long life.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have a high strength cylinder head that is a cast iron alloy construction with extra duty wall and deck thickness, including intake and exhaust ports that are precision cast to promote optimum gas flow.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have a high pressure, direct injection fuel system providing accurate fuel delivery with a mechanically driven fuel transfer pump for reliability.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall have a fuel filtration rating of no more than 10-micron for the primary fuel filter / water separator.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall have a secondary fuel filter with a rating of no more than 4-microns.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall have a vertical spin-on fuel filters.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall be equipped with electric fuel priming pump as standard equipment.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall have a water/sediment bowl with water separator service indicator light.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have an internally mounted, dry-type, perimeter seal air cleaner with an integral pre-cleaner, automatic dust ejection system, and filter condition indicator.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine will have a standard glow plug starting aid for efficient cold weather starting to -20 degrees F (-28 degrees C) without using ether.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	The engine shall have a high contact ratio gear train, peripheral fixed isolation top cover and open deck block design to reduce bare engine noise.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Heat exchangers shall be located within the engine compartment for easy service access
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall be protected to a minimum -34 degrees F (-36.7 degrees C) with extended life antifreeze that needs not to be replaced for 5 years.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall be protected to a minimum -58 degrees F (-50 degrees C) with extended life antifreeze that does not need to be replaced for 5 years.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine cooling fan shall have a heavy-duty guard that fully prevents human contact while in operation.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Radiator shall have a heavy-duty guard to resist continued impact at low speeds.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Coolant circulation shall be provided by a gear-driven water pump, not solely belt driven, to prevent accessory belt slip and continue coolant circulation in the event of a belt failure.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall be equipped with an alternator that has a charging capacity of minimum 150 amperes
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall be equipped with 2 (two) maintenance-free 880 CCA batteries.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Engine shall be equipped with a 12-volt direct-electric starting and charging system.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Factory installed plug in block heater

[illegible]

All hydraulic hoses restrained by rubber grommets and steel band clamps shall have full protective coverage by the rubber grommet, preventing cuts and chafing by the band clamps.

[illegible]

Heavy-duty rear axle shall be semi-floating with self-adjusting inboard brakes

Y ☒ N ☐

Y ☒ N ☐

Y ☒ N ☐

Y ☒ N ☐

Front tires shall ride inside loader bucket cutting width

Y ✓ N _____
Y ✓ N _____
Y ✓ N _____
Y ✓ N _____
Y ✓ N _____
Y ✓ N _____
Y ✓ N _____

Cargo net liner shall be available for additional storage

Caterpillar Spec Page 3
of 6

[illegible]

BACKHOE

[illegible]

Caterpillar Spec Page 4
of 6

[illegible]

LOADER

[illegible]

SERVICEABILITY

Y N
Y N
Y N
Y N
Y N
Y N

Caterpillar Spec Page 5
of 6

Caterpillar 420F2 IT

Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐

Swing cast shall utilize serrated pins and dimpled bearings for grease rotation
Machine shall have easily accessible jumper posts to aid in jump-starting machine or other machines
The hydraulic tank shall be drained through a petcock and drain hose, without need for hand tools
The rear axle shall have brake wear check ports, allowing access to inspect brake pad wear.
The machine will be equipped with an electronic diagnostic port within the operator station, allowing service codes to be downloaded and electronic parameters to be adjusted
Fuel tank shall contain a debris screen
Machine fault codes shall be accessible from LCD screen
The unit shall be provided with a master electrical disconnect switch
Extendible stick shall be field adjustable using common hand tools

MINIMUM SERVICE FILL CAPACITIES

Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐

Standard front axle capacity (4WD) shall not be less than 2.9 gallons (11 L), with planetary capacity no less than 0.2 gallons (0.7 L)
Standard rear axle capacity shall not be less than 4.4 gallons (16.5 L)
Standard high-ambient cooling system capacity shall not be less than 5.9 gallons (22.5 L)
Standard engine oil with filter capacity shall not be less than 2.3 gallons (8.8 L)
Standard fuel tank capacity shall not be less than 42 gallons (160 L)
Standard diesel exhaust fluid tank capacity shall not be less than 5 gallons (19 L)
Standard hydraulic system capacity shall not be less than 25.1 gallons (95 L).
Standard hydraulic tank capacity shall not be less than 10.6 gallons (40 L)
Standard transmission (4WD, Power Shuttle) capacity shall not be less than 4.0 gallons (15 L)

OWNING AND OPERATING COSTS

Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐

Front axles shall have sealed king pin and center pendulum bearings
Driveshaft universal joints shall be maintenance free
Standard fill hydraulic oil must be Advanced HYDO 10 with up to 6000hr service interval in typical applications
Load Sensing Variable Displacement pump shall be standard for optimized fuel efficiency and performance
Front and Rear Axle Oil change shall have a 1000- hour change interval for lowering operating maintenance cost
Cooling System shall have a 12,000-hour change interval for lowering operating maintenance cost
Engine shall have a 500-hour oil change interval for lowering operating maintenance cost.

ADDITIONAL FEATURES

Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐
Y ☒ N ☐

OEM front fenders, articulating with the tires for maximum coverage, shall be dealer installed and delivered with machine
OEM rear fender extensions shall be dealer installed and delivered with the machine Not offered
Full machine warranty of 12 months, unlimited hours
Engine warranty of two years or 2,000 hours
Power train warranty of two years or 2,000 hours



Agenda Item Divider



11

WASTEWATER SEWER-USE ORDINANCE
TOWN OF KENNEBUNKPORT
KENNEBUNKPORT, MAINE

Adopted March 1985
Amended 9/12/85
8/14/86
5/28/87
6/11/91
1/26/95
3/09/95
9/01/98
10/09/03
08/13/09
/18

SEWER-WASTEWATER USE ORDINANCE TABLE OF CONTENTS

Article I	Purpose, Authority, Scope, and Intent	P. 03
Article II	Definitions	P. 04
Article III	Use of Public Sewers Required	P. 08
Article IV	Private Wastewater Disposal	P.10
Article V	Building Sewers and Connections	P. 11
Article VI	Sewer Extensions	P. 14
Article VII	Use of Public Sewers	P. 20
Article VIII	Sewer Capacity Allocations	P. 24
Article IX	Lapse of Sewer Permit and Entitlement to Sewer Capacity	P. 25
Article X	Protection from Damage	P. 26
Article XI	Power and Authority of Inspectors	P. 26
Article XII	Penalties	P. 27
Article XIII	Sewer Service Charge	P. 28
Article XIV	Licensing of Persons Authorized to Make Connection to the Public Sewers	P. 30
Article XV	Septic Waste	P. 31
Article XVI	Validity	P. 31
Article XVII	Appeals	P. 32
Article XVIII	Effective Date	P. 33

SEWER-WASTEWATER USE ORDINANCE

ARTICLE I - PURPOSE, AUTHORITY, SCOPE AND INTENT

Sec. 1. This Ordinance shall be known and may be cited as the "Town of Kennebunkport Wastewater Sewer Use Ordinance" and will be referred to herein as "this Ordinance."

Sec. 2. The purpose of this Ordinance is to promote the health, comfort, public convenience and general welfare of the citizens of the Town of Kennebunkport by eliminating existing pollution, preventing further pollution and controlling sewerage systems through regulations and restrictions. This Ordinance shall restrict and regulate the accumulation, transportation, treatment and disposal of sewage in such a manner that the creation of any sewerage system, whether public or private, industrial or residential, shall not result in pollution, health hazards or other nuisances for the citizens of the Town of Kennebunkport.

Sec. 3. This Ordinance contains the rules and regulations adopted by the Municipal Officers to govern the Kennebunkport Sewer System under the authority granted in Title 30-A M.R.S.A. §§ 5410-5415, 3401-3409, 3421-3428, and 3442-3445 as amended; and in all other applicable state statutes. The Board of Selectmen, being the Municipal Officers of the Town of Kennebunkport, shall have the authority granted under these provisions to administer, enforce, amend or repeal this Ordinance, or any clause or provision thereof, as may be necessary or desirable, in the judgment of the Board of Selectmen, for the efficient operation of any sewerage system.

Sec. 4. This Ordinance shall completely supersede all other sewer ordinances enacted by the Town of Kennebunkport prior to the date of the enactment of this Ordinance, which other ordinances are hereby repealed, except as otherwise noted herein. Hereafter any person owning any building or structure within the Town of Kennebunkport which is the source of sewage and/or industrial waste or who proposes to erect such building or structure, shall conform to the requirements of this Ordinance.

ARTICLE II - DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

"Abutting Property": Any lot that is physically contiguous with the subject lot even if only at a point, and any lot which is located directly across the street or right of way from the subject lot such that the extension of the side lines of the subject touch or enclose the abutting property.

"Apartment, Accessory." A separate dwelling unit which is located within and subordinate to a single family detached dwelling, which dwelling was in existence on March 6, 1972, as permitted under the Town of Kennebunkport Land Use Ordinance.

~~"Assistant-Superintendent" "Deputy Director of Public Works." Shall have all the duties and powers of the Superintendent Director of Public Works when the Superintendent is unavailable.~~

"Bed and Breakfast." A business establishment having, nine (9) or fewer guest rooms in which lodging is offered to guests for compensation and meals may be offered for compensation only to the lodgers.

"BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Celsius, expressed in milligrams per liter.

"Board of Selectmen." The duly elected Board of Selectmen of the Town of Kennebunkport.

"Building." Any structure arranged, designed, intended or used for the shelter, housing or enclosure of persons, animals, processes, equipment or property of any kind.

"Building Drain." That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside walls of the building and conveys it to the building sewer. The building drain extends eight (8) feet outside the inner face of the building wall.

"Building Sewer" or "Building Connection." The extension from the building drain to the public sewer or other place of disposal. ~~The building sewer is the responsibility of the owner of the building from the building to the sewer main in the street or from the building to the grinder pump chamber~~ AKT1].

"Campground." A business establishment operated as a recreational site for tents, trailers, recreational vehicles or other forms of temporary shelter.

"Change of Use." The change from an existing use to another use, including without limitation, the addition of a new use to an existing use.

"Church." A building or group of buildings arranged, designed, intended or used for the conduct of religious services, and accessory uses associated therewith.

"Club." Any voluntary association of persons organized for fraternal, social, religious, benevolent, recreational, literary, patriotic, scientific, or political purposes whose facilities are open to members but not the general public, and which is principally engaged in activities which are not customarily carried on for pecuniary gain.

"Combined Sewer." A sewer intended to receive both wastewater and storm or surface water.

"Company." Any industrial or commercial establishment with a liquid waste discharge.

"Connection fee." A charge established for the connection of any building or property to a sanitary, combined or interceptor sewer within the town. The purpose of the connection fee is to ensure that new users and current users with change of use or increased flows bear a reasonably proportionate share of the cost of capital expenditures necessary to replace and upgrade sewer facilities in order to maintain excess capacity within the system [AKT2].

"Director of Public Works." The Director of the Public Works Department for the Town of Kennebunkport, or his or her duly authorized deputy, agent, representative or inspector.

"Dwelling." Any building or structure or portion thereof containing one or more dwelling units, but not including a motel, hotel, inn, or similar unit.

~~(A) Single Family Dwelling—A building designed or intended to be used exclusively for residential occupancy by one family only and containing only one (1) dwelling unit, or one dwelling with an accessory apartment as permitted by the Kennebunkport Land Use Ordinance. A single family dwelling and any accessory apartment located therein shall be constructed on one continuous foundation and under one continuous roof; no part of the dwelling unit shall be located in a detached building or structure.~~

~~(B) Two Family Dwelling—A building designed or remodeled to be used exclusively for residential occupancy by two (2) families living independently of one another and containing two (2) dwelling units. Each unit shall have not less than 650 square feet. The dwelling shall have only one (1) front entrance, and all other entrances shall be on the side or in the rear of the dwelling. An entrance leading to a foyer with entrances leading from the foyer to the two (2) dwelling units is permitted. One dwelling shall be subordinate in size. The subordinate unit shall not be permitted a Home Occupation. A two family dwelling shall be constructed on one continuous foundation and under one continuous roof; no part of the dwelling unit shall be located in a detached building or structure.~~

~~(C) Multiplex Dwelling—A building designed or intended to be used exclusively for residential occupancy by three (3) or more families living independently of one another and containing three (3) or more dwelling units, including apartment buildings and~~

~~condominiums but excluding single-family dwellings with an accessory apartment permitted by the Kennebunkport Land Use Ordinance [AKT3].~~

"Dwelling Unit." One or more habitable rooms arranged, designed or intended to be used, or used as a complete housekeeping unit for one or more individuals living together as a family with independent living, cooking, sleeping, bathing and sanitary facilities.,

"Easement." An acquired legal right for the specific use of land owned by others.

"Family." One or more persons occupying a dwelling unit and living together as a single housekeeping unit where all occupants use and access to all living and eating areas, bathroom and food preparation and serving areas.

~~**"Floatable Oil."** Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floating oil if it is properly pretreated and the wastewater does not interfere with the collection system [AKT4].~~

"Foundation." The supporting substructure of a building or other structure including but not limited to basements, slabs, posts or frost walls.

"Frontage on the Sewer" shall exist if the public sewer line passes between the side lot lines of the property in question, as determined by drawing perpendicular lines across the roadway from the points of intersection of the property side lot lines.

"Garbage." Solid waste from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

"Garbage, Properly Shredded." The wastes from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

"Gas Station." A business establishment selling fuel and related products for motor vehicles.

"Hotel." A building or group of buildings having ten (10) or more guest rooms in which lodging, or meals and lodging, are offered for compensation, including motels, tourist courts, motor lodges and cabins.

"Industrial Wastes." The liquid waste from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

"Inn." A business establishment having nine (9) or less guest rooms in which lodging is offered to guests for compensation and meals may be offered for compensation only to lodgers and to the general public [AKT5].

"Lot." An area of land in one ownership, or one leaseholder with ascertainable boundaries established by deed or other instrument of record, or a segment of land ownership defined by lot boundary lines on a subdivision plan approved by the Planning Board and recorded in the York Country Registry of Deeds.

"Lot Frontage." The horizontal distance measured in a straight line connecting the intersection of the front lot line with the side lot lines.

"Lot Lines." The property lines bounding a lot as defined below:

- a. **Front Lot Line:** On an interior lot the line separating the lot from the street or private road. On a corner or through lot, the line separating the lot from each street or right-of-way.
- b. **Rear Lot Line:** The lot line opposite the front lot line. On a lot point at the rear, the rear lot line shall be an imaginary line between the side lot lines parallel to the front lot line, not less than ten (10) feet long, lying farthest from the front lot line. On a corner lot, the rear lot line shall be opposite the front lot line of least dimension.
- c. **Side Lot Line:** Any lot line other than the front lot line or rear lot line.

"Motel." See Hotel.

"Natural Outlet." Any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

"Owner." The person or persons, natural or corporate, in whom for the time being title is vested in real property situated in the Town.

"Person." Any individual, firm, company, association, society, corporation or group.

"pH." The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Public Sewer." A common sewer in which all owners of abutting properties have equal rights and is controlled by public authority. The term "public sewer" shall include the Town of Kennebunkport Wastewater Treatment Plant and Public Sewer System the main line only, not the house services.

"Pollutant" shall include but is not limited to dredged spoil, solid waste, junk, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt, and industrial, municipal, domestic, commercial, or agricultural waste of any kind.

"Restaurant." An establishment where food and drink are prepared and served to the public and where no food or beverages are served directly to the occupants of motor vehicles.

"Roomer." A person residing in and paying rent for a room in a single-family dwelling whether or not the person eats meals on the premises.

"Sanitary Sewer." A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

"Selectmen." The duly elected members of the Town of Kennebunkport Board of Selectmen.

"Sewage." A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.

"Sewage Works." Facilities for collecting, pumping, treating, and disposing of sewage.

"Sewer." A pipe or conduit for carrying sewage.

"Sewer Extension." Any addition to the public sewers of the Town of Kennebunkport whether located in a public way or on private property and whether constructed at public or private expense, provided that the term "sewer extension" shall not include building sewers and connections governed by Article V.

"Sewer Unit." The source of sewage classified by land use and activity calculated to determine sewer connection fees and service charges AKT6J.

"Shall." is mandatory; "may" is permissive.

"Slug." Any discharge of water, sewage, or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than two (2) times the average twenty-four (24) hour concentration of flows during normal operation.

"Storm Drain." or "Storm Sewer." A sewer, which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than, unpolluted cooling water.

~~"Superintendent." The Superintendent of the Water Pollution Control Facilities of the Town of Kennebunkport or his duly authorized deputy, agent, representative or inspector.~~

"Suspended Solids." Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, which are removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Waste and Wastewater" published by the American Public Health Association and referred to as non-filterable residue.

"Town." The Town of Kennebunkport, County of York, State of Maine.

"Watercourse." A channel in which a flow of water occurs, either continuously or intermittently.

"Water Pollution Control Facility." The arrangement of devices and structures used for treating sewage and sludge (Wastewater Treatment Plant).

ARTICLE III - USE OF PUBLIC SEWERS REQUIRED

Sec. 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other waste constituting a hazard to health. Exceptions may be granted by the Selectmen to an owner or lessee acting in the normal course of farm or garden operations.

Sec. 2. It shall be unlawful for any person to discharge to any natural outlet in any area under the jurisdiction of the Town any sewage or other polluted water, except where suitable treatment has been provided in accordance with this Ordinance and/or any other applicable laws, rules or regulations.

Sec. 3. It shall be unlawful for any person to construct or use any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage, if at the time such person is required by Section 4 of this Article III to connect toilet facilities in or on his property with a public sanitary sewer.

Sec. 4. Every building intended for human habitation, occupancy, employment, recreation or any other purpose situated within the Town, shall be provided with suitable and sufficient sanitary facilities for the use of the occupants thereof. Said facilities in character, number and method of installation shall comply with all applicable laws, rules and regulations including, but not limited to ordinances of the Town, health laws of the State of Maine and rules and regulations of the State Bureau of Health so far as the same are compatible and not inconsistent. In the event any such laws, rules, and regulations are inconsistent, the stricter provision (s) shall apply.

Sec. 5. The owner of any house, building or other structures used for human occupancy, employment, recreation or other purpose, which is situated within the Town and on land that has frontage abutting street, alley or right-of-way containing a public sanitary sewer of the Town, provided any part of the foundation thereof is within two hundred (200) feet of such public sanitary sewer, or is otherwise required by the State Plumbing Code for the State of Maine to do so, is hereby required at the property owner's own expense to connect the suitable sanitary facilities as described in Article III, Section 4 above, directly with such public sanitary sewer in accordance with this Ordinance within ninety (90) days after date of official notice to do so. The requirement set forth in this section shall be subject to the availability of sewer capacity as determined by the Sewer-SuperintendentPublic Works Director, or Selectmen, as the case may be according to the terms of this Ordinance.

Sec. 6. Notwithstanding any other provision of this Ordinance, a determination by the ~~Sewer Superintendent~~Public Works Director that a grinder pump would be necessary for the particular property owner to connect to the public sewer shall constitute an unnecessary hardship, and that property owner shall be relieved of any obligation to connect to the public sewer. This exemption shall NOT apply if:

- A. The grinder pump is supplied to the property owner by the Town; or
- B. The existing septic system for that property is malfunctioning, in which case connection to the public sewer shall be required notwithstanding the need and associated cost of installing a grinder pump or a solids handling pump, unless a variance is obtained under Article XVII.

ARTICLE IV - PRIVATE WASTEWATER DISPOSAL

Sec. 1. Where a public sanitary sewer is not available under the provisions of Article III, Section 4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article and the State of Maine Plumbing Code, Part II Subsurface Wastewater Disposal Regulations, as amended.

Sec. 2. Before commencement of construction of a private wastewater disposal system the owner(s) shall first obtain a written permit signed by the licensed plumbing inspector. The application for such permit shall be made on a form furnished by the Town, which shall comply with the requirements of the Division of Health Engineering, Maine Department of Human Services, which the applicant shall supplement with any plans, specifications and other information as deemed necessary by the plumbing inspector. A permit and inspection fee in accordance with State of Maine Plumbing Code, Chapter 241, shall be paid at the time the application is filed.

Sec. 3. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the plumbing inspector. The plumbing inspector shall be allowed to inspect the work at any stage of construction and in any event, the applicant for the permit shall notify the plumbing inspector when the work is ready for final inspection and before any underground portions are covered.

Sec. 4. The type, capacities, locations, and the layout of a private wastewater disposal system shall comply with the State of Maine Plumbing Code – Subsurface Wastewater Disposal Regulations as amended, and the Minimum Lot Size Law.

Sec. 5. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Article III, Section 4 of this Ordinance, a direct connection from the building sewer to the public sewer shall be made within ninety (90) days. Upon the expiration of said 90 - day period, the property owner shall cease to use any septic tanks, cesspools and similar private wastewater disposal facilities and said facilities shall be cleaned of

sludge and filled with clean bank run gravel or dirt, or completely removed, within thirty (30) days of abandonment. The requirement set forth in this section shall be subject to the availability of sewer capacity as determined by the ~~Sewer Superintendent~~Public Works Director, or Selectmen, as the case may be according to the terms of this Ordinance.

Sec. 6. The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town.

Sec. 7. The Town's Health Officer, Building Inspector, or Plumbing Inspector shall construe no statement contained in this Article to interfere with any additional requirements that may be imposed.

ARTICLE V - BUILDING SEWERS AND CONNECTIONS

Sec. 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the ~~Superintendent~~Public Works Director. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the ~~Superintendent~~Public Works Director at least forty-five (45) days prior to the proposed change or connection and shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Subchapter 1, Subsection 361, as amended.

Sec. 2. There shall be two (2) classes of building sewer permits: (a) for residential and (b) commercial service, for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the ~~Sewer Superintendent~~Public Works Director. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the ~~Superintendent~~Public Works Director. A permit and inspection fee of one dollar (\$~~2~~4.00) per gallon based on the Design Flows Tables 501.1 and 501.2 in the Maine Subsurface Wastewater Disposal Rules residential or commercial building sewer permit shall be paid to the Town at the time the application is filed.

Sec. 3. A sewer connection application shall be applied for and the fees shall be paid for, whenever a homeowner applies for a building permit that will increase the flows from that structure into the collection system.

Sec. 4. All cost and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 5. A separate and independent building sewer shall be provided for every building requiring a sewer connection, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear

building and the whole considered as one building sewer. A deed restriction shall be placed on both properties stating that they have joint ownership in the sewer connection and will maintain it jointly; and the owners of both properties shall be jointly and severally liable for any cost or expense of installation and connection as provided by Section 3 of this Article V.

Sec. 6. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the SuperintendentPublic Works Director, to meet all requirements of this Ordinance. The applicant shall pay for all cost for examination and testing.

Sec. 7. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing the pipe, jointing, testing, and back filling the trench, shall all conform to the requirements of the buildings and plumbing code or other applicable rules and regulations of the Town. ~~In the absence of building and plumbing code provisions or in amplification thereof, the specifications set forth in "Wastewater Collection System" prepared for the Town by Woodard & Curran Inc. (July 1991) shall also apply.~~

Sec. 8. Whenever possible, the building sewer shall be brought from the building at an elevation above the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a grinder pump or a solids handling pump and discharged to the building sewer.

Sec. 9. No person shall connect any roof downspout, exterior foundation drain, area drain, or other source of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the SuperintendentPublic Works Director for purposes of disposal of polluted surface drainage.

Sec. 10. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code of other applicable rules and regulations of the Town. ~~In the absence of building and plumbing code provisions or in amplification thereof, the specifications set forth in "Wastewater Collection System" prepared for the Town by Woodard & Curran Inc. (July 1991) shall apply.~~ The connection of the building sewer into the public sewer shall be made at the curb fitting if provided or at the "Y" branch if such branch is available at a suitable location. On direction of the SuperintendentPublic Works Director, where no "Y" branch is available, a neat hole shall be cut, by machine, into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of forty-five (45) degrees with an approved saddle or clamp-type fitting. Such connection shall be completely watertight at the location specified by the SuperintendentPublic Works Director or his Designee ("The Inspector") and shall be completed under the supervision and in the presence of the Inspector, and as directed by and to the satisfaction of the Inspector.

Sec. 11. The applicant for the building sewer permit shall notify the SuperintendentPublic Works Director twenty-four (24) hours before the building sewer is ready for inspection and connection to the public sewer. All inspections shall be performed during regular working hours. Any inspections requested after the regular working hours or on weekends will be assessed an additional inspection fee of one and one-half (1.5) times the Inspector's normal rate and any other fees that may apply.

Sec. 12. All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and/or other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

Sec. 13. When any building or other structure previously served by a connection to any public sewer or drain is demolished, destroyed, abandoned or altered so that any drain or portion of an abandoned plumbing system which is directly or indirectly connected to any public sewer or drain is no longer used and is not connected to the drainage system of the building or structure, the open end of such which discharged, directly or indirectly, into a public sewer or drain shall be promptly closed and sealed to the satisfaction of the SuperintendentPublic Works Director, so that no water or wastes not otherwise permitted to enter the public sewer or drain shall be so discharged therein. The SuperintendentPublic Works Director shall be notified of such abandonment or discontinuance, and of the closing and sealing of such drain, and shall be afforded an opportunity to see such work performed. All of said work shall be done by the person or party demolishing the building or structure or who alters the drainage of the premises so to make such closing and sealing necessary. In the event such person fails to perform said work, the work shall be done by the owner, lessee or tenant of the premises to the satisfaction of the SuperintendentPublic Works Director, all without expense to the Town.

Sec. 14. Unless exempted under subparagraph (B) below, every person seeking to, or required to, make connection with the public sewer system shall pay the charge under this section. Such charge is in addition to any other charge imposed by this Ordinance.

- A. The connection fee for each sewer unit change-charge imposed under Article XIII shall be \$3,500^[AKT7]. For those uses to be assigned a special charge under that Article, the connection charge-fee^[AKT8] shall be established by the Selectmen. Any person seeking to make connection shall fill out an appropriate form provided by the SuperintendentPublic Works Director. When the form has been approved and the fee paid, the SuperintendentPublic Works Director shall notify the Building Inspector. No building permit or occupancy permit may be issued until the fee has been paid.

~~(B) Any building or structure in existence or for which a building permit has been obtained prior to July 1, 1986, is exempted from the charge under this Section 13 for the initial building or structure connection to the Public Sewer System, except as provided in subparagraph (C) below.~~

- B. ~~After July 1, 1986, for~~ For any change of use within a building, or expansion or alteration to a building, which results in an increase in the sewer unit charge imposed under Article XIII, a connection charge fee is due for each additional sewer unit change.
- C. All charges connection fees generated by this section shall be placed in a non-lapsing fund, to be known as the "Water Pollution Control Facility Fund," to be used for improvements to or expansion of or replacement of the existing treatment plant and facilities.

Sec. 15. After the building sewer is connected to ~~collection system~~ the public sewer the owner of the building sewer shall maintain the building sewer from the building to the sewer main public sewer. [EJG9]

ARTICLE VI - SEWER EXTENSIONS

Sec. 1. Sewer Extensions within Public Way at Public Expense. Sewer extensions to be located within public ways and individual building sewers to five (5) feet from the edge of the pavement the property line may be constructed by the Town at public expense if the voters of the Town acting at an annual or special town meeting authorize such an extension and appropriate the necessary funds therefore. Under this arrangement, each property owner shall pay for and install the building sewer from the public sewer to his or her residence or place of business in accordance with the requirements of Article V. Property owners may request that an article authorizing such a sewer extension and appropriating the necessary funds therefore be included in the warrant of the next annual town meeting by filing a written petition signed by a majority of the benefiting property owners with the Selectmen at least ninety (90) days prior to the annual meeting. Prior town meeting approval is required before the project may be built at public expense.

Sec. 2. Sewer Extensions within Public Way at Private Expense. If the Town does not elect to construct a sewer extension within a public way at public expense, or upon proper application, any property owner, builder or developer may offer to make an unconditional gift to the Town of a sewer extension to be constructed within a public way at the property owner's own expense under a private contract. The property owner, builder, or developer offering to make such an unconditional gift to the Town shall follow the requirements outlined below:

(A) Submission Requirements:

The applicant will submit an application provided by the Sewer Wastewater Department to the Superintendent Public Works Director along with the following materials:

1. An application fee in an amount equal to the greater of Five dollars (\$5.00) per linear foot of pipe for the proposed sewer extension, or Five hundred dollars (\$500.00) per sewer unit charge which will be assessed under Article XIII, Sec. 2 against the buildings which the applicant intends to construct, develop or provide with sewer service in connection with the proposed sewer extension. These fees shall also include any sewer

units that are on abutting properties that will be able to connect to this extension. Such application fees shall be placed in a separate non-lapsing account to be used by the Town for the purpose of paying the costs of publishing legal notices, holding public hearings, reviewing sewer extension applications and studying the impacts thereof in accordance with the provisions of this Article.

2. Conceptual drawings and specifications for the project. Project drawings and specification must be submitted electronically and on paper copies.
3. A survey showing the location of the property and the proposed sewer extension. This information shall be submitted as a paper drawing and electronically in the DWG format for use with AutoCAD. The digital transfer of any subdivision plan data shall be delivered on the Town's chosen Horizontal Datum: Maine State Plane Coordinate System: Maine West Zone FIPS Zone 1802, North American Datum 1983; Units: US Survey Feet.

~~—The preferable vertical datum is North American Vertical Datum 1988 (NAVD88). However, if only National Geodetic Vertical Datum 1929 (NGVD29) is possible, this is — permissible. The choice of vertical datum must be indicated on the digital submission.—~~ The Ellipsoid is GRS 80 (Geodetic Reference System 1980).

~~—Data shall have survey grade positional accuracy. Data could be developed using either Real Time Kinematic (RTK) GPS, survey-grade Static GPS data collection or traditional methods of occupying known, high-precision surveyed monuments. The datum, survey methods, and type of survey equipment used shall be identified.~~

4. A list of all the property owners and mailing addresses that are within two hundred (200) feet of the proposed sewer extension property boundaries. This list shall be submitted on paper and electronically and be able to be used with MS Word format.
5. Proof of the ability to secure an irrevocable letter of credit or post cash or other cash equivalent in a form acceptable to the Board of Selectmen in an amount equal to one hundred twenty-five percent (125%) of the estimated cost of the project. The letter of credit or the cash security will remain in effect until after the guaranty has expired.
6. Any other information the Town may require on a case-by-case basis.

If any easements, rights, title, or interests to other properties are required for the construction of the sewer extension, the property owner, builder, developer or applicant must have acquired them before the Town will make any review.

(B) Review of Extension Application:

The ~~Superintendent~~**Public Works Director** shall immediately give the completed application to the Secretary of the Planning Board who shall refer it to the Planning Board. The

Planning Board shall schedule a public hearing to be held within sixty (60) days of receipt of a completed application as determined by the ~~Superintendent~~Public Works Director.

At least ten (10) days prior to the hearing date, the Secretary to the Planning Board shall publish a notice of the hearing in a newspaper of general circulation in the Town. The notice shall identify generally the route of the proposed extension, the name of the applicant, and the time and place of the public hearing.

Notice of the hearing shall be sent by the Town by certified mail to the owners of all property within two hundred (200) feet of the property boundaries of the project at least seven (7) days in advance of the hearing. The owners of abutting property shall be considered to be those shown on the tax lists as those against whom taxes are assessed. The Planning Board shall maintain as a part of the record for each case a completed list of all property owners so notified. Failure of any property owner to receive a notice shall not necessitate another hearing or invalidate the action of the Planning Board.

At the hearing, the applicant, ~~Superintendent~~Public Works Director, and any other interested person may be heard. The public hearing may be continued to a later date at the discretion of the Planning Board.

With the approval of the Town Manager, the Planning Board may arrange for a study of the likely impacts of the proposed sewer extension. Such study shall address but not be limited to the following issues:

1. Whether there are reasonable alternative methods of sewage disposal at the site or sites to be served by the proposed extension;
2. Whether the proposed extension will result in significant benefit or harm to environmental quality;
3. Whether the proposed extension will provide economic benefits or will significantly increase costs to the Town;
4. Whether the proposed extension will tend to significantly increase residential, commercial or industrial development in the area to be served by the extension and whether such increase is compatible with the Town's Comprehensive Plan; and
5. Such other issues as the Planning Board may direct.

Within forty-five (45) days of the close of the public hearing or receipt of the results of the Planning Board's study, whichever is later, the Planning Board shall issue a written recommendation to the Board of Selectmen as to whether the sewer extension project should be built and whether the proposed unconditional gift of such extension to the Town should be accepted or refused and shall state the reasons for its recommendation.

With the approval of the Town Manager, the ~~Sewer-Superintendent~~Public Works Director may arrange for a study of the likely impacts of the proposed sewer extension. Such study may address but not be limited to the following issues:

1. Whether the proposed extension will significantly increase or decrease user fees within the Town;
2. Whether the proposed extension will be compatible with future or planned extensions of the sewer system within the Town;
3. Whether the increase in sewage resulting from the proposed extension can be adequately handled by the existing treatment plant, pumping stations and other facilities;
4. Such other issues as the ~~Superintendent~~Public Works Director may direct.

Within forty-five (45) days of the close of the Planning Board's public hearing or receipt of the results of the ~~Superintendent~~Public Works Director's study, whichever is later, the ~~Superintendent~~Public Works Director shall issue a written recommendation to the Board of Selectmen as to whether the sewer extension project should be built and whether the proposed unconditional gift of such extension to the Town should be accepted or refused and shall state the reasons for its recommendation.

The studies requested by the Planning Board and/or the ~~Sewer-Superintendent~~Public Works Director shall be paid for from the non-lapsing account established under this Section or by such other monies as may be properly authorized. In the event that the costs associated with any of the studies exceed (80%) eighty percent of the application fees, the applicant will be assessed additional fees to cover the cost of doing the studies.

Following the receipt of the Planning Board's and ~~Superintendent~~Public Works Director's recommendations, the Board of Selectmen shall approve or deny the project.

(C) Acceptance of Unconditional Gift by Town Meeting:

All sewer extensions, including any pumping stations, constructed at the property owner's or applicant's expense, together with a sewer easement in a form satisfactory to the Selectmen, must be offered to the Town as an unconditional gift.

Following the Selectmen's approval of the project but prior to the Selectmen's insertion of an article in the warrant, the property owner, builder or developer must submit plans and specifications for the proposed sewer extension to the ~~Sewer-Superintendent~~Public Works Director for his review, including a complete set of drawings on paper and on a computer disk in the Auto-Cad format (DWG), showing the equipment as proposed to be installed. The ~~Superintendent~~Public Works Director must approve said plans and specifications before any work is commenced and before an article can be placed in the warrant.

Following the SuperintendentPublic Works Director's approval of the plans, specifications and drawings, the Selectmen shall insert an article in the warrant of the next annual or special town meeting to see if the Town will vote to accept the proposed unconditional gift of the sewer extension that will be in the Towns road way. A special town meeting may be called to address this one item if the applicant agrees to bear the cost of the meeting. The recommendations of the Planning Board and Sewer-SuperintendentPublic Works Director may be set forth as an informational item beneath the article in the warrant calling the annual or special town meeting.

The article included in the warrant shall require as a condition to acceptance of the proposed gift that the applicant shall 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 SuperintendentPublic Works Director as referenced in Section E below. The amount of the guarantee shall be increased if the cost of the project, as determined by final bids, is significantly higher than the estimated costs furnished to the Planning Board. The Town Manager shall order such adjustment to be made if needed to provide security equal to one hundred twenty-five (125%) of the cost of the project. The article included in the warrant shall also provide that acceptance of a sewer extension to be constructed at private expense shall be subject to prior approval of the contractor and the terms of the construction contract by the Selectmen.

(D) Construction and Inspection after Approval by Town Meeting:

If the Town votes to accept the proposed gift of a sewer extension to be constructed in a public way under private contract, the applicant must obtain all permits required under existing ordinances and state law, including a permit from the Board of Selectmen. All construction shall at least meet the minimum design and construction specifications provided by the Town, which shall be given to the property owner, builder or developer at the time a permit is obtained. No construction or work on the sewer extension project may begin until (1) the SuperintendentPublic Works Director has approved the plans and specifications submitted by the property owner, builder or developer, and (2) the unconditional gift of the sewer extension has been accepted by the Town meeting.

Each building sewer must be installed and inspected as required in Article V and the fees required under Article V shall be paid. The installation of the sewer extension shall be subject to periodic inspection by the SuperintendentPublic Works Director or his authorized representatives, who shall include a full time inspector if the SuperintendentPublic Works Director determines it to be in the Town's best interests. The expenses for said inspection shall be paid for by the owner, builder or developer. The SuperintendentPublic Works Director's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass all tests required in Article V before it is to be used.

It is the responsibility of the applicant to ensure compliance with all of the applicable requirements of the Maine Department of Environmental Protection (DEP), the federal Environmental Protection Agency (EPA) and the Town.

(E) Town Acquisition of All Sewer Extensions:

Within (30) thirty days after the installation, inspection of the project and the connection of 90% of the intended sewer units as described in Section 2(D) above, the owner shall convey title to said sewer extension to the Town, together with a perpetual sewer easement and maintenance easement. Said sewers and pump stations, after conveyance to the Town, shall be guaranteed by the property owner, builder, or developer against defects in materials or workmanship for twelve (12) months after acceptance by the Town, provided, however, that after completion of construction of the sewer line extension and acceptance thereof by the Town, but prior to the expiration of the twelve (12) month warranty period, the ~~Sewer Superintendent~~Public Works Director shall have discretion to release to the owner up to ninety percent (90%) of the guarantee amount upon the ~~Sewer Superintendent~~Public Works Director's determination that the sewer extension has been properly constructed, is free of defects in materials or workmanship and is operationally sound. The guarantee shall be in a form and in an amount acceptable to the Town Manager, who may act in consultation with the Selectmen, the ~~Sewer Superintendent~~Public Works Director, the Town's attorney, and any other appropriate persons.

Sec. 3. Sewer Extensions Located on Private Property at Private Expense. Any property owner may request permission of the Town to construct at the property owner's own expense a sewer extension on private property serving two (2) or more buildings. The property owner, builder, or developer shall offer to make an unconditional gift to the Town of a sewer extension to be constructed on private property at the property owner's own expense under a private contract. The property owner, builder, or developer offering to make such an unconditional gift to the Town shall follow the requirements outlined in Section 2(A) and (B) above.

Following the Selectmen's approval of the project, the property owner, builder or developer must submit plans and specifications for the proposed sewer extension to the ~~Sewer Superintendent~~Public Works Director for his review, including a complete set of drawings on paper and on computer disk in the Auto-Cad format (DWG), showing the equipment as proposed to be installed. The ~~Sewer Superintendent~~Public Works Director must approve said plans and specifications before any work is commenced.

Digital transfer of any subdivision plan data shall be delivered on the Town's chosen Horizontal Datum: Maine State Plane Coordinate System: Maine West Zone FIPS Zone 1802, North American Datum 1983; Units: US Survey Feet.

The preferable vertical datum is North American Vertical Datum 1988 (NAVD88). ~~However, if only National Geodetic Vertical Datum 1929 (NGVD29) is possible, this is permissible. The choice of vertical datum must be indicated on the digital submission.~~ The Ellipsoid is GRS 80 (Geodetic Reference System 1980).

Data shall have survey grade positional accuracy. Data could be developed using either Real Time Kinematic (RTK) GPS, survey-grade Static GPS data collection or traditional methods of occupying known, high-precision surveyed monuments. The datum, survey methods, and type of survey equipment used shall be identified.

Construction of a sewer extension on private property at private expense, however, need not be delayed until after a Town meeting vote to accept the proposed unconditional gift of the extension. Although the property owner, builder or developer must offer the sewer extension to the Town as an unconditional gift, if the unconditional gift is rejected the sewer extension will remain the property of the property owner and not the Town.

ARTICLE VII - USE OF PUBLIC SEWERS

Sec. 1. No person shall discharge or cause to be discharged any storm water surface waters, groundwater, roof run off, substance drainage, uncontaminated cooling water, or unpolluted commercial or industrial process waters to any public sanitary sewer.

Sec. 2. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm water sewers, or to a natural outlet approved by the Maine DEP and the SuperintendentPublic Works Director. Industrial cooling water or unpolluted process water may be discharged, on approval of the Maine DEP and the SuperintendentPublic Works Director, to a storm sewer or natural outlet.

Sec. 3. No person shall discharge or cause to be discharged any of the following described waters or waste to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas, which will create a fire or explosive hazard in the wastewater facilities.
- B. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or in interaction with other wastes, to injure or interfere with any sewer treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- C. Any water or waste having a pH lower than 6.50, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- D. Solids or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, sand, mud, straw, shavings, metal, glass, rags, bones, feathers, tar, plastics, wood, underground garbage, fibers, whole blood, paunch,

manure, hair and fleshings, entrails, paper, dishes, cups, milk containers, or other substances which are whole or ground by garbage grinders.

- E. Any waste or pollutants including oxygen-demanding pollutants (BOD, etc.) which released in quantities of flow or concentrations or both constitute a "slug" as defined in Article II.
- F. Any heated water or pollutants in amounts which will inhibit or interfere with biological activity in the waste water treatment works but in no case heated water or pollutants in such quantities that the temperature at the wastewater treatment works influent exceeds 104 degrees Fahrenheit (40 degrees Celsius); unless the wastewater treatment works is designed to accommodate such heat.

Sec. 4. No person shall discharge or cause to be discharged the following described substances, materials, water, or waste if it appears likely in the opinion of the SuperintendentPublic Works Director that such waste may harm the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving streams, or may otherwise endanger life, limb, public property, or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the SuperintendentPublic Works Director shall consider such factors as the quantities of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of sewage treatment process, capacity of the wastewater treatment plant, degree of treat ability of waste in the wastewater treatment plant, and other relevant factors.

Substances prohibited are:

- A. Any liquid or vapor having a temperature higher than one hundred four (104) degrees Fahrenheit (40 degrees Celsius).
- B. Wastewater containing petroleum oil, non-biodegradable cutting oils, or products of mineral oil origin.
- C. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not.
- D. Garbage grinders are prohibited for the commercial users.
- E. Any water or waste containing strong acid, iron, pickling waste, or concentrated plating solutions, whether neutralized or not.
- F. Any waste or water containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or waste exerting an excessive chlorine residual to such a degree that any such material in the composite sewage at the wastewater treatment plant exceeds the limits established by the SuperintendentPublic Works Director for such materials.
- G. Any water or waste containing phenols or other taste or odor-producing substances, in such concentrations exceeding limit which may be established by the

SuperintendentPublic Works Director as necessary, after treatment of the composite sewage, to meet the requirement of the State, federal, or other public agencies having jurisdiction over such discharge to any receiving waters.

- H. Any radioactive waste or isotopes of such half-life or concentration as may exceed limits established by the SuperintendentPublic Works Director in compliance with applicable State or Federal regulations.
- I. Any water or waste having a pH in excess of 8.~~05~~.
- J. Materials, which exert or cause:
 - 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - 2. Excessive discoloration, such as, but not limited to, dye waste and vegetable tanning solutions.
 - 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment works.
 - 4. Unusual volume of flow or concentration of wastes constituting a "slug" as defined in Article II.
- K. Waters or waste containing substances which are not amenable to proper treatment or reduction by the Town's wastewater treatment process, or which would result in impermissible levels of phosphates and nitrates being discharged in the wastewater treatment plant effluent.
- L. Overflow by draining from cesspools or receptacles storing organic waste (other than septic tank disposal at the Town's treatment plant in accordance with Town procedures).
- M. Steam exhausts, boiler blowoffs, sediment traps, or pipes carrying hot circulating water.

Sec. 5. If any water or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the SuperintendentPublic Works Director may have detrimental effect upon the sewage works, processes, equipment, or receiving water, or which otherwise create a hazard to life or constitute a public nuisance, the SuperintendentPublic Works Director may:

- A. Reject the water;
- B. Require pretreatment to an acceptable condition for discharge to the public sewers;

- C. Require control over the quantities and rates of discharge; and/or
- D. Require payment to cover the cost of handling and treating the waste not covered by existing taxes or sewer charges, pursuant to the provisions of Section 12 of this Article VII.

When considering the above alternatives, the SuperintendentPublic Works Director shall give consideration to the economic impact of each alternative on the discharger. If the SuperintendentPublic Works Director permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment or equipment shall be subject to the review and approval of the SuperintendentPublic Works Director, and subject to the requirements of all applicable codes, ordinances, laws, and the municipal discharge permit.

Sec. 6. Grease, oil and sand interceptors shall be provided when in the opinion of the SuperintendentPublic Works Director, they are necessary for the proper handling of the liquid waste containing floatable grease or for any flammable waste, sand, other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the SuperintendentPublic Works Director, and shall be located as to be readily and easily accessible for cleaning and inspection. All new construction and the remodeling of any old construction shall conform to the requirements of the Maine State plumbingPlumbing Code and the State of Maine Subsurface Wastewater Disposal Rules for grease and oil interceptors. The minimum size for an external grease trap shall be at least one thousand (1,000) gallons of liquid capacity.

With the approval of the superintendentPublic Works Director an automatic / mechanical (self cleaning) grease removal unit may be used instead of the external grease trap. The automatic grease removal unit must be sized in accordance with the manufacturer's written recommendations and the water temperature of the influent, as it enters the unit can not exceed one hundred fifty (150) degrees F.

Dishwasher wastewater shall not be discharged into a automatic grease removal unit, except that the wastewater from the pre-rinse station shall discharge to the grease removal unit.

In maintaining these interceptors, the owner (s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal, which are subject to review by the SuperintendentPublic Works Director. Any removal and hauling of the collected materials not performed by the owner (s) or the owner (s)' agent (s) must be performed by currently licensed waste disposal firms.

Sec. 7. Where preliminary treatment or flow-equalizing facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

Sec. 8. When required by the SuperintendentPublic Works Director, the owner of any property serviced by a building sewer carrying commercial, industrial waste shall install a suitable manhole together with such necessary meters and other appurtenances in the building sewer to facilitate

observation, sampling and measurement of the waste. Such manhole, if required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the SuperintendentPublic Works Director. The manhole shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

Sec. 9. The SuperintendentPublic Works Director may require a user of the sewer services to provide information needed to determine compliance with this Ordinance. These requirements may include:

- A. Description of wastewaters discharged, together with peak rate and volume over a specified time period.
- B. Chemical analyses of wastewaters.
- C. Information on raw materials, processes, and products affecting wastewater volume and quality.
- D. Quantity and disposition of specific liquid, sludge, oil, solvents, or other materials important to sewer use control.
- E. A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
- F. Details of wastewater pretreatment facilities.
- G. Details of systems to prevent and control the losses of materials though spills to the municipal sewer.

Sec. 10. All measurements, tests, and analyses of the characteristics of water and pollutants to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association or other methods approved by the U.S. EPA and the Me. DEP, and shall be determined at the structure as required in Article VII, Section 8, or upon suitable samples taken at said structure. In the event that no special structure has been required, suitable samples shall be taken at the downstream manhole in the public sewer nearest to the point or origin. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the wastewater facilities and to determine the existence of any hazard to life, limb, or property.

- A. All industries discharging into a public sewer shall perform such monitoring of their discharges as the SuperintendentPublic Works Director and/or other duly authorized employees of the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the SuperintendentPublic Works Director. Such records shall be made available upon request by the SuperintendentPublic Works Director to other agencies having jurisdiction over discharges.

Sec. 11. The municipality shall develop and the ~~Superintendent~~Public Works Director shall enforce pretreatment regulations for existing and new sources of pollution that are discharging or proposed to be discharged into the municipally owned wastewater treatment facilities as set forth in Title 40, Chapter 1, Part 128 and Part 403 of the Final Rules of the United States Environmental Protection Agency.

Sec. 12. Nothing in this Article shall be construed to prevent any agreement between the Town and any industrial concern whereby industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern; provided that such agreements do not contravene any requirement of existing Federal or State laws and/or regulations, and are compatible with any User Charge and Industrial Cost Recovery System in effect.

ARTICLE VIII - SEWER CAPACITY ALLOCATIONS

Sec. 1. Renovation to the Kennebunkport Water pollution Control Facility which were completed in the spring of 1998 have increased its capacity to an amount in excess of 2,000 pounds of BOD5 per day. However until such time as the facility additions are operated to its capacity, the actual capacity added by these renovations will be unknown. Therefore, upon the completion of these renovations, as evidenced by the Town Manager's receipt of a letter from the Facility's ~~Superintendent~~Public Works Director stating the renovations are completed, persons may then apply for sewer units which will be allocated on a first come / first served basis until such time as the sewer units capable of generating a total of two hundred (200) pounds of BOD 5 per day (based upon the typical load production of 0.7085 * pound of BOD 5 per day) shall be allocated. At that time, no further sewer units shall be allocated until the Town studies the remaining capacity, if any, and determines how it shall be allocated. A sewer permit or letter of adequate capacity issued under the allocation formula repealed by the amendment remains valid unless it lapses or becomes invalid in accordance with one or more of the provisions of Article IX of this Ordinance.

Sec. 2. The Town reserves the right to reject any and all application for sewer connection permits if, in the best judgment of the ~~Sewer-Superintendent~~Public Works Director and / or the Board of Selectman, such denials are necessary to protect the health, safety and welfare or the citizens of the Town of Kennebunkport. This provision shall apply regardless of whether lots were previously determined to be "vacant "by the Town, or whether the property owner has purchased a stub or incurred any other expense in anticipation of connecting to the sewer system.

Sec. 3. With respect to any sources to which capacity is allocated, that capacity shall be forfeited or reduced as follows:

- A. Capacity shall be forfeited in its entirety if a letter of adequate capacity or a permit lapses or becomes invalid in accordance with one or more of the provisions of Article IX of this Ordinance.

- B. In parallel with the provisions of Article IX, capacity shall be reduced if the project as ultimately approved or constructed contains fewer units than the number set forth in the preceding section.

Sec. 4. Neither the allocation of the sewer capacity to a lot nor the placement of a sewer stub for a lot shall be construed to mean that the lot is buildable. The determination as to whether a lot is buildable shall be based on any applicable ordinances and regulations.

ARTICLE IX - LAPSE OF SEWER PERMIT AND ENTITLEMENT TO SEWER CAPACITY

A sewer permit issued under the terms of this Ordinance, or a letter from the **Sewer SuperintendentPublic Works Director** as part of any other municipal review process stating that adequate sewer capacity exists for a proposed project ("letter of adequate capacity"), shall lapse, become invalid, and be of no further force or effect, if any one or more of the following occurs:

- A. The sewer permit or letter of adequate capacity expires by its own terms.
- B. A project approved by the Planning Board loses its approval for any reason, including the failure to timely commence or complete construction as required by applicable regulations or ordinances.
- C. The building permit (s) for a particular structure or project expires or becomes invalid for any reason, including the failure to timely commence or complete construction as required by the terms of the permit itself or by applicable regulations or ordinances.
- D. A project pending before the Planning Board is transferred to another owner of record, and the new owner fails to obtain a determination by the Planning Board that the new owner has adequate financial and technical capacity to complete the project and/or the new owner fails to provide the performance guarantees required by the Planning Board.
- E. The applicant fails to comply with applicable time periods and deadlines for processing the application and fails to get an extension of time prior to the expiration of those time periods and deadlines.
- F. The application is withdrawn by the applicant or by the Planning Board.

ARTICLE X - PROTECTION FROM DAMAGE

Sec. 1. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenances, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 33, Subsection 806 as amended as well as be subject to civil liability for reasonable costs to repair or replace the damaged structure or equipment including, without limitation, the Town's reasonable costs and attorney's fees.

ARTICLE XI - POWER AND AUTHORITY OF INSPECTORS

Sec. 1. The SuperintendentPublic Works Director, and other duly authorized representatives of the Town having proper credentials and identification, shall be permitted to enter all properties at all reasonable times upon reasonable notice for the purposes of inspection, observation, measurement, sampling, and testing in accordance with this Ordinance. The SuperintendentPublic Works Director and Town representative (s) shall have no authority to inquire about any commercial process, including metallurgical, chemical, oil, refining, ceramic, paper, or other process beyond that point having a direct bearing on the kind and source of discharge to the wastewater facilities. Such information shall be kept confidential upon the company's establishing, to the satisfaction of the SuperintendentPublic Works Director, that the revelation to the public of the information in question might result in an advantage to competitors.

Sec. 2. The SuperintendentPublic Works Director and other duly authorized representatives of the Town having proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duty negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewerage works lying within said easement. All entry and subsequent work, if any, or property within said easement shall be done in full accordance with the terms of the negotiated easement pertaining to the private property involved.

Sec. 3. While performing the necessary work on private properties referred to in Article XI, Section 1 above, the SuperintendentPublic Works Director or authorized representative (s) of the Town shall observe all the safety rules applicable to the premises established by the company. The Town shall hold the company harmless from any liability for injury or death to Town employees performing such work; and the Town shall indemnify the company against loss or damage to the company's property caused by Town employees and against liability claims for personal injury or property damage against the company arising out of any sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8 of this Ordinance.

ARTICLE XII - PENALTIES

Sec. 1. Any person found to be violating any provision of this Ordinance, except Article X, shall be served by the ~~Sewer Superintendent~~Public Works Director with written notice stating the nature of the failure or violation and providing a reasonable time limit for the satisfactory correction or cessation thereof. The offender shall within the period of time stated in such notice permanently cease or correct all such failures or violations.

Sec. 2. Any violation which continues beyond the time limit set forth in a written notice to cease or correct the violation shall constitute a civil violation punishable by a fine of not less more than one hundred dollars (\$100.00) nor more than \$2,500 for each violation. Each day a violation continues shall be considered a separate offense. Fines, costs, and attorney's fees may be recovered as provided under 30-A M.R.S.A. § 4452.

Sec. 3. Any person violating any of these rules and regulations shall become liable to the Town for any expense, loss or damage caused the Town by reason of such violation, including but not limited to costs and reasonable attorneys' fees to enforce this Ordinance.

Sec. 4. Notwithstanding any of the foregoing provisions, the Town may institute any appropriate action including injunction or other proceeding to prevent, restrain, or abate a violation hereof.

Sec. 5. No permit for expansion of an existing facility shall be issued if there are outstanding sewer permit or connection fees unless and until satisfactory arrangement for payment of the same has been made with the Board of Selectmen.

ARTICLE XIII - SEWER SERVICE CHARGE

Sec. 1. The source of a portion of the revenues for retiring debt service, capital expenditures, operation and maintenance of the public sewer system of the Town shall be a sewer service charge assigned to owners of property located within the limits of the Town whose property, residence, or place of business is capable of being tied into the sewer system pursuant to Article III, section 5 of this Ordinance. A portion of the funds collected pursuant to this Article shall be placed in a separate reserve fund for operation and maintenance, including replacement, of the public sewer system. The contribution to the reserve fund shall be determined by the Selectman on a year to year basis.

Sec. 2. Sewer service charge rates shall be determined by the ~~Selectman~~Board of Selectmen on a year to year basis. The sewer service charge will be computed and billed at regular intervals though the calendar year, as established by the ~~Selectman~~Board of Selectmen. In general, charges will be calculated based on the following criteria:

- A. The total cost annually of operating and maintaining the sewer system.
- B. Forty percent (40%) of the cost annually necessary to retire the debt service.

C. The following schedule of sewer unit charges^[AKT10]:

Minimum charge	1 <u>Sewer</u> Unit
Single Family Dwelling Unit or Condominium Unit ^[AKT11]	1 <u>Sewer</u> Unit
Multi-family Dwelling <u>Unit</u> or Condominium <u>Dwelling</u> Unit	1 <u>Sewer</u> Unit <u>per DU</u> *
School students every 20	1 <u>Sewer</u> Unit
Motel/Hotel/ <u>Inn/Bed and Breakfast</u> Units ^[AKT12] (<u>Every two rooms with</u> Double Occupancy)	1 <u>Sewer</u> Unit
Motel/Hotel/ <u>Inn/Bed and Breakfast</u> Units (<u>Every four rooms with</u> Single Occupancy)	1 <u>Sewer</u> Unit
Restaurant Seats (<u>every ten seats</u>)	1 <u>Sewer</u> Unit
Tourist-House Rooms (<u>Every two</u> Double Occupancy <u>rooms</u>)	1 <u>Sewer</u> Unit
Tourist-House Rooms (<u>Every four</u> Single Occupancy <u>rooms</u>)	1 <u>Sewer</u> Unit
Yacht or Country Club Members (<u>Every fifty members</u>)	1 <u>Sewer</u> Unit
Church or Club Members (<u>Every 100 members</u>)-	1 <u>Sewer</u> Unit
Commercial Employees (<u>Every zero to five employees</u>)	1 <u>Sewer</u> Unit
Commercial Employees <u>Every five to ten employees</u>)	1.5 <u>Sewer</u> Unit
Industry Employees (<u>Every zero to ten employees</u>)	1.5 <u>Sewer</u> Unit
Gas Station	3 <u>Sewer</u> Units
Laundromat Machines (<u>Every two machines</u>)	1 <u>Sewer</u> Unit
Campground (sewer hookups)	1 <u>Sewer</u> Unit
Septic Waste	\$.10 per gallon

Sec. 3. The sewer service charges assigned to any property owner who contributes a significant quantity of industrial waste to the public sewers, or who contributes a combination of sewage and industrial waste to the public sewer, shall be determined on a block rate structure based on water

* Dwelling Unit

consumption. The property owners to be charged in this manner will be determined by the Selectmen on a year-to-year basis.

Sec. 4. A special sewer service charge shall be assigned to any commercial, industrial firm or organization who, by virtue of the volume, strength or unusual characteristics of their waste alone, would overload or upset the capacity or efficiency of the public sewer system or a part thereof if such waste entered the public sewer or whose waste disposal situation is such that it would be in the public interest to waive the requirements of Section 1, 2, and 3 of this Article. The Selectman, after appropriate study and advice from the SuperintendentPublic Works Director, shall assign a special sewer service charge to such an entity by separate agreement with said entity. The applicable portions of the preceding section, as well as the equitable rights of the public, shall be the basis for such an arrangement.

Sec. 5. The SuperintendentPublic Works Director reserves the right, from time to time, to change sewer service charges originally or previously assigned to any property owner.

Sec. 6. Each sewer service charge levied pursuant to these rules and regulation is hereby made a lien on the premises. If said charge is not paid within thirty (30) days after it becomes due and payable, it shall be certified to the Town Treasurer Manager who shall record notice of said lien with interest and penalties allowed by law in the York County Registry of Deeds.

Sec. 7. The charges and assessments levied pursuant to this Article XIII shall be used consistently with the Clean Water Act, 33 U.S.C. e 1251 et seq., as amended, and all other applicable federal regulations.

Sec. 8. When a Sewer Connection Application is processed and a permit is issued, the owner of the property for which the application was issued will be billed for the units that were approved. If the application was approved during the billing year, the sewer charge will be pro rated for the rest of that year; any year thereafter the owner will receive a bill for all the units that were approved for a full year. The sewer bill will be assessed regardless of whether the units are tied into the collection system or not.

ARTICLE XIV LICENSING OF PERSONS AUTHORIZIED TO MAKE CONNECTION TO THE PUBLIC SEWERS

Sec. 1. Plumbers and drain layers of established reputation and experience, as determined by the SuperintendentPublic Works Director, will be licensed by the Town as A Drain Layer authorized to perform work, subject to compliance with the following requirements:

- A. Applicants for licenses, after approval by the SuperintendentPublic Works Director, shall file with the SuperintendentPublic Works Director a Certificate of Insurance in the sum of \$ 1,000,000 / 1,000,000 to cover Public Liability and a Certificate of Insurance in the sum of \$ 500,000 covering Property Damage. In addition, a Certificate of

Insurance covering Workman's Compensation shall be filed, all of which shall remain in full force and effect for a period of at least one year from the date of approval. Said Insurance shall indemnify the Selectmen and the Town of Kennebunkport against any all claims, liability or action for damage, incurred in or in any way connected with the performance of work by the Drain Layer, and for or by reason of any acts or omission of said Drain Layer in the performance of his work, including acts of negligence.

- B. Applicants for licenses will be approved or disapproved within a period of thirty-one (31) days after filing the application.

Sec. 2. All licenses expire one year from the date of issuance thereof and no licenses are transferable.

Sec. 3. The SuperintendentPublic Works Director reserves the right to revoke any license if any provision or requirement of said license is violated.

Sec. 4. Each licensee shall give personal attention to all installations, shall ensure that work is performed in a workmanlike manner, and shall employ only competent workers.

Sec. 5. All licensees are required to give a full written report to the SuperintendentPublic Works Director within twenty-four (24) hours in the event any prohibited substances are found in a sewer or house drain during the course of the work.

Sec. 6. Notification that work has been completed and certification that all conditions of this Ordinance have been complied with shall be filed in writing with the SuperintendentPublic Works Director within twenty-four (24) hours after the completion of the work authorized by each permit.

ARTICLE XV - SEPTIC WASTE

The following regulations shall govern the disposal of septic waste at the treatment facilities:

- A. Septic waste from the Town of Kennebunkport, or from any other municipality with written authorization from the Selectmen, will be accepted.
- B. A permit must be procured from the SuperintendentPublic Works Director or the SuperintendentPublic Works Director's authorized representative prior to receiving any septic waste for subsequent disposal at the Town's treatment facilities.
- C. The application for said permit shall be signed by the property owner or the property owner's duly authorized representative and shall indicate the source of the septic waste.

- D. Any waste which the ~~Superintendent~~Public Works Director or any agent of the ~~Superintendent~~Public Works Director deems suspicious shall be tested, at the waste hauler's expense, to ascertain that the waste meets the specifications for sludge composition and is free of detrimental chemicals.
- E. The waste hauler shall be responsible for the removal and proper disposal of the contaminated waste and any other materials that may have contaminated.
- F. The waste hauler shall be duly licensed in accordance with the laws of the State of Maine , and shall provide a copy of the license to the ~~Sewer-Superintendent~~Public Works Director.

ARTICLE XVI - VALIDITY

Sec. 1. All rules, regulations, or other ordinances in conflict herewith are repealed.

Sec. 2. The invalidity of any section, clause, sentence, or provision of these rules and regulations shall not affect the validity of any other part of these rules and regulations, which can be given effect without such invalid part or parts.

ARTICLE XVII - APPEALS

Sec. 1. The Selectmen shall have the following powers and duties to be exercised only upon written appeal by a party aggrieved by a decision of the ~~Superintendent~~Public Works Director, Plumbing Inspector and/or Town Health Officer, insofar as such decision arises from requirements of this Ordinance:

- A. To determine whether the decisions of these authorities are in conformity with the provisions of this Ordinance, and to interpret the meaning of this Ordinance in a case of uncertainty.
- B. To grant variances from the terms of this Ordinance where there is no substantial departure from the intent of this Ordinance and where necessary to avoid undue hardship. A projected expenditure of an amount exceeding fifteen (15) percent of the assessed value of the buildings on the land to be served by the public sewer shall be considered as prima facie evidence of undue hardship.

- C. To permit an exception to this Ordinance only when the terms of the exception have been specifically set forth in this Ordinance.

Sec. 2. The Selectman shall schedule a hearing on each appeal under this Ordinance within sixty (60) days of receipt of a completed application. At least ten (10) days prior to the hearing the Town Clerk shall cause to be advertised in a newspaper of general circulation in the Town a notice of such appeal identifying the property involved, the nature of the appeal and the starting time and place of the public hearing on the appeal. Owners of properties within two hundred (200) feet of the property for which the appeal is made shall be notified by mail. Failure of any such owner to receive this notice shall not invalidate the proceeding herein prescribed.

The Selectmen shall not continue a hearing on an appeal to a future date except for good cause or by agreement of the appellant. Upon conclusion of the hearing and a determination by the Selectmen, written notice of the Selectmen's decision shall be sent forthwith to the appellant and to the municipal employee or officer concerned. Failure of the Selectmen to issue such notice within thirty (30) days of the date the hearing concludes shall constitute a denial of said appeal.

Sec. 3. The procedure for instituting an appeal shall be as follows:

- A. Any person including any municipal department head aggrieved by a decision of the SuperintendentPublic Works Director, the Town Health Officer, and/or the Plumbing Inspector, which decision arises from interpretation or application of this Ordinance, may appeal such decision to the Selectmen.
- B. Any such appeal must be filed with the Town Clerk within thirty (30) days of the date of the decision of the SuperintendentPublic Works Director, Health Officer, and/or Plumbing Inspector. Said appeal shall be filed upon forms to be approved by the Selectmen. The appellant shall set forth the grounds for appeal and shall refer to the specific provision of this Ordinance involved. Following the receipt of any appeal, the Town Clerk shall notify forthwith the employee or officer concerned and the Chairperson of the Board of Selectmen. The appellant shall pay to the Town Treasurer a fee of Twenty-five (\$25.00) plus the cost of advertising and mailing notices. The appellant shall supply the names and address of all the property owners that have property within two hundred feet of the property that the appeal is for.
- C. An aggrieved party may appeal any decision of the Selectmen to Superior Court as provided by the laws of the State of Maine.

Sec. 4. After a decision on an appeal has been made by the Selectmen, a new appeal of similar import shall not be entertained by the Selectmen until one year shall have elapsed from the date of said decision, except that the Selectmen may entertain a new appeal if the Chairperson determines that, owing to a mistake of law or misunderstanding of fact, an injustice was done, or if the Chairperson determines that a change has taken place in some essential aspect of the appeal.

ARTICLE XVIII - EFFECTIVE DATE

Sec. 1. This Ordinance shall be in full force and effect upon adoption by the Selectman.

Passed and adopted by the Selectmen of the Town of Kennebunkport, County of York, State of Maine on the 13 day of August, 2009, by the following votes:

Ayes _____ Namely _____

Nays _____ Namely _____

Signed: _____

Clerk