

TOWN OF KENNEBUNKPORT, MAINE

—INCORPORATED 1653—

Board of Selectmen Agenda Village Fire Station- 32 North Street September 27, 2018 – 6:00 PM

1. Call to Order.
2. Approve the September 11 (AM meeting), and 13, 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. Public Hearing to adopt the MMA Model Ordinance GA Appendices A to D for the period of October 1, 2018 – September 30, 2019.
5. Police Presentation of Life Saving Awards and retirement recognition.
6. Recertify the Wireless Telecommunications Ordinance for the November 6 election.
7. Consider purchase and sale agreement for property located at Tax Map 12, Block 5, Lot 21; Map 12, Block 5, Lot 21A; and Map 12, Block 5, Lot 22.
8. Authorize the town manager to execute all necessary documents for real estate closing regarding Tax Map 12, Block 5, Lot 21, Map 12, Block 5, Lot 21A; and Map 12, Block 5, Lot 22.
9. Authorize bond resolution to issue up to \$10,000,000 in Bonds to acquire certain parcels of land.
10. Award bid for bond anticipation note.
11. Presentation by Joe Cuetera, Financial Advisor of Moors & Cabot regarding bonding options.
12. Award bid for $\frac{3}{4}$ ton truck.
13. Award purchase of fuel pumps for public works facility.
14. Set public hearing date for the November 6 election for October 25.

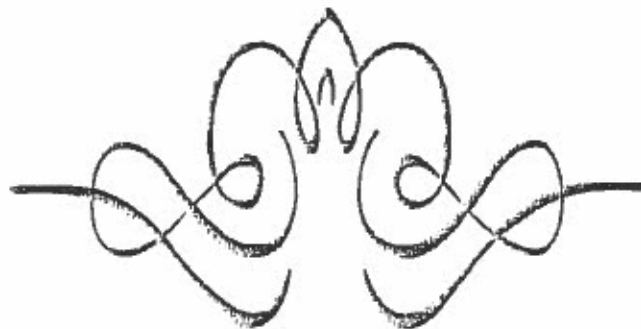
15. Other business.

16. Approve the September 27, 2018, Treasurer's Warrant.

17. Adjournment.



Agenda Item Divider



**Board of Selectmen Meeting
Town Hall- 6 Elm Street
September 11, 2018 – 11:00 AM**

Minutes of the Selectmen's Meeting of September 11, 2018

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

Others: Werner Gilliam, Arlene McMurray, Laurie Smith

1. Call to Order.

Chair Hutchins called the meeting to order at 11:00 AM.

2. Executive Session pursuant to 1 M.R.S.A. Section 405 (6)(c) regarding discussion or consideration of the acquisition of real property.

Motion by Selectman Barwise, seconded by Selectmen Daggett, to go into executive session pursuant to 1 M.R.S.A. Section 405 (6)(c) regarding discussion or consideration of the acquisition of real property. **Vote:** 5-0.

The Board went into executive session at 11:00 AM and came out at 11:57 AM.

3. Consider calling of a special town meeting.

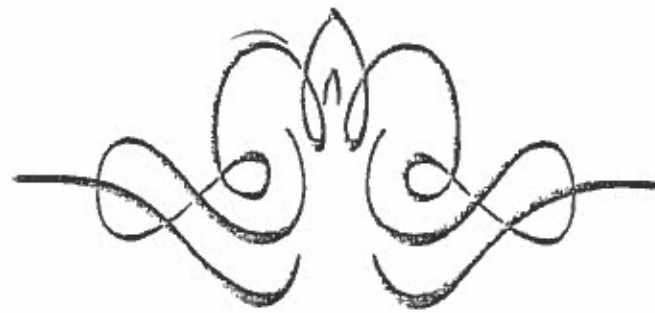
Motion by Selectman Barwise, seconded by Selectman Daggett, to schedule a Special Town Meeting on September 19, at 6 PM, to authorize the purchase and sale of CDMK property comprised of 85+/- acres identified on the Kennebunkport tax maps as: map 12, block 5, lot 21; map 12, block 5, lot 21A; and map 12, block 5, lot 22; and to finance this purchase by authorizing the issuance of general obligation bonds or notes in the amount not to exceed \$10 million, and to appropriate up to \$100,000.00 from the undesignated fund balance to cover necessary legal and closing costs.

4. Adjournment.

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

The meeting adjourned at 11:58 AM

Submitted by Arlene McMurray
Administrative Assistant



Agenda Item Divider



**Board of Selectmen Meeting
Village Fire Station – 32 North Street
September 13, 2018 – 6:00 PM**

Minutes of the Selectmen's Meeting of September 13, 2018

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

Others: Tom Bradbury, Michael Claus, Bill Dugan, Jay Everett, Jim Fitzgerald, Orin Frink, David James, Paul Jessel, David Kling, Kevin McDonnell, Sue Ellen McDonnell, Arlene McMurray, Tracey O'Roak, Nina Pearlmutter, Craig Sanford, Chris Simeoni, Laurie Smith, Sue Ellen Stavrand

1. Call to Order.

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

2. Approve the August 23, 2018, selectmen meeting minutes.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the August 23, 2018, selectmen meeting minutes. **Vote:** 4-0-1/Selectmen Hutchins abstained because was not at that meeting.

3. Consider amending the August 9, 2018, selectmen meeting minutes.

It was pointed out that the August 9, 2018, selectmen meeting minutes were not clear about what the intern was working on and might lead one to believe that the Conservation Commission is working on a Pesticide Ordinance; when, in fact, it was only researching the successes, failures, and enforcement issues of towns that have a Pesticide Ordinance. The minutes also made it appear that the Commission was involved in septic system inspections, when it was actually Maine Healthy Beaches.

Motion by Selectman Barwise, seconded by Selectmen Matthews-Bull, to amend the August 9, 2018, selectmen meeting minutes as stated above. **Vote:** 5-0.

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

Orin Frank asked the Board if it could post the longitude and latitude of the town on the town's homepage.

Nina Pearlmutter mentioned she was setting up a weather station for Weather Underground which is located between the 15th hole and the 16th tee of the Arundel Golf Course.

Also, Ms. Pearlmutter was concerned about the number of dock applications being approved by the Selectmen and Planning Board. She said the docks are changing the character of the town and asked the Board to consider the charac-

ter of the area and where it will allow docks in terms of scenic views and environment. She said docks interfere with the wildlife. She suggested perhaps amending the Land Use Ordinance.

5. Sign the November 2018 Special Town Meeting Warrant.

Town Manager Laurie Smith read the Questions for the November 6, 2018, Special Town Meeting which were reviewed by the town attorney:

1. Enactment of Moratorium Ordinance regarding retail medical marijuana caregiver storefronts.
2. Amendment to the Waterfront Ordinance.
3. Amendment to the Victualer's Licensing Ordinance.
4. Amendment to the Wireless Telecommunications Ordinance and Land Use Ordinance.
5. Acceptance of gift.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to sign the Special Town Meeting Warrant. **Vote:** 5-0.

6. Approve Certification of Proposed Ordinances.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the certification of proposed Moratorium Ordinance regarding retail medical marijuana caregiver storefronts. **Vote:** 5-0.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the certification of proposed revisions to the Waterfront Ordinance. **Vote:** 5-0.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the certification of proposed revisions to the Victualer's Licensing Ordinance. **Vote:** 5-0.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the certification of proposed revisions to the Wireless Telecommunications Ordinance. **Vote:** 5-0.

7. Status report from the Housing Committee.

Selectman Briggs, who is also chair of the Housing Committee, introduced the committee members: Bill Dugan, Jim Fitzgerald, Patrick Clancy, and David Kling, and Werner Gilliam.

Pat Clancy, David Kling, and Bill Dugan reported on the status of the Housing Committee's research. See Exhibit A.

The committee requested the establishment of a Housing Trust independent from the town and asked for financial support.

Selectman Briggs added that the town is fortunate to have such talented individuals on the committee who were able to accomplish so much in such a short time.

Motion by Selectmen Barwise, seconded by Selectmen Daggett, to authorize the town to provide financial support to the Housing Trust not to exceed \$15,000.

Vote: 5-0.

8. Consider the sewer abatement request for Sara Young.

Michael Claus, director of public works, said they reviewed Sara Young's abatement request and determined that she is entitled to a refund of \$311.03.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the sewer abatement of \$311. 03 for Sara Young. **Vote:** 5-0.

9. Consider appointment to the ZBA.

Sue Ellen Stavrand and Kevin McDonnell applied for the ZBA and spoke to the Board about their interest in serving the town.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to appoint Kevin McDonnell to the ZBA for a term expiring in July 2021. **Vote:** 5-0.

10. Discuss E-911 addressing.

Fire Chief Jay Everett explained that it important for the police, fire, and rescue to be able to find the house location when there is an emergency. He said there are a lot of houses that do not have address numbers on them. He also stated they have been working on renumbering Wildwood Avenue, Kings Highway, and Sandpoint Road and, he will have an official notice by mid-October. The date to start with the readdressing is April 15 to allow for uninterrupted mail and package deliveries through the holidays, and it will be early enough for summer rentals.

11. Consider replacement of the 2014 Dodge Charger police travel car with a 2015 Ford Escape.

Police Chief Craig Sanford explained that the 2014 Dodge Charger was totaled in an accident this summer. He will keep the 2010 Ford Escape for now and replace it later. He recommends purchasing the 2015 Ford Escape from Key Ford in York at a price of \$16,200. He plans to pay for this with the \$9,495 from the insurance buyout and \$950 from carry-over money. The remainder will come from the Picavet monies.

Motion by Selectman Matthews-Bull, seconded by Selectman Barwise, to approve the purchase of a 2015 Ford Escape from Key Ford at a cost of \$16,200. **Vote:** 5-0.

12. Sign the municipal valuation return.

Motion by Selectman Briggs, seconded by Selectmen Daggett, to sign the municipal valuation return. **Vote:** 5-0.

13. Accept the 2019 salt bid from Morton Salt for \$54.85 per ton delivered.

Mr. Claus received a bid from Morton Salt for \$54.85 per ton delivered.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to award the salt bid to Morton Salt for \$54.85 per ton delivered. **Vote:** 5-0.

14. Consider sewer extension at Binnacle Hill.

Mr. Claus recommended not to take possession of the sewer extension at Binnacle Hill because it is in a private way.

Motion by Selectmen Matthews-Bull, seconded by Selectman Daggett, to not bring this unconditional gift of the sewer extension at Binnacle Hill to the voters. **Vote:** 5-0.

15. Accept street opening permit for JTJ Development, 3 Pier Rd., to install drain line for basement drainage.

Motion by Selectmen Matthews-Bull, seconded by Selectman Daggett, to accept the street opening permit for JTJ Development with the condition that the homeowner get an easement to go across abutting property and a bond is submitted in

case any pavement is cut and repaired. **Vote:** 5-0.

16. Accept street opening permit for TH Enterprises, L.L.C., 51 Langsford Rd., to install underground power to residence.

Motion by Selectman Briggs, seconded by Selectman Matthews-Bull, to accept the street opening permit for TH Enterprises, L.L.C., 51 Langsford Rd., to install underground power to residence on the condition that the owner contracts to repair the sidewalk cut, and overlay the sidewalk with ¾" pavement from the cut to the end of the sidewalk. **Vote:** 5-0.

17. Consider joining Raising the Floor Coalition for minimum/low receivership school districts.

Ms. Smith reported that this coalition was created to develop a more equitable state funding formula.

Motion by Selectman Briggs, seconded by Selectman Matthews-Bull, to not join the Raising the Floor Coalition for minimum/low receivership schools. **Vote:** 5-0.

18. Accept the \$1,000 donation from the Steele Irrevocable Trust to the nurses general account.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to accept the \$1,000 donation from the Steel Irrevocable Trust to the nurses general account. **Vote:** 5-0

19. Accept \$50.00 donation in memory of Agnes Steele from the Goose Rocks Beach Fire Company to the nurses general account.

Motion by Selectman Matthews-Bull, seconded by Selectman Barwise, to accept the \$50 donation in memory of Agnes Steele from the Goose Rocks Beach Fire Company to the nurses general account. **Vote:** 5-0.

20. Authorize the School Resource Officer Agreement with the Town of Arundel.

Motion by Selectman Barwise, seconded by Selectman Briggs, to accept the \$50 donation in memory of Agnes Steel from the Goose Rocks Beach Fire Company to the nurses general account. **Vote:** 5-0.

21. Other business.

Selectman Briggs announced that Werner Gilliam is receiving a 2018 Municipal Employee Award from the Chamber of Commerce tonight and wished him well.

Selectman Hutchins reminded everyone to attend Special Town Meeting on September 19.

22. Approve the September 13, 2018, Treasurer's Warrant.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the September 13, 2018, Treasurer's Warrant. **Vote:** 5-0.

23. Executive Session pursuant to 1 M.R.S.A. Section 405 (6)(c) regarding discussion or consideration of the acquisition of real property.

Motion by Hutchins, seconded by Selectman Barwise, to go into executive session pursuant to 1 M.R.S.A. Section 405 (6)(c) regarding discussion or consideration of the acquisition of real property and pursuant to MRSA 1, §405-6D to discuss union negotiations. **Vote:** 5-0.

The Board went into executive session at 7:15 PM.

24. Executive session pursuant to MRSA 1, §405-6D to discuss union negotiations.

The Board came out of executive session at 8: 23 PM.
No action was taken.

25. Adjournment.

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

The meeting adjourned at 8:23 PM.

Submitted by Arlene McMurray
Administrative Assistant

SEPT. 13, 2018

(7)

EXHIBIT A

KENNEBUNKPORT HOUSING INITIATIVE

Produced by the Kennebunkport Housing Committee

HOUSING INITIATIVE UPDATE: SEPTEMBER, 2018

INTRODUCTION

In response to the "Housing Needs and Assessment Study", the Board of Selectmen appointed a Housing Committee to look at possible ways to address the housing component of the problems Kennebunkport faces with a declining year-round population. With input from that study, Town Staff, the Kennebunkport Board of Selectmen (BOS), individual citizens and other affordable housing programs in Maine, the Housing Committee has been working to determine how best to provide or cause to be provided enough affordable housing in the long term which will assure that the number of key groups that would live year-round in Kennebunkport are served:

- A. Families with children attending Consolidated School - I.e., families with, or likely to have, young children.
- B. People of modest incomes like town workers, teachers, first responders (volunteer and otherwise), lobstermen, civic volunteers and others whose presence is important to the functioning and character of the Town.
- C. Current senior residents who wish to downsize and remain living in Kennebunkport.

KENNEBUNKPORT HOUSING INITIATIVE

Produced by the Kennebunkport Housing Committee

HOUSING COMMITTEE PRELIMINARY FINDINGS:

- The housing initiative should seek to provide housing that is affordable for families and individuals in a wide range of with annual incomes: from the mid-\$20s/low \$30s to those nearer \$100 thousand. Beyond the \$100,000 level, families are reasonably served by at present market priced homes in Kennebunkport.

Examples of typical wages for Kennebunkport families in need of housing:

<u>Family Size</u>	<u>Adults</u>	<u>Children</u>	<u>Typical Wages (000)</u>	<u>Typical Professions</u>
4	2	2	\$38 to \$43	Teacher/Real Estate Broker
5	2	3	\$57	Construction Supervisor
2	1	1	\$27	Retail
2	2	0	\$36	Retired

For a more complete list of Family Sizes/Wages/Occupations and the Average Median Income for each occupation, please refer to **Chart 1 – Typical Twenty: Prototype Profiles of Families Served** in the Exhibits/Charts Section of this report.

- The initial focus will be on creating several single-family homes with prices affordable by qualified people in the upper segment of this income range. The housing study estimated house prices between \$250,000 and \$380,000 would work within this target group.
- To build quality, affordable homes in this price range given current land prices in Kennebunkport, the cost of land and possibly site development costs will need to be offset or minimized. To serve the rest of the target range will require a greater level of financial support.
- Finding resources for affordable housing:
 - One way to offset land costs is through donated land. Potential sources include: Town-owned land, as well as donations or swaps from other organizations or individuals land owners in the Kennebunkport. There are some Town-owned sites (particularly tax-acquired) which may be suitable for affordable housing.
 - Lot preparation costs could be paid by the buyer - depending on the combined cost of lot preparation and home construction or it could be paid for by other means, like grants and/or donations. For larger

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Produced by the Kennebunkport Housing Committee

housing developments, infrastructure costs could be covered by a developer in exchange for something like land to build market value homes.

- Qualifying families or individuals in these initial groups are likely to be able to secure mortgage financing (based on input from local banks).
- Several local banks have expressed interest in supporting this initiative.
- The Housing Committee expects that most housing projects will involve working with a variety of partners, including other Not-for-Profits, developers, and financial institutions
- Ongoing administrative costs and ways to cover them are yet to be determined.
- To be truly successful, the Housing Committee also believes that the Housing Initiative will need financial support, in part, by the community:
 - Donations in the form of donated or reduced cost land and other monetary tax-free types of donations will be necessary.
 - There may also be other sources of revenue in the long run from rentals, partnerships with businesses, etc.

Housing Committee Recommendations

At this point, the Housing Committee feels confident in recommending the following to the Board of Selectmen:

1. The Town approves the establishment of a stand-alone Not-for-Profit (NFP) Housing Organization which the Housing Committee believes would be the most purposeful way to oversee and administer the Housing Initiative for the Town. This approach has worked well in other Maine towns.

Members of the to-be-created Not-for-Profit, a Board of Directors (BOD), be drawn from, at a minimum, representatives from Town Staff and/or Selectmen, interested citizens and representatives from ongoing partner organizations.

The Housing Initiative should apply for and obtain 501(c)3 Internal Revenue designation(s) and should also consider a 501 (c) 4 to serve all

KENNEBUNKPORT HOUSING INITIATIVE

Produced by the Kennebunkport Housing Committee

the Housing Initiative targeted groups. A 501(c)3 will enable tax deductible donations for support to those slightly below the area median income level, while a 501(c)4 will allow the development of housing to those nearer or slightly above the area median income level.

2. Keep the finances of the Housing Initiative independent of the Town's annual budget.
3. Assuming the Town wishes to go forward, the initial housing projects should most likely be a few modest-sized home developments. Larger developments (which could include a mix of affordable and market priced homes) and developments serving the rest of the targeted income range would be pursued as resources and opportunities are identified.
4. When looking at the longer term, the new Housing Organization may consider including townhouses and/or rentals in the mix.
5. The Town and BOS continue to authorize the allocation of Town resources in the form of paying for legal fees and CEO staff time to support the start of this initiative.
6. The Town and BOS be prepared to approve the transfer of suitable land to the new Housing Organization. Specific site evaluation and recommendations will be forthcoming. The Housing Committee understands that tax-acquired land may be transferred with BOS approval.
7. At this point we do not know whether it will be necessary to ask for up front budgetary support for the new Housing Organization.

NEXT STEPS:

Should the BOS decide to move forward with a Housing Initiative, based on the Housing Committee findings and recommendations this far, the Committee will then:

- a. Formalize a proposal for the Housing Organization, including, a Charter, Bylaws, Board of Directors, Staffing, Funding, appropriate documents and will seek all necessary BOS and Town approvals.
- b. Seek input from the public, from developers and from potential applicants.

KENNEBUNKPORT HOUSING INITIATIVE

Produced by the Kennebunkport Housing Committee

- c. Complete a legal review of the organization and the housing initiative by Town Counsel.
- d. Work with Town staff to evaluate potential sites for an initial development and should one or more sites seem suitable, revert to the BOS with a request to transfer the site(s) to the new NFP.
- e. Determine funding for site preparation.
- f. Undertake discussions with potential partners.
- g. Once these steps are well underway or completed, the BOD and Staff of the new NFP would develop process guidelines, applicant evaluation criteria, line up prospective lenders, begin the process of seeking applicants, line up potential contractors and/or suppliers of modular housing and generally undertake the steps necessary to provide affordable houses on the selected sites.
- h. Establish housing affordability goals for the targeted groups.
- i. Determine the need to modify the Kennebunkport Land Use Ordinance.

GENERAL CHARACTERISTICS THAT WOULD APPLY TO AFFORDABLE HOUSING IN KENNEBUNKPORT

Applicants would have to meet certain standards for income established in each case based on financial feasibility but within the range identified above.

- A. The houses would remain affordable when resold under covenants agreed to by the owner.
- B. Certain standards of maintenance and upkeep would apply to all owners.
- C. Dwelling units would have to meet certain design standards (compatibility with neighborhood, building quality, energy efficiency).
- D. Owners must live full-time in the dwelling unit.
- E. Incentives directed toward attracting individuals for example, that work in the Town, that volunteer, or have children attending Consolidated may be considered.

KENNEBUNKPORT HOUSING INITIATIVE

Produced by the Kennebunkport Housing Committee

EXHIBITS/CHARTS

Chart 1 – Typical Twenty: Prototype Profiles of Families Served

HOUSEHOLDS			OCCUPATIONS	WAGES.	AMI.*	PCTG.
Fmly Adults Kids				(\$000)	(\$000)	Inc. of AMI
4	2	2	School Teacher; Landscaper	38;30.	72	94%
2.	1.	1.	Retail Worker.	27.	58.	47%
3.	2.	1.	Health Care Worker; Clerical.	35;25.	65.	92%
5.	2.	3.	Construc Spvsr; Admin Asst.	57;36.	72.	129%
1.	1.	0.	Retired.	35.	50.	70%
4.	2.	2.	Librarian; Student.	50.	72.	69%
5.	2.	3.	Machine Operator; Secretary.	40;35.	78.	96%
2.	2.	0.	Retired.	36;19.	58.	95%
2.	1.	1.	Childcare Administrator.	53.	58.	91%
4.	2.	2.	Hospitality Wkr; Constr Laborer	25;26.	72.	71%
5.	2.	3.	Town Equip Oper; Paralegal.	49;48.	78.	124%
1.	1.	1.	Retired.	25.	50.	50%
5.	2.	3.	Wastewater Operator; At Home.	50.	78.	64%
3.	1.	2.	Social Worker.	46.	65.	71%
2.	2.	0.	Retired.	18;17.	58.	60%
3.	1.	2.	Artist.	30.	65.	46%
4.	2.	2.	Real Estate Broker; Carpenter.	43;40.	65.	128%
1.	1.	0.	Lobster Fisherman	37.	50.	74%
3.	2.	1.	Hair Stylist; Custodian.	26;26.	65.	80%

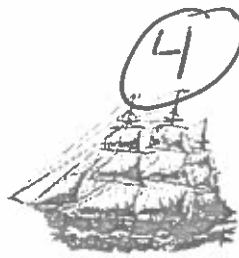
Note: Wages derived from averages published by Bureau of Labor Statistics, Social Security Administration and other data bases.

* AMI = Area Median Income



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

— INCORPORATED 1653 —

Public Hearing

Town of Kennebunkport General Assistance Ordinance

The Town of Kennebunkport Board of Selectmen will conduct a public hearing to adopt the MMA Model Ordinance GA Appendices A to D for the period October 1, 2018–September 30, 2019.

The hearing will be held on September 27, 2018, at 6 p.m., at the Village Fire Station, 32 North Street, Kennebunkport, Maine.

Oct 1, 2018 to Sept 30, 2019

OVERALL MAXIMUMS

Persons in Household					
1	2	3	4	5	
766	884	1,098	1,487	1,515	

Household of 6 = 1,590

* Add \$75 for each additional person

FOOD MAXIMUMS

Persons	Weekly	Monthly
1	44.65	192
2	82.09	353
3	117.44	505
4	149.30	642
5	177.21	762
6	212.56	914
7	235.12	1,011
8	268.60	1,155

Add \$144 per month for each + person

HEATING FUEL

Month	Gallons	Month	Gallons
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

Housing Maximums

BEDROOM	UNHEATED		HEATED	
	Weekly	Monthly	Weekly	Monthly
0	140	600	163	701
1	160	688	189	812
2	203	875	236	1,013
3	274	1,201	323	1,388
4	274	1,201	326	1,403

PERSONAL CARE & HOUSEHOLD SUPPLIES

Number in Household	Weekly Amount	Monthly Amount
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

Number of Children	Weekly Amount	Monthly Amount
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is not automatically entitled to the "maximums" established applicants must demonstrate need.

1) Electricity Maximums for Households Without Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses excluding electric hot water and heat:

Number in Household	Weekly	Monthly
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) Electricity Maximums for Households With Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses excluding heat:

Number in Household	Weekly	Monthly
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

1-800-442-6003

Revised 8/31/18 SLR

2018-2019 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from October 1, 2018 to September 30, 2019.

APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
NOTE: For each additional person add \$75 per month.						
(The applicable figures from Appendix A, <i>once adopted</i> , should be inserted here.)						

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	44.65	192
2	82.09	353
3	117.44	505
4	149.30	642
5	177.21	762
6	212.56	914
7	235.12	1,011
8	268.60	1,155
NOTE: For each additional person add \$144 per month.		

APPENDIX C - HOUSING MAXIMUMS

Number of Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				
(The applicable figures from Appendix C, <i>once adopted</i> , should be inserted here.)				

FOR MUNICIPAL USE ONLY

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

FOR MUNICIPAL USE ONLY

2018-2019 GA Overall Maximums

Metropolitan Areas

COUNTY	Persons in Household				
	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	733	814	1,032	1,294	1,748
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	693	697	908	1,137	1,297
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	669	736	932	1,193	1,461
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,058	1,159	1,483	1,986	2,303
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	989	1,039	1,382	1,749	2,433
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	784	831	1,091	1,593	1,820

Appendix A
Effective: 10/01/18-09/30/19

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	786	875	1,017	1,345	1,636
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	766	884	1,098	1,487	1,515

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	622	662	773	1,016	1,112
Franklin County	650	680	807	1,005	1,431
Hancock County	698	798	1,009	1,274	1,397
Kennebec County	727	756	944	1,241	1,326
Knox County	759	765	944	1,210	1,344
Lincoln County	788	845	1,004	1,259	1,503
Oxford County	694	699	839	1,221	1,426
Piscataquis County	615	681	843	1,115	1,238
Somerset County	679	714	859	1,156	1,219
Waldo County	696	761	903	1,231	1,389
Washington County	679	683	840	1,062	1,212

* Please Note: Add \$75 for each additional person.

2018-2019 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2018, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	44.65	192
2	82.09	353
3	117.44	505
4	149.30	642
5	177.21	762
6	212.56	914
7	235.12	1,011
8	268.60	1,155

Note: For each additional person add \$144 per month.

2018-2019 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from October 1, 2018 to September 30, 2019.

APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
NOTE: For each additional person add \$75 per month.						
(The applicable figures from Appendix A, <i>once adopted</i> , should be inserted here.)						

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	44.65	192
2	82.09	353
3	117.44	505
4	149.30	642
5	177.21	762
6	212.56	914
7	235.12	1,011
8	268.60	1,155
NOTE: For each additional person add \$144 per month.		

APPENDIX C - HOUSING MAXIMUMS

Number of Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				
(The applicable figures from Appendix C, <i>once adopted</i> , should be inserted here.)				

FOR MUNICIPAL USE ONLY

2018-2019 GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should **ONLY consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (*See Instruction Memo for further guidance.*)

Non-Metropolitan FMR Areas

<u>Aroostook County</u>				
Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	112	483	131	565
1	115	496	140	600
2	133	572	163	700
3	180	776	217	932
4	192	826	236	1,016
<u>Franklin County</u>				
Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	119	511	138	593
1	120	514	144	618
2	141	606	171	734
3	178	765	214	921
4	266	1,145	310	1,335
<u>Hancock County</u>				
Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	124	535	147	633
1	140	602	169	726
2	183	788	215	924
3	230	988	273	1,175
4	246	1,058	299	1,285
<u>Kennebec County</u>				
Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	131	564	154	662
1	131	564	159	684
2	168	724	200	859
3	222	955	266	1,142
4	230	987	282	1,214

Non-Metropolitan FMR Areas

<u>Knox County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	139	596	161	694
1	139	596	161	694
2	168	724	200	859
3	215	924	258	1,111
4	234	1,005	287	1,232
<u>Lincoln County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	145	625	168	723
1	151	649	180	773
2	182	783	214	919
3	226	973	270	1,160
4	271	1,164	323	1,391
<u>Oxford County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	528	146	629
1	123	528	146	629
2	140	600	175	754
3	218	935	261	1,122
4	253	1,087	306	1,314
<u>Piscataquis County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	110	474	130	559
1	119	512	144	619
2	149	640	179	771
3	203	871	240	1,032
4	220	946	266	1,142
<u>Somerset County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	120	517	143	614
1	121	519	149	642
2	147	631	180	774
3	202	870	246	1,057
4	205	880	257	1,107

Non-Metropolitan FMR Areas

<u>Waldo County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	530	147	631
1	131	565	160	689
2	159	683	190	818
3	220	945	263	1,132
4	244	1,050	297	1,277
<u>Washington County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	119	513	143	614
1	119	513	143	614
2	140	601	176	755
3	181	776	224	963
4	203	873	256	1,100

Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	132	567	155	668
1	144	618	173	742
2	185	793	220	947
3	234	1,008	278	1,195
4	328	1,409	380	1,636
<u>Penobscot Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	527	146	628
1	123	527	146	628
2	156	669	191	823
3	198	851	241	1,038
4	223	958	276	1,185
<u>Lewiston/Auburn MSA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	117	503	140	604
1	125	540	154	664
2	165	711	197	847
3	211	907	254	1,094
4	261	1,122	314	1,349

Appendix C
Effective: 10/01/18-09/30/19

Metropolitan FMR Areas

<u>Portland HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	208	892	231	993
1	224	963	253	1,087
2	289	1,244	325	1,398
3	395	1,700	439	1,887
4	457	1,964	510	2,191
<u>York/Kittery/S. Berwick HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	192	824	215	924
1	196	843	225	967
2	266	1,143	302	1,297
3	340	1,463	384	1,650
4	487	2,094	540	2,321
<u>Cumberland Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	618	167	719
1	148	635	177	759
2	202	868	234	1,006
3	304	1,307	347	1,494
4	344	1,481	397	1,708
<u>Sagadahoc Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	145	623	168	721
1	158	679	187	803
2	185	795	217	932
3	246	1,059	290	1,246
4	302	1,297	354	1,524
<u>York Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	140	600	163	701
1	160	688	189	812
2	203	875	236	1,013
3	274	1,201	323	1,388
4	274	1,201	326	1,403

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

FOR MUNICIPAL USE ONLY

GENERAL ASSISTANCE ORDINANCE

APPENDICES A-D

2018-2019

The Municipality of Kennebunkport adopts the MMA Model Ordinance GA Appendices (A-D) for the period of Oct. 1, 2018—September 30, 2019. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the _____ (day) of _____ (month) _____ (year)
by the municipal officers:

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)



Agenda Item Divider



6

**RE-CERTIFICATION OF PROPOSED REVISIONS TO
WIRELESS TELECOMMUNICATIONS ORDINANCE AND ORDER**

The municipal officers of the Town of Kennebunkport hereby re-certify to the municipal clerk of the Town of Kennebunkport pursuant to 30-A M.R.S. § 3002 that attached hereto is a true copy of the proposed revisions to the ordinance entitled "Wireless Telecommunications Ordinance" (the "Revised Ordinance"), to be voted on at a town meeting of the Town of Kennebunkport on November 6, 2018 under the article, "Shall an ordinance entitled 'Wireless Telecommunications Ordinance' be revised?"

It was recently brought to our attention that there were five missing sections in the original certified ordinance. Those sections were always intended to be included in the original proposal but were inadvertently omitted. We are re-certifying in order to meet the requirements of the Administrative Code. As further clarification, the new definitions proposed for the Land Use Ordinance will also be included in the Telecommunications Ordinance.

It is further Ordered, pursuant to 30-A M.R.S. § 3002(1) that the municipal clerk shall keep this certified copy as a public record and shall make copies of the Revised Ordinance available for distribution to the voters of the Town of Kennebunkport from the time of this certification. Copies of the Revised Ordinance shall also be attested by the Town Clerk and posted in the same manner as the warrant calling said town meeting and shall be made available to the voters at said town meeting.

Dated: September 27, 2018

A majority of the municipal officers of the
Town of Kennebunkport

A true copy of the proposed revisions to the Ordinance entitled, "Wireless Telecommunications Ordinance" is attached hereto.

Attest: _____
Tracey O'Roak, Town Clerk
Town of Kennebunkport

Wireless Telecommunications Ordinance PROPOSED

AMENDMENT

Contents

- **Section 1: Title**
- **Section 2: Authority**
- **Section 3: Purpose**
- **Section 4: Applicability**
 - **4.1: Exemptions**
- **Section 5: Review and Approval Authority**
 - **5.1: Approval Required**
 - **5.2: Approval Authority**
- **Section 6: Approval Process**
 - **6.1: Pre-Application Conference**
 - **6.2: Application**
 - **6.3: Submission Waiver**
 - **6.4: Fees**
 - **6.5: Notice of Complete Application**
 - **6.6: Public Hearing**
 - **6.7: Approval**
 - **6.8: Building Permit Required**
- **Section 7: Standards of Review**
 - **7.1: CEO Approval Standards**
 - **7.2: Planning Board Approval Standards**
 - **7.3: Standard Conditions of Approval**
- **Section 8: Amendment to an Approved Application**
- **Section 9: Abandonment**
- **Section 10: Appeals**
- **Section 11: Administration and Enforcement**
- **Section 12: Penalties**
- **Section 13: Conflict and Severability**
 - **13.1: Conflicts with other Ordinances**
 - **13.2: Severability**
- **Section 14: Definitions**
- **Section 15: Effective Date**

Section 1. Title

This Ordinance shall be known and cited as the “Wireless Telecommunications Facilities Siting Ordinance” of Kennebunkport, Maine (hereinafter referred to as the “ordinance”).

Section 2. Authority

This ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution; the provisions of Title 30-A M.R.S.A., Section 3001 (Home Rule), and the provisions of the Planning and Land Use Regulation Act, Title 30-A M.R.S.A., Section 4312 et seq.

Section 3. Purpose

The purpose of this ordinance is to provide a process and a set of standards for the construction of wireless telecommunications facilities in order to:

- Implement a municipal policy concerning the provision of wireless telecommunications services, and the siting of their facilities;
- Establish clear guidelines, standards and time frames for the exercise of municipal authority to regulate wireless telecommunications facilities;
- Allow competition in telecommunications service;
- Encourage the provision of advanced telecommunications services to the largest number of businesses, institutions and residents of Kennebunkport;
- Permit and manage reasonable access to the public rights of way of Kennebunkport for telecommunications purposes on a competitively neutral basis;
- Ensure that all telecommunications carriers providing facilities or services within Kennebunkport comply with the ordinances of Kennebunkport;
- Ensure that Kennebunkport can continue to fairly and responsibly protect the public health, safety and welfare;
- Encourage the colocation of wireless telecommunications facilities and alternative technologies, thus helping to minimize adverse visual impacts on the community;
- Enable Kennebunkport to discharge its public trust consistent with rapidly evolving federal and state regulatory policies, industry competition and technological development;
- Further the goals and policies of the comprehensive plan, while promoting orderly development of the town with minimal impacts on existing uses; and
- Protect the scenic and visual character of the community; and
- Comply with the 2012 Spectrum Act and the Telecommunications Act of 1996 as each is amended.-

Section 4. Applicability

This local land use ordinance applies to all construction and expansion of wireless telecommunications facilities, except as provided in section 4.1.

4.1 Exemptions: The following are exempt from the provisions of this ordinance:

- A. **Emergency Wireless Telecommunications Facility.** Wireless communication facilities for emergency communications by public officials or any municipal or quasi-municipal organization currently served by the Town of Kennebunkports Communications Department including, without limitation, the KK&W Water District and colocation by any person or firm, public or private, on any tower owned or operated by the KK&W Water District provided colocation by any private person or firm shall be subject to site plan approval by the Planning Board in addition to other applicable provisions of this ordinance.
- B. **Amateur (ham) radio stations.** Amateur (ham) radio stations licensed by the Federal Communications Commission (FCC).
- C. **Parabolic antenna.** Parabolic Antennas less than seven (7) feet in diameter, that are an accessory use of the property.
- D. **Maintenance or repair.** Maintenance, repair or reconstruction of a wireless telecommunications facility and related equipment, provided that there is no change in the height or any other dimension of the facility.
- E. **Temporary wireless telecommunications facility.** Temporary wireless telecommunications facility, in operation for a maximum period of one hundred eighty (180) days.
- ~~F. **Antennas as Accessory Uses.** An antenna that is an accessory use to a residential dwelling unit.~~

Section 5. Review and Approval Authority

5.1 Approval Required: No person shall construct or expand a wireless telecommunication facility without approval of the Code Enforcement Officer (CEO) or the Planning Board as follows:

- A. **Expansion of an Existing Facility and Colocation.** Approval by the CEO and issuance of a building permit is required for (1) any expansion of an existing wireless telecommunications facility that increases the height of the facility by no more than 20 feet; (2) accessory use of an existing wireless telecommunications facility; or (3) collocation on an existing wireless telecommunications facility or alternative tower structure; or (4) installation of small cell facilities on existing utility poles.
- B. **New Construction.** Approval of the Planning Board and issuance of a building permit is required for construction of all new wireless telecommunications facilities; and any expansions or substantial modifications of ~~an~~ existing wireless telecommunications facilities such as, but not limited to, that

increases in the height of the facility by more than 20 feet or new disturbed area or equipment cabinets outside the area occupied by the existing facility.

5.2 Approval Authority

In accordance with Section 5.1 above, the CEO or Planning Board shall review applications for wireless telecommunications facilities, and make written findings on whether the proposed facility complies with this Ordinance.

Section 6. Approval Process

6.1 Pre-Application Conference: All persons seeking approval of the CEO or the Planning Board under this ordinance shall meet with the CEO no less than thirty (30) days before filing an application. At this meeting, the CEO shall explain to the applicant the ordinance provisions, as well as application forms and submissions that will be required under this ordinance.

6.2 Application: All persons seeking approval of the CEO or the Planning Board under this ordinance shall submit an application as provided below. The CEO shall be responsible for ensuring that notice of the application has been published in a newspaper of general circulation in the community.

A. *Application for CEO Approval.* Applications for permit approval by the CEO must include the following materials and information:

1. Documentation of the applicants right, title, or interest in the property where the facility is to be sited, including name and address of the property owner and the applicant.
2. A copy of the FCC license for the facility or a signed statement from the owner or operator of the facility attesting that the facility complies with current FCC regulations.
3. Identification of districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places (see 16 U.S.C. 470w(5); 36 CFR 60 and 800).
4. Location map and elevation drawings of the proposed facility and any other proposed structures, showing color, and identifying structural materials.
- 4.5. For a proposed small cell facility: (a) name and address of the owner(s) of the utility pole; (b) utility pole number; (c) address of nearest property; and (d) structural analysis, signed by a Maine registered professional engineer, attesting to the ability integrity of the utility pole to support the small cell facility without any impact to the structural integrity of the utility pole or network of poles.
- 5.6. For proposed expansion of an existing facility, a signed statement that commits the owner of the facility, and his or her successors in interest, to:

1. respond in a timely, comprehensive manner to a request for information from a potential colocation applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
2. negotiate in good faith for shared use by third parties;
3. allow shared use if an applicant agrees in writing to pay reasonable charges for colocation;
4. require no more than a reasonable charge for shared use, based on community rates and generally accepted accounting principles. This charge may include but is not limited to a pro rata share of the cost of site selection, planning project administration, land costs, site design, construction and maintenance, financing, return on equity, depreciation, and all of the costs of adopting the tower or equipment to accommodate a shared user without causing electromagnetic interference.

B. ***Application for Planning Board Approval.*** An application for approval by the Planning Board must be submitted to the Code Enforcement Officer. The application must include the following information:

1. Documentation of the applicants right, title, or interest in the property on which the facility is to be sited, including name and address of the property owner and the applicant.
2. A copy of the FCC license for the facility, or a signed statement from the owner or operator of the facility attesting that the facility complies with current FCC regulations.
3. A USGS 7.5 minute topographic map showing the location of all structures and wireless telecommunications facilities above 150 feet in height above ground level, except antennas located on roof tops, within a five (5) mile radius of the proposed facility, unless this information has been previously made available to the Town. This requirement may be met by submitting current information (within thirty days of the date the application is filed) from the FCC Tower Registration Database.
4. A site plan:
 1. prepared and certified by a Maine registered professional engineer ~~registered in Maine~~ indicating the location, type, and height of the proposed facility, antenna capacity, on-site and abutting off-site land uses, means of access, setbacks from property lines, and all applicable American National Standards Institute (ANSI) technical and structural codes;
 2. certification by the applicant that the proposed facility complies with all FCC standards for radio frequency emissions is required; and
 3. a boundary survey for the project performed by a land surveyor licensed by the State of Maine.
5. A scenic assessment, consisting of the following:

1. Elevation drawings of the proposed facility, and any other proposed structures, showing height above ground level;
2. A landscaping plan indicating the proposed placement of the facility on the site; location of existing structures, trees, and other significant site features; the type and location of plants proposed to screen the facility; the method of fencing, the color of the structure, and the proposed lighting method.
3. Photo simulations of the proposed facility taken from perspectives determined by the Planning Board, or their designee, during the pre-application conference. Each photo must be labeled with the line of sight, elevation, and with the date taken imprinted on the photograph. The photos must show the color of the facility and method of screening.
4. A narrative discussing:
 - i. the extent to which the proposed facility would be visible from or within a designated scenic resource,
 - ii. the tree line elevation of vegetation within 100 feet of the facility, and
 - iii. the distance to the proposed facility from the designated scenic resources noted viewpoints.
6. A written description of how the proposed facility fits into the applicants telecommunications network. This submission requirement does not require disclosure of confidential business information.
7. Evidence demonstrating that no existing building, site, or structure can accommodate the applicants proposed facility, the evidence for which may consist of any one or more of the following:
 1. Evidence that no existing facilities are located within the targeted market coverage area as required to meet the applicants engineering requirements,
 2. Evidence that existing facilities do not have sufficient height or cannot be increased in height at a reasonable cost to meet the applicants engineering requirements,
 3. Evidence that existing facilities do not have sufficient structural strength to support applicants proposed antenna and related equipment. Specifically:
 - i. Planned, necessary equipment would exceed the structural capacity of the existing facility, considering the existing and planned use of those facilities, and these existing facilities cannot be reinforced to accommodate the new equipment.
 - ii. The applicants proposed antenna or equipment would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna or equipment on the existing facility would cause interference with the applicants proposed antenna.

- iii. Existing or approved facilities do not have space on which planned equipment can be placed so it can function effectively.
- 4. For facilities existing prior to the effective date of this ordinance, the fees, costs, or contractual provisions required by the owner in order to share or adapt an existing facility are unreasonable. Costs exceeding the pro rata share of a new facility development are presumed to be unreasonable. This evidence shall also be satisfactory for a tower built after the passage of this ordinance;
- 5. Evidence that the applicant has made diligent good faith efforts to negotiate colocation on an existing facility, building, or structure, and has been denied access.
- 8. Identification of districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places (see 16 U.S.C. 470w(5); 36 CFR 60 and 800).
- 9. A signed statement stating that the owner of the wireless telecommunications facility and his or her successors and assigns agree to :
 - 1. respond in a timely, comprehensive manner to a request for information from a potential colocation applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
 - 2. negotiate in good faith for shared use of the wireless telecommunications facility by third parties;
 - 3. allow shared use of the wireless telecommunications facility if an applicant agrees in writing to pay reasonable charges for colocation;
 - 4. require no more than a reasonable charge for shared use, based on community rates and generally accepted accounting principles. This charge may include but is not limited to a pro rata share of the cost of site selection, planning project administration, land costs, site design, construction, financing, return on equity, depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference. The amortization of the above costs by the facility owner shall be accomplished at a reasonable rate, over the useful life span of the facility.
- 10. A form of surety approved by the Planning Board to pay for the costs of removing the facility if it is abandoned.
- 11. Evidence that a notice of the application has been published in a local newspaper of general circulation in the community.

6.3 Submission Waiver: The CEO or Planning Board, as appropriate, may waive any of the submission requirements based upon a written request of the applicant submitted at the time of application. A waiver of any submission requirement may be granted only

if the CEO or Planning Board finds in writing that due to special circumstances of the application, the information is not required to determine compliance with the standards of this Ordinance.

6.4 Fees:

- A. **CEO Application Fee.** An application for CEO approval shall include payment of an application fee as determined annually by the Board of Selectmen. ~~of \$250.~~ The application shall not be considered complete until this fee is paid. ~~The applicant is entitled to a refund of the application fee if the application is withdrawn within fifteen (15) days of date of filing, less all expenses incurred by the Town to review the application.~~
- B. **Planning Board Application Fee.** An application for Planning Board approval shall include payment of an application fee as determined annually by the Board of Selectmen. ~~of \$500.~~ The application shall not be considered complete until this fee is paid. ~~An applicant is entitled to a refund of the application portion of fee if the application is withdrawn within fifteen (15) days of date of filing, less all expenses incurred by the Town to review the application.~~
- C. **Planning Board Review Fee.** An applicant for approval by the Planning Board shall pay all reasonable and customary fees incurred by the Town that are necessary to review the application, including, without limitation, independent engineering, planning, legal or similar professional consulting services. Such review fee shall be assessed for the privilege of review and shall be payable without regard to consultation results or the outcome of the application. The review fee shall be paid in full prior to the start of construction. No building permit may be issued until all review fees have been paid in full.

That portion of the review fee not used shall be returned to the applicant within ~~fourteen (14) days~~ a reasonable period time after of the Planning Boards decision, once it has been determined that all associated costs have been paid.

6.5 Notice of Complete Application: Upon receipt of an application, the CEO shall provide the applicant with a dated receipt. Within five (5) working days of receipt of an application the CEO shall review the application and determine if the application meets the submission requirements. The CEO or Planning Board, as appropriate, shall review any requests for a waiver from the submission requirements and shall act on these requests prior to determining the completeness of the application.

If the application is complete, the CEO shall notify the applicant in writing of this determination and require the applicant to provide a sufficient number of copies of the application to the Planning Board, Code Enforcement Office, Police Department and Fire Department.

If the application is incomplete, the CEO shall notify the applicant in writing, specifying the additional materials or information required to complete the application.

If the application is deemed to be complete, and requires Planning Board review, the CEO shall notify all abutters to the site as shown on the Assessors records, by first-class mail, that an application has been accepted. This notice shall contain a brief description of the proposed activity and the name of the applicant, give the location of a copy of the application available for inspection, and provide the date, time, and place of the Planning Board meeting at which the application will be considered. Failure on the part of any abutter to receive such notice shall not be grounds for delay of any consideration of the application nor denial of the project.

6.6 Public Hearing: For applications for Planning Board approval under Section 5.1(B), a public hearing shall be held within 30 days of the notice of the complete application.

6.7 ~~6.7~~ Approval:

A. CEO Approval. Within thirty (30) days of receiving a complete application for approval under section 5.1(A), the CEO shall approve, approve with conditions, or deny the application in writing, together with the findings on which that decision is based. With the exception of applications for installation of a small cell facility, ~~the~~ the CEO shall approve the application if the CEO finds that the application complies with the provisions in Section 7.1 of this ordinance.

For a small cell facility, the CEO shall approve the application if the CEO finds the following:

(a) the small cell facility does not interfere with the safety and convenience of travel over the public right of way; other existing uses of the utility right of way, and shall not interfere with municipal emergency service communication equipment;

B. (b) the small cell facility is not located within fifty (50) feet of a residence or sensitive population (including but not limited to schools, hospitals, nursing facilities etc.) If a small cell facility is proposed to be located within fifty (50) feet of a residence or sensitive population then the approval process outlined in 6.7D Planning Board Approval shall be followed.

(b);

(c) The small cell facility is camouflaged such that it is visually unobtrusive as compared to the preexisting condition of the utility pole or nearby utility poles, including color and scale;

(d) The dimensions of the antenna does not exceed three (3) feet in height or two (e2) feet in width and associated equipment has a maximum square footage of ten (10) square feet and height of two (2) feet;

(e) No part of the small cell facility projects from the utility pole further than four (4) feet from its existing height and two (2) feet from its existing width

C. The small cell facility is proposed by a licensed provided who agrees to comply with all local ordinance, state and federal laws;

A. The entity seeking approval for the small cell facility submits a written commitment to notify the Town within thirty days of cessation of use of the facility and to remove that facility within ninety (90) days of termination of use.

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The CEO shall notify all abutters of the decision to issue a permit under this section. The time period may be extended upon agreement between the applicant and the CEO.

B-D. Planning Board Approval. Within ninety (90) days of receiving a complete application for approval under section 5.1(~~BA~~) or one hundred fifty (150) days of receiving a complete application for approval under section 5.1(B), the Planning Board shall approve, approve with conditions, or deny the application in writing, together with the findings on which that decision is based. However, if the Planning Board has a waiting list of applications that would prevent the Planning Board from making a decision within the required ~~ninety (90) day time~~ period, then a decision on the application shall be issued within sixty (60) days of the public hearing, if necessary, or within 60 days of the completed Planning Board review. This time period may be extended upon agreement between the applicant and the Planning Board.

6.8 Building Permit Required: No wireless telecommunications facility shall be constructed or expanded without a building permit therefore issued by the CEO.

6.9 Zoning: Notwithstanding any provision in any municipal ordinance to the contrary, small cell facilities and colocated wireless telecommunications facilities or antennas installed on alternative tower structures shall be a permitted use in all zoning districts.

Section 7. Standards of Review

To obtain approval from the CEO or the Planning Board, an application must comply with the standards in this section.

7.1 CEO Approval Standards: An application for approval by the CEO under Section 5.1(A) must meet the following standards.

- A. The proposed facility is an expansion, accessory use, or colocation to a conforming structure legally existing at the time the application is submitted.
- B. The applicant has sufficient right, title, or interest to locate the proposed facility on the existing structure.
- C. The proposed facility increases the height of the existing structure by no more than twenty (20) feet.
- D. The proposed facility will be constructed with materials and colors that match or blend with the surrounding natural or built environment, to the maximum extent practicable.

- E. The proposed facility, to the greatest degree practicable, shall have no unreasonable adverse impact upon districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places (see 16 U.S.C. 470w(5); 36 CFR 60 and 800).

7.2 Planning Board Approval Standards: An application for approval by the Planning Board under Section 5.1(B) must meet the following standards.

- A. **Location.** New wireless telecommunications facilities installed on new towers may be permitted only in the following district as designated in the Kennebunkport Zoning Ordinance: Free Enterprise Zone.
- B. **Siting on Municipal Property.** If an applicant proposes to locate a new wireless telecommunications facility, or expand an existing facility on Town property, the applicant must show the following:
 - 1. The proposed location complies with applicable municipal policies and ordinances.
 - 2. The proposed facility will not interfere with the intended purpose of the property.
 - 3. The applicant has adequate liability insurance and a lease agreement with the Town that includes reasonable compensation for the use of the property and other provisions to safeguard the public rights and interests in the property.
- C. **Design for Colocation.** A new wireless telecommunications facility and related equipment must be designated and constructed to accommodate expansion for future colocation of at least three additional wireless telecommunications facilities or providers. However, the Planning Board may waive or modify this standard where the district height limitation effectively prevents future colocation.
- D. **Height.** A new wireless telecommunications facility must be no more than 200 feet in height.
- E. **Setbacks.** A new or expanded wireless telecommunications facility must comply with the set back requirements for the zoning district in which it is located, or be set back one hundred five percent (105%) of its height from all property lines, whichever is greater. The setback may be satisfied by including the areas outside the property boundaries if secured by an easement. The following exemptions apply:
 - 1. The setback may be reduced by the Planning Board upon a showing by the applicant that the facility is designed to collapse in a manner that will not harm other property.
 - 2. An antenna is exempt from the setback requirement if it extends no more than five (5) feet horizontally from the edge of the structure to which it is attached, and it does not encroach upon an abutting property.

2.3. This setback does not apply to the installation of colocated wireless telecommunication facilities or small cell facilities on alternative tower structures.

- F. **Landscaping.** A new wireless telecommunications facility and related equipment must be screened with plants from view by abutting properties, to the maximum extent practicable. Existing plants and natural land forms on the site shall also be preserved to the maximum extent practicable.
- G. **Fencing.** A new wireless telecommunications facility must be fenced to discourage trespass on the facility and to discourage climbing on any structure by trespassers.
- H. **Lighting.** A new wireless telecommunications facility must be illuminated only as necessary to comply with FAA or other applicable state and federal requirements. However, security lighting may be used as long as it is shielded to be down-directional to retain light within the boundaries of the site, to the maximum extent practicable.
- I. **Color and Materials.** A new wireless telecommunications facility must be constructed with materials and colors that match or blend with the surrounding natural or built environment, to the maximum extent practicable. Unless otherwise required, muted colors, earth tones, and subdued hues shall be used.
- J. **Structural Standards.** A new wireless telecommunications facility must comply with the current Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision Standard entitled "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures."
- K. **Visual Impact.** The proposed wireless telecommunications facility will have no unreasonable adverse impact upon designated scenic resources within the Town, as identified either in the Towns Comprehensive Plan, or by a State or federal agency.
 - 1. In determining the potential unreasonable adverse impact of the proposed facility upon the designated scenic resources, the Planning Board shall consider the following factors:
 - 1. The extent to which the proposed wireless telecommunications facility is visible above tree line, from the viewpoint(s) of the impacted designated scenic resource;
 - 2. The type, number, height, and proximity of existing structures and features, and background features within the same line of sight as the proposed facility;
 - 3. The extent to which the proposed wireless telecommunications facility would be visible from the viewpoint(s);
 - 4. The amount of vegetative screening;
 - 5. The distance of the proposed facility from the viewpoint and the facility's location within the designated scenic resource; and
 - 6. The presence of reasonable alternatives that allow the facility to function consistently with its purpose.

- L. **Noise.** During construction, repair, or replacement, operation of a back-up power generator at any time during a power failure, and testing of a back-up generator between 8 a.m. and 9 p.m. is exempt from existing municipal noise standards.
- M. **Historic & Archaeological Properties.** The proposed facility, to the greatest degree practicable, will have no unreasonable adverse impact upon a historic district, site or structure which is currently listed on or eligible for listing on the National Register of Historic Places.

7.3 Standard Conditions of Approval: The following standard conditions of approval shall be a part of any approval or conditional approval issued by the CEO or Planning Board. Where necessary to ensure that an approved project meets the criteria of this ordinance, the Planning Board can impose additional conditions of approval. Reference to the conditions of approval shall be clearly noted on the final approved site plan, and shall include:

1. The owner of the wireless telecommunications facility and his or her successors and assigns agree to:
 1. respond in a timely, comprehensive manner to a request for information from a potential colocation applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
 2. negotiate in good faith for shared use of the wireless telecommunications facility by third parties;
 3. allow shared use of the wireless telecommunications facility if an applicant agrees in writing to pay reasonable charges for colocation;
 4. require no more than a reasonable charge for shared use of the wireless telecommunications facility, based on community rates and generally accepted accounting principles. This charge may include, but is not limited to, a pro rata share of the cost of site selection, planning project administration, land costs, site design, construction and maintenance, financing, return on equity, depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference. The amortization of the above costs by the facility owner shall be accomplished at a reasonable rate, over the life span of the useful life of the wireless telecommunications facility.
2. Upon request by the Town, the applicant shall certify compliance with all applicable FCC radio frequency emissions regulations.

Section 8. Amendment to an Approved Application

Any changes to an approved application must be approved by the CEO or the Planning Board, in accordance with Section 5.

Section 9. Abandonment

A wireless telecommunications facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned. The CEO shall notify the owner of an abandoned facility in writing and order the removal of the facility within ninety (90) days of receipt of the written notice. The owner of the facility shall have thirty (30) days from the receipt of the notice to demonstrate to the CEO that the facility has not been abandoned.

If the Owner fails to show that the facility is in active operation, the owner shall have sixty (60) days to remove the facility. If the facility is not removed within this time period, the Town may remove the facility at the owner's expense. The owner of the facility shall pay all site reclamation costs deemed necessary and reasonable to return the site to its pre-construction condition, including the removal of roads, and reestablishment of vegetation.

If a surety has been given to the Town for removal of the facility, the owner of the facility may apply to the Planning Board for release of the surety when the facility and related equipment are removed to the satisfaction of the Planning Board.

Section 10. Appeals

Any person aggrieved by a decision of the CEO or the Planning Board under this ordinance may appeal the decision to the Board of Appeals as an administrative appeal under the Zoning Ordinance. Written notice of an appeal must be filed with the Board of Appeals within thirty (30) days of the decision. The notice of appeal shall clearly state the reasons for the appeal.

Section 11. Administration and Enforcement

The CEO, as appointed through either the Zoning Ordinance or by the Board of Selectmen or Town or City Council, shall enforce this ordinance. If the CEO finds that any provision of this ordinance has been violated, the CEO shall notify in writing the person responsible for such violation, indicating the nature of the violation, and ordering the action necessary to correct it. The CEO shall order correction of the violation and may take any other legal action to ensure compliance with this ordinance.

The Board of Selectmen, or its authorized agent, is authorized to enter into administrative consent agreements for the purpose of eliminating violations of this ordinance and recovering fines without court action. Such agreements shall not allow a violation of this ordinance to continue unless: (a) there is clear and convincing evidence that the violation occurred as a direct result of erroneous advice given by an authorized municipal official upon which the applicant reasonably relied to its detriment; (b) there is no evidence that the owner acted in bad faith; and (c) the removal of the violation will result in a threat to public health and safety or substantial environmental damage.

Section 12. Penalties

Any person who owns or controls any building or property that violates this ordinance shall be fined in accordance with Title 30-A M.R.S.A. Section 4452. Each day such violation continues after notification by the CEO shall constitute a separate offense.

Section 13. Conflict and Severability

13.1 Conflicts with other Ordinances

Whenever a provision of this ordinance conflicts with or is inconsistent with another provision of this ordinance or of any other ordinance, regulation, or statute, the more restrictive provision shall apply.

13.2 Severability

The invalidity of any part of this ordinance shall not invalidate any other part of this ordinance.

Section 14. Definitions

The terms used in this ordinance shall have the following meanings:

"Alternative Tower Structure" Clock towers, bell steeples, light poles, water towers, electrical transmission line towers, smokestacks, existing buildings, and similar mounting structures that camouflage, or conceal the presence of an Antenna(s).

~~"Antenna" means any system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of radio or electromagnetic frequency signals.~~

"Antenna/Antenna Array" A system of one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals. These include, but are not limited to, omnidirectional antennas (whips or rods), directional antennas (panels) and parabolic antennas (dish or disc).

"Antenna Height" means the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure, even if said highest point is an antenna. Measurement of tower height shall include antenna, base pad, and other appurtenances and shall be measured from the finished grade of the facility site. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

"Colocation" means the use of a wireless telecommunications facility by more than one wireless telecommunications provider.

"Expansion" means the addition of antennas, towers, or other devices to an existing structure.

"FAA" means the Federal Aviation Administration, or its lawful successor.

"FCC" means the Federal Communications Commission, or its lawful successor.

“Height” means the vertical measurement from a point on the ground at the mean finish grade adjoining the foundation as calculated by averaging the highest and lowest finished grade around the building or structure, to the highest point of the building or structure. The highest point shall exclude farm building components, flagpoles, chimneys, ventilators, skylights, domes, water towers, bell towers, church spires, processing towers, tanks, bulkheads, or other building accessory features usually erected at a height greater than the main roofs of buildings.

“Historic or Archaeological Resources” means resources that are:

1. Listed individually in the National Register of Historic Places or eligible for listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs approved by the Secretary of the Interior;
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by Secretary of the Interior through the Maine Historic Preservation Commission; or
5. Areas identified by a governmental agency such as the Maine Historic Preservation Commission as having significant value as an historic or archaeological resource and any areas identified in the Town's Comprehensive Plan, which have been listed or are eligible to be listed on the National Register of Historic Places.

“Historic District” means a geographically definable area possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development and identified in the Town's Comprehensive Plan, which is listed or is eligible to be listed on the National Register of Historic Places. Such historic districts may also comprise individual elements separated geographically, but linked by association or history.

“Historic Landmark” means any improvement, building or structure of particular historic or architectural significance to the Town relating to its heritage, cultural, social, economic or political history, or which exemplifies historic personages or important events in local, state or national history identified in the Town’s Comprehensive Plan, which have been listed or are eligible to be listed on the National Register of Historic Places.

“Line of Sight” means the direct view of the object from the designated scenic resource.

“Parabolic Antenna” (also known as a satellite dish antenna) means an antenna which is bowl-shaped, designed for the reception and or transmission of radio frequency communication signals in a specific directional pattern.

“Principal Use” means the use other than one which is wholly incidental or accessory to another use on the same premises.

“Public Recreational Facility” means a regionally or locally significant facility, as defined and identified either by State statute or in the Town’s Comprehensive Plan, designed to serve the recreational needs of Kennebunkport property owners.

“Designated Scenic Resource” means that specific location, view, or corridor, as identified as a scenic resource in the Town’s Comprehensive Plan or by a State or federal agency, that consists of:

1. a three dimensional area extending out from a particular viewpoint on a public way or within a public recreational area, focusing on a single object, such as a mountain, resulting in a narrow corridor, or a group of objects, such as a downtown skyline or mountain range, resulting in a panoramic view corridor; or
2. lateral terrain features such as valley sides or woodland as observed to either side of the observer, constraining the view into a narrow or particular field, as seen from a viewpoint on a public way or within a public recreational area.

“Small Cell Facility” An antenna, radio, power source and meter, disconnect switch, fiber optic cable, and supporting equipment, if any, installed on a utility pole owned by a regulated public utility and installed within the public right of way.

“Targeted Market Coverage Area” means the area which is targeted to be served by this proposed telecommunications facility.

“Unreasonable Adverse Impact” means that the proposed project would produce an end result which is:

1. excessively out-of-character with the designated scenic resources affected, including existing buildings, structures and features within the designated scenic resource, and
2. would significantly diminish the scenic value of the designated scenic resource.

“Viewpoint” means that location which is identified either in the Town's Comprehensive Plan or by a federal or State agency, and which serves as the basis for the location and determination of a particular designated scenic resource.

~~**“Wireless Telecommunications Facility” or “Facility”** means any structure, antenna, tower, or other device which provides radio/television transmission, commercial mobile wireless services, unlicensed wireless services, cellular phone services, specialized mobile radio communications (SMR), common carrier wireless exchange phone services, specialized mobile radio communications (SMR), common carrier wireless exchange access services, and personal communications services (PCS) or pager services.~~

“Wireless Telecommunications Facility” A facility that transmits, receives, distributes, provides or offers telecommunications services, radio or television signals, or any other spectrum-based transmissions/receptions, together, with the facility's associated antennas, microwave dishes, horns, cables, wires, conduits, ducts, lightning rods,

electronics and other types of equipment for the transmission, receipt, distribution or offering of such signals; wireless communication towers, antenna support structures, and other structures supporting said equipment and any attachments to those structures including guy wires and anchors, equipment buildings, generators, parking areas, utility services, driveways and roads and other accessory features.

“Wireless Telecommunications Facility—Colocated” A Wireless Telecommunications Facility that is installed on an Alternative Tower Structure instead of a new tower structure.

Section 15. Effective Date

Notwithstanding any other provision of law to the contrary, this ordinance shall become effective immediately upon passage but shall be retroactive to any application not pending within the meaning of 1 M.R.S.A. Section 302 as of August 26, 1999.

ADDITIONAL AMENDMENTS TO LAND USE ORDINANCE

Amend Article 2, Section 2.2 – Definitions as follows:

Alternative Tower Structure: Clock towers, bell steeples, light poles, water towers, electrical transmission line towers, smokestacks, existing buildings, and similar mounting structures that camouflage, or conceal the presence of an Antenna(s).

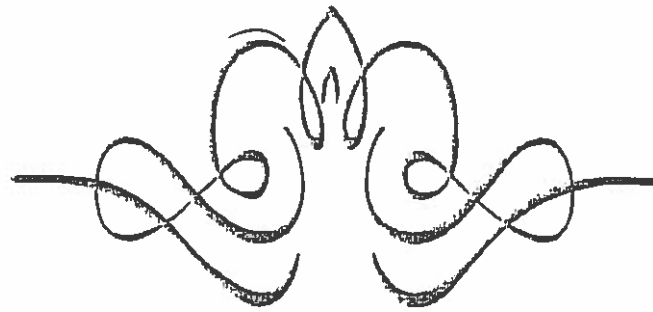
Antenna/Antenna Array: A system of one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals. These include, but are not limited to, omnidirectional antennas (whips or rods), directional antennas (panels) and parabolic antennas (dish or disc).

Small Cell Facility: An antenna, radio, power source and meter, disconnect switch, fiber optic cable, and supporting equipment, if any, installed on a utility pole owned by a regulated public utility and installed within the public right of way.

Wireless Telecommunications Facility: A facility that transmits, receives, distributes, provides or offers telecommunications services, radio or television signals, or any other spectrum-based transmissions/receptions, together, with the facility’s associated antennas, microwave dishes, horns,

cables, wires, conduits, ducts, lightning rods, electronics and other types of equipment for the transmission, receipt, distribution or offering of such signals; wireless communication towers, antenna support structures, and other structures supporting said equipment and any attachments to those structures including guy wires and anchors, equipment buildings, generators, parking areas, utility services, driveways and roads and other accessory features.

Wireless Telecommunications Facility—Colocated: A Wireless Telecommunications Facility that is installed on an Alternative Tower Structure instead of a new tower structure.



Agenda Item Divider



9

September 27, 2018

Motion: I move that the resolution entitled, "Resolution to Authorize Town of Kennebunkport to Issue up to \$10,000,000 in Bonds to Acquire Certain Parcels of Land," be adopted in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting.

RESOLUTION TO AUTHORIZE TOWN OF KENNEBUNKPORT TO ISSUE UP TO \$10,000,000 IN BONDS TO ACQUIRE CERTAIN PARCELS OF LAND

Whereas, at a Special Town Meeting duly called and held on September 19, 2018, the voters of the Town of Kennebunkport (the "Town") authorized the Board of Selectmen to issue general obligation bonds or notes of the Town in a principal amount not to exceed \$10,000,000 to pay costs to acquire parcels of land comprising 85+/- acres and identified on the Kennebunkport Tax Maps at Map 12, Block 5, Lot 21 and Map 12, Block 5, Lot 21 A, and Map 12, Block 5, Lot 22; (the "Project");

Now therefore, the Board of Selectmen hereby resolves as follows:

1. That pursuant to Special Town Meeting approval recited above and section 5772 of Title 30-A of the Maine Revised Statutes, the Treasurer of the Town is authorized to arrange for the issuance and sale of general obligation bonds and notes in anticipation thereof in an aggregate principal amount not to exceed \$10,000,000.00 (the "Bonds"), which Bonds are for the purpose of financing costs of the Project, and to determine the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, call(s) for redemption with or without premium, form(s), and other details of the Bonds not inconsistent herewith, including execution and delivery of the Bonds against payment therefor, as she may approve;
2. That the Bonds shall be signed by the Treasurer, countersigned by a majority of the Board of Selectmen, and attested by the Town Clerk under the official seal of the Town, if applicable, and otherwise be in such form and contain such terms and provisions not inconsistent herewith, as they shall approve, their approval to be conclusively evidenced by their execution thereof, and that any signature thereon may be by facsimile to the extent permitted by law;
3. That the Bonds be issued in the name of the Town and in registered form transferable only on the registration books of the Town, which registration books may be kept by the Town or its transfer agent, upon surrender thereof with a written instrument of transfer, duly executed by the registered owner or his/her attorney duly authorized in writing;
4. That in lieu of physical certificates of any of the Bonds, the Treasurer is authorized to undertake all acts necessary to provide for the issuance and transfer of such Bonds in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the preceding paragraph above regarding physical transfer, and the Treasurer is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in the

Treasurer's opinion, appropriate in order to qualify the Bonds for and participate in the Depository Trust Company Book-Entry Only System;

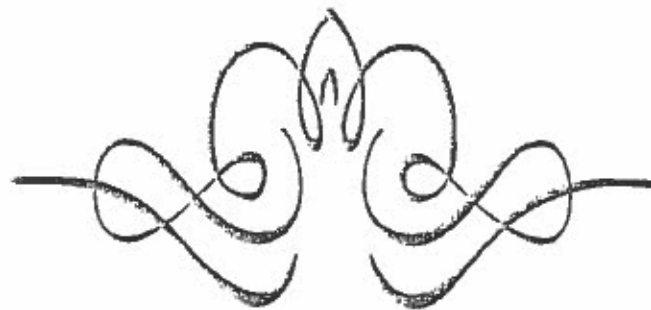
5. That the Treasurer, majority of the Board of Selectmen, and Clerk are authorized from time to time to execute such Bonds as may be required to provide for exchanges or transfers of Bonds authorized hereunder;
6. That the Treasurer and Town Manager, acting singly, are authorized to arrange for the sale of the Bonds at public or private sale to such parties, including the Maine Municipal Bond Bank, as the Treasurer or Town Manager determines to be in the Town's interest, to execute and deliver loan agreements and other contracts for that purpose, and to hire such financial advisors, underwriters, registrars, paying agents, transfer agents, and other consultants, if any, as the Treasurer or Town Manager deems necessary to assist with the sale of the Bonds, all on such terms not inconsistent with this Resolution as the Treasurer or Town Manager shall approve;
7. That the Treasurer is authorized to prepare, or cause to be prepared, a Preliminary Official Statement and an Official Statement for use in the offering and sale of any of the Bonds herein authorized, any such Preliminary Official Statement and Official Statement to be in such form and contain such information as may be approved by the Treasurer, with the advice of a financial advisor and/or bond counsel, and that the use and distribution of any such Preliminary Official Statement and Official Statement in the name and on behalf of the Town in connection with offering the Bonds for sale is approved;
8. That the Treasurer is authorized to covenant and agree, on behalf of the Town, for the benefit of the holders of the Bonds, that the Town will file any required reports, make any annual financial or material event disclosure, and take any other actions that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met;
9. That the Bonds will not be designated as qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code")
10. That no part of the proceeds of the Bonds, as applicable, shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code;
11. That the Chair and the Treasurer, acting singly, are authorized, as applicable, to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Bonds, to take all other lawful actions necessary to ensure the interest on the bonds will be excludable from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action which would cause interest on the Bonds to become includable in the gross income of the owners thereof;

12. That the Treasurer, Chair, Town Manager, and other proper officials of the Town are authorized and empowered in its name and on its behalf to execute and deliver on behalf of the Town such other documents and certificates as may be required in connection with the issuance and sale of the Bonds; do or cause to be done all such acts and things, not inconsistent herewith, as may be necessary or desirable in order to effect the issuance, sale and delivery of the Bonds and the accomplishment of the Project herein authorized;
13. That the Treasurer in consultation with Bond Counsel is authorized to implement written procedures with respect to the Bonds for the purpose of: (i) ensuring timely "remedial action" for any portion of the Bonds that may become "non-qualified bonds," as those terms are defined in the Code and regulations thereunder; and (ii) monitoring the Town's compliance following the issuance of the Bonds with the arbitrage, yield restriction and rebate requirements of the Code and regulations thereunder;
14. That if the Treasurer, Selectmen, or Clerk for any reason be unavailable to, as applicable, approve, execute, or attest the Bonds or any related financing documents, the person or persons then acting in any such capacity, whether as assistant, deputy, or otherwise, be authorized to act for such unavailable official with the same force and effect as if such official had himself/herself performed such act;
15. That if any of the officers or officials of the Town who have signed, attested, or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed, attested, and sealed shall have been actually authenticated or delivered by the Town, such Bonds nevertheless may be authenticated, delivered, and issued with the same force and effect as though the person or persons who signed, attested, or sealed the Bonds had not ceased to be such officer or official; and also, any such Bonds may be signed, attested, or sealed on behalf of the Town by those persons who, at the actual date of execution of the Bonds, shall be the proper officers or officials of the Town, although at the nominal date of the Bonds any such person shall not have been such officer or official; and
16. That the Town Clerk file an attested copy of this Resolution with the minutes of this meeting.

Dated September 27, 2018

A majority of the Board of Selectmen

A true copy, attest: _____
Clerk, Town of Kennebunkport



Agenda Item Divider





10

September 20, 2018

Laurie Smith
Town Manager
Town of Kennebunkport
6 Elm Street
PO Box 566
Kennebunkport, ME 04046

Re: \$10,000,000 BAN

Dear Laurie:

Thank you for the opportunity to bid on the \$10 million Bond Anticipation Note ("BAN").

Enclosed you will find the Norway Savings Bank bid as requested. Please let me know if you need additional information. I look forward to your decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Noel B. Graydon".

Noel B. Graydon
Regional Vice President

NON-TAXABLE BOND ANTICIPATION NOTE
\$10,000,000

Name of Institution: Norway Savings Bank

The Norway Savings Bank having its principal place of business in Norway, Maine offers to the Town of Kennebunkport, Maine to provide the above captioned note, dated on or about October 1, 2018 and maturing at the options below as described in the invitation for bid and hereby made a part of this proposal as follows:

Term	Principal	Interest Rate	Interest Expense	Fees or Charges	Net Interest Expense	Net Interest Rate
6 month	\$10,000,000	3.09% Fixed for 6 months	\$155,358.33	\$0	\$155,358.33	3.09%
1 year	\$10,000,000	3.30% Fixed for 1 year	\$334,583.33	\$0	\$334,583.33	3.30%
2 years	\$10,000,000	3.50% Fixed for 2 years	\$710,694.44	\$0	\$710,694.44	3.50%

Prepayment is or is not permitted (circle one).

State terms and penalties, if any, if prepayment is permitted: No prepayment penalties. Interest is calculated on a 360 day basis. Interest and principal are due at BAN maturity.

BIDDER INFORMATION

The undersigned declares that the signer of this proposal is:

INSTITUTION doing business as: _____

PARTNERSHIP doing business as: _____

CORPORATION entitled: Norway Savings Bank

Organized under the laws of the State of Maine having its principal offices at:
261 Main Street, Norway, ME 04268



Authorized Signature

Noel B. Graydon, Regional VP
Printed Name and Title of Authorized Signer

Norway Savings Bank
Institution, Partnership, or Corporate Name

Noel B. Graydon, Regional VP
Contact Name and Title

68 Portland Road
Street Address

ngraydon@norwaysavingsbank.com
E-mail Address

Kennebunk, Maine 04043
City/Town, State, Zip Code

(207) 284-8355
Telephone Number

September 20, 2018
Date Signed

(207) 985-4006
Fax Number



September 18, 2018

Town of Kennebunkport
Attn: Jennifer Lord, Treasurer
6 Elm Street
Kennebunkport, ME 04046

Re: Bid for Bond Anticipation Note

Dear Ms. Lord:

Thank you for the opportunity to provide on your request for municipal funds for the Town of Kennebunkport in an amount not to exceed Ten Million and 00/100 Dollars (\$10,000,000.00) for the funding of the proposed land acquisition. Camden National Bank (the "Bank") is pleased to submit this bid proposal, subject to the following conditions.

1.) ISSUER: Town of Kennebunkport

2.) ISSUE DATE: On or about September 28, 2018.

3.) DENOMINATION OF NOTES: One note not to exceed \$10,000,000 will be issued on an as-needed basis.

4.) MATURITY DATE: The Note will mature on or about:

- o Option 1: 6 months
- o Option 2: 12 months
- o Option 3: 24 months

5.) INTEREST RATE:

Option 1: The interest rate will be **3.20%** fixed. The interest is computed on the basis of actual days elapsed over a 360 day year. Total interest paid would be approximately **\$160,000.00**, assuming the full amount of the loan is advanced at closing and principal and interest are paid in six months.

Option 2: The interest rate will be **3.41%** fixed. The interest is computed on the basis of actual days elapsed over a 360 day year. Total interest paid would be approximately **\$345,736.11**, assuming the full amount of the loan is advanced at closing and principal and interest are paid in twelve months.

Option 3: The interest rate will be **3.61%** fixed. The interest is computed on the basis of actual days elapsed over a 360 day year. Total interest paid would be approximately **\$732,027.78**, assuming the full amount of the loan is advanced at closing and principal and interest are paid in twenty four months.

- 6.) REPAYMENT TERMS: Principal plus accrued interest on the note shall be payable at maturity of the note.
- 7.) PREPAYMENT PROVISION AND FEES: The note may be prepaid at any time without penalty. The Bank assesses no fees associated with the loan closing.
- 8.) LEGAL OPINION: This bid is subject to a legal opinion from bond counsel acceptable to the Bank, the cost of which will be borne by the Town of Kennebunkport. The opinion must include a statement that the note represents a valid and binding obligation of the issuer. The issuer's counsel will be responsible for preparing the required loan documents and filing any necessary forms with the Internal Revenue Service.
- 9.) CONFIRMATIONS: The Town of Kennebunkport must confirm in writing that:
The Town will comply with all aspects of the Tax Reform Act of 1986, as amended, including all provisions relating to arbitrage and rebate.

This bid shall expire if it is not accepted in writing by a qualified officer by October 15, 2018 and is subject to withdrawal if any adverse information relating to the issuer's affairs is discovered prior to closing.

Upon acceptance of the bid, the loan will be evidenced by a note containing the Bank's standard governmental lending terms, a copy of which is available upon request. The signed Note must be received by the Bank the day before the Note date.

Should you have any questions regarding this commitment or require additional information, please contact me at 207-604-1123 or by email at kvieira@camdennational.com. Thank you for considering Camden National Bank for the Town's financial needs.

Sincerely,

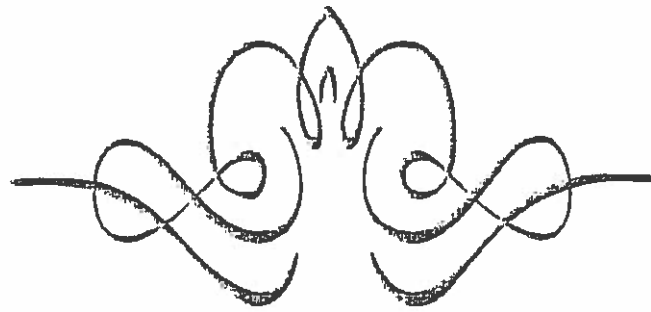
Camden National Bank



Kim Vieira
Vice President

SEEN AND AGREED TO ON BEHALF OF THE TOWN OF KENNEBUNKPORT

By: _____
Its



Agenda Item Divider





MOORS & CABOT
INVESTMENTS



Financing Considerations...

MOORS & CABOT, INC.

Established 1890

Banking & Advisory Group
One Federal Street
Boston, Massachusetts 02110
Member FINRA, NYSE and SIPC

September 27, 2018

11



MOORS & CABOT INVESTMENTS

Joseph P. Cuetara is a Senior Vice President with Moors & Cabot's Capital Markets Division. His responsibilities include management of fixed-income sales, trading and underwriting. Furthermore, he has established the *Banking and Advisory Group* that provides consultative and advisory services to local municipalities for debt management, fiscal advice and access to debt markets through bond issues. Mr. Cuetara has been involved with the origination, sale and distribution of fixed-income securities for over 30 years. He started his career at the Federal Reserve Bank of Boston followed by the management of various bond departments in Boston, including Blyth Eastman Dillon and Moseley Hallgarten Estabrook & Weeden. He served as the National Sales Manager at the former Manufacturers Hanover Trust Company in New York City and as the head of Public Finance at Fleet Securities, in Portland, Maine and in Boston. Mr. Cuetara joined Moors & Cabot in 1998.

Mr. Cuetara received a Bachelor of Arts Degree in Economics from the University of Maine (Orono) in 1971 and attended the Graduate School at Clark University (Worcester, Massachusetts) as a Doctoral Candidate in Economics. He is registered with the Financial Industry Regulatory Authority as a General Securities Principal and Registered Representative (FINRA Series 7, 24, 63) and is registered with the Municipal Securities Rulemaking Board as a Municipal Advisor, Municipal Principal and Registered Representative (MSRB Series 50, 52, 53).

Moors & Cabot, Inc. ("Moors & Cabot") is a brokerage firm established in 1890. Its corporate headquarters are located at One Federal Street in Boston, Massachusetts. The firm is a 125+ years old, privately held, Massachusetts corporation and member of the New York Stock Exchange.

In January 1998, Moors & Cabot made a strategic decision to significantly expand its fixed-income activities by enlisting Joseph P. Cuetara to serve as a Senior Vice President & Manager in its Capital Markets Division. Mr. Cuetara enjoys over 45 years of securities market experience, of which the last 31 years have been focused on financial advisory. His responsibilities include management of all fixed-income sales, trading and underwriting. Through his creation of its *Banking & Advisory Group*, Moors & Cabot provides consultative and advisory services to local municipal entities for debt management, fiscal advice and access to the debt markets. The firm is now recognized as the "*preeminent distributor*" of Maine local tax-exempt obligations and the "*point of inquiry*" for local Maine municipal debt.

Our focus is to serve local municipal and quasi-municipal entities in the State of Maine. Our commitment is to provide local municipal entities with comprehensive advisory services to suit *its* unique needs. We develop a market strategy that optimizes *when* the debt should be sold. Considerations as to the technical as well as the fundamental aspects of the market become instrumental in developing these strategies. In summary, *we structure the financing and its timing to the issuer's benefit.*

Moors & Cabot has participated in fixed-income activities since its inception. Our continued existence demonstrates that Moors & Cabot has made a successful capital commitment to the *securities business* ... as our *only business*. Our familiarity and experience with local Maine financings *continues the tradition*, committed to providing continued market access to Maine communities.



MOORS & CABOT
INVESTMENTS

Town asks voters for \$10M to buy property away from developer before subdivision is built

KENNEBUNKPORT, Maine — The Board of Selectmen is asking residents to approve \$10 million dollars in a last ditch attempt to buy an 85-acre parcel of land across from the Village Fire Station and secure it for the town, before the current owner moves forward with a planned multi-phased subdivision.

The land, off North Street, was purchased in January of 2006 from the Frink family by CDMK, LLC, a Massachusetts based development group, and approved that same year for a phased subdivision of 80 dwelling units — one dozen in a multiplex building, and the rest of the units in duplexes. The town had the opportunity to purchase the land then, but passed on it, something several members of the Board of Selectmen said was a mistake during Tuesday night's joint meeting with the town Budget Board.



Kennebunkport selectman Pat Briggs, left, and Town Manager Laurie Smith look over a housing project proposal in this 2016 York County Coast Star file photo. The selectmen are now asking voters to approve \$10 million in funding in an attempt to purchase 85 acres of property across from the Village Fire Station from a development group before it can build a subdivision there.

A special town meeting has been scheduled for 6 p.m. next Wednesday, Sept. 19 at the Village Fire Station on North Street. The full warrant article can be read on the town's website at www.kennebunkport.me.gov

The development project, named Olde Port Village, has hit numerous snags over the past 12 years, including last year when a mortgage foreclosure on the property loomed and the town asked voters to approve up to \$5 million to bid at a foreclosure auction. Foreclosure was avoided by developer Thomas Macone, and the auction never happened. Macone said last fall that he intended to continue with the permitting and site work.

Town Manager Laurie Smith told the selectmen and Budget Board members Tuesday that a number of people came to her last fall and expressed interest in the town owning the property if it ever became available again.

Smith met with Macone a few weeks ago to review the bonding requirements, which need to be met before the final stage of development begins. She asked him about the opportunity for the town to purchase the property, and Macone said his intent is to move forward with the project, which would begin construction on the condominiums shortly.

"My sense is he's very close to where he needs to be, and we would be seeing bulldozers and heavy equipment in there soon," Town Planner Werner Gilliam told both boards Tuesday.

Smith said the town did extensive research to determine what would be a fair market price to purchase the 85-acre parcel, knowing that other private developers could be making the same move to purchase it from CDMK.

"We are a public entity, so we have to do everything out in the open. This is the town's last opportunity to partake in a buying opportunity," Smith said.

Selectman Stuart Barwise said Tuesday that the town has done its homework on the price. While \$10 million dollars is a hefty price tag, Barwise noted that the location of the property, with access to downtown, and to all of the municipal infrastructure, is a rarity in Kennebunkport.

Selectman Pat Briggs said that it was a key opportunity for the townspeople to control what goes into such a central hub of a location. Briggs said voters supported the \$5 million last fall because if the town owns the property it will prevent someone from developing the parcel in a way that would not be in the best interest of the town.



MOORS & CABOT INVESTMENTS

at its current location. There are a number of possibilities that would benefit our town, and this is our last shot at this," he said.

Barwise said he was strongly in favor of the town trying to purchase the property.

"I think this is a historic opportunity that we would be crazy not to give careful attention to. There aren't many places in Kennebunkport that have access to infrastructure and resources like this one does. It is truly unique. From the moment we passed on it 12 years ago to today we have had people tell us we missed an opportunity. They (CDMK) haven't offered it for sale, but we want to make a run at it, and hopefully we will be successful. We have a chance to correct what many view as an oversight of the past. I'm coming out strongly in favor of doing this," Barwise said.

Comments from both the select and budget boards were universally in favor of putting the question before voters next week.

Budget Board member Kai Leffler said she was very much in favor of approving the \$10 million, noting that opportunities like this are very rare

Smith said if townspeople support this next week, it would authorize her to move forward with an offer to CDMK. If successful, the \$10 million would be handed over a 20-year period.

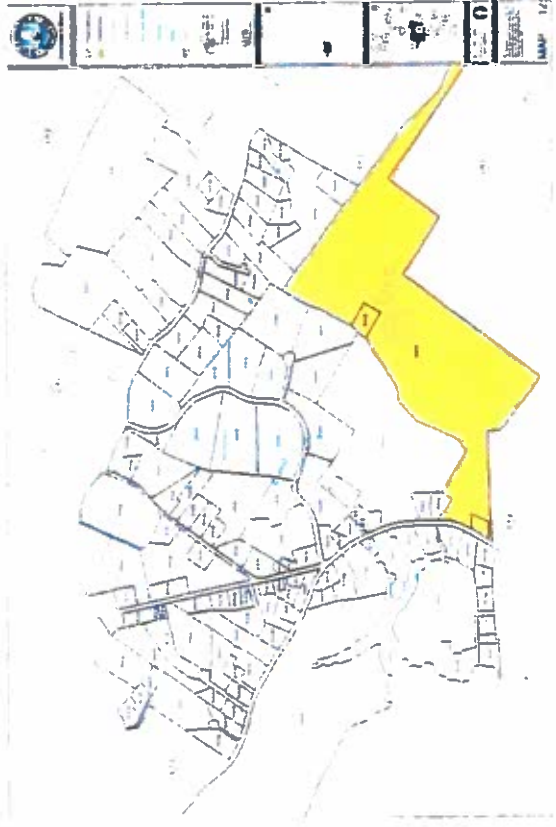
"That would be about \$700,000 a year, which figures out to about 36 cents on the tax rate. It's about \$36 a year per \$100,000 in valuation," Smith said. "So if you have a \$400,000 house in Kennebunkport it would equate to \$144 a year — or \$12 a month."

As for the questions around plans for the property, Smith said her simple answer is, there is no plan.

"The property is valuable because of its size and location. People are concerned about development pressures, and housing needs. This could be an opportunity to plan something that integrates well and sets us in a new direction for the future," she said.

"This would be one of the best investments the town could make," Selectman Allen Daggett said.

Residents can vote on the measure during the special town meeting next Wednesday, Sept. 19 at 6 p.m. at the Village Fire Station on North Street.





A map of the Canadian provinces and territories. The Atlantic provinces are highlighted in yellow: New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland and Labrador. Other provinces and territories shown in white include Yukon, Northwest Territories, Nunavut, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New France, and the Northwest Territories. The map also shows the Great Lakes and the Atlantic Ocean.

The image shows a heavily degraded and low-contrast scan of a document. The text is mostly illegible due to the quality of the scan. However, some fragments of text are visible, including what appears to be a header "MURKIN & CO. LTD." and various lines of body text. The document seems to be a form or a report, with sections that are difficult to discern.

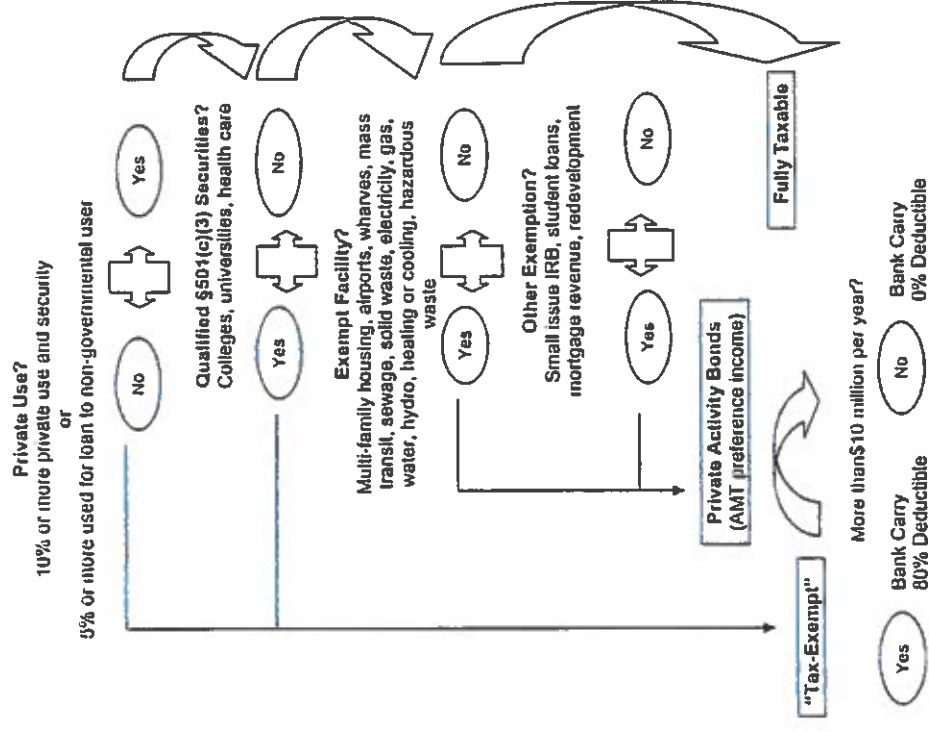
Maine Revised Statutes, Title 30- A, Section 5772 (Municipalities)

A municipality may issue general obligation securities for funding or refunding all or part of its debt and for any purpose for which it may raise money.

- (1)(B) The period of anticipatory borrowing under this subsection shall not exceed 3 years and the time within which these securities are to become due shall not be extended by anticipatory borrowing (1) The time fixed in the vote authorizing their issue; or (2) If no term is specified in that vote, beyond the term permitted by law.
- (3) Securities may be in serial form payable in annual installments, which need not be equal, the total amount of which shall extinguish the entire issue at maturity. The first such installment must be payable within 5 years and the last such installment must be payable within 30 years after the date the securities are issued.
- (5) Term securities may be issued for a period not to exceed 10 years.

- (6) Securities may be issued which are subject to call for redemption with or without premium at the election of the municipality before the date fixed for final payment of the securities, provided: (A.) Specific authority to issue callable securities is contained in the vote authorizing their issue; and (B.) The securities when issued contain provisions setting forth: (1) The method by which the option to call may be exercised; (2) The procedure for payment in the event of call; and (3) The legal effect of making the call.

Tax Code – Private Use



Versus the Bond Bank

Maine Municipal Bond Bank

(-) Market Rates higher up to 75 bps penalty; (-) fund neg arb in DSRF; (-) imbedded C of I



GENERAL RESOLUTION PROGRAM

From municipalities, schools districts, water districts, sewer districts and other local governments requesting loan financing through the General Resolution program. Under this tax-exempt bond financing program, the proposed debt will be paid from a General Resolution pledge of the municipality on municipalities. Click here to learn more about the approval and financing process of this program.

A Case in Point ...

Maine Municipal Bond Bank sold its 2017B General Resolution Bonds on April 26, 2017 (rated Aa2/AA+). The most recent comparable public sale that we originated was for Aa3/AA City of Bath, on April 11. For comparison the following shows a \$10,000,000 financing at the Bath Net Interest Rate (on the left) compared to MMBB's Net Interest Rate that it charges the members of the 2017B Series pool. The 2.64% at the Bath rates compare to 3.29% for MMBB's pool members, or 64 basis points. A \$10 million, 20-year (and for our financings callable in 10 years with no penalty) shows a difference of approximately \$700,000.



MOORS & CABOT
INVESTMENTS

Bath, Maine April 11, 2017 Bath
2017 General Obligation Bonds
Bath Water Modified Structure

Savings Report

Bath Aa3/AA City of Bath				MMBB 2017B			
Date	Principal	Coupon	Interest	Total	Bath	MMBB	Cumulative
4/26/17							
5/1/17	500,000.00	2.641550	110,462.83	110,462.83	283,498.67		16
5/1/18			112,072.50	112,072.50			
5/1/19			113,682.17	113,682.17			
5/1/20			115,291.84	115,291.84			
5/1/21			116,901.51	116,901.51			
5/1/22			118,511.18	118,511.18			
5/1/23			120,120.85	120,120.85			
5/1/24			121,730.52	121,730.52			
5/1/25			123,340.19	123,340.19			
5/1/26			124,949.86	124,949.86			
5/1/27			126,559.53	126,559.53			
5/1/28			128,169.20	128,169.20			
5/1/29			129,778.87	129,778.87			
5/1/30			131,388.54	131,388.54			
5/1/31			132,998.21	132,998.21			
5/1/32			134,607.88	134,607.88			
5/1/33			136,217.55	136,217.55			
5/1/34			137,827.22	137,827.22			
5/1/35			139,436.89	139,436.89			
5/1/36			141,046.56	141,046.56			
5/1/37			142,656.23	142,656.23			
5/1/38			144,265.90	144,265.90			
5/1/39			145,875.57	145,875.57			
5/1/40			147,485.24	147,485.24			
5/1/41			149,094.91	149,094.91			
5/1/42			150,704.58	150,704.58			
5/1/43			152,314.25	152,314.25			
5/1/44			153,923.92	153,923.92			
5/1/45			155,533.59	155,533.59			
5/1/46			157,143.26	157,143.26			
5/1/47			158,752.93	158,752.93			
5/1/48			160,362.60	160,362.60			
5/1/49			161,972.27	161,972.27			
5/1/50			163,581.94	163,581.94			
5/1/51			165,191.61	165,191.61			
5/1/52			166,801.28	166,801.28			
5/1/53			168,410.95	168,410.95			
5/1/54			170,020.62	170,020.62			
5/1/55			171,630.29	171,630.29			
5/1/56			173,239.96	173,239.96			
5/1/57			174,849.63	174,849.63			
5/1/58			176,459.30	176,459.30			
5/1/59			178,068.97	178,068.97			
5/1/60			179,678.64	179,678.64			
5/1/61			181,288.31	181,288.31			
5/1/62			182,897.98	182,897.98			
5/1/63			184,507.65	184,507.65			
5/1/64			186,117.32	186,117.32			
5/1/65			187,726.99	187,726.99			
5/1/66			189,336.66	189,336.66			
5/1/67			190,946.33	190,946.33			
5/1/68			192,556.00	192,556.00			
5/1/69			194,165.67	194,165.67			
5/1/70			195,775.34	195,775.34			
5/1/71			197,385.01	197,385.01			
5/1/72			198,994.68	198,994.68			
5/1/73			200,604.35	200,604.35			
5/1/74			202,214.02	202,214.02			
5/1/75			203,823.69	203,823.69			
5/1/76			205,433.36	205,433.36			
5/1/77			207,043.03	207,043.03			
5/1/78			208,652.70	208,652.70			
5/1/79			210,262.37	210,262.37			
5/1/80			211,872.04	211,872.04			
5/1/81			213,481.71	213,481.71			
5/1/82			215,091.38	215,091.38			
5/1/83			216,701.05	216,701.05			
5/1/84			218,310.72	218,310.72			
5/1/85			219,920.39	219,920.39			
5/1/86			221,529.06	221,529.06			
5/1/87			223,138.73	223,138.73			
5/1/88			224,748.40	224,748.40			
5/1/89			226,358.07	226,358.07			
5/1/90			227,967.74	227,967.74			
5/1/91			229,577.41	229,577.41			
5/1/92			231,187.08	231,187.08			
5/1/93			232,796.75	232,796.75			
5/1/94			234,406.42	234,406.42			
5/1/95			236,016.09	236,016.09			
5/1/96			237,625.76	237,625.76			
5/1/97			239,235.43	239,235.43			
5/1/98			240,845.10	240,845.10			
5/1/99			242,454.77	242,454.77			
5/1/100			244,064.44	244,064.44			
5/1/101			245,674.11	245,674.11			
5/1/102			247,283.78	247,283.78			
5/1/103			248,893.45	248,893.45			
5/1/104			250,503.12	250,503.12			
5/1/105			252,112.79	252,112.79			
5/1/106			253,722.46	253,722.46			
5/1/107			255,332.13	255,332.13			
5/1/108			256,941.80	256,941.80			
5/1/109			258,551.47	258,551.47			
5/1/110			260,161.14	260,161.14			
5/1/111			261,770.81	261,770.81			
5/1/112			263,380.48	263,380.48			
5/1/113			264,990.15	264,990.15			
5/1/114			266,600.82	266,600.82			
5/1/115			268,210.49	268,210.49			
5/1/116			269,820.16	269,820.16			
5/1/117			271,429.83	271,429.83			
5/1/118			273,039.50	273,039.50			
5/1/119			274,649.17	274,649.17			
5/1/120			276,258.84	276,258.84			
5/1/121			277,868.51	277,868.51			
5/1/122			279,478.18	279,478.18			
5/1/123			281,087.85	281,087.85			
5/1/124			282,697.52	282,697.52			
5/1/125			284,307.19	284,307.19			
5/1/126			285,916.86	285,916.86			
5/1/127			287,526.53	287,526.53			
5/1/128			289,136.20	289,136.20			
5/1/129			290,745.87	290,745.87			
5/1/130			292,355.54	292,355.54			
5/1/131			293,965.21	293,965.21			
5/1/132			295,574.88	295,574.88			
5/1/133			297,184.55	297,184.55			
5/1/134			298,794.22	298,794.22			
5/1/135			300,403.89	300,403.89			
5/1/136			302,013.56	302,013.56			
5/1/137			303,623.23	303,623.23			
5/1/138			305,232.90	305,232.90			
5/1/139			306,842.57	306,842.57			
5/1/140			308,452.24	308,452.24			
5/1/141			310,061.91	310,061.91			
5/1/142			311,671.58	311,671.58			
5/1/143			313,281.25	313,281.25			
5/1/144			314,890.92	314,890.92			
5/1/145			316,500.59	316,500.59			
5/1/146			318,110.26	318,110.26			
5/1/147			319,719.93	319,719.93			
5/1/148			321,329.60	321,329.60			
5/1/149			322,939.27	322,939.27			
5/1/150			324,548.94	324,548.94			
5/1/151			326,158.61	326,158.61			
5/1/152			327,768.28	327,768.28			
5/1/153			329,377.95	329,377.95			
5/1/154			330,987.62	330,987.62			
5/1/155			332,597.29	332,597.29			
5/1/156			334,206.96	334,206.96			
5/1/157			335,816.63	335,816.63			
5/1/158			337,426.30	337,426.30			
5/1/159			339,035.97	339,035.97			
5/1/160			340,645.64	340,645.64			
5/1/161			342,255.31	342,255.31			
5/1/162			343,865.00	343,865.00			
5/1/163			345,474.67	345,474.67			
5/1/164			347,084.34	347,084.34			
5/1/165			348,694.01	348,694.01			
5/1/166			350,303.68	350,303.68			
5/1/167			351,913.35	351,913.35			
5/1/168			353,523.02	353,523.02			
5/1/169			355,132.69	355,132.69			
5/1/170			356,742.36	356,742.36			
5/1/171			358,352.03	358,352.03			
5/1/172			359,961.70	359,961.70			
5/1/173			361,571.37	361,571.37			
5/1/174			363,181.04	363,181.04			
5/1/175			364,790.71	364,790.71			
5/1/176			366,400.38	366,400.38			
5/1/177			368,010.05	368,010.05			
5/1/178			369,619.72	369,619.72			
5/1/179			371,229.39	371,229.39			
5/1/180			372,839.06	372,839.06			
5/1/181			374,448.73	374,448.73			
5/1/182			376,058.40	376,058.40			
5/1/183			377,668.07	377,668.07			
5/1/184			379,277.74	379,277.74			
5/1/185			380,887.41	380,887.41			
5/1/186			382,497.08	382,497.08			
5/1/187			384,106.75	384,106.75			
5/1/188			385,716.42	385,716.42			
5/1/189			387,326.09	387,326.09			
5/1/190			388,935.76	388,935.76			
5/1/191			390,545.43	390,545.43			
5/1/192			392,155.10	392,155.10			
5/1/193			393,764.77	393,764.77			
5/1/194			395,374.44	395,374.44			
5/1/195			396,984.11	396,984.11			
5/1/196			398,593.78	398,593.78			
5/1/197			400,203.45	400,203.45			
5/1/198			401,813.12	401,813.12			
5/1/199			403,422.79	403,422.79			
5/1/200			405,032.46	405,032.46			
5/1/201			406,642.13	406,642.13			
5/1/202			408,251.80	408,251.80			
5/1/203							



MOORS & CABOT
INVESTMENTS

Scope of Services

Our proposed services encompass coordination of and assistance with all facets of structuring, originating, marketing, sale and closing of the issue. These services include our responsibility to:

- ✓ Structure the issue;
- ✓ Determine sale timing;
- ✓ Prepare the Preliminary and final Official Statement;
- ✓ Conduct due diligence meetings in preparation of sale;
- ✓ Arrange for the timely production and delivery of the financing documents to all parties including prospective bidders, KISI, *The Bond Buyer* and Bloomberg;
- ✓ Adequately advertise the sale;
- ✓ Secure CUSIP numbers for the issue in a timely manner;
- ✓ Act as liaison and coordinate sale activities with pertinent state agencies, credit rating agencies, Bond Counsel, paying agent and others associated with the sale;
- ✓ Coordinate bid opening and/or pricing, verify pricing and notification of sale results and details;
- ✓ Work with Bond Counsel to assure timely availability of bonds at settlement;
- ✓ Coordinate closing with purchaser;
- ✓ Arrange for certification of the issue and delivery of the bonds for pre-closing;
- ✓ Prepare the calculation and assist in the preparation of the IRS Form 8038-G;
- ✓ Forward a sufficient supply of final Official Statements to the purchaser; and
- ✓ Submit the Official Statement and MSRB Form G-36(OS) to the NRMISIRs.

Sealed Bid Sales

In preparing for the sale of bonds, the issuer must decide which mode of sale is likely to result in the lowest costs for its debt and to achieve other important policy objectives¹. This decision is based on the characteristics of the issuer, market conditions, and the type of the financing that is being contemplated. Sealed bid sales enjoy benefits achieved through competition, such as being able to justify that the bonds were sold at the lowest interest cost given the prevailing market conditions or demonstrating to the public that the public access to bonds was conducted fairly.



MOORS & CABOT INVESTMENTS

In preparing for the sale of bonds, the issuer must decide which mode is likely to result in the lowest costs for its debt and to achieve other important policy objectives. This decision is based on:

- The characteristics of the issuer,
- Market conditions, and
- The type of the financing that is being contemplated.

It is important to note that an issue is not likely to meet all of the conditions that favor one mode of sale over the other. A primary objective in selecting the mode of sale is to choose the one that will generate the most interest for the issuers' bonds among underwriters and, more importantly, investors.

Sealed bid sales enjoy benefits achieved through competition, such as being able to justify that the bonds were sold at the lowest interest cost given the prevailing market conditions or demonstrating to the public that the public access to bonds was conducted fairly, which must be weighed against reduced opportunities to generate prior investor interest in the securities.

Conversely, issuers contemplating a negotiated sale know that they have greater flexibility in structuring their financing, determining their offering date or in developing a marketing plan to attract investors, yet, they also risk that the price negotiated for the bonds may be lower than would have been obtained in a sealed bid offering.

Regardless of the mode of sale that is chosen, the issuer needs to look for opportunities to achieve the most flexibility, the greatest competition, and the most knowledge in order to obtain the lowest overall cost of financing its debt. The table on the other side displays a summary of conditions favoring either mode of sale.

It is arguable that a sealed bid sale forces the issuer to become hostage to the market as the time and sale date must be established well in advance. Thus, a penalty rate may be assigned to the issue if the inflexibility of this process forces the issuer into a temporarily weak market. However, the shrewd selection of an experienced Municipal Advisor mitigates this infrequent occurrence as the experienced advisor is qualified to project the forward calendar with a measurable level of certainty.

The **Maine Municipal Bond Bank**, established in 1972, has served local Maine communities well by pooling debt into a common plan of financing. This allowed the enjoyment of economies of scale vis-à-vis costs of issuance, as well as permitting lower quality credits more attractive rates. The give-up, however, was that the local credits' "name" in the market lost familiarity. Interestingly, the Bond Bank uses the *negotiated sale* mode.

In the last few years more and more issuers have recognized the merits in access to debt financing via an "individual sale". Since 1990 over 60 local municipal entities in Maine have sought this financing alternative. However, due to the unseasoned nature of local Maine names in the market, many issued through a *negotiated sale*.

Times have now changed ... for the better! Due to a greater application of ratings to "individual sale" issuers, and the greater frequency of issuance of a variety of local Maine names, many local issuers may now easily enjoy access to the market via the *sealed bid* mode. Thus, local municipalities may again borrow long-term debt at competitive rates, on their time frame, while satisfying the concern of its taxpayers that they are receiving the lowest interest rate for their debt. *Convenience and value!*



COMPETITIVE vs. NEGOTIATED SALES: Summary of Conditions Favoring Each Method of Sale		
DEBT STRUCTURE	CONDITIONS FAVORING A COMPETITIVE SALE	CONDITIONS FAVORING A NEGOTIATED SALE
Pledged Revenues	General Obligation or Strong System Revenue	Project Supported Revenues
Security Structure (for Revenue Bonds)	Conventional Resolution and Cash Flow, Rate Covenant and Coverage	Unusual or Weak Covenants; Subordinated Debt
Debt Instrument	Traditional Serial and Term, Full Coupon Bonds	Use of Innovative Structuring, Derivative Products, Structure to Attract Particular Investors (e.g., Discount Bonds), etc.
CREDIT QUALITY		
Rating	'A' or better	Below Single 'A'
Outlook	Stable	Weak but Improving, or Under Stress
ISSUER CHARACTERISTICS		
Type of Organization	Broad-Based General Purpose Borrower	Special Purpose, Independent Authority
Frequency of Issuance	Regular Borrower in Public Market	New or Infrequent Issuer
Market Awareness	Active Secondary Market with Broad Investor Base	Little or No Institutional Awareness of Issuer, Historical Antipathy
Investor Comfort	Well-Known, Stable Issuer	Issuer Experiencing Significant Financial, Legal or Other Problems
MARKET CONDITIONS		
Interest Rates	Stable, Predictable Market	Volatile or Declining Market
Supply and Demand	Strong Investor Demand, Good Liquidity, Light Forward Calendar	Oversold Market, Heavy Supply
POLICY CONSIDERATIONS		
Participation in Sale of Bonds	Broad Market Participation Desired for Sale of Bonds	Desire to Direct Business to DBE or Local/Regional Firms
Stimulation of Investor Interest	Broad Market Participation Desired for Purchase of Bonds	Desire to Direct Business to Local/Regional Investors

Source: *A Practitioner's Guide to Effective Debt Management: Competitive v. Negotiated* (1994), Government Finance Officers Association, Chicago, Illinois



MOORS & CABOT INVESTMENTS

INFORMATION REQUIREMENTS TOWN OF KENNEBUNKPORT, MAINE

We will require the following information prior to starting the Financing Process:

Financial:

- ☐ One (1) set of the FY 2017, 2016, 2015, 2014, 2013 Audit
- ☐ One (1) set of the FY 2018 Audit (when available)
- ☐ One (1) set of the FY 2018 and 2098 Budget
- ☐ One (1) current Capital Improvement Plan (if any)
- ☐ Amortization schedules of all prior debt, showing annual principal payments and each year's interest rate.

Legal:

- ☐ One (1) copy of the Town's Charter (if any)
- ☐ One (1) copy of each Order that provided authorization for the project(s) to be financed
- ☐ One (1) copy of ballot(s) that the voters of the Town approved for each project, if required (and vote count, if available)
- ☐ A brief (one paragraph, or forward voter info materials, if available) summary description of the project(s) and project costs to be financed
- ☐ A list, by project, of the years that each project is to be amortized, and in which year that the first principal payment should occur

Any files on websites or available electronically will be greatly appreciated.

Driving the Process.

We typically provide our standard form of **Chronology** for each financing. This will identify all of the aspects of the financing process and provide the issuer with comfort that the financing(s) are proceeding on schedule. We find this to be a convenient tool in that it enables us to: (i) plan out respective schedules well in advance; (ii) provide the issuer with a total overview of the process; and (iii) allow us to continually monitor the process, thus keeping on schedule throughout the financing.

In addition to the Chronology, we prepare a **Distribution List** of all parties who will be involved in the financing. This allows everyone to: (i) know who the responsible parties are; (ii) prevent inadvertently forgetting parties who should be informed; and (iii) have the correct addresses, telephone and facsimile numbers of all parties, for all parties. The entire Distribution receives notification of the proposed sale and copy of the Chronology at the outset of the financing. As the financing process matures, all salient parties are notified as prescribed by the Chronology. Thus, all parties receive it respective instructions, requests and financing documents including Official Statements, in a timely manner.



MOORS & CABOT

INVESTMENTS

DISTRIBUTION LIST TOWN OF HARPSWELL, MAINE 2018 GENERAL OBLIGATION BONDS Tax ID#01-6000193; Base CUSIP: 413389

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FAST #: 9968

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UNDERWRITER
DTC #: 6931

FAST #: 9968

JANUARY 2018							FEBRUARY 2018							MARCH 2018							APRIL 2018						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
8	9	10	11	12	13	14	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
15	16	17	18	19	20	21	18	19	20	21	22	23	24	25	26	27	28	29	30	31							
22	23	24	25	26	27	28	25	26	27	28	29	30	31														

Chronology Relating to the Sale of Town of Harpswell, Maine 2018 General Obligation Bonds

DATE	ACTION
Mar 11, 2017	Town Meeting Approval
Nov 1	Start Project
Nov 30	Board of Selectmen approve Bond Resolution.
Jan 15, 2018	MLK Day (Market Closed).
Jan 16	Notify Bond Counsel, Paying Agent, Rating Agencies, CUSIP and
Feb 15	Final draft of POS & NOS distributed
Feb 23	Second draft of POS & NOS distributed
Mar 2	Due diligence (at Town Hall).
Mar 2	Receive Bond Opinion.
Mar 5	Final draft of POS.
Mar 5	POS and info to Rating Agencies
Mar 5	POS & NOS to printer
Mar 9	Electronic posting of POS & NOS to rating agency and bidders
Feb 19	President's Day (Market Closed)
Mar 13	Moody's Rating Call
Mar 13	S&P Rating Call
Mar 15	Assignment of ratings.
Mar 20	Sale.
Mar 20	Award (11:10 AM-ish).
Mar 20	Notify Bond Counsel, Paying Agent, CUSIP and DTC.
Mar 20	Draft of IRS Form 8038-G.
Mar 28	Town executes Bonds and Closing Documents, deliver to Bond Co
Apr 2	F&A receives and forwards Bonds and Opinion to Paying Agent.
Apr 3	DTC releases; Settlement paperwork; Bond Proceeds placed in
May 30	Reply B-14.

Tax Aspects of Governmental Debt Issuance

DECLARATION OF OFFICIAL INTENT

The Internal Revenue Service promulgated its final reimbursement regulations, effective March 2, 1992, with respect to expenses previously advanced from sources other than tax-exempt securities (e.g., reserves) whereby the borrower may wish to ultimately use tax-exempt bond proceeds to reimburse itself. One of the requirements is that the borrower make a **"Declaration of Official Intent"**

A Declaration of Official Intent is imperative for a governmental unit to the extent it intends to expend any monies prior to financing a project. Although certain "preliminary expenditures" are allowed under Treasury Regulation 1.103-18 without previously declaring official intent, any other monies expended prior to the date of the declaration are not eligible for tax-exempt financing.

The Declaration of Official Intent is an extremely straightforward process. Declaring official intent does not bind the government to go ahead with a financing, nor does it authorize the unit, or any of its officers, to proceed with the financing. It simply establishes the governmental entity's intent to reimburse itself for monies expended in pursuit of a project with proceeds of tax-exempt bonds.

DEEMED QUALIFIED AND DESIGNATED

The Tax Reform Act of 1986, as amended, (i) eliminated the ability of bank portfolios to enjoy tax-exempt status from the purchase of certain municipal new issues (i.e., from "large issuers") and (ii) limited the ability of bank portfolios to enjoy only 80% of the tax-exemption of all other municipal issues (i.e., from "small issuers"). This is encompassed in the Internal Revenue Code of 1986, as amended (the "Code"), Section 265(B).

Q&D

In summary, the Code states that subject to an exception for the obligations of issuers of a limited amount of tax-exempt obligations for a calendar year (i.e., currently \$10 million), the Code denies a deduction for that portion of the interest expense of a financial institution that is allocable to interest received on bonds. To the extent that the municipal issuer issues an amount not greater than \$10 million in "new money" each calendar year, its bonds may be designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code and, in the case of certain financial institutions (within the meaning of Section 265(b)(5) of the Code), a deduction is allowed for 80% of that portion of such financial institutions' interest expense allocable to interest on bonds. The market may provide up to a 20 basis point (a basis point being .01%; the difference between 5.00% and 5.20% is 20 basis points) lower interest rate for an issue deemed qualified and designated ("Q&D").

Pooled Financings

While constituent issues that comprise a "pooled" financing, such as through a Bond Bank, may severally be small issuers the Code looks to the conduit, not the underlying municipal entities, as the issuer. Therefore, pooled issues do not typically enjoy Q&D status in that they historically borrow more than \$10 million in a calendar year. Thus, the potential for savings as a Q&D issue via a pooled financing is not typically available.

Summary

An issuer may structure and time their issues to allow Q&D status for projects, even though the actual project may exceed the \$10 million threshold. This is done with the issuance of Bond Anticipation Notes ("BANs") and/or separate bond issues which time the proposed issues appropriately to (i) comply with the Code, yet (ii) provide sufficient requisite proceeds through the project's phases.



ARBITRAGE/REBATE

The following intends to be a brief summary of some of the more significant provisions of the Internal Revenue Code of 1986, as amended, as they relate to the requirement that certain profits from the investment of bond proceeds be rebated to the United States government, pursuant to Section 148 of the Code.

Arbitrage Defined

True arbitrage is the selling of a security in one market and simultaneously buying a substantially equivalent security in another, for the purpose of making a profit on the price difference. This is most often done to take advantage of inefficiencies between two markets and, as such, may have a stigma because a profit results without added value being created.

As applied to municipal finance, however, arbitrage refers to selling securities (i.e., borrowing money) at tax-exempt rates and then investing unexpended proceeds at higher taxable rates. This generally results in a net profit for the amount invested which partially offsets the interest expense on the overall borrowing.

Arbitrage Abused

A few municipal issuers took serious advantage of the arbitrage opportunity. Further, the U.S. Treasury argued that municipal issuers in general had shown a tendency to maximize arbitrage profits. Therefore, the Treasury felt compelled to restrict the earnings on a municipal issue which seemed to be beyond monies raised for actual municipal purposes. The Treasury set regulations in 1989, as amended, which required certain profits from the investment of bond proceeds to be rebated to the Treasury.

The Code allows certain exceptions to rebate [26 CFR 1.148 of the Code]

Rebate Exceptions:

- (1) **"Small Issuer" Exception.** To the extent that a municipal issuer who has general taxing powers reasonably expects to issue not more than \$5 million in principal amount of debt for governmental purposes in a calendar year, no rebate need be calculated or paid; or
- (2) **"Additional School Small Issuer" Exception.** The above \$5 million may be increased by the lesser of: \$15 million (additional \$10 million) or so much as the aggregate face amount of bonds, attributable to financing the construction of public school facilities.

- (3) **"Six Month Expenditure" Exception.**
Any municipal issuer who expends the entire proceeds of a debt issue within six months of the issuance date will not suffer a rebate calculation or payments; or

- (4) **"Eighteen Month Expenditure" Exception.** If the rebate requirement is met for all amounts not included in this exception, and all gross proceeds of this issue qualify for the initial temporary period under Section 1.148-2(e)(2) of the Treasury Regulations, no rebate will be owed if the proceeds are spent at least according to the following schedule:

%	Time
(i) 10%	within six months
(ii) 60	within 12 months
(iii) 100	within 18 months

- (5) **"Construction Bonds" or "Twenty-four Month Construction" Exception.** If the proceeds of an issue are used to finance construction of property owned by a governmental unit no rebate will be owed if the proceeds are spent at least according to the following schedule:

Time	%
(i) 10%	within six months
(ii) 45	within 12 months
(iii) 75	within 18 months
(iv) 100	within two years



MOORS & CABOT INVESTMENTS

Sizing

Town of Scarborough, Maine - 2003 Bond Sizing (Principal Payments)
(Split & Deferred School Price by 2 Yrs. Level P&I)

Year	Various CIP			Major Highway Project			School Project			Access Road		2003 Bonds		2004 Bonds	
	Total	Year	Total	2003/2002	Highway	Total	2003	2004	School	Access	2003	2004	2003	2004	
1	7113	201482	2101000	241050	0	241050	0	0	0	0	0	0	0	0	
2	291181	421583	7421000	251000	0	251000	0	0	0	0	0	0	0	0	
3	381184	425585	7321000	251000	0	251000	0	0	0	0	0	0	0	0	
4	425381	255500	5221000	301000	0	301000	0	0	0	0	0	0	0	0	
5	510158	256500	5601000	301000	0	301000	0	0	0	0	0	0	0	0	
6	517108	251688	1951000	301000	0	301000	0	0	0	0	0	0	0	0	
7	176108	271688	4031000	301000	0	301000	0	0	0	0	0	0	0	0	
8	180128	481000	2051000	151000	0	151000	0	0	0	0	0	0	0	0	
9	191161	291000	2201000	151000	0	151000	0	0	0	0	0	0	0	0	
10	198168	111688	2381000	151000	0	151000	0	0	0	0	0	0	0	0	
11	198168	111688	2381000	151000	0	151000	0	0	0	0	0	0	0	0	
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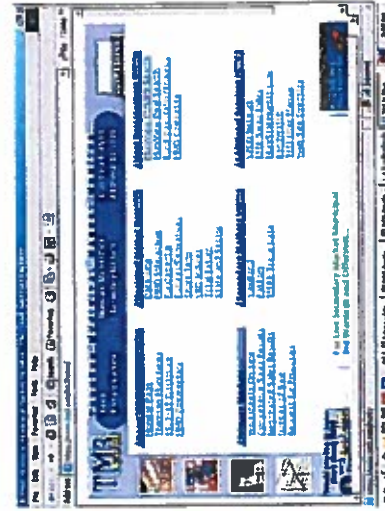
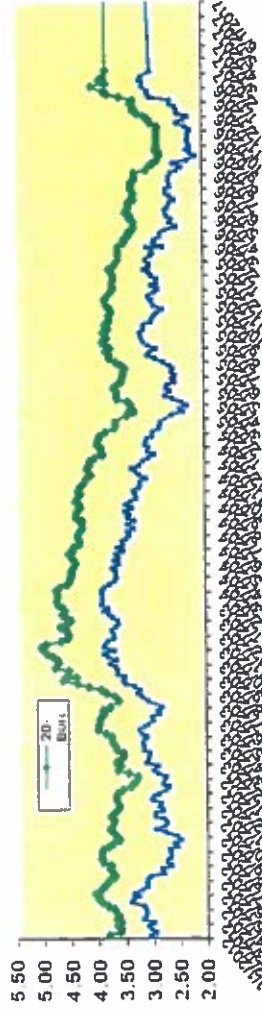


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Tech Resources



Market Trend





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Industry Standard Definitions of NIC and TIC

"NET INTEREST COST (or "NIC") is a common method of computing the interest expense to the issuer of issuing bonds, which usually serves as the basis of award in a competitive sale. NIC takes into account any premium and discount paid on the issue. NIC represents the dollar amount of coupon interest payable over the life of a serial issue, without taking into account the time value of money (as would be done in other calculation methods, such as the "true interest cost" method). While the term "net interest cost" actually refers to the dollar amount of the issuer's interest cost, it is also used to refer to the overall rate of interest to be paid by the issuer over the life of the bonds. The formula for calculating the NIC rate is:

$$\frac{\text{Total Coupon Interest Payments} + \text{Discount (or - Premium)}}{\text{Bond Years}}$$

TRUE INTEREST COST (or "TIC") is also known as "Canadian Interest Cost". Under this method of computing the borrowing issuer's cost, interest cost is defined as the rate, compounded semi-annually, necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the new issue securities. TIC computations produce a figure slightly different from the net interest cost (NIC) method since TIC considers the time value of money while NIC does not."

Source: *Glossary of Municipal Securities Terms*, Municipal Securities Rulemaking Board, 1985.

The TIC bid discourages early year's high coupon or later year's deep discount bidding, and is most compatible with compliance with the issuer's concern with present value. Furthermore, this is currently the most commonly used method for bidding on bond issues.

The time value of money, or "Present Value" undertake computations that are used to determine whether or not a particular investment with a specified future cash flow is a good investment. This is based upon the premise that one dollar paid today is worth more than a dollar paid in future years. Present Value includes evaluating any borrowing where money is paid today over the future stream of such borrowing, to demonstrate the projected future expense. As such, an analysis assigns an implicit time value on money by measuring the effect of foregoing the return from potential future investment of money. In summary, the Absolute Savings are the actual numbers of dollars paid over the life of the issue. Present Value is the actual value today of amounts paid over the life of the issue.



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Following the Bid

- ☒ Provide for the entire interface for the closing, including arranging for certification of the bonds, their delivery to DTC and providing the purchaser with wire instructions and closing letters well in advance of the closing date;
- ☒ Provide debt service schedules, by project, and then consolidated into a common plan of financing;
- ☒ Provide these schedules to the Town, Bond Counsel and the Paying Agent;
- ☒ Incorporate final changes to the final Official Statement and arrange for a sufficient supply to be produced, thereon;
- ☒ Provide the purchaser with 100 copies of the final Official Statements;
- ☒ Further advise that the purchaser at its own expense, may obtain additional copies with our assistance, by arrangement with the printer;
- ☒ Complete drafts of the MSRB Form G-36(OS) and send final Official Statements to the MSRB and the NRSMIRs.

On the closing date ...

- ☒ Obtain a release of the Opinion being held in escrow from Bond Counsel;
- ☒ Verify the wire transfer(s), notify the paying agent and the underwriter that the wires have been received ; and
- ☒ Settle the issue with DTC.

We also ...:

- ☒ Have software for calculations and have current IRS Forms 8038, 8038-G, 8038-GC and 8038-T, in-house;
- ☒ Are skilled in the proper calculations and preparation of these documents, and
- ☒ Will prepare a draft of the IRS Form 8038-G and provide this to Bond Counsel in a timely manner, before closing.

CUSIP Identification Numbers

"It is anticipated that CUSIP identification numbers will be printed on the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds will be paid for by the City provided, however, that the City assumes no responsibility for any CUSIP Service Bureau charge or other charge that may be imposed for the assignment of such numbers."

CUSIP (Committee on Uniform Securities Identification Procedures) is an identification number assigned to each maturity of an issue, or to a unique interest rate of the same maturity, which is usually printed on the face of the individual certificate of an issue. CUSIPs are intended to help facilitate the identification and clearance of municipal securities.



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Continuing Disclosure

"In order to assist the underwriter in complying with the Securities Exchange Commission's Rule 15c2-12 (the "Rule"), the City will covenant for the benefit of the owners of the Bonds to provide certain financial information and operating data relating to the Rule by not later than 270 days after the end of each fiscal year (the "Annual Report") and to provide notices of the occurrence of certain enumerated events, if material. The covenants will be contained in a "Continuing Disclosure Certificate" (the "Certificate"), the proposed form of which is provided in APPENDIX C. The Certificate will be executed by the signers of the Bonds, and incorporated by reference in the Bonds. The City has never failed to comply in all material respects with any previous undertakings to provide financial information or notices of material events in accordance with the Rule.



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EMMA® - Electronic Municipal Market Access
The Official Source for Municipal Disclosures and Market Data

(c) FINANCIAL OPERATING FILING
Based on financial information under SEC Rule 15c2-12(b)(4)(A) and 15c2-12(b)(4)(A), provided for the purpose of the Rule 15c2-12(b)(4)(A)(i), failure to provide annual financial information under Rule 15c2-12(b)(4)(A)(i) and other financial information under Rule 15c2-12(b)(4)(A)(i) is a violation of the Rule.

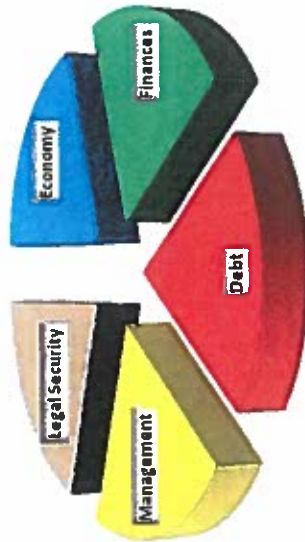
Annual Financial Disclosure Filing Workbook

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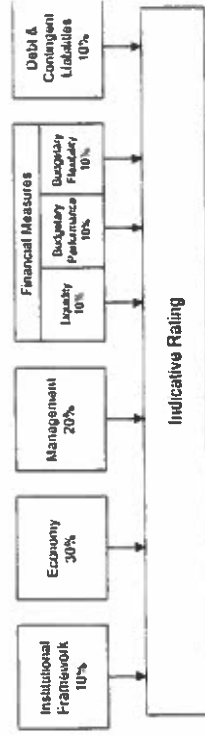


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Rating Criteria



S&P Methodology



Moody's Methodology

General Rating Factors	Weighting	Relative Sub-factors	Weighting
Economy/Tax Base	30%	Tax Base Size (full value)	10%
Finances	30%	Full Value Per Capita	10%
		Wealth (median family income)	10%
		Fund Balance (% of revenues)	10%
		Fund Balance Trend (3-year change)	5%
		Cash Balance (% of revenues)	10%
		Cash Balance Trend (3-year change)	5%
Management	20%	Institutional Framework	10%
Debt/Pensions	20%	Operating History	10%
		Debt to Full Value	5%
		Debt to Revenue	5%
		Moody's adjusted Net Pension Liability (3-yr ave) to Full Value	5%
		Moody's adjusted Net Pension Liability (3-yr ave) to Revenue	5%

Potential Rating Change Driver

Credit Factors

- Significant development in the local tax base driving continued growth in total property values.
- Increased or decreased diversification of local tax base.
- Loss of key industry or employer with no work-out plan.
- Expected augmentation (or loss) of financial flexibility.
- Expectation that significant growth (or decline) of reserves will continue.

Finances

- Significant increase in debt obligations without correlating development to offset tax-base leveraging.
- Utilization of debt structure not appropriately matched to asset's useful life.

Debt

- Implementation of new strategies that are expected to augment (or detract) from operating flexibility.
- Change in political environment that affects ability to react to unanticipated events.

Management

- Indenture for non-tax backed debt; Regulatory agency permission
- Financial flexibility: Unlimited, Limited or Restrictive.

Legal Security



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Moody's Long-term Ratings

Moody's Investors Service ("Moody's") Bonds carrying the same rating are not claimed to be of absolutely equal quality but are in a broad sense alike in position of risk. The ratings involve judgments about the future, including an appraisal of long-term risks and the recognition of many statistical and non-statistical factors. The quality of a bond may change over its life and therefore a change from the initial rating designation may occur at any time. Moody's applies numerical modifiers (1, 2 and 3) in each rating classification. The modifier 1 indicates that the issue ranks in the higher end of its gradation, the modifier 2 indicates a mid-range ranking, and the modifier 3 indicates that the issue ranks in the lower end of its category. The classes of gradation are:

Aaa ratings, assigned for issues judged to be of the best quality, carry the smallest degree of investment risk and are generally referred to as "gilt edged". Interest payments are protected by a large or by an exceptionally stable margin and principal is secure. While the various protective elements are likely to change, such changes as can be visualized are most unlikely to impair the fundamentally strong position of such issues.

Aa ratings, assigned for issues judged to be of high quality by all standards and, together with Aaa, comprise what are generally known as "high grade" bonds. These are rated lower because margins of protection may not be as large as in Aaa issues, or fluctuation of protective elements may be of greater amplitude, or there may be other elements present which make the long-term risk appear somewhat larger than Aaa securities.

A ratings, assigned for issues judged to possess many favorable investment attributes, are considered upper-medium grade obligations. Factors giving security to principal and interest are considered adequate, but elements may be present which suggest a susceptibility to impairment sometime in the future.

Baa ratings, assigned for issues judged to be considered as medium-grade obligations, are neither highly protected nor poorly secured.

S&P's Long-term Ratings

Issue credit ratings are based in varying degrees on Standard & Poor's analysis of the following considerations: L. likelihood of payment—capacity and willingness of the obligor to meet its financial commitment on an obligation in accordance with the terms of the obligation; Nature of and provisions of the obligation; Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganization, or other arrangement under the laws of bankruptcy and other laws affecting creditors' rights.

Issue ratings are an assessment of default risk, but may incorporate an assessment of relative seniority or ultimate recovery in the event of default.

AAA

An obligation rated 'AAA' has the highest rating assigned by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.

AA

An obligation rated 'AA' differs from the highest-rated obligations only to a small degree. The obligor's capacity to meet its financial commitment on the obligation is very strong.

A

An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.

BBB

An obligation rated 'BBB' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Plus (+) or minus (-)

The ratings from may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

Speculative Grade

Ba or BB rated debt has less near-term vulnerability to default than other speculative issues. However, it faces major ongoing uncertainties or exposure to adverse business, financial or economic conditions which could lead to inadequate capacity to meet timely interest and principal payments.

B rated debt has greater vulnerability to default but currently has the capacity to meet interest payments and principal repayments. Adverse business, financial or economic conditions will likely impair capacity or willingness to pay interest and repay principal.

Caa or CCC rated debt has a current identifiable vulnerability to default, and is dependent upon favorable business, financial and economic conditions to meet timely payment of interest and repayment of principal. In the event of adverse business, financial or economic conditions, it is not likely to have the capacity to pay interest and repay principal.

Ca or CC ratings are typically applied to debt subordinated to senior debt that is assigned an actual or implied Caa or CCC rating.

C ratings are typically applied to debt subordinated to senior debt that is assigned an actual or implied Caa or CCC rating. The C rating may be used to cover a situation where a bankruptcy petition has been filed, but debt service payments are continued.

Cl ratings are reserved for income bonds on which no interest is being paid.

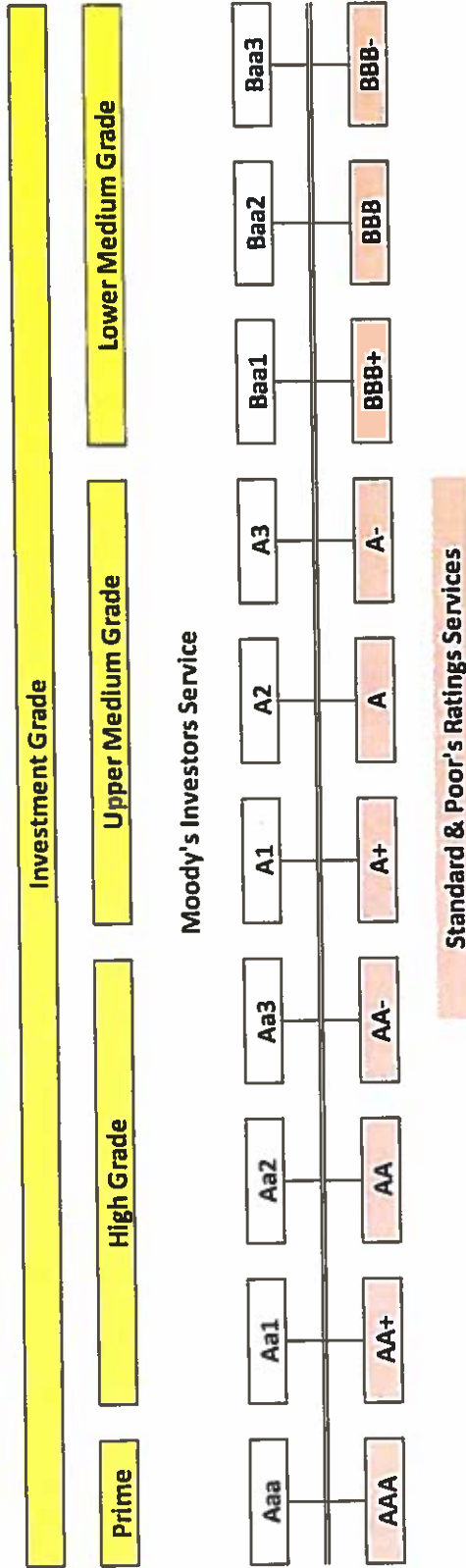
D rated debt indicates payment default. This rating is also used upon the filing of a bankruptcy petition if debt service payments are jeopardized.

N.R. indicates that the debt is not rated by a bond rating agency.



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Bond Rating Ranges



Interest Spread by Basis Points ("bp"); 1 bp = 0.01%; e.g.: 2.00% vs 2.01% = 1 bps

Prime	High Grade	Upper Medium Grade	Lower Medium Grade
Base	Base +10 to 15 bps; 3 to 5 bps within tranche	Base +25 to 40 bps; 5 to 10 bps within tranche	Base +50 to 90 bps; 10 to 25 bps within tranche
e.g., 2.00%	2.10% to 2.15%	2.25% to 2.40%	2.50% to 2.90%

RULE: 10 bps for \$10,000,000 for 20 years ≈ \$100,000



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Our Approach to the Rating Process ...

If the issuer wishes to sell its debt in the public market it is imperative that you are rated. This is consistent with industry standard for a public market issuer, such as the issuer, and is especially appropriate as, due to the consolidations of many banks into a few, (a) its portfolios are being managed at its corporate headquarters (in most instances out of state); as well as (b) the consolidations of portfolio managers in its trust departments (again, in most instances out of state). This is exacerbated by (c) the shift of purchases of municipal debt from professional institutional money managers (having been the next largest purchasers of bonds) to individual ("retail") investors.

The above fundamental changes have been a catalyst for the trend of seeking two ratings! Other prospective Municipal Advisors may advise application to only one rating agency ... "to save money". But we contend, and are able to prove quantitatively, that this is poor advice that will cost greater interest expense, that far outweighs the rating fee. Thus, despite the extra expense of a second rating, it has been our experience that there are benefits. Having two agencies review the credit provides:

- ✓ A competitive environment that encourages the other agency to "sharpen their pencil".
- ✓ Another view that mitigates the other agency's rating, if less than anticipated.
- ✓ An incentive to participate in site visits. Our S&P for visits were an incentive for Moody's.
- ✓ If the issue is insured a second rating would be obtained anyway. By applying for the rating before the sale, the issuer has the additional advantage of the uninsured "underlying" rating.
- ✓ Broader market access, in that "out-of-region" portfolios may require two ratings.

In this way we typically receive a more bidders and, thus, lower bids for our financings. Also, the market perceives (i) that if only

THE BOND BUYER

Market Values Moody's Ratings More than S&P's, Study Says

by Robert Slavin

DEC 12, 2011 6:35 PM ET

Bond buyers place more weight on Moody's Investors' Service ratings than on Standard & Poor's ratings, according to a recent Leap Capital Markets study.

Leap Capital also looked at bonds with a rating from only one of the two rating firms. The firm found that missing a Moody's rating had more than twice the impact on what the market would demand for yield as did missing a rating from S&P.

Leap Capital Markets examined 99,144 tranches completed this year in its study. It created a multiple regression model with Moody's and Standard & Poor's letter ratings converted into numbers as independent variables. It also included the return on the S&P 500, a measure of volatility, coupon size, years to worst yield, and years to worst spread as independent variables. Finally, whether or not the bond was missing either a Moody's or S&P rating was included as a categorical independent variable.

The dependent variable was the trading spread relative to Municipal Market Data's triple-A scale.

The unstandardized coefficient for the Moody's rating was 16.77 whereas for the Standard & Poor's rating it was 10.90. In other words, for each one-notch decrease in the Moody's rating there was an additional 16.77 basis point increase in the spread. The figures indicate that a one-notch shift from Moody's rating has 44% more impact than a one-notch shift from S&P.

The coefficient for missing Moody's rating is 13.61 as compared with a coefficient for missing S&P rating of 5.66. The statistics indicate that missing a Moody's rating, with all other factors held constant, has 140% more impact on the spread than missing a S&P rating.

The "p" values for these four independent variables are all below .0001. In other words, the statistical model says there is less than a one in 10,000 chance that these variables do not impact the dependent variable. The adjusted "R" square for the model is 0.66.

"It's better for issuers to be rated by both rating agencies, but if you're only going to have one you're better with Moody's," said Chris Miller, chief strategist for Leap Capital Markets.

"We're not trying to improve S&P." This general perception is already found in the marketplace. ... The question for research associate Nick Lapanoff and I was if it holds up to statistical scrutiny. ... And the second thing was to see if these differences are large or small.

Leap is doing this study in part because the bond market hasn't had much statistical analysis. Miller said "We feel it's important to bring a stronger quantitative edge to studying the market."

Asked to comment on the study, Moody's spokesman David Jacobson said, "This gets into the market pricing aspect, which is beyond what we cover or discuss, so we'll have to pass on this."

"We have not had the opportunity to review the full research, so we cannot comment on it," said S&P spokesman Mayank Taddumti.

SOURCEMEDIA



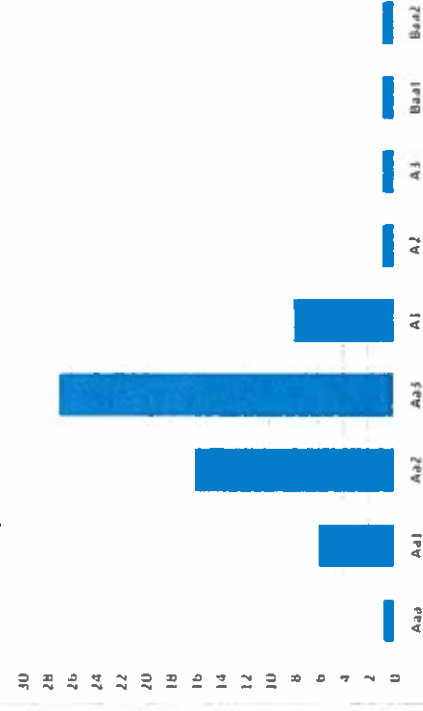
MOORS & CABOT INVESTMENTS

Current Long-term Bond Ratings (Maine)

Local Maine Governments

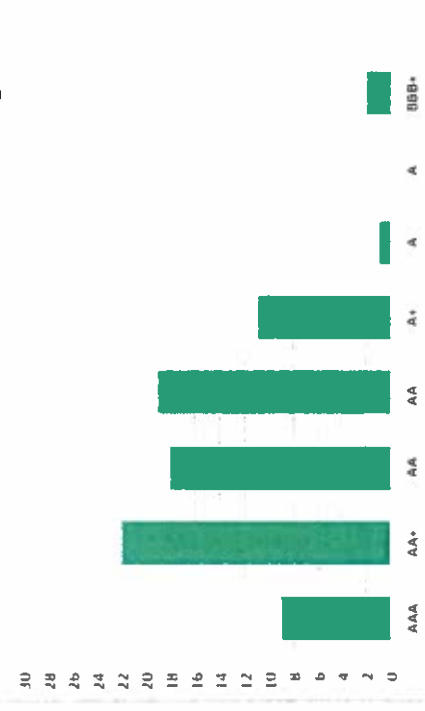
Municipality	Moody's Rating	S&P Rating	Municipality	Moody's Rating	S&P Rating
Alfred	NR	AA	Somerset Cnty	Aa3	A+
Auburn	Aa3	AA	South Berwick	Aa3	AA+
Augusta	NR	AA	South Portland	Aaa	AAA
Bangor	Aa2	AA	St. George	NR	AA+
Bar Harbor	Aa2	AAA	Topsfield	NR	AA+
Bath	Aa3	AA	Waterville	Aa3	A+
Biddeford	Aa3	AA	Wells	Aa2	AA+
Boothbay	Aa2	AA+	Westbrook	Aa3	AA
Brewer	Aa3	AA	Windham	Aa2	AA
Brunswick	Aa2	AA+	Winthrop	Aa3	AA-
Caniden	NR	AA+	Winthrop	NR	AA-
Casco	Aa3	AA+	Yarmouth	Aa2	AA+
Cape Elizabeth	Aa1	AAA	York Cnty	NR	AA
Castine	Aa3	NR	York	NR	AAA
Cumberland	Aa3	AA+	District	NR	A+
Cumberland Cnty	Aa1	AA+	Auburn Sewer Dist	NR	A+
Dixfield	NR	AA	Auburn Water Dist	NR	AA-
Ellsworth	Aa3	AA	Brewer HSD	NR	AA-
Falmouth	Aa1	AAA	Brunswick WD	NR	A+
Farmington	NR	AA-	Cumberland Cnty Civic Cntr	NR	AA
Freeport	Aa2	AAA	ecountie	NR	AA
Gorham	Aa2	AA+	Freeport Swr	Aa3	NR
Gray	Aa2	AA+	Ken Lt & Pr	Aa3	BBB+
Hallowell	NR	A+	Kennebec WD	A1	NR
Hancock Cnty	Aa2	AA	Kennebunk Sewer District	A1	AA
Harpwell	Aa2	AAA	Linc-Sag Jail Auth	A1	AA-
Hermion	A1	AA-	MSAD No 15	Aa3	AA+
Kiesboro	A3	AA	MSAD No 51	Aa3	AA+
Kennebunk	Aa1	AAA	No Jay WD	Baa2	NR
Kittery	Aa2	AA+	Portland Jetport	Baa1	BBB+
Knox Cnty	Aa2	AA	Portland Wtr Dis (Port Swr)	Aa1	AA
Lewiston	Aa2	AA	Portland Wtr Dis (Wtr)	Aa3	AA
Madison	NR	A+	RSUNo 1	NR	AA
Manchester	NR	AA	RSUNo 5	Aa3	AA-
New Gloucester	Aa3	AA+	RSUNo 13	A1	AA-
Old Orchard Beach	Aa3	AA+	RSUNo 13 (COPs)	NR	A+
Orono	Aa3	AA-	RSUNo 21	Aa3	AA+
Oxford	NR	AA-	RSUNo 23	A1	AA
Paris Twn	NR	A	RSUNo 57	Aa2	AA
Pittsfield Twn	Aa1	AA+	Rumford WD	A2	NR
Portland	NR	A	So Berwick WD	A1	NR
Presque Isle	NR	A+	Vocational Region 8 MCST	A1	AA-
Raymond	NR	AAA	Wells Ogunquit CSD	Aa3	AA+
Saco	Aa3	AA	Yarmouth WD	Aa3	A+
Scarborough	Aa3	AA+			

Moody's Maine Local Government Ratings



Source: Moody's Investors Service (ratings as of May 15, 2018)

S&P's Maine Local Government Ratings



Source: S&P Global Ratings (ratings as of May 15, 2018)



Why Moors & Cabot?

- *A difference in the delivery of services.*
- *Answering the question before it is asked ... or to answer the question that has not been thought of asking!*
- *Do not "learn on our client's dime" ... we innovate and find the solution.*
- *Proven experience ... both the regional and the national marketplace.*
- *Demonstrated exacting standards in the quality of the product that is delivered to the rating agencies.*
- *Extensive knowledge and experience ... State Rules and policy, the requirements of federal tax law, Maine statute and regulations.*
- *Your best advocate for your impression on the ratings agencies' debt, management and economic characteristics.*
- *A difference with a distinction in the quality of the delivery of investment banking services.*
- *The selection and appointment of Moors & Cabot as its Municipal Advisor for its financings is in the best interests of our clients.*

We hope that you consider using our services



MOORS & CABOT INVESTMENTS

Fees & Expenses

We will provide Advisory Services to the Town at a rate per \$1,000 of par value of bonds issued by issue size as summarized in the below table, with a complete schedule to the right:

Fee Breakpoint Summary

Issue Size	(per 000)	(plus \$)
Up to \$10,000,000	\$2.00	\$0
\$10,000,001 to \$20,000,000	\$1.50	\$5,000
\$20,000,001 to \$32,000,000	\$1.25	\$10,000
\$32,000,001 to \$50,000,000	flat \$50,000	
\$50,000,001 and greater	\$1.00	\$0

Advisory Expenses (Example)

Printing Official Statement pdf POS	\$2,000.00
I-Deal Prospectus (maximum)	800.00
Computer	1,500.00
Postage to Bidders	300.00
Overnight Mail	0.00
Advertising to Bidders	200.00
Bond printing; Transportation, Other	0.00
Total Advisory Expenses	\$4,800.00

Bond Anticipation Notes

Our scale fee to originate and sell Bond Anticipation Notes ("BANs") is 50¢/000 plus expenses. We waive this fee(s) conditioned on our being the originator and seller of bond issues that provide permanent financing(s) for the BANs.

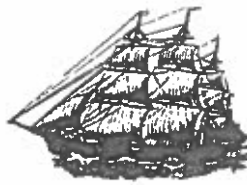
Moors & Cabot Fee Schedule
For
Financial Advisory Services for Bond Issues

One at Size (000)	@ \$1.00/000	@ \$1.50/000	@ \$1.25/000	@ \$1.00/000	Flat
1,000	2,000	6,500	11,250	\$50,000	76,750
2,000	4,000	9,000	12,500	50,000	79,000
3,000	6,000	9,500	13,750	50,000	81,250
4,000	8,000	10,000	15,000	50,000	83,500
5,000	10,000	12,500	16,250	50,000	85,750
6,000	12,000	14,000	17,500	50,000	88,000
7,000	14,000	15,500	18,750	50,000	90,250
8,000	16,000	17,000	20,000	50,000	92,500
9,000	18,000	18,500	21,250	50,000	94,750
10,000	20,000	20,000	22,500	50,000	97,000
11,000	22,000	21,500	23,750	50,000	99,250
12,000	24,000	23,000	25,000	50,000	101,500
13,000	26,000	24,500	26,250	50,000	103,750
14,000	28,000	26,000	27,500	50,000	106,000
15,000	30,000	27,500	28,750	50,000	108,250
16,000	32,000	29,000	30,000	50,000	110,500
17,000	34,000	30,500	31,250	50,000	112,750
18,000	36,000	32,000	32,500	50,000	115,000
19,000	38,000	33,500	33,750	50,000	117,250
20,000	40,000	35,000	35,000	50,000	119,500
21,000	42,000	36,500	36,250	50,000	121,750
22,000	44,000	38,000	37,500	50,000	124,000
23,000	46,000	39,500	38,750	50,000	126,250
24,000	48,000	41,000	40,000	50,000	128,500
25,000	50,000	42,500	41,250	50,000	130,750
26,000	52,000	44,000	42,500	50,000	133,000
27,000	54,000	45,500	43,750	50,000	135,250
28,000	56,000	47,000	45,000	50,000	137,500
29,000	58,000	48,500	46,250	50,000	139,750
30,000	60,000	50,000	47,500	50,000	142,000
31,000	62,000	51,500	48,750	50,000	144,250
32,000	64,000	53,000	50,000	50,000	146,500
33,000	66,000	54,500	51,250	50,000	148,750
34,000	68,000	56,000	52,500	50,000	151,000
35,000	70,000	57,500	53,750	50,000	153,250
36,000	72,000	59,000	55,000	50,000	155,500
37,000	74,000	60,500	56,250	50,000	157,750
38,000	76,000	62,000	57,500	50,000	160,000
39,000	78,000	63,500	58,750	50,000	162,250
40,000	80,000	65,000	60,000	50,000	164,500
41,000	82,000	66,500	61,250	50,000	166,750
42,000	84,000	68,000	62,500	50,000	169,000
43,000	86,000	69,500	63,750	50,000	171,250
44,000	88,000	71,000	65,000	50,000	173,500
45,000	90,000	72,500	66,250	50,000	175,750
46,000	92,000	74,000	67,500	50,000	178,000
47,000	94,000	75,500	68,750	50,000	180,250
48,000	96,000	77,000	70,000	50,000	182,500
49,000	98,000	78,500	71,250	50,000	184,750
50,000	100,000	80,000	72,500	50,000	187,000
51,000	102,000	81,500	73,750	50,000	189,250
52,000	104,000	83,000	75,000	50,000	191,500
53,000	106,000	84,500	76,250	50,000	193,750
54,000	108,000	86,000	77,500	50,000	196,000
55,000	110,000	87,500	78,750	50,000	198,250
56,000	112,000	89,000	80,000	50,000	200,500
57,000	114,000	90,500	81,250	50,000	202,750
58,000	116,000	92,000	82,500	50,000	205,000
59,000	118,000	93,500	83,750	50,000	207,250
60,000	120,000	95,000	85,000	50,000	209,500
61,000	122,000	96,500	86,250	50,000	211,750
62,000	124,000	98,000	87,500	50,000	214,000
63,000	126,000	99,500	88,750	50,000	216,250
64,000	128,000	101,000	90,000	50,000	218,500
65,000	130,000	102,500	91,250	50,000	220,750
66,000	132,000	104,000	92,500	50,000	223,000
67,000	134,000	105,500	93,750	50,000	225,250
68,000	136,000	107,000	95,000	50,000	227,500
69,000	138,000	108,500	96,250	50,000	229,750
70,000	140,000	110,000	97,500	50,000	232,000
71,000	142,000	111,500	98,750	50,000	234,250
72,000	144,000	113,000	100,000	50,000	236,500
73,000	146,000	114,500	101,250	50,000	238,750
74,000	148,000	116,000	102,500	50,000	241,000
75,000	150,000	117,500	103,750	50,000	243,250
76,000	152,000	119,000	105,000	50,000	245,500
77,000	154,000	120,500	106,250	50,000	247,750
78,000	156,000	122,000	107,500	50,000	250,000
79,000	158,000	123,500	108,750	50,000	252,250
80,000	160,000	125,000	110,000	50,000	254,500
81,000	162,000	126,500	111,250	50,000	256,750
82,000	164,000	128,000	112,500	50,000	259,000
83,000	166,000	129,500	113,750	50,000	261,250
84,000	168,000	131,000	115,000	50,000	263,500
85,000	170,000	132,500	116,250	50,000	265,750
86,000	172,000	134,000	117,500	50,000	268,000
87,000	174,000	135,500	118,750	50,000	270,250
88,000	176,000	137,000	120,000	50,000	272,500
89,000	178,000	138,500	121,250	50,000	274,750
90,000	180,000	140,000	122,500	50,000	277,000
91,000	182,000	141,500	123,750	50,000	279,250
92,000	184,000	143,000	125,000	50,000	281,500
93,000	186,000	144,500	126,250	50,000	283,750
94,000	188,000	146,000	127,500	50,000	286,000
95,000	190,000	147,500	128,750	50,000	288,250
96,000	192,000	149,000	130,000	50,000	290,500
97,000	194,000	150,500	131,250	50,000	292,750
98,000	196,000	152,000	132,500	50,000	295,000
99,000	198,000	153,500	133,750	50,000	297,250
100,000	200,000	155,000	135,000	50,000	299,500



Agenda Item Divider





12

KENNEBUNKPORT WASTEWATER DEPARTMENT

Date: 9/19/18
To: Laurie Smith
From: Chris Simeoni
Re: Truck bid – Agenda Item

An invitation to bid on a new 2019 Ford F250 pickup truck for combined Wastewater and Highway Department was disseminated on August 29th 2018.

The invitation was sent to the following dealers:

- Rod Brackett, Arundel Ford, 1561 Portland Rd, Arundel, ME 04046, (800) 889-7171, rbrackett@arundelford.com
- Darren Chisholm, Prime Ford Saco, 857 Portland Rd., Saco, ME 04072, (207) 282-0300, dchisholm@driveprime.com
- Rob Berry, Key Auto, 422 US 1/PO Box 37, York, ME 03909, (207) 363-2483, rberry@keyauto.com
- Greg West, Rowe Westbrook Ford, 91 Main St. #1 Westbrook, ME 04092, (207) 854-2555, gwest@roweford.com
- Scott Bonney, Yankee Ford Sales & Service, 165 Waterman Dr., South Portland, ME 04106, (207) 799-5591, scott@yankeeford.com

We received bids from the following dealers in the following amounts:

- Key Ford - \$27,277.00
- Yankee Ford - \$27,973.00

We are requesting authorization from the selectmen on the September 27th meeting to award the bid to and purchase the vehicle from Key Ford for the amount of \$27,277.00. We wish to purchase the truck with the proceeds from the backhoe sale as approved by the Board of Selectmen during the August 23rd Selectmen's.

Thank you,
Christopher Simeoni
Christopher Simeoni
Deputy Director Public Works

Kennebunkport, Maine

SPECIFICATIONS

*1 – 2018/2019 Three-quarter
(3/4) Ton Regular Cab Truck*

Public Works Departments

Contract No. 2018-01

TOWN OF KENNEBUNKPORT
Laurie Smith, Town Manager

August 29, 2018

Public Works Department
105 Beachwood Avenue
Kennebunkport, Maine 04046
(207) 967-5728

BID DATE: Wednesday September 19, 2018, 2:00 p.m.

TABLE OF CONTENTS

1-2018/2019 Three-quarter (3/4) Ton Regular cab pickup

Public Works Department
Contract No. 2018-01

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3.01 2018/2019 FORD F250 REGULAR CAB.....	7

INVITATION TO BID

The Town of Kennebunkport, Maine will accept sealed bids until 2:00 p.m., Wednesday, September 19, 2018 at the Town Manager's Office, 6 Elm Street, Kennebunkport, Maine for the furnishing of One – Three-quarter (3/4) ton regular cab pickup truck for the Public Works Department. Bids shall be submitted in sealed envelopes with the name and address of the Bidder and marked "3/4 Ton Truck" on the face of the envelope. The bids will be opened and publicly read aloud at 2:00 p.m. on the same date.

A complete set of the contract documents may be downloaded from the Town of Kennebunkport website. Bids shall be submitted on the provided forms in accordance with the Information for Bidders. No Bidder may withdraw a bid within thirty (30) days after opening thereof.

The Owner reserves the right to waive any informalities in or to reject any and all bids.

Christopher Simeoni, Deputy Director
Public Works Department
Town of Kennebunkport

GENERAL INFORMATION

SECTION 1

1.01 INFORMATION FOR BIDDERS

- A. Sealed unit price proposals will be received by the Town Manager of the Town of Kennebunkport, Maine up until 2:00 p.m., Wednesday, September 19, 2018, then to be publicly opened and read aloud for the furnishing of one Three-quarter (3/4) Ton Truck to the Public Works Department in accordance with these specifications.
- B. Bids shall be submitted on the attached "Bid Proposal Form" and shall be signed by an authorized person indicating full knowledge and acceptance of the specifications. The sealed bid shall be submitted to the Town Manager's Office and the envelope shall be clearly marked with the name and address of the bidder and the specific contract for which the bid is being submitted.
- C. No bidder may withdraw his bid within thirty (30) days after opening thereof.
- D. Qualified bids will be deemed to be only bids from authorized Three-quarter (3/4) Ton Truck Dealers.
- E. Each Bidder shall indicate on the appropriate place on the Bid Proposal Form the manufacturer and product name for the material to be supplied under this bid. Literature describing the physical and performance characteristics of the equipment bid shall be attached and included with the bid. All such descriptive literature furnished shall be clearly marked (underline specific items in red or highlight the items) to indicate the specific equipment to be furnished under this bid. Do not submit any brochures without first marking the item to be supplied if more than one selection or option is shown in the catalog. The Town, however, reserves the right to request additional information deemed necessary for proper evaluation of bids.
- F. Each Bidder shall fully complete and submit with the bid the attached "Detailed Three-quarter (3/4) Ton Truck Specifications" form. Failure to complete and submit the attached form will be grounds for rejection of the bid.
- G. Bidders may submit separate proposals for sale of new 2018 or 2019 Trucks that meet or exceed Detailed Specifications and are available for immediate delivery to the Town of Kennebunkport.

1.02 BID COMPLIANCE

- A. The Town of Kennebunkport will regard all bids received as an agreement by the Bidder to conform to all items of these specifications. If the equipment offered differs from the provisions contained in this specification, such differences must be explained in detail, and the bid will receive careful consideration if such differences do not depart from the intent of this specification and are in the best interest of the Town.

- B. The Manufacturer's name and model designation must be shown on the bid form in the designated spaces, however, that information is not sufficient evidence that the bidder is taking exception to the detailed specification. If no exceptions or deviations are specifically shown and explained, equipment shall be furnished exactly as specified.

1.03 DELIVERY

- A. The Three-quarter (3/4) Ton Truck shall be delivered as soon as possible and guaranteed delivery may be considered in making the award. Delivery time shall be expressed on the bid proposal form in the space provided (in number of calendar days required to make delivery after receipt of a purchase order).
- B. The Three-quarter (3/4) Ton Truck shall be delivered to the Public Works Department, 105 Beachwood Avenue, Kennebunkport, Maine.

1.04 DELIVERY CONDITION

- A. The vehicles delivered shall be in strict accordance with these specifications. If the vehicles are delivered with deviations or improper servicing, the Bidder must arrange to have the necessary work done within five (5) business days after notification from the Town of Kennebunkport.
- B. Provide one (1) copy each of the maintenance and the operational manual, and a complete parts list for all electrical, mechanical and hydraulic equipment as may be furnished with the Three-quarter (3/4) Ton Trucks (See Detailed Specs for further requirements)

1.05 TAX EXEMPTION

- A. The Town of Kennebunkport (a municipal government) is an exempt entity under law of the State of Maine and is, therefore, exempt from payment of the State of Maine sales or use tax on purchases made directly for its own use. These taxes are not to be included in the bid prices for any equipment, materials and supplies sold to the Town under this Contract.
- B. The Town of Kennebunkport is exempt from Federal Excise Tax and Federal Transportation Tax on all equipment, materials and supplies sold to the Town for its own use. These taxes are not to be included in the bid prices under this contract.

1.06 GUARANTEE

- A. The Bidder guarantees that the Three-quarter (3/4) Ton Trucks furnished under this bid is a new and unused product of regular manufacture.
- B. The decision of the Public Works Director as to reasonable compliance with these specifications and guarantee shall be final.
- C. The manufacturer's standard warranty shall apply to the Three-quarter (3/4) Ton Truck and warranty service shall be gratis at any dealer's shop in Maine or New Hampshire.
- D. The successful Bidder shall further guarantee the Three-quarter (3/4) Ton Truck and all equipment furnished for a period of one (1) year from date of delivery in addition to any

standard warranty's offered with the Three-quarter (3/4) Ton Trucks. This guarantee shall include defective materials and workmanship. If, during this period, warranty repairs and/or parts replacement become necessary due to defective materials and/or workmanship, all labor and material to make satisfactory repair shall be furnished at no cost to the Town by the Bidder.



PROUD MEMBER OF THE  Auto Group

KEY FORD OF YORK

PHONE 1-207-363-2483
FAX 1-207-363-3547

422 US Route One
P.O. Box 37
York, Maine 03909-0037
www.keyford.net

TOWN MANAGER'S OFFICE
TOWN OF KENNEBUNKPORT
6 ELM STREET/P.O. BOX 566
KENNEBUNKPORT, ME 04046

DEAR SIRs;

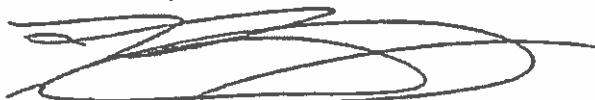
KEY FORD OF YORK SUBMITS THE FOLLOWING BID FOR ONE (1)

2019 FORD F-250 REGULAR CAB.

AS QUOTED FOR THE TOWN OF KENNEBUNKPORT:

NET PRICE OF ONE (1) 2019 FORD F-250 R/CAB	\$27,277.00
--	-------------

SINCERELY,



ROB BERRY

SALES & LEASING CONSULTANT

DELIVERY TIME AS DICTATED BY MANUFACTURER

ENC: 5

BID PROPOSAL FORM
3/4 Ton Truck Contract No. 2018-01

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

BID DATE: Wednesday September 19, 2018, 2:00 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. Bid Prices (1-3) should reflect the price of one truck.

Model Bid 2019 FORD F-250

1. Base Bid for Three-quarter (3/4) TON Regular Cab \$27,277.00
(In Numbers)

Total Contract Price for Truck TWENTY SEVEN THOUSAND, TWO HUNDRED SEVENTY SEVEN
(In Numbers)

Expected Delivery Time after Receipt of Purchase Order AS DICTATED BY MANUFACTURER

NAME OF FIRM: KEY KEY FORD OF YORK

ADDRESS: 422 US ROUTE ONE, P.O. BOX 37

YORK, MAINE 03909

AUTHORIZED SIGNATURE:



PRINT NAME AND TITLE: ROB BERRY, SALES & LEASING CONSULTANT

TELEPHONE: 363-2483

DATE: 9-17-18

Required Attachments: 1. Detailed Three-quarter (3/4) Ton Truck Manufacturer Specifications with Town Selected Options

DETAILED SPECIFICATIONS

SECTION 3

1-2018/2019 Three-quarter (3/4) Ton Regular cab pickup

The Town of Kennebunkport Wastewater and Public Works Department are requesting bid quotes on 1 -2018/2019 Three-quarter (3/4) ton regular cab pick-up truck with snow plow preparation package. This specification is based on a Ford F250 XL gasoline automatic regular cab. Other makes or models which meets or exceeds the specifications and as detailed will be given the same and equal consideration. Bidders must supply manufacturers specifications for the completed unit including options that will meet or exceed the units noted for bid quotes. Each bidder shall complete the following section supplying the information requested for the equipment bid. Failure to complete this section may be considered grounds for rejecting the bid.

Three-quarter (3/4) Ton Truck: FORD Make:

Year 2019 Model: F-250

Option Equipment List Attached Yes: X

<u>Specification Description</u>	<u>Minimum Required</u>	<u>Bidder to Supply</u>
----------------------------------	-------------------------	-------------------------

3.01 2018 Ford F250 Regular Cab

- a. Gasoline Engine (6.2L V8)
- b. Automatic Transmission
- c. 4 Wheel Drive (4 x 4 Drive Type)
- d. XL Trim Level with Power Equipment Group
- e. Truck Colors Magnetic Gray.
- f. 4 Upfitter switches on dashboard
- g. Limited Slip Differential
- h. Snow Plow Prep Package

VERTC1DP

F
570

CNGP530

VEHICLE ORDER CONFIRMATION

09/13/18 08:43:02

==>

Dealer: F11552

2019 F-SERIES SD

Page: 1 of 2

Order No: 9999 Priority: 12 Ord FIN: QKB66 Order Type: 5B Price Level: 930

Ord PEP: 600A Cust/Fit Name: KENNEPORT

PO Number:

RETAIL

RETAIL

F2B F250 4X4 SD R/C \$35945✓

JOB #1 BUILD

142" WHEELBASE

10000# GVWR PKG

J7 MAGNETIC ✓

425 50 STATE EMISS NC

A VNYL 40/20/40

473 SNOW PLOW PKG 185 ✓

S MEDIUM EARTH GR

512 SPARE TIRE/WHL2 NC

600A PREF EQUIP PKG

TELE TT MIR-PWR

.XL TRIM

JACK

.TRAILER TOW PKG

665 UPFITTER SWITCH 165 ✓

572 .AIR CONDITIONER NC

.AM/FM STER/CLK

TOTAL BASE AND OPTIONS 39095

996 .6.2L EFI V8 ENG NC✓

TOTAL 39095

44S 6-SPD AUTOMATIC NC✓

THIS IS NOT AN INVOICE

T08 .LT245 BSW AS 17

X3E 3.73 ELCKING 390✓

* MORE ORDER INFO NEXT PAGE *

90L PWR EQUIP GROUP 915✓

F8=Next

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S006 - MORE DATA IS AVAILABLE.

QC09587

V1DPD03J

2,6

VIRTCDP



CNGP530

VEHICLE ORDER CONFIRMATION

09/13/18 08:45:23

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2019 F-SERIES 5D

Dealer: F11552

Page: 2 of 2

Order No: 9999 Priority: L2 Ord FIN: QK866 Order Type: 5B Price Level: 930

Ord PEP: 600A Cust/Flt Name: KENNEPORT PO Number:

RETAIL

RETAIL

67D XTR HVY DTY ALT NC

SP DLR ACCT ADJ

SP FLT ACCT CR

FUEL CHARGE

B4A NET INV FLT OPT NC

DEST AND DELIV 1495

TOTAL BASE AND OPTIONS 39095

TOTAL 39095

THIS IS NOT AN INVOICE

F1=Help

F2=Return to Order

F7=Prev

F4=Submit

F5=Add to Library

F3/F12=Veh Ord Menu

S099 - PRESS F4 TO SUBMIT

QC09587

V1DP0033

2,6

BID PROPOSAL FORM
3/4 Ton Truck Contract No. 2018-01

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

BID DATE: Wednesday September 19, 2018, 2:00 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. Bid Prices (1-3) should reflect the price of one truck.

Model Bid FORD F-250 REGULAR CAB 4XA "XL" PICK UP TRUCK

1. Base Bid for Three-quarter (3/4) TON Regular Cab \$ 21,973.⁰⁰

Total Contract Price for Truck \$21,973.⁰⁰ (In Numbers)
TWENTY ONE THOUSAND NINE HUNDRED SEVENTY THREE (In Numbers)

Expected Delivery Time after Receipt of Purchase Order FACTORY ORDER BASIS ONLY!
30-120 DAY APPROX. LEADTIME

NAME OF FIRM: ESPO LLC DBA YANKEE FORD.COM

ADDRESS: 165 WATERMAN DRIVE
SOUTH PORTLAND, MAINE 04106

AUTHORIZED SIGNATURE: [Signature]

PRINT NAME AND TITLE: SCOTT A. CONNEY FLEET MANAGER

TELEPHONE: (207) 799-5591 **DATE:** 9/7/18

Required Attachments: 1. Detailed Three-quarter (3/4) Ton Truck Manufacturer Specifications with Town Selected Options

VIRTC1DP

TH

CNGP530

VEHICLE ORDER CONFIRMATION

09/07/18 12:15:53

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Dealer: F11209

Page: 1 of 2

2019 F-SERIES 5D

Order No: 0001 Priority: L2 Ord FIN: QR662 Order Type: 5B Price Level: 930

Ord PEP: 600A Cust/Flt Name: KENNEDYBUNKPORT PO Number:

RETAIL DLR INV

RETAIL DLR INV

F2B F250 4X4 5D R/C \$35945 \$33967.00

JOB #1 BUILD

142" WHEELBASE

10000# GVWR PKG

J7 MAGNETIC

425 50 STATE EMISS NC NC

A VINYL 40/20/40

473 SNOW PLOW PKG 185 171.00

5 MEDIUM EARTH GR

512 SPARE TIRE/WHL2 NC NC

600A PREF EQUIP PKG

TELE TT MIR-PWR

.XL TRIM

JACK

TRAILER TOW PKG

572 AIR CONDITIONER NC

TOTAL BASE AND OPTIONS 39095 35973.72

AM/FM STER/CLK NC

TOTAL 39095 35973.72

996 6.2L EFI V8 ENG NC

THIS IS NOT AN INVOICE

44S 6-SPD AUTOMATIC NC

TOTAL PRICE EXCLUDES COMP PRICE ALLOW

TDB ALT245 BSW AS 17

X3E 3.73 ELOCKING 390 359.00

* MORE ORDER INFO NEXT PAGE *

9UL PWR EQUIP GROUP 915 841.00

F8=Next

IMS2 CNGP530 VEHICLE ORDER CON

Page 1 of 1

VIRTC1DP

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CNGP530

VEHICLE ORDER CONFIRMATION

09/07/18 12:15:58

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Dealer: F11209

Page: 2 of 2

2019 F-SERIES 5D

Order No: 0001 Priority: L2 Ord FIN: QR662 Order Type: 5B Price Level: 930

Ord PEP: 600A Cust/Flt Name: KENNEDYBUNKPORT PO Number:

RETAIL DLR INV

RETAIL DLR INV

605 HP FITTER SWITCH 1165 1152.00

67D XTR HVY DTY ALI NC NC

79A PRICE CONCESSION

REMARKS TRAILER

SP FLT ACCT CR (1034.00)

FUEL CHARGE 22.72

DEST AND DELIV 1495 1495.00

TOTAL BASE AND OPTIONS 39095 35973.72

TOTAL 39095 35973.72

THIS IS NOT AN INVOICE

TOTAL PRICE EXCLUDES COMP PRICE ALLOW

\$35973 DLR INV.
- 10000# GVWR PKG
810: \$27,973.00

312

F1 Help

F2 Return to Order

F7-Price

F4 Submit

F5 Add to Library

F3/F12-View Ord Detail

S099 - PRESS F4 TO SUBMIT

F9-View Inventory

QC00037

CNGP530

TH

DETAILED SPECIFICATIONS

SECTION 3

1-2018/2019 Three-quarter (3/4) Ton Regular cab pickup

The Town of Kennebunkport Wastewater and Public Works Department are requesting bid quotes on 1 -2018/2019 Three-quarter (3/4) ton regular cab pick-up truck with snow plow preparation package. This specification is based on a Ford F250 XL gasoline automatic regular cab. Other makes or models which meets or exceeds the specifications and as detailed will be given the same and equal consideration. Bidders must supply manufacturers specifications for the completed unit including options that will meet or exceed the units noted for bid quotes. Each bidder shall complete the following section supplying the information requested for the equipment bid. Failure to complete this section may be considered grounds for rejecting the bid.

Three-quarter (3/4) Ton Truck: F-250 "SRV" 8'FT BOX, 4X4 Make: FORD
Year 2019 Model: (F28) REGULAR CAB "XL"
600A PKG. 142"WB
Option Equipment List Attached Yes: ☒

<u>Specification Description</u>	<u>Minimum Required</u>	<u>Bidder to Supply</u>
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3.01 2018 Ford F250 Regular Cab

- Gasoline Engine (6.2L V8) (996)
- Automatic Transmission (445)
- 4 Wheel Drive (4 x 4 Drive Type) ☒ (F28)
- XL Trim Level with Power Equipment Group 600A PKG (98L)
- Truck Colors Magnetic Gray. (J7) (A5) VINYL 40/20/40 BENCH SEAT
- 4 Upfitter switches on dashboard (665) OVERHEAD CONSOLE
- Limited Slip Differential (X3E) ELECTRONIC LOCKING AXLE
- Snow Plow Prep Package (473)

1.07 BASIS FOR AWARD

- A. The Town of Kennebunkport reserves the right to accept or reject any or all bids in whole or in part, to waive any formality and technicality in any bid, and to accept any item or items in any bid. The Town reserves the right to accept or reject any or all bids as may best serve the interest of the Town.
- B. Bids shall be submitted in a sealed envelope or package with the type of bid clearly indicated on the outside.
- C. The Town will accept the bid most advantageous to the Town, not necessarily the lowest bid. Alternative quotations will be considered only when clearly explained. They will be considered only if the specifications are met and the alternatives are submitted as an alternative bid.
- D. The base bid price plus Town Selected Options bid price quoted shall be the net amount and shall include all costs necessary to furnish and deliver the Three-quarter (3/4) Ton Truck as required by these specifications.

1.08 PAYMENT

- A. When the Three-quarter (3/4) Ton Truck is delivered and after inspection of the vehicle and equipment to ensure compliance with these specifications, the Town will process a request for payment. However, if poor workmanship and/or minor deviations exist, the Town may withhold up to 20% of the contract price upon delivery and delay payment of the balance until the Bidder has made all necessary corrections.
- B. The Town may withhold the full payment of the contract price if, in its opinion, the Three-quarter (3/4) Ton Truck contain major deviations from the specifications.
- C. The Town of Kennebunkport will pay the amount due upon delivery acceptance.

1.09 SERVICE

- A. Service by an authorized dealer of the Three-quarter (3/4) Ton Truck shall be available within a 50 mile radius of the Town of Kennebunkport
- B. Prior to delivery, the Three-quarter (3/4) Ton Truck furnished shall be completely serviced by the Bidder or by an authorized dealer of the manufacturer. Service will include: lubrication, wash, Maine Inspection, and all other checks and adjustments required for proper servicing of a new vehicle.
- C. It shall be the Bidder's responsibility to insure at the time of servicing that all components and accessories specified have been properly installed.
- D. It shall be the Bidder's responsibility to ensure that the Three-quarter (3/4) Ton Truck are road worthy.

END OF GENERAL INFORMATION SECTION

VIRTC1DP

F1

CNGP870

TRAILER INFORMATION DISPLAY

09/07/18 12:16:00

Model Year: 19

Body Series: F2B

Order No: 0001

Spec Ord No:

Dealer: F11209

PRICE CONCESSION TRAILER:

Account Code ID: 10

Contract/Ref #: 01-276R

Bid Date: 02/16/18

State: ME

Concession Amt: 7600

RETURN=Continue Processing

F1=Help

F2=Return to Order

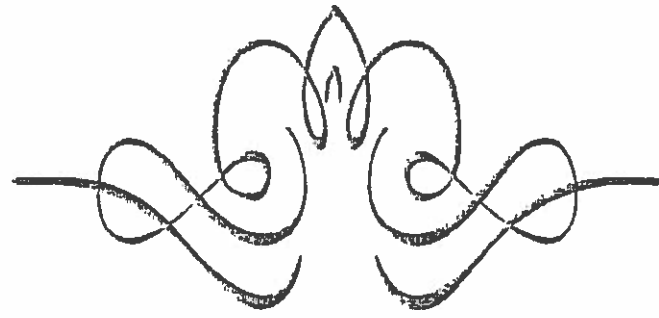
F3/F12=Veh Ord Menu

S005 - INQUIRY IS COMPLETE.

QC00037

VIDP0163

3.16



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

Memorandum

To: Laurie Smith, Town Manager
From: Michael Claus, Kennebunkport Public Works Director *Michael W. Claus*
Re: Review of Fuel Pump Quotes
Date: September 24, 2018

We have received 2 quotes to replace the fuel pumps at Kennebunkport Public Works. We had issues with the mechanical operation of the pumps earlier in the year and replacement parts for the pumps are no longer available. Our Town Mechanic Bob Pappas has asked that we replace the pumps at this time.

The quotes received are from the 2 service companies that are dealers in Maine who can service both the pumps and our fueling key system. Both dealers bid on the same replacement fuel pumps. We do not know of other dealers who can bid on these pumps. I recommend that we purchase the pumps from the lower quote of \$10,353.19 submitted by Portland Pump Company. We would pay for this out of the Town Garage Improvements Capital fund, which has a balance of \$13,261.74.

PORTLAND PUMP COMPANY
PETROLEUM FACILITY SERVICES

QUOTATION

QUOTE TO:

Bob Pappas
Kennebunkport Highway Department
105 Beachwood Ave.
Kennebunkport, ME 04043

Quote Date: 9/11/2018
Quote #: 38230A
Resp: Redmond

scope:

Remove and set aside two existing pumps. Supply and install two Wayne Reliance G6201P/27AGJK single product suction pumps and hook up to existing petrovent. Highway Dept. to modify the pump mounting structure.

Description	Part #	Qty	Price Ea.	Tot Price
Wayne Reliance single product suction pump with 10:1 pulser and internal filter	G6201P/27AGJK	2	\$4,160.01	\$8,320.02
Misc electrical fitting and wire		2	\$65.33	\$130.67
Freight to Site		2	\$135.00	\$270.00
Material Total:				\$8,720.69
Sales Tax:				\$0.00
Description		Qty	Price Ea.	Tot Price
Mechanic / Hr		20	\$75.00	\$1,500.00
Service Truck / Mile		50	\$1.05	\$52.50
Installation Truck / Mile		50	\$1.60	\$80.00
Installation Total:				\$1,632.50
Project Total:				\$10,353.19

TERMS & CONDITIONS

1. This proposal, when accepted by the Purchaser, will constitute a bona fide contract between us, subject to all terms and conditions to follow the approval of the Sellers credit manager.
2. It is expressly agreed that there are no promises, agreements, or understandings, oral or written, not specified in this proposal.
3. Prices are for the acceptance for 30 days and, unless otherwise specified to change without notice after that date.
4. Warranty policy-Equipment furnished as a part of this proposal is warranted by the manufacturers.
5. These warranties are passed through the seller to the buyer according to the manufacturer's policy.
6. Terms of financing: 50% upon acceptance. Equipment paid in full at time of shipment from factory. Balance Net 10 upon invoicing. Invoicing to Progressive. 1.5% interest per month added for invoice amounts over 10 days old, all collection fees will be paid by the purchaser. Credit card processing fees of 3% will be in addition to the invoice amount for amounts over \$5,000.
7. Credit card processing fees of 3% will be in addition to the invoice amount for amounts over \$5,000.
8. Install and training price is contingent upon network profile and downloads being provided correctly.
9. PPC is not responsible for any electrical or mechanical failure on existing equipment. If repairs are needed you will be notified.

Agreed to by:

Name	Title	Date
------	-------	------

Adams & Fogg Oil Equipment Company
Petroleum Handling Equipment
309 US Route 1 Falmouth, ME 04105

Tel. (207) 781-5470
from ME, NH, VT (800) 781-5470
Fax (207) 781-3795
mail:brad@adamsfogg.com

QUOTATION ** QUOTATION ** QUOTATION

September 4, 2018

Town of Kennebunkport
Highway Department
105 Beachwood Ave
Kennebunkport, Maine 04043
Mike Claus

In accordance with your request, Adams & Fogg Oil Equipment Company is pleased to present the following quotation to remove existing gasoline and diesel pumps and install new. Connect PetroVend to new pumps:

Fuel Pumps

2 - Wayne G6201P Fleet Single Suction Pumps w/light and pulsers

Parts	\$ 9,200.00
Labor/Mileage	\$ 1,950.00
Freight	\$ 380.00
Miscellaneous Fittings	\$ 75.00
Project Total	\$ 11,605.00

Notes: Electrical by others, if mounting platform needs to be moved/fabricated to be done by others.
Customer to dispose of old pumps.

TERMS: 25% down at time of order, balance due Net 10 Days

Price protection 30 Days

Sales tax not included and will be added to final invoice

If material or freight surcharges are added by the manufacturer, Adams and Fogg Oil Equipment will notify you and add the surcharge amount to the final invoice.

WARRANTY: The sale of original equipment manufacturer's (OEM) products is subject to the OEM's warranty provisions; and under no circumstances shall the seller be liable for any incidental, consequential or special damages to include, but not limited to, loss of profit, loss of product, or any other costs associated therewith.

Thank you for the opportunity to quote. Please call if we can be of further assistance.

Sincerely,

Brad Libby