

## TOWN OF KENNEBUNKPORT, MAINE

—INCORPORATED 1653—

**Board of Selectmen Agenda  
Village Fire Station – 32 North Street  
March 14, 2019 – Immediately following  
Joint Budget Meeting at 6:00 PM**

1. Call to Order.
2. Joint meeting with Budget Board for fiscal year 2020 municipal budget Presentation of Town Clerk's budget and presentation of department capital requests.
3. Approve the February 28, and March 7, 2019, selectmen meeting minutes.
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.).
5. Consider renewal liquor license application submitted by Alissons/DockSquare L.T.D., DBA Alisson's Restaurant, 11 Dock Square.
6. Consider appointment to the Senior Advisory Committee.
7. Consider appointments to the Village Parcel Master Plan Committee.
8. Establish a regulation restricting motorized vehicles on Goose Rocks Beach, under the authority of the Beach Use Ordinance.
9. Streetlight report presentation.
10. Consider suggested changes to proposed ordinance revisions by town attorney.
  - a. Street numbering
  - b. Waterfront Ordinance
11. Adopt Resolution to Authorize Town of Kennebunkport to issue up to \$1,000,000 in bonds for the Ocean Avenue Seawall Project.
12. Consider a construction overlimit permit—DOT.
13. Appoint Town Officers.

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

14. Award bid for Wastewater boiler replacement.
15. Award bid for valve replacement at Cape Porpoise pump station.
16. Other business.
17. Approve the March 14, 2019, Treasurer's Warrant.
18. Adjournment.



# Agenda Item Divider



**Town of Kennebunkport**  
**Budget Board/Selectmen's Meeting**  
**March 7, 2019**  
**6 p.m. – Village Fire Station – 32 North Street**

Minutes of the Selectmen's Meeting of March 7, 2019

**Selectmen attending:** Stuart E. Barwise, Sheila Mathews-Bull, and Allen A. Daggett

**Selectman absent:** Patrick A. Briggs and Ed Hutchins

**Others:** Barbara Barwise, Ted Baker, Dan Beard, Carol Cook, Michael Claus, Michael Davis, Doug Dicey, Jay Everett, Werner Gilliam, David James, Ali Kenneway, Kathryn Leffler, Jennifer Lord, Dimitri Michaud, Dawn Morse, Michelle Powell, Breese Reagle, Craig Sanford, Stedman Seavey, Chris Simeoni, Laurie Smith, Dick Stedman

**1. Call to Order.**

Selectman Daggett called the meeting to order at 6:00 P.M.

Budget Board Chair Barwise also called the Budget Board Meeting to order.

**2. Joint meeting with Budget Board for fiscal year 2020 municipal budget presentation and discussion.**

Town Manager Laurie Smith gave a PowerPoint presentation explaining the highlights of the fiscal year 2020 departments' operational budget.

Department Directors presented their budgets and answered questions.

**3. Adjournment.**

Ms. Barwise adjourned the Budget Board meeting.

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to adjourn the meeting. **Vote:** 3-0.

The meeting adjourned at 9:00 P.M.

Minutes taken via video stream  
Submitted by Arlene McMurray

Laurie A. Smith  
Town Manager

**Town of Kennebunkport  
Board of Selectmen Meeting  
Village Fire Station – 32 North Street  
February 28, 2019 – 6:00 PM**

Minutes of the Selectmen's Meeting of February 28, 2018

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

**Others:** Kathy Baker, Nate Chapman, Michael Claus, Mike Davis, Greg Dombrowski, Richard Driver, Karl Ekstedt, Jay Everett, Linda Flynt, Werner Gilliam, Justin Grimes, Bill Junker, Jen Lord, Sharon McCabe, Meaghan McDevitt, Arlene McMurray, David Powell, Bob Sherman, Laurie Smith, and others

**1. Call to Order.**

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

**2. Approve the January 24, 2019, and February 14, 2019, selectmen meeting minutes.**

**Motion** by Selectman Briggs, seconded by Selectman Matthews-Bull, to approve the January 24, 2019, selectmen meeting minutes. **Vote:** 3-0-2/Selectmen Barwise and Daggett abstained because they did not attend that meeting.

**Motion** by Selectman Daggett, seconded by Selectman Briggs, to approve the February 14, 2019, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Matthews-Bull abstained because she did not attend that meeting.

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

Chair Hutchins announced that residents can get two free buckets of sand at the Town garage.

**4. Consider a renewal liquor license application submitted by W & A, Inc., DBA Cape Pier Chowder House, 79 Pier Road.**

Selectman Daggett recused himself.

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by W & A, Inc., DBA Cape Pier Chowder House, 79 Pier Road. 4-0. **Vote:** 4-0.

**5. Consider a renewal liquor license application submitted by Kennebunkport Inn, LLC, DBA The Kennebunkport Inn, 1 Dock Square.**

**Motion** by Selectman Matthews-Bull, seconded by Selectmen Barwise, to approve the renewal liquor license application submitted by Kennebunkport Inn, LLC, DBA The Kennebunkport Inn, 1 Dock Square. **Vote:** 5-0.

**6. Consider a special amusement permit submitted by The Kennebunkport Inn, 1 Dock Square.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Barwise, to approve the special amusement permit submitted by The Kennebunkport Inn, 1 Dock Square. **Vote:** 5-0.

**7. Consider a renewal liquor license application submitted by Boughton Hotel Corps DBA The Colony Hotel, 140 Ocean Avenue.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by Boughton Hotel Corps DBA The Colony Hotel, 140 Ocean Avenue. **Vote:** 5-0.

**8. Consider a special amusement permit submitted by Boughton Hotel Corps DBA The Colony Hotel, 140 Ocean Avenue.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the special amusement permit submitted by Boughton Hotel Corps DBA The Colony Hotel, 140 Ocean Avenue. **Vote:** 5-0.

**9. Consider a renewal liquor license application submitted by The Ramp Grill, LLC, DBA Pier 77 Restaurant, 77 Pier Road.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by The Ramp Grill, LLC, DBA Pier 77 Restaurant, 77 Pier Road. **Vote:** 5-0.

**10. Consider special amusement permit application submitted by Yalcin Kaya, The Ramp Grill LLC, DBA Pier 77 Restaurant, 77 Pier Road.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the special amusement permit application submitted by Yalcin Kaya, The Ramp Grill LLC, DBA Pier 77 Restaurant, 77 Pier Road. **Vote:** 5-0.

**11. Consider ordinance amendments:**

**a. Street numbering**

Fire Chief Jay Everett said the ordinance fixed some issues, but created others, so he had to make some revisions. See Exhibit A.

**b. Waterfront Ordinance.**

Chair Hutchins explained that there are a limited number of moorings so the Town will ask people to renew annually so that they have an updated list with accurate information. See Exhibit B.

**12. Consider request from Goose Rocks Beach Advisory Committee regarding restricting Jeffrey's Way to local traffic only and restricting motorized vehicles on the beach.**

Richard Driver said the Beach Advisory Committee unanimously voted to adopt regulations to make Jeffrey's Way for local traffic only. He said residents are tired of people pulling in their driveways, and there are pedestrian safety concerns.

The following are some items discussed:

- There was concern that changing Jeffrey's Way to local traffic only may force people out of that area and create a problem somewhere else.
- Perhaps residents on Jeffery's Way might consider offering their property to make a turn around as some residents did in another neighborhood.
- Are they going to create a drop off space there?

Selectman Daggett suggested that the Board do a site visit.

Bob Sherman mentioned the issue of motorized vehicles on the beach and safety concerns, and also that lobsterman sometimes have to drive on the beach to pick up lobster traps that break loose.

**13. Approve restrictions on vehicle weight limits on certain roads in accordance with 29-A M.R.S.A. Section 2395 and the Kennebunkport Traffic and Parking Control Ordinance.**

Public Works Director Michael Claus said vehicles over 23,000 pounds are restricted on certain roadways from March 1 to April 15. He said they have an Application for a Permit to Operate on a Posted Way on the Town website. He received 31 applications last year.

**14. Discussion of extension of current solid waste contract.**

Town Manager Laurie Smith said the current contract with Oceanside/Casella Waste expires in August 2019. The Town currently pays \$137 a ton to dispose of recycling and \$158 a ton for solid waste disposal. There was discussion at the previous meeting to eliminate curbside recycling because much of it is contaminated.

Karl Ekstadt, former owner of Oceanside Rubbish, gave his views and answered

questions about recycling and trash. He said the reality is that 75-100% of recycling can be contaminated and ends up in the waste stream, and China no longer accepts recycling. There is no market for it.

Nate Chapman of Oceanside/Casella Waste said they are trying to keep the services the same and have the same employees.

Chair Hutchins suggested having a Solid Waste Committee look at this. He mentioned that we have a cardboard drop off at Bradbury's and Dock Square.

Ms. Smith asked the Board if it wanted to solicit bids or continue with Casella. The Board agreed to continue with Casella.

#### **15. Presentation of Short-Term Rental Committee results.**

Werner Gilliam gave a PowerPoint presentation (See Exhibit C). To summarize, he said the committee recommends that staff monitor the rentals and determine the actual impacts to the community.

David James mentioned his observations that people who rent tend to be families and have repeat visits.

Sharon McCabe thanked the committee for researching this topic. She said she flew in from Florida just to be at this meeting. She stated she found as a group that short-term rental owners had received very few complaints and that short-term rentals benefit the area because the community gets the business. She also stated that the renters are families, and she hopes things will continue to be positive.

Chair Hutchins said this is an informational meeting and the Board will not take any action tonight. He stated that 8% of the homes in town being rented are not a problem today, but that if that percentage increases, rentals should be monitored. He does not want to see the community change.

Greg Dombrowski said he lived in Kennebunkport his entire life but moved and would like to move back someday. He has purchased a house so he could rent it out to families. He said the average home in Kennebunkport costs \$500,000. He said rentals are a great tool to help pay for houses because otherwise, families cannot afford to live here.

Chair Hutchins said there will be more discussion on this in the future.

Selectman Briggs said for the record that he has lived here for 20 years.

#### **16. Discussion of donation of tax acquired parcel, ice skating rink lot, to Kennebunkport Heritage House Trust**



Ms. Smith said the ice skating rink located on Crow Hill needs work so they can use it on a seasonal basis. She said it makes sense to move it closer to the new parks and rec. building and have it at Parsons Field. The Housing Trust suggested asking the Board of Selectmen to donate the ice skating rink property to the Housing Trust.

Selectman Briggs added that the parcel is attractive, has visibility, is a good location, and brings the most reward. It will bring young families.

There was no opposition.

**17. Consideration of bond size, amortization, and payment schedule for Village Parcel.**

This item was discussed at the last meeting. Ms. Smith gave the pros and cons and three options: 1. Bond both public and private financing on a fixed principle schedule; 2. Bond the public portion with a fixed principal schedule and the private portion on a fixed payment schedule; and 3. Bond the public portion with a fixed principal schedule and the private portion on a 5-year schedule with a balloon payment which can be paid in full or refinanced for another 10 – 15- years.

**Motion** by Selectman Barwise, seconded by Selectman Daggett to select option 3 to bond the public portion with a fixed principal schedule, and the private portion on a 5-year schedule with a balloon payment which can be paid in full or refinanced for another 10 – 15- years. **Vote:** 4-0-1/Selectman Matthews-Bull abstained.

**18. Authorize contract with Mitchell Associates for Village Parcel Master Plan.**

Ms. Smith stated that she received four proposals and her team liked two of them. They decided that it was advantageous to have two of the consultants work together, Mitchell Associates and Principal.

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to authorize the contract with Mitchell Associates for the Village Parcel Master Plan at a cost of \$100,514.00. **Vote:** 5-0.

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to commit \$30,000 from contingency funds for the Village Parcel Master Plan.

Ms. Smith also asked whether they would have a steering committee. She recommended two to three Selectmen representatives and some members from the public. The Board supports her recommendation.

**19. Authorize a one-year extension for auditing services with RKO.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Daggett, to authorize a one-year extension for auditing services with RKO. **Vote:** 5-0.

**20. Authorize waiver of tree growth penalty on Village Parcel – Map 12, block 5, lot 21.**

**Motion** by Selectman Briggs, seconded by Selectman Barwise, to authorize a waiver of the tree growth penalty on Village Parcel– Map 12, block 5, lot 21. **Vote:** 5-0.

**21. Authorize Quit Claim Deed for property owned by Lisa C. Gunther located at 133 Main Street, map 22, block 3, lot 9.**

**Motion** by Selectman Daggett, seconded by Selectman Matthews-Bull, to authorize a Quit Claim Deed for property owned by Lisa C. Gunther located at 133 Main Street, map 22, block 3, lot 9. **Vote:** 5-0.

**22. Other business.**

There was no other business.

**23. Approve the February 28, 2019, Treasurer's Warrant.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the February 28, 2019, Treasurer's Warrant. **Vote:** 5-0.

**24. Executive session pursuant to MRSA 1, §405-6A to discuss personnel.**

There was no executive session.

**25. Adjournment.**

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

The meeting adjourned at 8:07 PM.

Submitted by Arlene McMurray  
Administrative Assistant

## Memorandum

**To:** Board of Selectmen  
Laurie Smith, Town Manager  
**From:** John Everett, Fire Chief  
**RE:** Street Ordinance  
**Date:** 2/7/2019

State law requires the town to conform to a set of standards regarding how streets are named and numbered. This is to assist all First Responders to find all addresses in a safe and efficient manner.

Late last year we applied the Street Ordinance, as written, to King's Highway, Wildwood Ave. and Sand Point Rd. It was discovered that while the Ordinance fixed most of the addressing issues, it created others. It was decided that the Ordinance as written needed some more adjustments. These adjustments will:

- Allow for more right of ways to be named. Naming a right of way helps plan for added growth to that road and the added numbers needed to address it.
- Adds language to who is responsible for what, regarding naming, numbering and enforcing.
- Addresses where the number comes from corner lots.
- Gives guidance to numbering duplexes and mixed-use occupancies.

Making the changes suggested in the revised Ordinance should allow for the implementation with less areas of concern than as written currently. The Public Safety Committee is in favor of these changes.

11a

EXHIBIT A - Feb 28, 2019



## TOWN OF KENNEBUNKPORT, MAINE

### STREET ORDINANCE

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

#### ARTICLE I - AUTHORITY

This Ordinance is adopted pursuant to, and consistent with, the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A, M.R.S.A. Section 3001. Date of Adoption: January 9, 1997. Amended: 6/12/2018

#### ARTICLE II - NAMING SYSTEM

**Roads that serve 2 structures may be named regardless of whether the ownership is public or private.** All roads that serve three or more structures shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare. A road name assigned by the municipality shall not constitute or imply acceptance of the road as a public way.

The following criteria shall govern the naming system:

1. No two roads shall be given the same name (ex. Pine Road and Pine Lane)
2. No two roads shall have similar-sounding names (ex. Beech Lane and Peach Lane).
3. Each road shall have the same name throughout its entire length.
4. Roads named prior to the adoption of the Street Ordinance shall, unless requested, remain the same.
5. Should two roads/streets that are currently dead ends ever be connected to improve public safety conditions may keep their individual names up to the point of connection, unless the combined residences of the two roads wish to rename the newly configured road as outlined in Article VII of this ordinance.

#### PRIVATELY OWNED STREETS

All privately owned streets serving **two (2) properties may be named.** All privately owned streets serving three (3) or more properties ~~shall~~ **will** be named, either by the developer, ~~sub-dividing property owner, or~~ **abutting property owners, or the Town.** **The Town will name privately-owned streets, that meet the**

established criteria, if the developer, sub-dividing property owner or abutting property owners do not come to an agreement on an acceptable name that meets Town criteria. A developer, sub-dividing property owner or abutting property owners shall submit proposed street names with the development or sub-dividing plan. If all property owners use this right of way to access their occupancy, all occupancies on this street will be addressed using the new street name and the number assigned. Occupancies on a corner lot will follow Article III of this ordinance.

#### ARTICLE III- STREET NUMBERING

The following criteria shall govern the numbering system:

1. Numbers shall be assigned every 50 (fifty) feet along both sides of the road, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, as the numbers ascend. A 25-foot or less interval may be applied in more densely structured areas. Existing street numbers assigned on the 100' interval will remain, so long as there are no addresses containing the use of alpha or rear designate and reasonable conditions allow for new street numbers to be assigned.
2. Streets will be defined as "running from" one street "to" another street, dead end or Town line. The "from" end will be known as the "origin" of the street, the "to" end will be the "terminus". The numbering shall start at the origin of a street, with odd numbers on the right and even numbers on the left, in ascending order to the terminus of the street. Four (4) streets, River Road, Woodlawn Avenue, Arbor Ledge Drive and Poets Lane, have odd numbers on the left and even on the right are grandfathered.
3. The number assigned to each structure shall be that of the numbered interval falling closest to the driveway front door of said structure. If the front door cannot be seen from the main road the number assigned to that structure shall be that of the numbered interval falling closest to the driveway.  
~~For structures situated on a corner of 2 streets, the structure will be numbered based on the driveway location.~~ For structures situated on a corner of 2 streets, the structure will be addressed (street and number) based on the front door location. If the front door is not visible from the street, the address (street and number) shall be on the street adjacent to the driveway.
4. Every structure with more than one principle occupancy shall ~~may~~ have a separate number for each occupancy, i.e. duplexes will ~~may~~ have two separate numbers. The decision of which structures are given one or two numbers is made by the Addressing Officer and not the property owner. If the decision is one number, each occupancy in the building would be given a unit designation that goes along with the single address number. If the decision is two numbers, each occupancy will have a single address number with no apartment designation. For example, with a single number, a duplex could have an address of 235 Maple Rd. Apt. 1 or 2. With two numbers assigned to one structure, a duplex could have 235-237 Maple Rd, where each apartment is given a street number. In buildings with 3 occupancies or more, the building will have one street number and each occupancy will have its own unit number, ~~apartments will have one road number with an apartment number, such as~~ For example, an apartment building would be, 235 Maple Road, Apt 2-1, 2 or 3.
5. (Existing) Condominium complexes will be numbered from the access point, and assigned unit #'s., such as 272 Mills Road, Unit 1F, regardless of the size of the complex

6. Any new subdivision, approved by the planning board, will have all interior roads named as part of the application/plan process. In the case of the subdivision with condominium units, they will be numbered/addressed on the road as either a single structure or duplex.
7. An "in-home" business will have the same street number as the residence.

#### ARTICLE IV – COMPLIANCE

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

1. Number on the Structure or Residence. Where the residence or structure is within 50 (fifty) feet of the edge of the road right-of-way, the assigned number shall be displayed on the front of the residence or structure near the front door or entry.
2. Number at the Road Line. Where the residence or structure is over 50 (fifty) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box, or on some structure at the property line adjacent to the walk or access drive to the residence or structure.
3. Size, Color, and Location of Number. Numbers shall be of a color that contrasts with their background color and shall be a minimum of four (4) inches in height. Numbers shall be located to be visible from the road at all times of the year.
4. Proper number. Every person whose duty is to display an assigned number shall remove any different number which might be mistaken for, or confused with, the number assigned in conformance with this ordinance.
5. Owners of properties failing to exhibit their assigned number(s) in accordance with this Article shall be notified by ~~certified~~ regular mail, using the current address to which the real estate tax assessment is mailed. **The first notice is a letter and is sent as a reminder about the ordinance and that the property is not in compliance. The first notice will have a 30-day period for the property to be brought into compliance without any fine. The 30-day window starts the day the letter from the Town is mailed. If after the 30 days and the property is not in compliance, a second notice will be sent by certified mail, using the current address to which the real estate tax assessment is mailed. The second** Such notice shall include a copy of this Ordinance, without Appendices, and advise that the owner is in default of this Ordinance and that a fine of ~~twenty-five (\$25.00)~~ **fifty (\$50.00)** dollars will be assessed to the property if compliance is not accomplished within forty-five (45) days of the date of the mailing of the certified letter. Additionally, a fine of one (1) dollar will be assessed for each day after the forty-fifth (45th) day that the owner remains in non-compliance. It shall be the owner's responsibility to have compliance verified by the appropriate official(s) after notification of default.
6. All monies, if any, collected in accordance with Section 5 above will be used to administer this Ordinance. At the Annual Town Meeting, the balance, if any, at the end of the fiscal year shall either be re-appropriated to this account or designated as un-appropriated surplus.

#### ARTICLE V – RESPONSIBILITY

1. The Board of Selectmen, hereinafter referred to as "The Board", shall be responsible for approving the naming and numbering of streets. The Board may assign or delegate the approval process to the

Addressing Office, who will utilize the Public Safety Committee to review new requests for naming streets prior to notification of requesting individuals.

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

#### **ARTICLE VI - ADDITIONAL REQUIREMENTS**

1. All named streets shall have a signpost erected at each end thereof, except that a dead-end street will not require one on the dead end. A cul-de-sac or other turn around will be considered a dead end. All signs shall be of a uniform size, lettering and color as designated by the Town Manager.
2. Costs for erecting signs for all streets within a private development will be borne by the developer.
3. Appendix I of this Ordinance shall be a complete list of all streets in the Town of Kennebunkport as of the date of enactment of this Ordinance. Said list will contain a brief description, locating the street by reference to the origin and terminus of the street, list all intersecting streets and the point of intersection. Appendix I will also be maintained current with a record of changes/additions thereto and the date of the change/addition.
4. Any circumstance, situation or question determined to not be covered in this Ordinance, shall be resolved by the Board and that resolution made part of this Ordinance.

#### **ARTICLE VII - NAME CHANGES**

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

#### **DEFINITIONS**

**CUL-DE-SAC:** A loop on the dead end of a street to provide a convenient turn around without encroaching upon private driveways.

**DRIVEWAY:** A vehicular access from a street to a residence or business.

**SQUARE:** A center of activity, usually business and usually the intersection of several streets. It also can be a memorial or historical plot. Residences and businesses located in a Square may be numbered as on the Square or on a street forming the Square.

**STREET:** Any way that provides vehicular access to two (2) or more residences, businesses or properties (existing or planned) or has the potential for same, whether public or private. It may be called an Alley, Avenue, Boulevard, Circle, Court, Drive, Lane, Parkway, Place, Road, Way, or other such descriptive title.

**TURN-AROUND:** A bulbous end of a dead-end street to facilitate a reversal of direction with a minimum of backing and filling usually made to accommodate automobiles not larger trucks.

## **APPENDICES**

**APPENDIX I:** A list of all Kennebunkport streets, public and private ([click to view](#)).

**APPENDIX II:** Maps of Kennebunkport streets and index thereof.

**APPENDIX III:** Record of changes.





#### 4.3.2 Waiting List :

The Harbor Master shall maintain a Mooring Permit Waiting List and a Mooring Relocation Waiting List each of which shall be available for inspection at the Harbor Master's office. The operation of all waiting lists shall conform to Title 38 M.R.S.A., § 7-A as amended. All persons desiring mooring space in Kennebunkport Waters shall place their name and the type of mooring desired on the Mooring Permit Waiting List. All Mooring Permittees desiring a different Mooring Site shall place their names and their desired mooring location on the Mooring Relocation Waiting List. A fee may be charged to be placed on the Mooring Permit Waiting List which shall be applied against the mooring permit fee as a credit the year the mooring is placed. The Mooring Permit Waiting List will be operated on a first come first serve basis, priority being given as stated below:

1. Commercial fishing vessel owners.
2. Shorefront property owners.
3. Recreational vessel owners.
4. Transient moorings to be operated by the Town of Kennebunkport.
5. Transient moorings to be operated by any other person.

**Waiting list member must renew their waiting list application annually to retain placement on the waiting list. All information such as vessel type, and length, as well as contact information must be updated by the person on the list.**

The Mooring Relocation Waiting List will be operated on a first come first serve basis. The Harbor Master shall attempt to accommodate any request for a relocated Mooring Site when, in the Harbor Master's discretion, conditions do not render the relocation undesirable, and the relocation is consistent with Section 4.2.

EXHIBIT C Feb 28, 2019



## TOWN OF KENNEBUNKPORT, MAINE

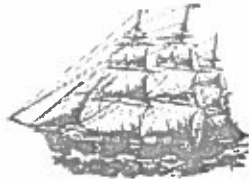
— INCORPORATED 1653 —

### MEMO

**To:** Board of Selectmen  
**cc:** Laurie Smith, Town Manager  
**From:** Werner Gilliam, Director of Planning and Development  
**Date:** February 22, 2019  
**Re:** Short Term Rental Committee Activity 2018/19

The topic of short-term home rentals has become a rather explosive topic with the continued expansion of online rental platforms such as Airbnb, HomeAway, VRBO, etc. Short term rentals or STR's are generally understood to be the rental of a home or rooms within a private home to a single group for a period of less than 30 days. The opinions surrounding short term rentals are as varied and extreme as one can imagine. Opinions range from entitled economic use of one's own property to the cause of the loss of character and affordability in traditional neighborhoods. Regardless of the position one takes it is by far one of the most well-known components of the ever-evolving shared economy, and unlikely to diminish in use. Shared economies allow individuals and groups to make money from underused assets. Simply put homes and other assets are shared as services. Take for instance car sharing services like Lyft and Uber. According to the Brookings Institute, private vehicles go unused for 95% of their lifetime. The same report detailed Airbnb's cost advantage over the hotel space as homeowners make use of their homes. Airbnb rates were reported to be between 30-60% cheaper than hotel rates around the world.

So, what does this mean for Kennebunkport? As a popular coastal community, the Port has historically had several areas that have had many short-term rentals. Goose Rocks beach as an example has historically been a popular short-term rental destination. Before the advent of the internet local real estate agents handled many of the rental requests. How many were in town before the internet was not generally known, but we know that in 2018 we have approx. 248 short term rentals in the community impacting about 8.42% of the existing housing stock. In early 2018 amidst concerns surrounding the impact of short-term rentals (STR's) the Board of Selectmen appointed an Ad-Hoc Committee of residents to investigate STR's and



## TOWN OF KENNEBUNKPORT, MAINE

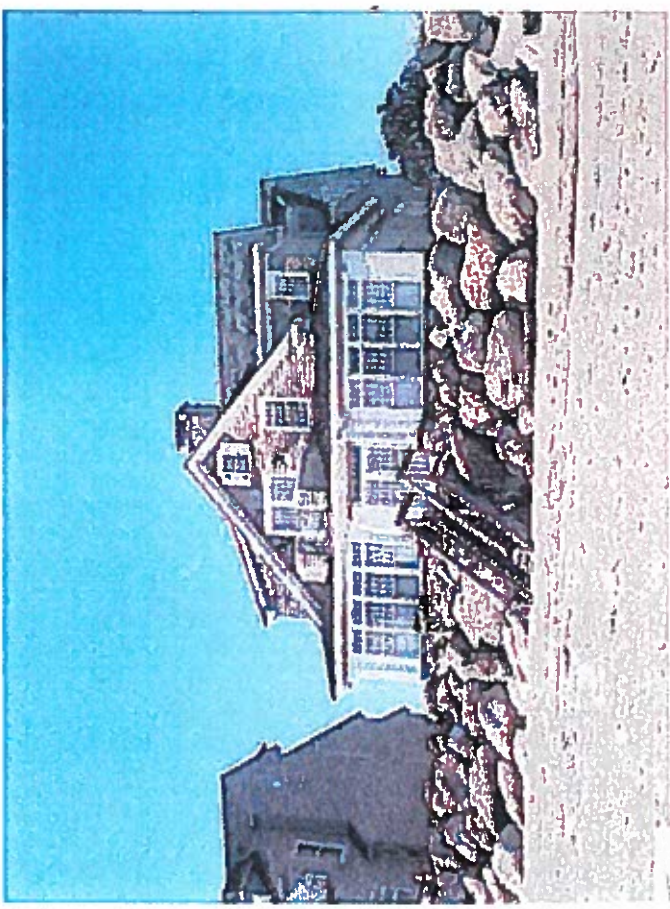
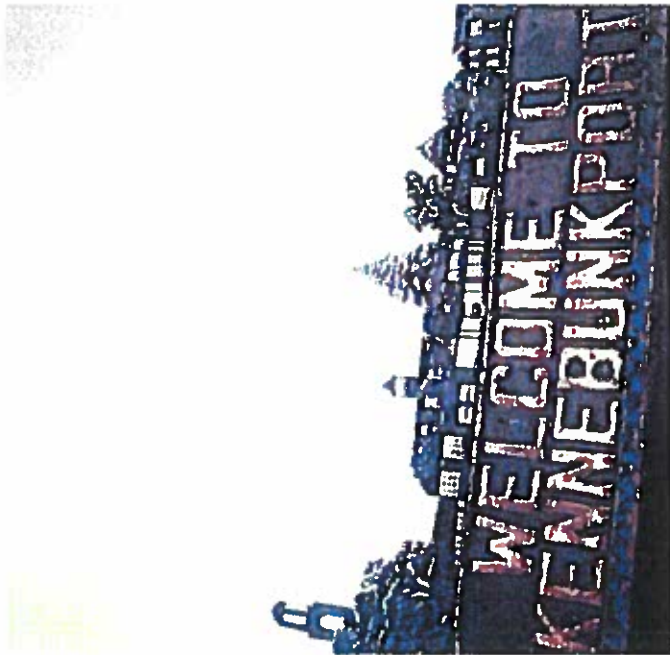
— INCORPORATED 1653 —

report back to the Selectmen regarding what should be done with STR's if anything. This group consisted of Sheila Matthews-Bull, Jane Evelyn, Ann Hand, Marlene Raum, Susan Hill, Bill Junker, Linda Flint, and David Nesher. Staff support was provided by Werner Gilliam. The makeup of the committee was intended to provide a broad base of opinions and experiences in order to be as objective as possible. Questions identified early on that the committee discussed included;

- Do short term rentals change the community character?
- Do they increase nuisances' issues such as noise, trash and parking?
- Are they safe?
- Are we losing long term rentals to the short-term market?

Meetings began in March 2018 and continued thru January 2019. The committee engaged in reviews of other Maine communities' regulations and permitting structures, research into local and national trends, numerous public meetings, and ultimately the development and execution of a community survey intended to gather greater community opinions regarding the matter. Meetings were primarily attended by property owners from the Goose Rocks area who were not interested in supporting regulatory oversight or restrictions over STR's. A survey was necessary in order to reach a more diverse representation of the community. The survey consisted of 9 questions and included demographic as well as opinion questions. We received almost a 30% response rate with most respondents identifying themselves from the Goose Rocks area. Most did not believe they had been negatively affected by STR's with a narrow majority believing that the town should not regulate STR's. Not surprisingly opinions did differ depending upon which area of town participants identified with.

Over all the public opinion regarding potential regulation of Short-Term Rentals was split with a slight majority favoring not regulating. The committee also found that there was not enough data to support conclusions that STR's present a significant negative effect on the issues that were presented. Over all recommendations did include trend monitoring of STR's to determine rates of increase or decrease in the community, as well as departmental review of nuisance issues with attention given to a review of current ordinances, tracking and enforcement practices.



# Short Term Rental Committee Findings

# What Has the STR Committee been doing?



Numerous Public Meetings  
since May 2018



Reviewed local and national  
trends concerning STR's



Engaged in public discussion  
on issues surrounding the  
potential of regulating STR's



Developed a survey to gather  
broader public insight on the  
presence/effects of STR's on  
the community as a whole.

# A (Sort of) New Economy



## What do we mean when we say “short term”?

Shorter periods than your average residential  
rental (30 days or less)

Catering to transient / tourist population

Marketed either owner-to-consumer, or through  
agencies



## Stats for Maine - Just on AirBnb (2017)

\$43 million revenue

Average annual income \$6,900 per owner

282,000 visitors (up 62% from 2016)

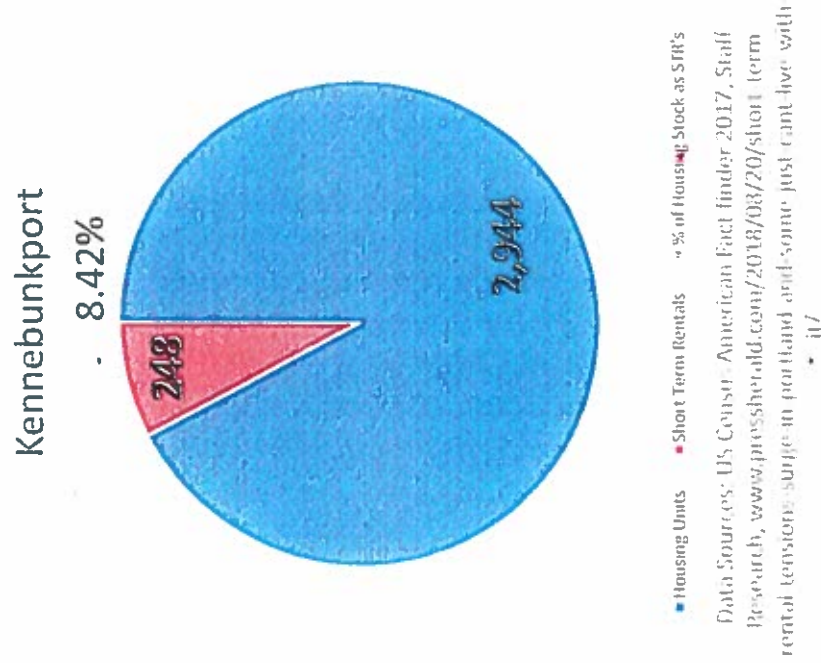
Average listing occupied 30 nights during year

Average stay: 2.7 nights

100% increase in listings 2015-2016



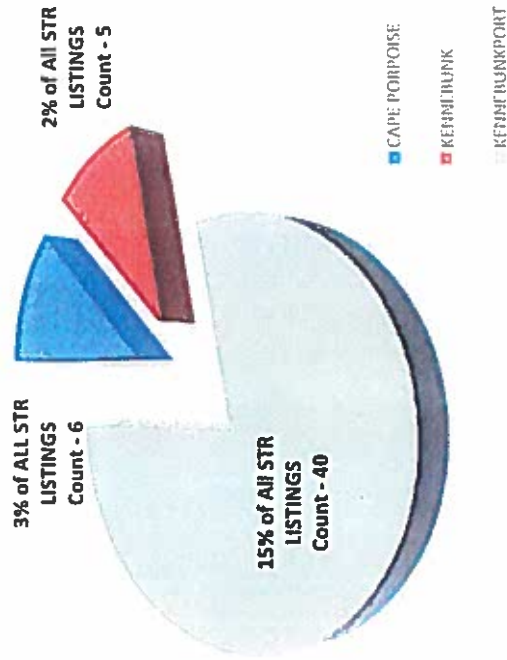
# How much housing stock is used in some way for short term rentals?



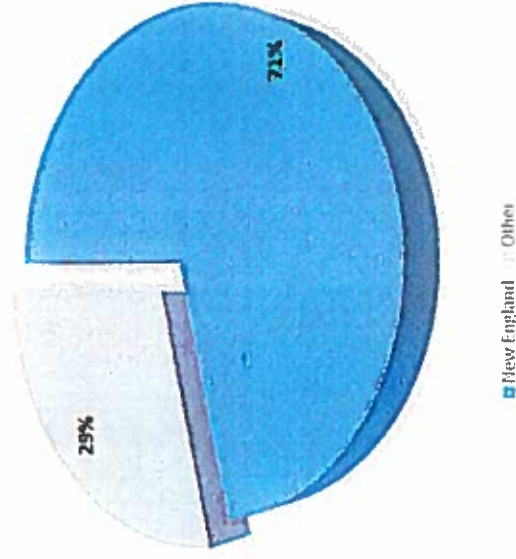


# Where do the owners of STR's Live?

STR LISTING  
BREAKDOWN BY TOWNS



STR LISTING  
BREAKDOWN BY REGION



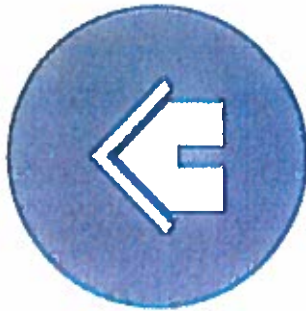
# Survey Results:



9 QUESTIONS



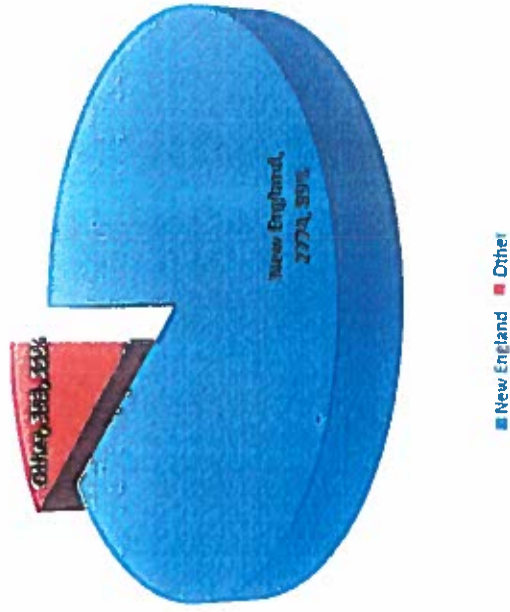
TOTAL SURVEYS SENT OUT: 2,825



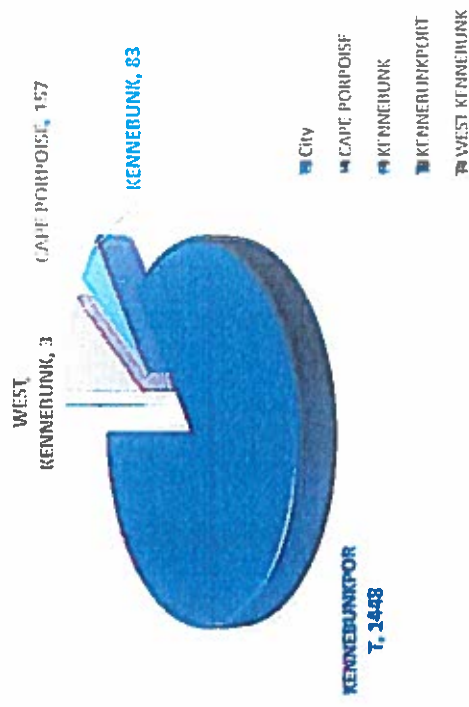
TOTAL RESPONSES: 811  
29% RESPONSE RATE  
71% CHOSE NOT TO RESPOND

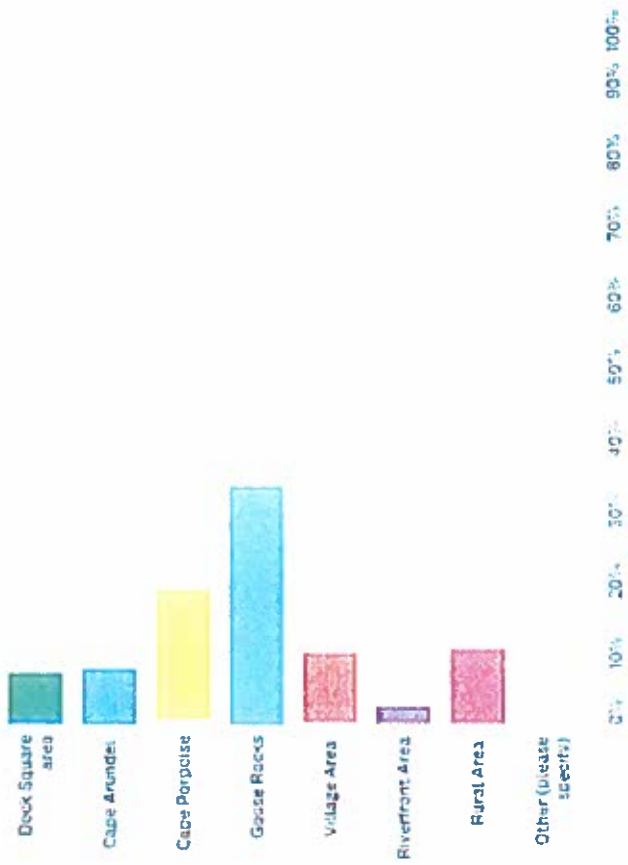
# Where were the Surveys mailed to?

STR SURVEY MAILING  
BY REGION



STR SURVEY MAILING ADDRESS

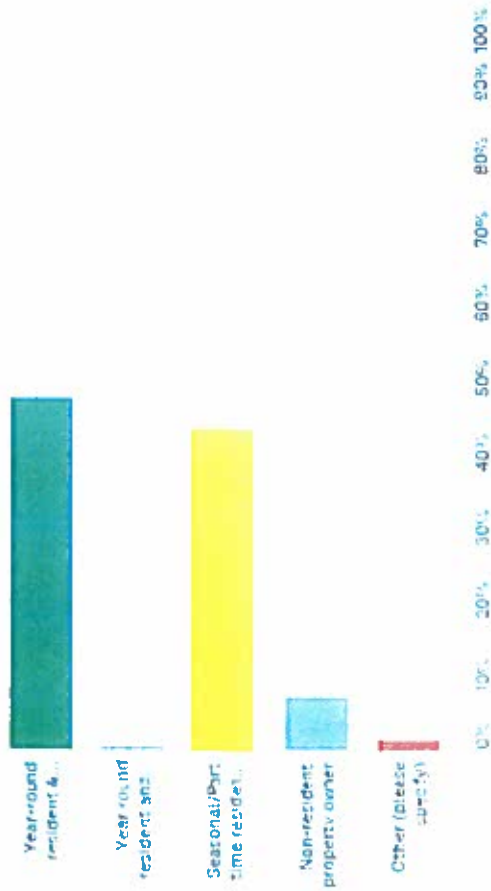




Q1: Describe where you live or own property in Kennebunkport.

Answered: 805 Skipped: 6





#### ANSWER CHOICES

#### RESPONSES

Year-round resident & property owner

391

Year-round resident and owner

4

Seasonal/Part-time resident and property owner

351

Non-resident property owner

57

Other (please specify)

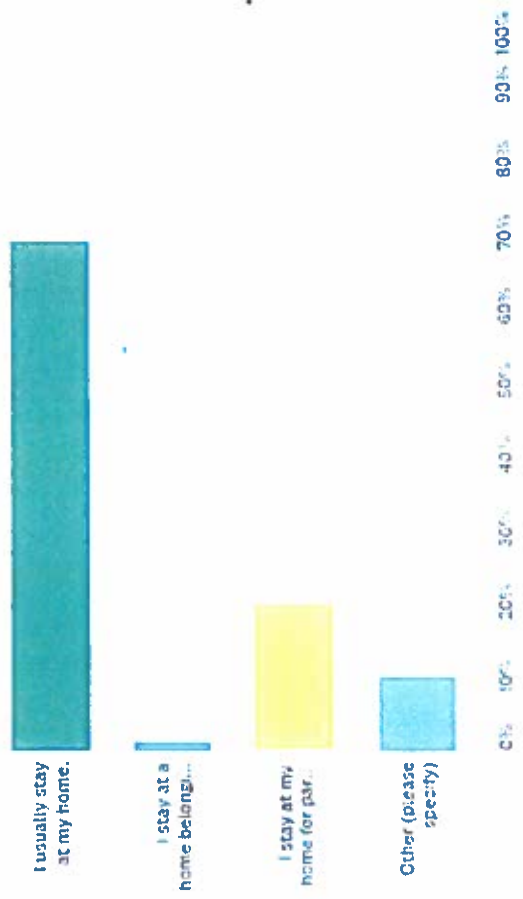
13

TOTAL

806

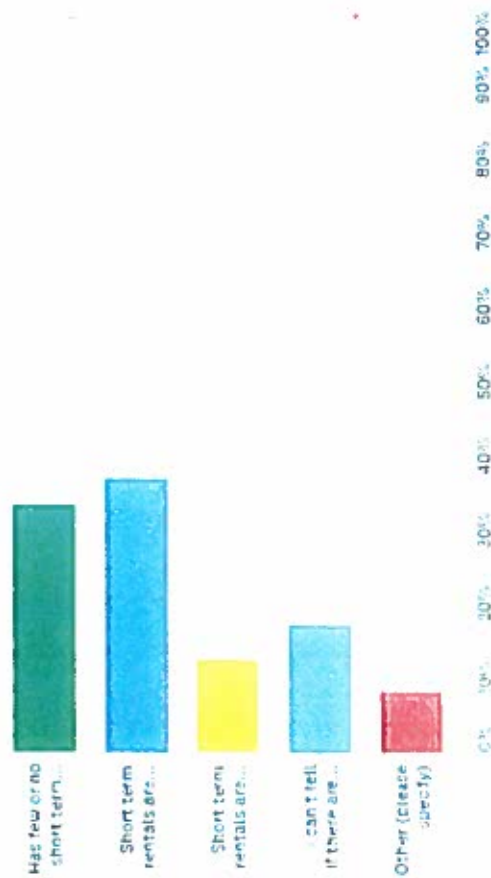
Q2: Describe your relationship to the Town of Kennebunkport

Answered: 205 Skipped: 5



Q3: If you are a part time resident, please describe your lodging in  
Kennebunkport

Answered: 415 Skipped: 396



#### ANSWER CHOICES

Has few or no short term rentals

Short term rentals are common now and in the past

Short term rentals are common but were not common in the past

I can't tell if there are short term rentals in my neighborhood

Other (please specify)

Total Responses: 794

#### RESPONSES

33.25% 264

36.78% 292

12.47% 99

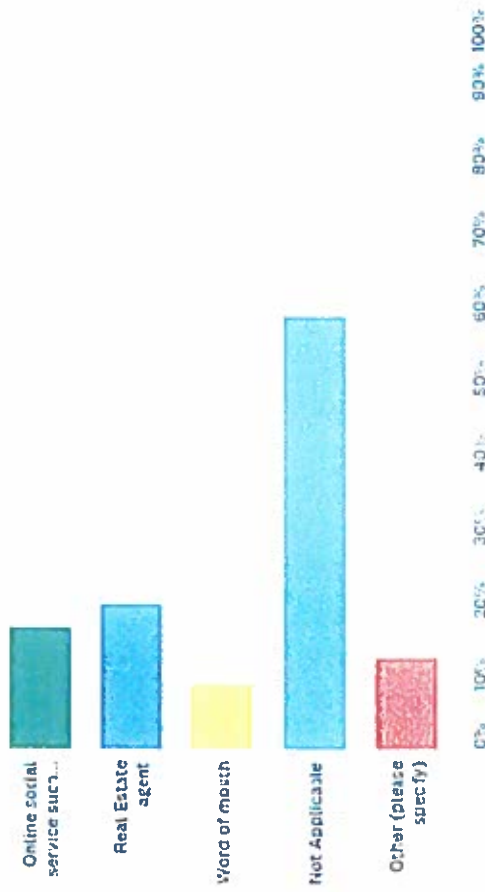
17.25% 137

9.44% 67

Q4: Please describe your neighborhood as it relates to short term rentals.(Check all that apply)

Answered: 794 Skipped: 17

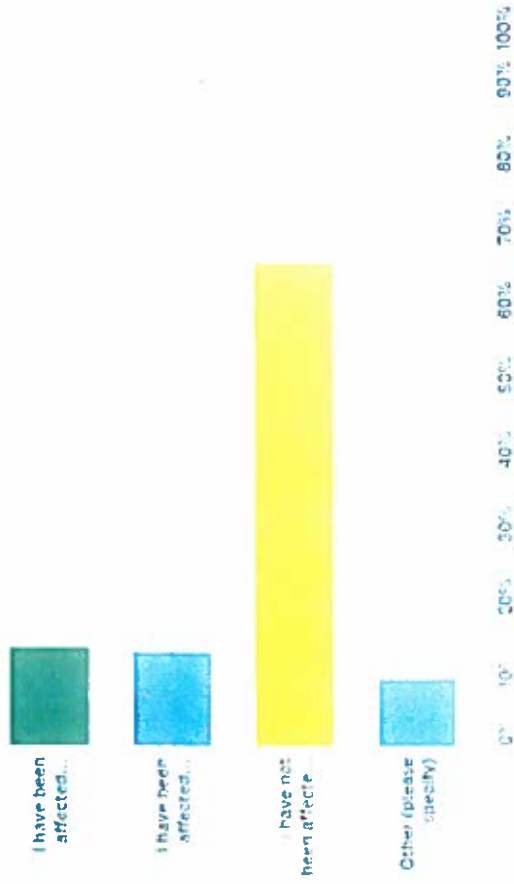




Q5: If you rented your property out short term what type of marketing/advertising service do you use? (Check all that Apply)

Answered: 715 Skipped: 96

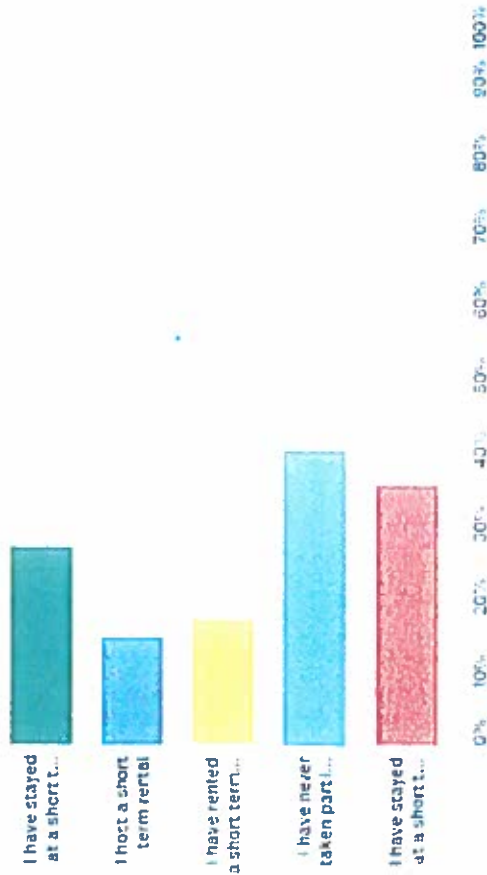




ANSWER CHOICES	RESPONSES
I have been affected positively	13.27% 104
I have been affected negatively	12.57% 99
I have not been affected positively or negatively	55.31% 512
Other (please specify)	9.95% 70
TOTAL	784

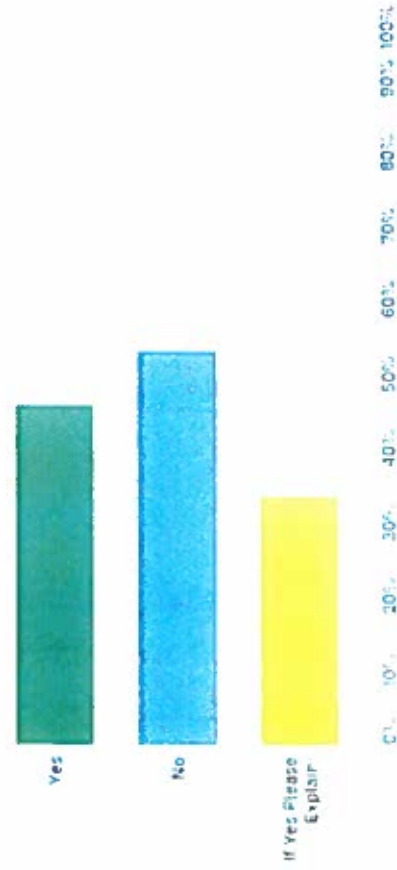
Q6: Have you been affected by Short Term rentals in your immediate area?

Answered: 784 Skipped: 27



Q7: What is your history with Short Term Rentals? (Check all that apply)

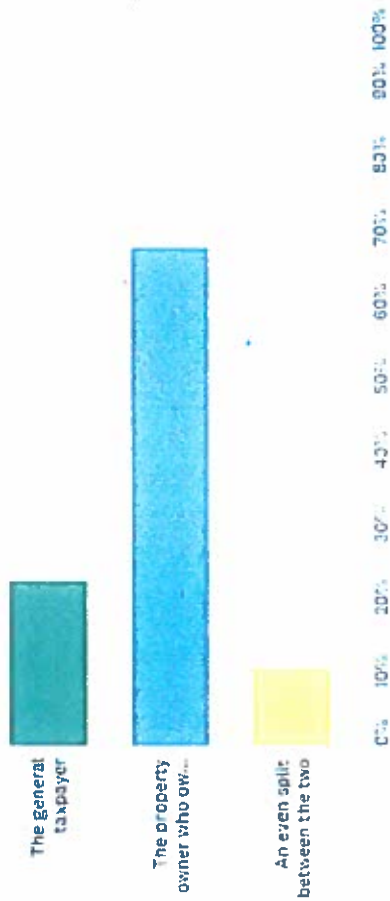
Answered: 697 Skipped: 114



Total Respondents: 752

Q8: Should the Town regulate short term rentals? If yes what specifically?

Answered: 752 Skipped: 59



Q9: If the town votes to regulate short term rentals, I believe the costs of administration should be paid by:


Answered: 715 Skipped: 96






## Survey Says....Looking a little deeper

- 2,000 survey recipients did not participate
- Of the 268 respondents from the Goose Rocks area 80 support regulating Short Term Rentals
- Of the 79 respondents from the Village area 53 support regulating Short Term Rentals
- Of the 146 respondents from Cape Porpoise, 68 support regulating Short Term Rentals



## Public Participation.... Things we heard

- Complicated issue!
- Kennebunkport is a vacation community.
- Short Term Rentals have been a historical part of Goose Rocks Beach.
- Property owners who rent their property short term are heavily invested in their properties and have significant concerns regarding any regulatory actions that the town may pursue.
- Many consider the income made from short term rentals as being vital to their financial stability
- Most are highly invested in ensuring that their properties are well maintained, properly insured and that problem guests are not invited back.
- Local businesses experience a positive effect.



## Short Term Rental Committee.... Some of their individual comments

- Consider review of local nuisance ordinances related to noise, traffic and parking.
- Consider limiting number of Short Term Rentals in certain areas, such as private roads and primary residential areas.
- Simplify ways to determine noise issues.
- Leave it alone.
- Monitor level of short term rentals over next few years.
- Consider basic registration for the purpose of having owner contact info/way to track complaints.
- Gentrification of many properties for rental purposes affects character of quaintness of Kennebunkport, and pushes out those seeking affordable cottages.



## Staff Observations....

- Of the specific complaints noted, many centered around behavior issues, such as noise, drunkenness, etc.
- Data regarding complaints/issues surrounding Short Term Rentals is not being tracked in such a manner that can be easily analyzed or attributed to short term renters.
- Should an ordinance be put into place, costs of enforcement will vary based on the level of complexity.



# Additional Questions

## Perceived Issue

- Full time residences are being converted to short term rentals
- Properties are being sold to specifically be used as short term rentals, and as such artificially increase sales prices.

## What we found

- Without a registry of short term rentals to compare on an annual basis conversion of residences is difficult to verify
- Without a registry of short term rental properties to analyze against real estate sales, intent of buyers is difficult to predict. Real estate sales prices likely increase due to the desirability of Kennebunkport in general.

# Additional Questions

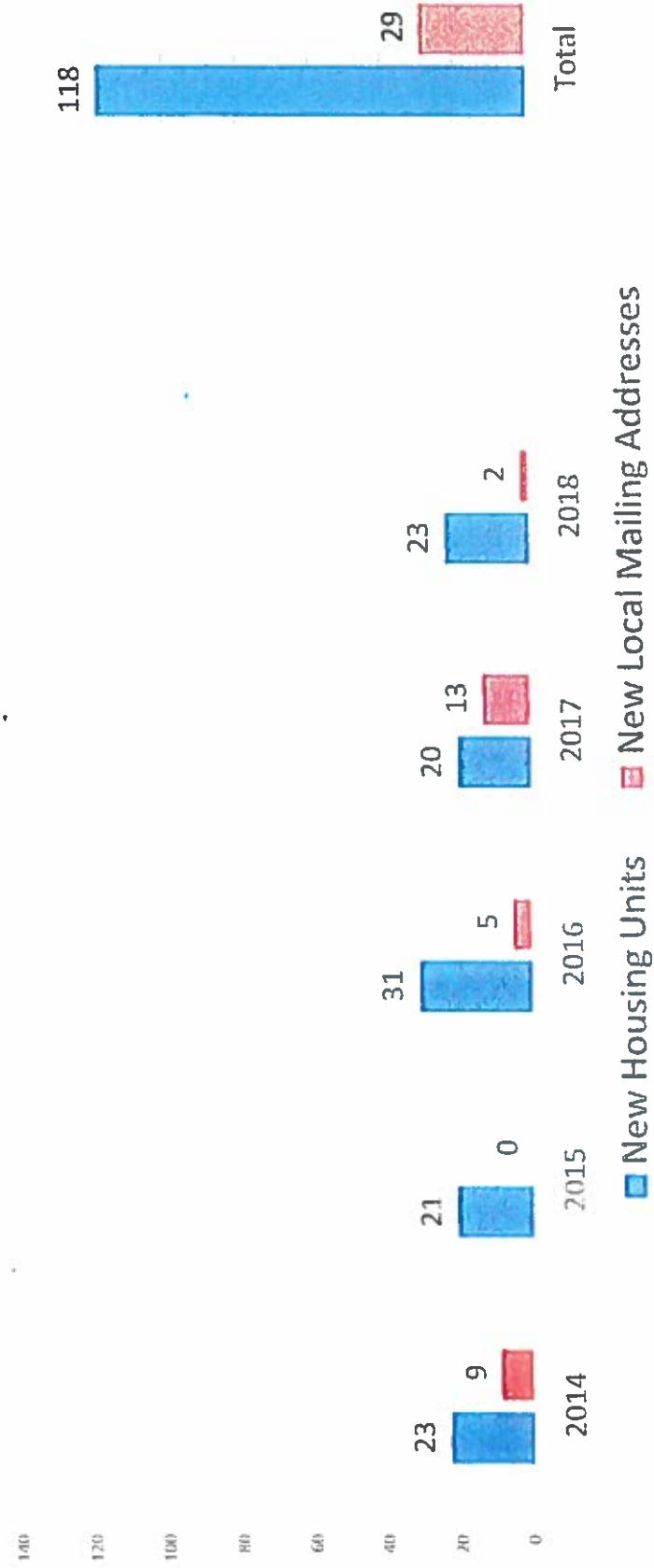
## Perceived Issue

- Noise and trash issues have increased due to visitors who stay at short term rentals
- Kennebunkport has less residents and more empty second homes that are short term rentals.

## What we Found

- Current data collection tools and resources are unable to specifically pinpoint noise and trash complaints to short term vacation users vs. full time residents.
- We do know that non-resident ownership of residential property is increasing dramatically over resident ownership.

## New Housing Units vs New Local Mailing Addresses



# Questions to ask

- Are STR's increasing in town? How many is too many?
- Complaints, How many of them are because of STR's?
- Current nuisance ordinances, are they effective?





Things to  
Consider...

Trend Monitoring of  
Short Term Rentals

Departmental review  
of current "nuisance"  
ordinances



# Agenda Item Divider



(5)

This application has been reviewed and approved by the following Municipal Officials,  
whose signatures are on file with the Town Clerk:

✓  
\_\_\_\_\_

Police Chief

✓  
\_\_\_\_\_

Fire Inspector

✓  
\_\_\_\_\_

Code Enforcement Officer

\_\_\_\_\_  
Nancy O'Roak

, Town Clerk

Alisson's

3/14/19

(5)

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

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/>	

PRESENT LICENSE EXPIRES: 4-15-19

NEW application: ☐ Yes ☒ No

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

Requested inspection (New Licensees/ Ownership Changes Only) Date : \_\_\_\_\_ Business hours: \_\_\_\_\_

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV)  | <input checked="" type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X)  |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV)       | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A)        | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) | <input type="checkbox"/> TAVERN (Class IV)                       | <input type="checkbox"/> QUALIFIED CATERING        |
| <input type="checkbox"/> OTHER: _____                    |  |  |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Alissons / Dock Square LTD</u>		Business Name (D/B/A) <u>Alisson's Restaurant</u>	
APPLICANT(S) - (Sole Proprietor) DOB: _____		Physical Location: <u>11 Dock Square</u>	
DOB: _____		City/Town <u>Kennebunkport</u>	State <u>ME</u>
Address		Zip Code <u>04046</u>	
City/Town <u>Kennebunkport</u>		State <u>ME</u>	Zip Code <u>04046</u>
Telephone Number <u>967-4841</u>		Fax Number <u>967-2532</u>	
Federal I.D. # <u>01-0377790</u>		Seller Certificate #: or Sales Tax #: <u>4566</u>	
Email Address: Please Print <u>info@alissons.com</u>		Website: <u>alissons.com</u>	

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: \_\_\_\_\_

2. State amount of gross income from period of last license:

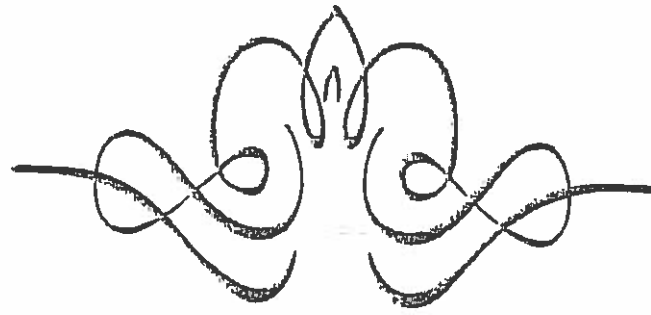
ROOMS \$ \_\_\_\_\_ FOOD \$ 2918314<sup>00</sup> LIQUOR \$ 845561<sup>00</sup>

3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

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

4. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐





# Agenda Item Divider



**Arlene McMurray**



**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Wednesday, February 20, 2019 11:44 AM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Wednesday, February 20, 2019 - 11:44am Submitted by anonymous user: 98.11.12.10 Submitted values are:

Choose from the following: Senior Advisory Committee

==Please provide the following information:==

Full Name: BEVERLEY SOULE

Email: [REDACTED]

Residential Address: [REDACTED]

Residential Phone: [REDACTED]

Business Address:

Business Phone:

Mailing Address (if different): [REDACTED]

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Kennebunkport Historical Society

Town House School Project

Do you have any skills, experience, or training you would like to mention?

I'm on the Advisory Council for Southern Maine Area Agency on Aging (SMAAA).

I'm a GEM for University of New England; Geriatric Educational Mentor.

My career was in public & Non-profit administration.

What is your reason for wanting to serve on this board or committee? I'm a senior with time to contribute.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Senior Advisory Committee

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/6913>



# Agenda Item Divider



## **Village Parcel Committee Applications (Updated 3-14-2019)**

Carol Boyd  
Kevin Campbell  
David Clarke  
Connie Dykstra  
Edward Francis  
Michael Gamble  
Russ Grady  
Martin Mead  
Tim Pattison  
Nina Pearlmutter  
Nicholas Phillips  
John Ripton  
Dan Saunders  
Karen Schlegel  
Valerie Schlegel  
Charles Simmons  
James Stockman  
Andrew Welch  
Mike Weston  
Rebecca Young

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 12:21 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 12:21pm Submitted by anonymous user: 98.11.14.208 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Carol Boyd

Email: c .m

Residential Address: 1 .Ave

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Budget Board 1980's?

Graves Library 1980's or 90's

Do you have any skills, experience, or training you would like to mention?

Teacher at RSU 21(Consolidated School)1976-20081 What is your reason for wanting to serve on this board or committee? I am interested in the open spaces in Kennebunkport and what we as a town do with them. As an elder person still living in my own home, I am interested in developing an affordable community for younger and older people. Just one thought.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? VPMP

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/6973>

## **Arlene McMurray**

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 3:20 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 3:20pm Submitted by anonymous user: 192.159.144.50 Submitted values are:

Choose from the following:

==Please provide the following information:==

Full Name: Kevin W Campbell

Email: [REDACTED]

Residential Address: [REDACTED]

Residential Phone: [REDACTED]

Business Address: [REDACTED]

Business Phone: [REDACTED]

Mailing Address (if different): [REDACTED]

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Was on the youth board

Past selectmen

Past member of GRB fire dept

Do you have any skills, experience, or training you would like to mention?

past builder / remodeler in the Kennebunks present facilities coordinator York Hospital What is your reason for wanting to serve on this board or committee? Would like to see this property be used in the best interest of the town List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)?

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7003>

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 4:23 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 4:23pm Submitted by anonymous user: 192.152.153.119 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: David Clarke

Email: r\_@kennebunkportme.gov

Residential Address: 1000 Main St, Kennebunkport, Maine 04046

Residential Phone: 207-241-1234

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport?

Please list Membership in community organizations, dates involved, and activities performed: This is my first time putting my name forward as a volunteer. As of now, I am not completely sure how to answer the "voting question" above. I am a permanent resident of USA & a British citizen, so believe I can vote on local issues but not in nation wide elections. My wife (Gail Hackett) casts our household votes on local issues.

Do you have any skills, experience, or training you would like to mention? I had a 35 year career in the financial services industry, holding executive positions at a leading UK bank, UK consumer finance company and laterally 11 years at MasterCard (New York). I managed significant budget responsibilities, large international client services teams and was a member of many senior management project teams.

What is your reason for wanting to serve on this board or committee? I have recently retired and have owned a home in Kennebunkport since 2008. I recently moved from 2 South Maine St over to the new development in Wallace Woods. I am also president of the Wallace Woods HOA. Now that I have more time on my hands, I am very interested being of service to our town and feel that my life & work experience may allow me to make a worthwhile contribution.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Village Parcel Master Plan

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7033>

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 5:12 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 5:11pm Submitted by anonymous user: 98.11.11.52 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Connie Dykstra

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

-Graves Library Board of Trustees (term began January 1, 2019) -Executive Committee member and Communications Coordinator, Democrats of the Kennebunks and Arundel (since 2016) Do you have any skills, experience, or training you would like to mention? My professional background is primarily in nonprofit communications as an editor, writer, and public relations manager. I also held a realtor's license in another state for a short time.

What is your reason for wanting to serve on this board or committee? I'm very interested in the town's challenges around how we attract new families and develop our assets in a way that improve community life for residents, while not discounting our status as a tourism destination. I think the purchase of this parcel provides a uniquely exciting opportunity for the town as development possibilities are becoming increasingly rare.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Village Parcel Master Plan

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7053>



## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Wednesday, March 13, 2019 2:51 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Wednesday, March 13, 2019 - 2:51pm Submitted by anonymous user: 98.11.2.52 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Edward Francis

Email: c

Residential Address: c

Residential Phone: c

Business Address:

Business Phone:

Mailing Address (if different): c

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed: Planning Board Member (Dec 2017 -> present) Do you have any skills, experience, or training you would like to mention?

Systems Engineering/Software Development - 30+ years experience at Raytheon Company. Particular expertise in Systems Integration, decomposing large system requirements into subsystems, working with multiple suppliers to acquire and integrate individual products into large, distributed systems (e.g., Air Traffic Control, Radar, GPS), performing factory and field testing for US and international government agencies. BS Physics Bates College (1973), MS Computer Science University of Texas at Dallas (1982) What is your reason for wanting to serve on this board or committee? This property will affect the character of our Town for years to come. I'd like to help develop a plan that maintains and enhances our town character (consistent with our comprehensive plan), and is financially sustainable. List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Village Parcel Master Plan

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7163>

**Arlene McMurray**

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Sunday, March 10, 2019 9:25 AM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Sunday, March 10, 2019 - 9:24am Submitted by anonymous user: 98.11.8.85 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Michael Gamble

Email: .

Residential Address: 2

Residential Phone:

Business Address: 4

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Do you have any skills, experience, or training you would like to mention?

-performing Kepner-Tregoe decision-analysis -public speaking -group facilitation

What is your reason for wanting to serve on this board or committee? The parcel in question borders our property. List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)?

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7143>

## **Arlene McMurray**

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 1:33 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 1:32pm Submitted by anonymous user: 198.204.14.247 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: E Russell Grady

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Youth Services Commission

Recreation Committee

Planning Board (twice)

Volunteer Fire Fighter (active)

BoD Kennebunkport Conservation Trust (active) Do you have any skills, experience, or training you would like to mention?

What is your reason for wanting to serve on this board or committee? We had a once in a lifetime opportunity to purchase this parcel and now that we have, we have a once in a lifetime opportunity to determine how best to utilize the land.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Just the one I checked.

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/6993>

## **Arlene McMurray**

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 4:39 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 4:38pm Submitted by anonymous user: 98.11.16.127 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Joseph M Mead

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

KEMS Member 16 yrs to date

Sewer Advisory Board 5yrs to date

Growth Planning board ( many years ago)

Do you have any skills, experience, or training you would like to mention?

Involved in Real Estate for many years.

What is your reason for wanting to serve on this board or committee? It is a very important decision, and would like to be involved in it.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Village Parcel Master Plan Committee

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7043>


**TOWN OF KENNEBUNKPORT**  
**Application for Boards, Committees & Commissions**

To the Town Manager:

I hereby request to be considered for membership to the following board(s) and/or committee(s): (If more than one, please indicate your preference: 1,2,3...)

- |  |   |
|--|---|
| <input type="checkbox"/> Administrative Code Committee         | <input type="checkbox"/> Lighting Committee           |
| <input type="checkbox"/> Board of Assessment Review            | <input type="checkbox"/> Parsons Way                  |
| <input type="checkbox"/> Budget Board                          | <input type="checkbox"/> Planning Board               |
| <input type="checkbox"/> Cape Porpoise Pier Advisory Committee | <input type="checkbox"/> Senior Advisory Committee    |
| <input type="checkbox"/> Cemetery Committee                    | <input type="checkbox"/> Sewer Advisory Committee     |
| <input type="checkbox"/> Conservation Commission               | <input type="checkbox"/> Shade Tree Committee         |
| <input type="checkbox"/> Government Wharf Committee            | <input type="checkbox"/> Shellfish Advisory Committee |
| <input type="checkbox"/> Growth Planning Committee             | <input type="checkbox"/> Sidewalk Committee           |
| <input type="checkbox"/> Housing Trust                         | <input type="checkbox"/> Solid Waste Committee        |
| <input type="checkbox"/> Kennebunk River Committee             | <input type="checkbox"/> Zoning Board of Appeals      |

  
\_\_\_\_\_  
Signature of Applicant

  
2/7/19  
\_\_\_\_\_  
Date

**Preliminary Information**

Name (Print):

Tim Patisson

Residence Address:

\_\_\_\_\_  
Phone: \_\_\_\_\_

Mailing Address:

\_\_\_\_\_, Kennebunkport, ME 04046

(if different)

\_\_\_\_\_

E-mail Address:

\_\_\_\_\_  
u

**Membership in community organizations:**

Organization

Dates

Activities

Neighbors & Neighbors \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you have any skills, experience, or training you would like to mention?

CAREER IN CORPORATE REAL ESTATE, REAL ESTATE

DEVELOPMENT & URBAN PLANNING

GRADUATE DEGREE IN REAL ESTATE & PLANNING

What is your reason for wanting to serve on this board or committee?

WOULD LIKE TO CONTRIBUTE IN SOME MEANINGFUL WAY

TO THE TOWN OF KENNEBUNKPORT. HAVE EXPERIENCE WORKING

ACROSS THE TABLE FROM REAL ESTATE DEVELOPERS WITH  
LARGE-SCALE DEVELOPMENTS.

Are you registered to vote in Kennebunkport? Please check one: ☒ Yes ☐ No

Please return the completed application to: Town Manager, 6 Elm St., P.O. Box 566,  
Kennebunkport, ME 04046. You will be contacted upon receipt.



## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 12:43 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 12:42pm Submitted by anonymous user: 71.173.68.136 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Nina Pearlmutter

Email:

Residential Address: :

Residential Phone:

Business Address: Same

Business Phone:

Mailing Address (if different): . t

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Member, Shade Tree Committee since 2016 to present; participate in Elm watch, presentations, and grant proposals  
Member and Vice Chair, Planning Board since 2016 Do you have any skills, experience, or training you would like to mention? I have a Ph.D. in Botany and Plant Pathology and taught and conducted research in Biology/Botany/Cell Biology at the University level. My experience in field work and on the Shade Tree Committee, as well as my knowledge of the KPT Land Use Ordinance, and experience from the Planning Board would be an asset or this committee. I am also an attorney and Vice President of Sweetwater Energy, a bioenergy company that converts forest and farm biomass into bioproducts.

What is your reason for wanting to serve on this board or committee? This is the largest parcel of undeveloped land owned by the Town and I would like to see a plan that works well for the interests of the town residents for now and the future. Before this property was sold to CDMK, it had been owned by my husband's family continuously for over 250 years (prior to the revolutionary war). It is dear to us and close to where we now live, so we are concerned for its future.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Village Parcel Master Plan Committee

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/6983>

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 8:29 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 8:29pm Submitted by anonymous user: 98.11.18.110 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Nicholas Phillips

Email:

Residential Address:

Residential Phone:

Business Address:

Biddeford, ME

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed: n/a Do you have any skills, experience, or training you would like to mention?  
no, just a concerned citizen

What is your reason for wanting to serve on this board or committee? It abuts my property and the town spent a lot of money for it.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)?

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7063>

## **Arlene McMurray**

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 3:30 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 3:29pm Submitted by anonymous user: 98.11.0.177 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: John Ripton

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

04046

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Shade Tree Committee member since 2017

Elm Watch Team volunteer since 2017 and co-ordinator since 2018

Do you have any skills, experience, or training you would like to mention? I was teacher a teacher/professor who integrated the study of history and science for forty years. I taught for seven years in NJ Governor's School of Public Affairs and NJ Governor's School on the Environment. In these programs I taught a course with many field trips into the pine barrens of New Jersey, exploring its ecosystem with botanists, hydrologists and other knowledgeable guides. We also traveled to organic farms and town waste management facilities. I also co-taught a course at Rutgers University on the history of land conservation in the U.S. (pre-colonial and colonial to the 21st century).

I am a community organizer now actively involved in developing the UMVA Gallery on Congress Street in Portland. I am also on the board of the statewide UMVA arts organization. I should further mention that I am a writer.

What is your reason for wanting to serve on this board or committee? I would like to serve on the Village Parcel Master Plan Committee because I have deep commitment to land conservation and public education. As there are wetlands present in the parcel (nothing unusual around here), it is critical that development be carefully planned and that preservation of the wetlands for ecological and educational purposes be a primary goal. In my opinion, we should look on the management of this land as a centerpiece of the town's commitment to a "greener future." It is not difficult to imagine the parcel with town buildings that are ecologically designed and fueled by alternative energy. The complex with its preserved wetlands could be another attractive aspect for Kennebunkport's visitors and, more importantly, an inspiration for young people, local developers and the public in general. Preservation - not just conservation - of some of our environmental resources (and appeal) not only makes sense in an economic-ecological analysis, especially considering how crucial such sustainable development is to the future of our community and the planet.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Parcel Master Plan Committe

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Wednesday, March 06, 2019 7:18 AM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Wednesday, March 6, 2019 - 7:17am Submitted by anonymous user: 98.11.15.9 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Daniel J. Saunders

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

1. Member of the Growth Planning Committee since 2006. Secretary of GPC from 5/2008 to 6/2013. Chair of the GPC since 7/2013. Responsible for updating the Town's Comprehensive Plan and working to implement its strategies to meet the Plan's goals.

2. Member of the Kennebunkport Fire Department since 10/2001. State of Maine, Interior Qualified Firefighter (FF1/FF2). Support the town and other local communities during times of need.

3. Member of the Kennebunkport Village Fire Company since 10/2001 and Secretary since 01/2010. Organization provides support to the Fire Department thru donations of equipment and raises funds for the Public Health Department thru community events.

4. President of the Kennebunk, Kennebunkport, Arundel Youth Football Association from 2014 to 2016 and Assistant Coach from 2009 to 2015. Teach sportsmanship, teamwork, and fundamentals of football to boys and girls.

Do you have any skills, experience, or training you would like to mention?

I'm a chemical engineer by training and have worked in that industry for over

30 years. I have many years of experience managing both people and engineering projects. Currently supporting over 30 plants in North America in the Environmental, Health, and Safety field with a focus on process safety.

What is your reason for wanting to serve on this board or committee? The purchase of the old CDMK property was a very significant investment for our small town. I would like to be part of the group that proposes the most effective use of this land that supports the town's goals and strategies within the Comprehensive Plan and best prepares the town to meet its future challenges.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? 1. Village Parcel Master Plan

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7083>

## **Arlene McMurray**

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 10:03 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 10:03pm Submitted by anonymous user: 98.11.17.117 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Karen Schlegel

Email:

Residential Address: :

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Current Zoning Board of Appeals and Assessor Board of Review Former Selectman Former Budget Board Former School Board Member

Do you have any skills, experience, or training you would like to mention?

active real estate agent with experience and understanding of zoning and history and knowledge of town What is your reason for wanting to serve on this board or committee? I feel my town knowledge and background could add to this committee. And wanting to have input on towns future development plans for this site.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)?

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7073>

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Thursday, March 07, 2019 4:34 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Thursday, March 7, 2019 - 4:33pm Submitted by anonymous user: 108.183.165.147 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Valerie Schlegel

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Do you have any skills, experience, or training you would like to mention?

Organized

Great memory

Fast learner

Good with time management

People person

Assistance with social media platforms

What is your reason for wanting to serve on this board or committee? I want to become an active member of our community! I have recently joined the real estate industry and would love the opportunity to learn from this project. Being a young resident of the community, I hope to bring new ideas and opinions to the town. I have lived in Kennebunkport my entire life and entering the real estate world has inspired me to be in the "know" with the community in which I live and love.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)?

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7113>



**TOWN OF KENNEBUNKPORT**  
**Application for Boards, Committees & Commissions**

**To the Town Manager:**

**I hereby request to be considered for membership to the following board(s) and/or committee(s): (If more than one, please indicate your preference: 1,2,3...)**

- ☐ Administrative Code Committee
- ☐ Board of Assessment Review
- ☐ Budget Board
- ☐ Cape Porpoise Pier Advisory Committee
- ☐ Cemetery Committee
- ☐ Conservation Commission
- ☐ Government Wharf Committee
- ☐ Growth Planning Committee
- ☐ Housing Trust
- ☐ Kennebunk River Committee

- ☐ Lighting Committee
- ☐ Parsons Way
- ☐ Planning Board
- ☐ Senior Advisory Committee
- ☐ Sewer Advisory Committee
- ☐ Shade Tree Committee
- ☐ Shellfish Advisory Committee
- ☐ Sidewalk Committee
- ☐ Solid Waste Committee
- ☐ Zoning Board of Appeals
- ☒ VILLAGE PARCEL MASTER PLAN COMMITTEE

Charles L. Simmons  
Signature of Applicant

11 MAR 2019  
Date

**Preliminary Information**

Name (Print): CHARLES L. SIMMONS

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

(if different) \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**Membership in community organizations:**

Organization	Dates	Activities
<u>PLANNING BOARD</u>	<u>2019 - 2020</u>	<u>ALTERNATE MEMBER</u>
_____	_____	_____
_____	_____	_____

**Do you have any skills, experience, or training you would like to mention?**

LICENSED CIVIL ENGINEER : TEXAS, GEORGIA, LOUISIANA

ACTIVE MEMBER ON PLANNING BOARD

**What is your reason for wanting to serve on this board or committee?**

1. TO GAIN GREATER INSIGHT INTO POSSIBLE USES FOR THE PARCEL

2. TO CONTRIBUTE TO PLANNING FOR PREFERRED USE OF THE PARCEL

**Are you registered to vote in Kennebunkport? Please check one:** ☒ **Yes** ☐ **No**

Please return the completed application to: Town Manager, 6 Elm St., P.O. Box 566, Kennebunkport, ME 04046. You will be contacted upon receipt.

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 12:01 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 12:01pm Submitted by anonymous user: 98.11.15.133 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: James M. Stockman

Email: . . . . .

Residential Address: .

Residential Phone: .

Business Address: .

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Safety Officer KPPD 42 years

President of KEMS 2 years

Lighting Committee 30 years

Do you have any skills, experience, or training you would like to mention?

Extensive experience in land planning, design and construction. Have worked with Architects, Engineers and Landscape Architects over 40 years.

What is your reason for wanting to serve on this board or committee?

Interested in the project from the Fire, KEMS, Lighting and land usage points of view.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)?

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/6963>

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Wednesday, March 06, 2019 1:09 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Wednesday, March 6, 2019 - 1:08pm Submitted by anonymous user: 66.63.80.6 Submitted values are:

Choose from the following: Village Parcel Master Plan

==Please provide the following information:==

Full Name: Andrew Welch

Email: a.welch@kennebunkportme.gov

Residential Address: 100 School St

Residential Phone: 207.261.1234

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Captain - Kennebunkport Fire Dept.

Government Wharf Committee

Do you have any skills, experience, or training you would like to mention?

Responsible for Capital Improvement Planning and budget management of all Facility and Parcel CIP projects for the Portland Water District. Also responsible for development of 5 year facility master plan for PWD.

-Certified Building Operator (BOC 2)

What is your reason for wanting to serve on this board or committee? I feel that with what's been done thus far, as well as available utility infrastructure on North and School St. that there is tremendous value and opportunity in this particular parcel.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Village Parcel Master Plan

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7093>

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Tuesday, March 05, 2019 4:21 PM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, March 5, 2019 - 4:21pm Submitted by anonymous user: 74.222.76.224 Submitted values are:

Choose from the following:

==Please provide the following information:==

Full Name: D Michael Weston

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Past: Planning Board, Selectman, Goose Rocks Beach Advisory Committee, Growth Planning Committee---all Kennebunkport. Current member of the administrative code committee.

Past Board Member and Treasurer Kennebunkport Conservation Trust, Past Board Member and Vice President Graves Library. Chairman of the building committee for the building addition at Graves Library. Past member of the Kennebunkport Rotary Club.

Past Chairman Georgia Southwestern University Foundation Board and present board member emeritus.

Do you have any skills, experience, or training you would like to mention?

President of a \$2billion manufacturing division. President and CEO of a European based manufacturing company with operations in 8 countries. Spent a lot of time developing management organizations. I am now retired.

What is your reason for wanting to serve on this board or committee? I think it is a key opportunity and a potential turning point for the town of Kennebunkport List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)? Would like to work with the new committee being formed to develop a plan for use of the land recently purchased by the town of Kennebunkport.

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7023>

## Arlene McMurray

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**From:** cmsmailer@civicplus.com on behalf of Town of Kennebunkport, ME via Town of Kennebunkport, ME <cmsmailer@civicplus.com>  
**Sent:** Sunday, March 10, 2019 9:32 AM  
**To:** Arlene McMurray  
**Subject:** Form submission from: Online Application for Boards/Committees

Submitted on Sunday, March 10, 2019 - 9:32am Submitted by anonymous user: 98.11.8.85 Submitted values are:

Choose from the following:

- Conservation Commission
- Shade Tree Committee
- Village Parcel Master Plan

==Please provide the following information:==

Full Name: Rebecca Young

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

Do you have any skills, experience, or training you would like to mention? My education background is in environmental literature/studies. I am the author of the recently published Confronting Climate Crises: Reading Our Way Forward.

What is your reason for wanting to serve on this board or committee? I am interested in protecting undeveloped land in the area and encouraging tree planting for future generations. For the village parcel committee, the parcel in question borders our property.

List the top 3 choices that you would like to serve on( 1. 2. 3. in desired order)?

1. Shade Tree
2. Village Parcel
3. Conservation Commission

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/7153>



# Agenda Item Divider





Authority: In accordance with Beach Use Ordinance Adopted August 20, 2012, Section D, additional regulations authorized by Municipal Officers in consultation with the Beach Advisory Committee.

**Regulation prohibiting Operation of Certain Vehicles  
on Goose Rocks Beach:**

Except as otherwise provided by law or herein, no person shall operate any automobile, snowmobile, motorcycle, minibike, motorized scooter, all-terrain vehicle, bicycle, or other motorized, electric-assist or self-propelled vehicle on Goose Rocks Beach. The provisions of this section/regulation shall not apply to:

- (1) Town employees, town vehicles or emergency vehicles or the drivers thereof, which may be required to enter upon the beach in the performance of their duties;
- (2) A governmental agency, its employees, agents, contractors and subcontractors and their vehicles when engaged in beach restoration or protection work;
- (3) Drivers who are participating in town-approved civic, governmental, or charitable events utilizing the beach or adjacent ocean waters authorized by the Board of Selectmen provided the motor vehicle operated on the beach occurs only during the posted hours of the authorized special event;
- (4) Drivers who have been granted special permission by the Board of Selectmen or their designee to drive on the beach for the purpose of removing lobster traps at the end of the season or following a significant storm event; or
- (5) The use of any self-propelled wheelchair, power wheelchair, or other similar mobility device by an individual with a mobility impairment.

**Enforcement:**

The Chief of Police or any of his/her designated officers will enforce this Ordinance. Any officer who observes a violation of this Ordinance may summons that individual to the District Court. Any officer who receives a complaint of a violation of this Ordinance from a citizen may, after investigation of the complaint and determining that sufficient evidence exists to conclude that a violation of the Ordinance occurred, summons the offender to the District Court.

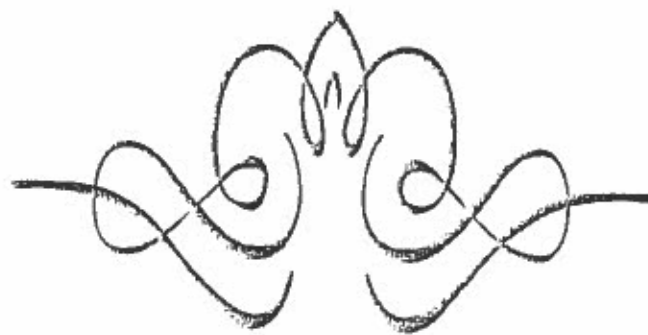
1. Civil Penalty: Any person adjudicated in violation of this Ordinance shall be liable for a civil penalty.

Authority: In accordance with Beach Use Ordinance Adopted August 20, 2012, Section D, additional regulations authorized by Municipal Officers in consultation with the Beach Advisory Committee.

- a. First Offense: Written Warning and a copy of this Ordinance.
- b. Second and Subsequent Offenses: Shall be at the discretion of the officer up to and including a fine of One Hundred Dollars (\$100.00).
- c. Any second or subsequent offender of this Ordinance who is summonsed for violation may waive all court action by payment of the civil penalty to the Town within ten (10) days of the date of summons. If the penalty is not paid and/or if court action ensues, the offender shall be liable for any and all costs incurred by the Town in enforcing this Ordinance, including but not limited to court filing fee and the cost of legal counsel.



# Agenda Item Divider



# Street Light Acquisition and Energy Efficiency Improvement Options



KENNEBUNKPORT - LOWER VILLAGE KENNEBUNK - CAPE PORPOISE - GOOSE ROCKS BEACH

## KENNEBUNKPORT, MAINE

*the place to be all year™*

By:

**LightSmart** Energy Consulting, LLC, FEBRUARY 2019

# EXECUTIVE SUMMARY:

## STREET LIGHT ACQUISITION & ENERGY EFFICIENCY IMPROVEMENT OPTIONS

The purpose of this report is to review the option of the Town of Kennebunkport exercising its rights under the Maine Statutes Section 1 35-A MRSA § 2518 sub-§6 which provides for the right of Cities and Towns in Maine to acquire their streetlighting assets and to own and operate them themselves.

Street lighting is one of the larger utility bills paid by any community. Streetlights are not metered but billed based on assigned values for wattage and operating hours which are outlined the SL Tariff. The bills have three components.

1. Lighting Service-the cost of the asset depreciation, maintenance and company profit. These charges are different for each type of fixture. CMP Costs
2. Delivery service-This is the cost for CMP to deliver power to the lights. It is a fixed charge per month based on the wattage of the fixture. CMP Costs
3. Energy Supply-This is a charge for the actual kWh of delivered electricity to each light using the estimated hours of operation and assigned input watts for each type of fixture. These are negotiated by the Town with a supplier. CMP bills the Town and pays the selected supplier. Currently Direct Energy has the Town contract for supply.

The table below summarizes the annual costs for Kennebunkport for its 277 streetlights.

Table 1 Annual Current CMP Costs

Lighting Service	Delivery Service	Energy Supply	Total Annual Cost
\$33,369.00	\$6,208.92	\$8,817.39	\$48,395.31

If the Town purchases its lights from CMP for the asking price of \$49,320.00 (note this figure is from March 2018 and will have decreased some due to added depreciation of the asset) the Lighting Service charge is no longer applicable and the Town will need to provide for the system maintenance using a qualified service provider. These costs are estimated at \$6,648 per year which includes a contingency for unexpected costs due to storms knockdowns etc. and are based on over twenty years of experience with this in Massachusetts and now also Rhode Island. This would result in a net savings to the Town of **\$26,700.00** per year.

Table 2. Town Owned Costs

Contract Maintenance (New)	Delivery Service	Energy Supply	Total Annual Cost
\$6,648.00	\$6,208.92	\$8,817.39	\$21, 674.31

The current fixtures are mostly incandescent lamps (256 of 277) that have a lamp life expectancy of 2-3 three years and produce approximately 10 lumens of light for each watt of energy. The existing high-pressure sodium bulbs have a lamp life of six years and produce approximately 54 effective (effective accounts for internal losses and lamp depreciation over its life) lumens for each watt of energy. Converting the lights to LED sources will increase the efficacy to potentially over 120 lumens per watt and LED fixtures generally have a ten-year warranty. LEDs not only reduce the energy costs but also dramatically reduce maintenance. The table below shows the costs associated with converting the system to LED lamp sources.

Table 3. Town Owned LED Costs

Contract Maintenance	Delivery Service	Energy Supply	Total Annual Cost
\$2,000.00*	\$1,589.16	\$2,267.25	\$5,856.41

\*Maintenance costs will depend on whether the town retains the existing radial wave fixtures (platter lights) or converts to the newer modern LED roadway fixtures. LED replacements for the platter lights at most have a 10,000 hour life expectancy and will require much more frequent replacement. LED Roadway fixtures have a minimum ten-year warranty and an over 70,000 hour life expectancy. If the radial wave fixtures are retained then the maintenance is estimated at \$4,794. These maintenance figures include a contingency as noted earlier. Given the coastal nature of the Town corrosion is a larger factor.

Converting the lights to LED technology will increase the savings to between \$37,200 to as much as \$42,500 depending on the scope of the conversion. See Table 3 pg. 25 of the report. LED's provide the highest overall long term savings

## RECOMMENDATIONS

1. **Acquire the system from CMP**— Once the Town gives notice to CMP of its intention to move forward with the acquisition there will typically be a delay to finalize the paperwork. During this time the lighting design and type of technology selected along with final costs can be narrowed down.
2. **Audit and Map the System** – It is important for asset management purposes and to get a good condition assessment of the system prior to moving forward so there are no hidden surprises after acquisition. This also allows the Town to request Central Maine Power, CMP, to address any safety concerns and to refine the cost estimates.
3. **Complete a conversion to LED technology.** The Town will need a contractor who is properly qualified and approved by CMP to do the installation and a plan to complete any maintenance requirements once the system is converted.



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# ECONOMICS OF ACQUISITION:

## BACKGROUND

Streetlighting is typically one of the largest electric bills paid by a community and can represent as much as 34% of their electricity costs. Massachusetts led by the Town of Lexington passed the first Legislation in the country that allowed for communities to take over the streetlights and own and operate them themselves in 1998. There result was communities that owned their lights saved up to 40% of their costs and employed local electricians to perform the work. With the advent of the LED light source the acquisition and conversion of the lights can result in savings in excess of 70% completely changing the dynamic of streetlights being one of the highest utility bills a community pays.

Nathan Poore began looking at this issue for Maine in and in 2005 provided a presentation to the Maine Municipal Association who said they would take up the issue. In 2011 , frustrated by the lack of progress , Nathan decided to take the issue on himself and enlisted the support of interested communities. He also decided to retain the services of the author of the legislation in Massachusetts and who had been consulting on streelighting matters since 2000. He was joined by Charles (Tex) Hauser of South Portland, Larry Pritchett of Rockland and Richard Davies who as an advocate in the Office of Public Advocacy. After just two years of effort and numerous meetings with the utility companies, Representative Mary Nelson introduced LD1251 in April of 2013 which would result in the enactment of Section 1 35-A MSRA § 2518 sub-§6 (see Appendix A). One of the important parts of this legislation was that the terms of the transfer were incorporated into the Tariffs (section 53) which in turn prevents the utilities from arbitrarily modifying the terms to make it more difficult for communities to take advantage of this opportunity such as is going on now in Massachusetts with one of the major utilities.

Communities are better positioned than ever before to participate in efficient and effective management of their street lighting systems. State law now allows municipalities to acquire the street lighting assets in their community for the net book value of that asset. Communities may now acquire streetlights from their utility or Local Distribution Company (LDC), for their depreciated value – and potentially enjoy a 40% savings in ownership and maintenance costs. Furthermore, conversion to Light Emitting Diode (LED) technology can further reduce those costs, potentially increasing the savings to as much as 70% or more. LED lights improve overall appearance of a community and are a highly visible demonstration of municipal commitment to cost savings and improved safety. In fact, no other investment in energy conservation has a higher return on investment than conversion to LED lighting.

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## OBJECTIVE

The objective of this report is to provide the Town of Kennebunkport with the information necessary to determine the best overall course of action with regards to the benefits provided under the MSRA. This report reviews the financial considerations associated with the acquisition, ownership, and maintenance of the streetlights as provided by the legislation. These include the applicable utility tariff costs, maintenance costs, property taxes, insurance, purchase price, and other factors pertinent to the decision making process. In addition, it reviews the costs of converting lights to LED sources and the impact on costs and savings. Information was gathered from Town Departments, the Central Maine Power (CMP) approved tariffs (as published by CMP), financial organizations that provide tax-exempt municipal financing, streetlight equipment manufacturers, and suppliers. The initial sections of the report deals with acquiring the system “as-is.” The report also looks at the cost and impact of converting to LED lighting and offers two options: converting to LED lights that are capable of supporting control technology (control ready), and conversion to LED lights with a complete control system.

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## PROCESS

The steps to acquiring streetlight assets from CMP are:

Request purchase price information from the utility.

1. Conduct economic analysis to determine benefit and payback of acquisition (As fulfilled by this report).
2. Notify utility of intent to purchase.
3. Final review and approval by the Town.
4. Secure necessary funding
5. Secure a qualified maintenance provider
6. Execution of all documents.

The Legislation specifies the utilities must sell their lights for the original cost less depreciation at the time they receive notification from the community of the intent to purchase. The terms of the asset transfer will be covered in a Purchase and Sale Agreement developed during MPUC proceedings and an Attachment Agreement as outlined in Section 53 of the CMP utility tariffs (included in Appendix B of this report) The community will acquire all assets associated with the streetlights including: underground feeds and conduits to the point of connection to the utility distribution system, any poles that are dedicated to streetlights and have no telephone or electric distribution lines on them, and

all streetlight brackets and fixtures. All joint use poles (those with either telephone or electric distribution wires) will be subject to the Attachment Agreement governing the responsibilities of each of the joint users of the pole. These Agreements were generally based on the standard agreements the utilities have with other joint users, and were then negotiated thoroughly at the MPUC by the Municipal Street Lighting Group, MSLG.

Once the lights are acquired, the community becomes responsible for their maintenance as well as any dedicated poles and underground feeds. The Local Distribution Company, LDC, (CMP) reserves the right to make and break the electrical connection to its distribution system and for any work in its manholes. As such, the utility will perform any work necessary between its manholes and the streetlights for underground fed lights, make or break any secondary overhead connection, and bill the Town for this work. The details for this division of responsibility will be spelled out in the Attachment Agreement. The Town will be required to install a fuse between the mast arm and the secondary connection when the light is serviced for the first time after acquisition. All lights must be fused within ten years. In the event the Town chooses to upgrade the lights to LED sources, fusing would then be accomplished at the time of conversion.

The maintenance can be performed by contract, in-house or a combination of both. CMP now requires that any time a fuse is installed, the worker must be a qualified electrical worker as specified in Occupational Safety and Health Administration (OSHA) that is approved by them. Otherwise they require the Town to pay them to perform this service. There is a schedule of fees in the back of Section 53 of the tariff included in Appendix B-see page 53.70. If the Town employs personnel not so qualified then they must have CMP de-energize the circuit first and then reenergize the circuit when the work is done or have CMP install the fuse so the worker can de-energize the circuit. This would apply to changing a fixture or installing the fuse. Once the fuse is installed, then the worker can de-energize the circuit by pulling the fuse and CMP is not required. Clearly it is in the Town's best interest to use a CMP approved contractor to do the work.

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#### APPLICABLE TARIFFS

Streetlight rates are defined by Rate Tariffs that are proposed by CMP and approved by the MPUC. Municipalities are billed according to which rate tariff is applicable. CMP has one tariff, SL, for streetlights that provides for both CMP ownership and for Community Ownership. A copy of this tariff is included in Appendix C of this report.

Basically the charges for streetlights under this tariff include an energy supply charge that Kennebunkport pays through its contract with Direct Energy. CMP assumes that the lights

operate an average of 355 hours per month for a total of 4260 hours per year. This figure is multiplied by the billing rated wattage of the fixture to determine the monthly usage of each light. Please note the rated wattage includes both the lamp wattage and the wattage of the ballast and photocell to determine the total rated wattage. Most streetlights owned by CMP have a wattage label affixed to them that shows the nominal wattage of the lamp. Divided by ten. These stickers are typically 2 inches by 2 inches with a black number on differing colored backgrounds. The color of the background indicates the type of lamp. So a blue background is a mercury vapor lamp, the yellow is a high-pressure sodium, the red is a metal halide and the white is either an LED or incandescent source. So a fixture with a black 20 on a yellow background would be a 200w HPS lamp and a 17 on a blue background a 175w mercury vapor.



Flat lens cut-off 200w HPS



Drop dish Cobrahead 175w MV

Kennebunkport has a significant number of radial wave incandescent fixtures which they may be older than the marking conventions and are not marked. The charges also include a fixed lighting service charge which encompasses the company's cost of maintenance, depreciation of the asset and profit and thirdly a Delivery service charge which covers the allocated cost of the distribution system to deliver the electricity to the light—so the cost of the wires and poles and maintenance of those systems. These three charges make up the cost of the streetlights. The table on the following page shows the breakout of those costs by lamp type of the current system.

Table 1. Current CMP Owned Costs

Fixture/Equip.	QTY	Mthly Lighting Svc Chg CMP	Rated watts	KWH	Lighting Service Total	Mthly Delivery Chrg	Total Annual Delivery Svc	Supplier Energy costs
ARM-RW-	60	\$0.82			\$590.40			
BKT-15	1	\$3.02			\$36.24			
SL-IE-0448	2	\$11.90	448	3,817	\$285.60	\$7.85	\$188.40	\$266.81
SL-IO-0105	177	\$8.31	105	79,172	\$17,650.44	\$1.83	\$3,886.92	\$5,534.13
SL-IO-0205	18	\$9.24	205	15,719	\$1,995.84	\$3.60	\$777.60	\$1,098.79
SL-ME-0175	1	\$9.51	205	873	\$114.12	\$3.60	\$43.20	\$61.04
SL-MO-0100	4	\$8.40	120	2,045	\$403.20	\$2.12	\$101.76	\$142.93
SL-SC-0050	4	\$9.67	65	1,108	\$464.16	\$1.14	\$54.72	\$77.42
SL-SC-0070	3	\$9.04	95	1,214	\$325.44	\$1.68	\$60.48	\$84.87
SL-SC-0100	3	\$9.12	130	1,661	\$328.32	\$2.27	\$81.72	\$116.13
SL-SC-0400	1	\$15.01	465	1,981	\$180.12	\$8.15	\$97.80	\$138.46
SL-SE-0100	1	\$8.74	130	554	\$104.88	\$2.27	\$27.24	\$38.71
SL-SE-0150	1	\$9.14	195	831	\$109.68	\$3.41	\$40.92	\$58.07
SL-SS-0050-RDLWV	62	\$14.49	65	17,168	\$10,780.56	\$1.14	\$848.16	\$1,200.03
<b>Grand Total</b>	<b>276*</b>			<b>126,143</b>	<b>\$33,369.00</b>		<b>\$6,208.92</b>	<b>\$8,817.39</b>

\*does not include brackets or arms

Total CMP Owned \$48,395.31

If the Town were to acquire the streetlights the Lighting service charge of \$33,369.00 would disappear and the Town would be responsible to pay for maintenance services. In Massachusetts where communities have been taking over their lights now for twenty years, the average cost of maintenance has been less than \$24 per fixture per year or roughly \$5,200 dollars per year. The large number of incandescent fixtures and the coastal nature of Kennebunkport will increase those costs somewhat. Incandescent lamps tend to have much shorter lives than typical HPS lamps that also affects frequency of repair. The Town has already discovered the replacement with a screw in LED source has reduced outage calls. The Town must also be prepared for unexpected damage from major storms or other unexpected events. When CMP replaces a wooden pole due to its age the Town is responsible to remove its light and reinstall the light. Such is also the case with knockdowns. The estimated maintenance costs include a contingency for such events but it is recommended the Town establish a reserve fund and sequester these funds for such events.

The table on the following page illustrates the affect of switching to the customer owned option.

Table 2. Customer Owned Costs Existing System

Fixture/Equip.	QTY	Rated watts	ANNUAL KWH	Mthly Delivery Chrg	Total Annual Delivery Svc	Supplier Energy costs
ARM-RW-MOUNTING	60					
BKT-15	1					
SL-IE-0448	2	448	3,817	\$7.85	\$188.40	\$266.81
SL-IO-0105	177	105	79,172	\$1.83	\$3,886.92	\$5,534.13
SL-IO-0205	18	205	15,719	\$3.60	\$777.60	\$1,098.79
SL-ME-0175	1	205	873	\$3.60	\$43.20	\$61.04
SL-MO-0100	4	120	2,045	\$2.12	\$101.76	\$142.93
SL-SC-0050	4	65	1,108	\$1.14	\$54.72	\$77.42
SL-SC-0070	3	95	1,214	\$1.68	\$60.48	\$84.87
SL-SC-0100	3	130	1,661	\$2.27	\$81.72	\$116.13
SL-SC-0400	1	465	1,981	\$8.15	\$97.80	\$138.46
SL-SE-0100	1	130	554	\$2.27	\$27.24	\$38.71
SL-SE-0150	1	195	831	\$3.41	\$40.92	\$58.07
SL-SS-0050-RDLWV	62	65	17,168	\$1.14	\$848.16	\$1,200.03
<b>Grand Total</b>	<b>277</b>				<b>\$6,208.92</b>	<b>\$8,817.39</b>
					Est. Maint.	\$6,648.00
				<b>Total Town Owned Cost</b>		<b>\$21,674.31</b>

We can see the resultant savings from acquiring the existing system and operating as is would be just over \$26,700.00 or 55%. It is this amount of potential savings that motivated the MSLG to pass this legislation. Keep in mind both the supplier energy costs and the CMP Delivery Service costs do change and typically increase year over year to reflect the market costs and material and wage rates. Conversion to LED technology would further reduce these costs and reduce the impact of increased energy costs. This will be discussed later in this report.

#### PURCHASE PRICE

CMP's stated purchase price as of March 2018 for all fixtures (276 lights) is \$49,320.00. Once the Town commits to the purchase, CMP should update the purchase price to account for any additional depreciation and changes in the system. This price should not be substantially different then the one already provided. Given the age of this system it seems this price is extremely high and quite unreasonable. Unfortunately short of filing a case before the MPUC there is little the Town can do that it has not tried to do over the past six months. Filing a case before the MPUC is both expensive and time consuming with no guarantee of prevailing. In addition, during the likely two-year process, the Town will



lose the opportunity cost savings of \$26,700 per year that in less than two years offsets the high purchase price. The Town has already through information requests over the past six months tried to use the same arguments that would be presented to the MPUC tried to convince CMP to rethink the price without success. As a result it seems the most prudent course of action is to proceed with the acquisition and accept the price requested by CMP.

Included in Appendix D is the purchase price information supplied by CMP.

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#### PROPERTY TAXES

The street lighting equipment subject to purchase is part of the basis for the tangible property taxes paid by the utility to the Town. Subsequent to the purchase, the street lighting equipment's assessed value will be deducted from that basis resulting in the loss of a portion of the total tangible property tax revenues paid by the utility. According to the utility sales information the taxable value of the assets is \$26,554 that may form the basis of the loss of tax revenue. This is something the Town should follow closely.

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#### CONTRACT MAINTENANCE

Qualified personnel must perform the work, prevailing wage laws do apply, and section 53.4 of the tariff governs portions of the maintenance work (see Appendix B). Once the Town owns the lights it is responsible for the fixture and bracket on all joint use poles, and the fixture, bracket and pole for any dedicated poles - that is, poles that serve no other purpose except streetlights. If a joint use pole (utility owned) needed replacement, the Town would be responsible for reattaching the streetlight to the new pole. Pole replacement of the joint use poles remains the responsibility of the utility. In the case of the dedicated poles, the Town would be responsible for the pole replacement as well as the fixture and bracket.

The Town should issue a Request for Proposal (RFP) for maintenance services that include all routine maintenance requirements. This RFP would call for a full service contract that minimizes the Town's responsibilities. It should include a call center, seven-day maximum repair time (five working days), a fixed price for services, only qualified workers, and contractor coordination with the utility whenever required. The Town would receive monthly detailed reports of all services rendered. The contractor would be responsible to contact the reporting party if the repair cannot be completed within the prescribed number of days. The Town should also expect an occasional expense associated with pole relocations, storm damage, or knockdowns.

In the event the Town chooses to convert the system to LED lighting, these fixtures come with a ten-year warranty, and maintenance requirements will drop dramatically. Typical average repair rates for HPS lighting in coastal areas is 26% of the lights per year. An LED system would drop to less than 3% per year. As a result, the best maintenance approach is a time and materials contract once the lights are converted to LEDs. LightSmart Energy Consulting can assist the Town in developing a maintenance service approach that would apply to the most common expected types of repairs and provide for predictable budgeting.

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#### EXTRA COSTS

A typical service contract will include: routine maintenance for component failure due to normal age and/or deterioration, a call center, outage inspections, general cleaning, and tree trimming within three feet of the lamp in conjunction with any repair. The community would be charged separately for new installations, replacements, removals, and repairs associated with knockdowns. In general, the knockdown rate is less than 0.4% and only one tenth of those involve a hit-and-run. In a case of hit-and-run, the Town (or the Town's insurance provider) would bear the full cost of attaching a new fixture to the utility pole and the reconnect fee. Most knockdowns involve a known operator, in which case, the individual's insurance carrier or the individual would be responsible to pay for the repair. In the event of an unknown cause, the Town will bear the full cost. The maintenance estimates in this report do not include a contingency for such costs but we believe they would be minimal because all poles are joint use. Typical installation of a new mast arm with fixture, wiring and fuse would be around \$600.

The Town has direct control over the addition of new lights. Some allowance for new lights may be appropriate if the Town believes it will be adding lights. The contingency should cover the addition of a limited number of new lights. Depending on the actual status of the inactive lights the Town may choose to restore some of them to service. Money not used can be rolled over into the reserve account until it achieves a level of about \$20,000. At that point the Town could reduce the budget to more closely mimic the maintenance experience.

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#### INSURANCE

The main risk the Town accepts with ownership of its lights is the risk of a major storm damaging a large number of streetlights or significant underground wiring problems. To cover this possibility, the Town may wish to consider adding streetlights to its current insurance plan. The cost for such insurance is minimal since the risk is relatively small. Typically, after such an occurrence both State and Federal aid (U.S. Federal Emergency



Management Agency and ME Emergency Management Agency) is available. There are a number of firms specializing in seeking reimbursement for Cities and Towns. Additionally, the service contractor will typically request that he/she be allowed to deal directly with the insurance carrier as the contractor can collect a larger sum. The Town should plan for some reinstallations of brackets and fixtures associated with the utility replacing poles as part of routine operations. The Town would need to discuss this with its insurance carrier, but the experience in other communities has been these costs are quite low. Included in a contract maintenance service is the requirement that the contractor provide liability insurance for its equipment and personnel as part of its costs, and both the Town and utility are named as additional insured.

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#### POLICE DETAILS

As a rule, communities do not supply or require police details for streetlight repairs. The work is usually accomplished quickly with minimal interruption of traffic. The contractor is required to provide appropriate traffic warning devices as well as completing work on any main thoroughfares outside of normal peak traffic periods. Police details would be required for new installations and during knockdown repairs. The cost of police details for knockdowns would be paid by the utility company in the case of a joint use pole and by the Town in the case of a dedicated pole. New installations can be scheduled at night to minimize these costs. The Town is responsible for the cost of police details as pass through costs.

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#### MISCELLANEOUS UTILITY COSTS

The Attachment Agreement with the utility for joint use poles provides certain services in conjunction with streetlights that must be performed by the utility (CMP) personnel on a reimbursable basis. Only the utility can make or break the connection to CMP's secondary lines. The current fee for this service is the \$99.76 Lighting Service Fee specified in Section 53.7 of CMP Municipal Ownership in its Rate Tariff. CMP requires a fuse be installed and once installed these costs can be avoided. If the electrical worker is properly certified then he/she can install the fuse without CMP involvement and CMP then is not required except in the instance of a new install where no light currently exists or a significant change takes place such as a longer mast arm or relocation of the mast arm. The removal of an unwanted fixture may require this fee be paid. The Agreement requires the Town have the utility's approval before installing a new light on any existing joint use utility pole. The utility would conduct a survey to determine if a streetlight can be safely attached to the pole and bill the Town for the inspection service. Fees will be quoted at the time of the request and must be paid in advance. The contingency

maintenance costs will cover general expenses in this category.

The routine maintenance contract price for the streetlights is independent of whether they are overhead or underground fed and under the customer owned S-05 tariff, the energy cost for each is the same as it is based solely on energy use. Repairs to the Town owned poles would be an extra cost paid on an as required basis if the Town acquired all of its lights and the pole were damaged or failed due to age. The Town would also be responsible to move its light from an old pole to a new pole if the old pole is replaced by CMP (or other pole owner, such as Verizon) as part of ongoing maintenance. CMP (or other pole owner, such as Verizon) is responsible for all pole repairs to joint use poles. The Town should review its history to determine the expected frequency of problems with knockdowns or pole replacements.

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## LIGHTING DESIGN

Lighting Design should consider a number of factors that include the following;

1. Light characteristics such as color temperature and color rendering–
2. Glare
3. Distribution pattern
4. Fixture capabilities
5. Simplicity

The Town may also want to review the lighting on all streets for uniformity. Very often there will be a mixture of wattages on a single street, which could be made uniform, and save energy in the process. Mill Road for example has a mix of different style and wattages of lights. The Town may want to retain some of the Radial wave fixtures but replace others with newer fixtures and the removed fixtures could be retained as spares. The Town also needs to decide if it wants to retain the radial wave fixtures that currently comprise the vast majority of the fixtures. Radial wave fixtures have been in use since the late 1800's. They are designed to redirect upward light back downward. This fixture gave way to the Admirals Hat fixture that was designed to reduce light trespass on either side of the street and direct light up and down the street. Modern lights use optics to manage light distribution.



The Illuminating Engineering Society of North America (IESNA) publishes the RP-8 Report with recommended lighting levels that are based on class of roadway and pedestrian activity levels. A review of the multiple wattage streets should be conducted to determine what the appropriate

lamp is for the location based on the adjacent land use and level of pedestrian activity and/or roadway safety issues. The existing illumination levels in some locations may be justified and should be maintained. However, in some cases lighting levels may need to be decreased or even increased. A careful review of each area and its associated factors should be done prior to any recommendation for lumen level reductions or changes. This report does not take into account any adjustments but rather assumes lighting levels would remain as they are currently.

The Town should not adopt any foot-candle standards for lighting levels. There is no requirement to light roadways, but once a light is installed, the Town is responsible to maintain it. Setting lighting standards could create a liability for the Town, which is unnecessary and should be avoided. It is best to have general guidelines.

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### DEFINITIONS

To aid in this discussion the following definitions are important;

**Color Rendering**---The ability of a light to correctly render a standard color palate as compared to a standard source light. While it is theoretically possible to have a color rendering above 100, generally all lights sources fall within the 0 to 100 range with 100 being true colors. HPS, the most common light in Kennebunkport, is rated at 25, low pressure sodium (LPS) at zero, MH can range from 65 to 92, induction at 82-84, and LED is typically 74 to 80. Studies have shown a shift to higher color rendering sources improves night-time visibility, assists with crime prevention and is more appealing to the public.

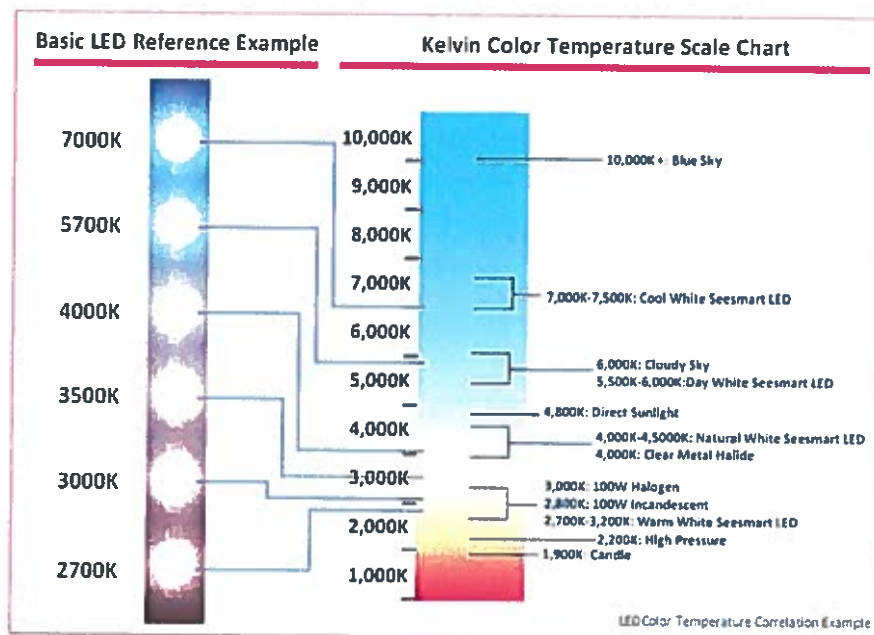
**Efficacy**---This is a measure of the amount of lumens (light) produced per watt of applied power. Note that there is a difference between fixture efficacy and lamp efficacy. As an example, the 100-watt HPS lamp with its ballast uses 121 watts and produces approximately 9600 lumens. However, once placed inside a fixture, the internal losses of the fixture reduce the effective lumens of the fixture to about 6500 lumens. Each fixture has a certain amount of loss associated with design.

**Lumens**---Is a measure of the total output of a light source as measured inside a special sphere.

**Foot-candle**---The amount of light falling on a surface compared to the light from a single candle one foot from the measuring device or a lumen per square foot. This can also be expressed as LUX or lumens per square meter and is the equivalent of 10.76 foot candles.

**Correlated Color Temperature**---The apparent color of a light source is measured in

degrees Kelvin, °K. As the color temperature of a light increases it shifts from red through yellow to blue. BMW's bluish headlights are in the 7000°K, while natural sunlight is between 4800°K (direct sunlight) and 6000°K (cloudy sunlight). The chart below illustrates CCT. With LED lights the color temperature can be selected at purchase—warmer yellowish light is more pleasant to the eye but is less efficient. It is important to note that in 2016 the American Medical Association, AMA, produced a report recommending lights in the 3000 Kelvin range or less to reduce the amount of blue light in the source which can impact melatonin production. While this report has been largely debunked the fact is the public in general prefers the warmer color temperatures and the myth it created still persists<sup>1</sup>. At the same time other studies have shown that the optimum color temperature for reaction time, recognition of objects is 4000 Kelvin. So we find the public likes the warmer colors but the public safety people prefer the 4000 Kelvin lights. As a result some communities are opting to use the higher Kelvin on the main roads and the lower Kelvin in the neighborhoods.



\*Chart from the web site of a California company, Seesmart Inc.

## EXISTING HIGH PRESSURE SODIUM LIGHTS

HPS has been the lamp of choice for the utilities. It replaced to older mercury vapor, MV, technology which in turn replace the incandescent lights. HPS is very energy efficient and a low cost option. Typical HPS lamps produce 96 lumens per

<sup>1</sup> The lighting institute of Rensselaer Polytechnic Institute has shown lighting impact on melatonin is dose related. That roadway lights do not produce sufficient dosage to impact melatonin and in fact the much larger impact comes from electronic devices, televisions and interior lights in homes.

watt, and when in a fixture, the efficacy drops to 54 lumens per watt of power due to internal losses in the fixture. HPS's primary drawback is that it is a very poor color rendering source (rated at 25) and so requires higher lumen levels to provide the same level of perceived brightness and visual clarity as an LED. Additionally, as noted above, the typical fixture loses approximately 35% of the lamp output due to fixture inefficiency and this is compounded over time with fixture age. Average lamp life for HPS is 24,000 hours or six years.

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## INDUCTION TECHNOLOGY

As energy prices rose and the cost of maintenance increased, widespread interest developed in both induction and LED technologies because of their long lives and low maintenance. Induction technology is a variant of fluorescent technology and as such has extraordinary lamp life - 80,000 to 100,000 hours. It produces a high color-rendering source, roughly 82 versus HPS at 25. People perceive induction lights as brighter because of improved light output in the spectrum of light that aids night vision.

Induction lighting is not a new technology but rather one that had not received a lot of interest previously because of its relatively high cost and the low cost of energy. Early on, it found application in locations that were difficult or expensive to access where long-life lamps saved considerable maintenance expense. However, given the much higher energy rates today, together with higher labor rates and the fact that the cost of these fixtures has come down some, they are a useful alternative in certain applications. Induction fixtures are nearly identical to HPS in overall efficiency but because of the improved nighttime visibility offered by a full color rendering source and the perception of the human eye, we find we can reduce lumen levels by roughly 35% and the light level is perceived as the same.

Three to four years ago, higher energy costs, increased maintenance costs and a lower fixture cost relative to LED lighting created a short-term market for induction streetlight applications. PSE&G in New Jersey installed approximately 140,000 induction lights in its service territory in 2010. The potential savings over HPS lights from induction lighting is between 35 and 40%. Although failure rates are generally low, we have found induction lamps to have higher initial failures than LEDs. One application where Induction may have a slight edge over LED is for decorative post top lighting and it can be used in a modified Radial Wave fixture, which is why it is presented here. The lower glare levels and higher color rendering can be considered enough to outweigh LED's better efficiency rates in certain applications. But the distribution pattern will not be improved.

## LED TECHNOLOGY

LED technology is the choice for roadway and many other lighting applications today as it can provide a 50 to 65 percent energy savings and, like induction lighting, offers extraordinary long life (100,000 hours) greatly reducing maintenance costs.

LED technology is not new but in fact has been used since the early 1960s. The early LED's were limited to red and typically were used as indicator lights. They began appearing in traffic signals in the late 1980s. As the science progressed, we began to see colors other than red and some early efforts to mimic white light using fixtures with combinations of red, green, blue, and yellow LED chips. In the late 1990s, using nanotechnology and either ultraviolet or long wavelength blue LEDs in combination with phosphors, we were able to produce white light. These early LEDs were very expensive and not very energy efficient.

The overall efficiency of the LED lamp continues to improve rapidly. Today the typical efficacy is 94 to 115 lumens per watt as compared to HPS's 54 fixture lumens per watt. Beta, the leading U.S. LED chip manufacturer and Leotek a Taiwan based company and leader in the industry, have just announced their newest LED chips at over 150 lumens per watt. Additionally, we have seen the cost of LED technology drop fairly dramatically making it far more attractive. Just three years ago, the average cost of a 250w HPS replacement LED fixture could cost over \$650. Today, that same replacement costs less than half that price.

The color rendering of LED lights is generally slightly lower compared to induction, 74 verses 82. Cree does offer an 80 CRI version of its RSW style fixture. In addition the human eye perceives higher color rendering sources to be brighter even if the actual lumens is the same. This allows us to reduce the amount of light without altering the perceived visibility-saving both energy and reducing impact on the night sky. Public Safety is also enhanced by the use of LED lighting in several ways. The higher color rendering allows for proper identification of car and clothing colors, has been shown to make license plates easier to read, and improves the ability to see facial features. In addition, the whiter light improves contrast, which makes objects in the road (pot holes, pedestrians, etc.) easier to see. Improved lighting has also been shown to improve night-time commercial activity. The choice to take over the street lighting assets is an opportunity to "rebrand" the Town in a very positive and visible way while showing the Town's commitment to cost savings and improved service.

**Distribution Pattern.** The principal distribution patterns for roadway lighting are Type II



and Type II long that are narrow and generally restricted to the roadway. These has application in cities and other areas where the roadways are narrow and bounded closely by buildings. Type III which is more elliptical and is used in more rural areas where light trespass is less of a concern and to simplify the design by using a light with a more universal pattern. Type IV is a semi circular Pattern which would have applications at intersections and on the sides of buildings. Type V that is a circular pattern and would be used when the light is directly over an intersection or in a parking lot or similar application. The beauty of the Type III is it can serve well in all but the Type V situation and in downtown areas of cities thereby simplifying the design and stocking of replacement fixtures. LEDs within a fixture are very directional and as a result can be easily designed to provide a wider, more uniform dispersion of light LED fixtures are superior in areas where streetlights are further apart.

The Town's current inventory of incandescent lights provide only approximately 10 lumens of light for every watt of energy and typically will last around two years. HPS, high pressure sodium lamps, are much more energy efficient but once placed in fixtures with the required reflectors and housing, these lamps lose approximately 35% of their output internal to the fixture and, with age, this drops to nearly 50% fairly quickly. The result is an effective 52-55 lumens per watt. The mean time to failure of the HPS lamp is 24,000 hours or about six operating years (streetlights operate approximately 4,260 hours per year/per CMP). The Mercury Vapor fixtures (the Town has one) are only half as energy efficient as HPS fixtures and they have very poor lumen maintenance, which means the amount of light they put out declines rapidly with time. The current better quality LED fixtures are over 95%-97% efficient at distributing the light onto the roadway, produce in excess of 100 lumens per watt and retain over 70% of that output over their lifetime. Two manufacturers are announcing this year fixtures above 150 lumens per watt. In addition, their life expectancy is over 100,000 hours or approximately 24 years and during that time they maintain their lighting output much better than HPS lamps. The leading manufacturers are all offering ten years as their standard warranty. The Town of Los Angeles has installed 140,000 LED lights with less than a .8% annual failure rate. As a result, once a Town converts to LED lights there is only the occasional labor charge to replace a unit that fails prematurely, but there are no hardware costs during the ten-year warranty period. Should the Town choose to retain the radial wave fixtures the LED lamp replacement will not have the ten-year warranty but more typically only five years and will not have the same high efficiencies that the newer cobra-heads have. However they are inexpensive and replacement is quite simple.

**Glare-**The single most common complaint about LED lighting is glare. This is a function of

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overdesign i.e. lights with too much output typically because designers don't take into account the perception of the human eye to the higher color rendering sources and instead deal with only the lumen outputs. So in addition to the color temperature of the light glare is another consideration. Two manufacturers have produced lights that manage the light in a manner so as to minimize glare issues-Cree and Leoteck. Cree created the first fixture that used an indirect approach and optics to distribute the lights. Unlike other manufacturers when you look up at the Cree RSW lamp you do not see the LED chips but rather they are recessed and horizontally aimed at the optics to distribute the light. Cree was also addressing another concern and that is as you lower the color temperature of the light it reduces its efficacy (makes it less energy efficient) and shortens its life expectancy. Cree chose to use a basic red green blue approach and to blend these to make white light and do it indirectly. As a result they did not suffer the loss of efficacy or the loss of life expectancy. In addition by using the chips in the indirect way their light is easier to look at than other companies. Leoteck followed with their approach two years later by using a diffuser approach. As LED chips became more and more powerful the losses in output became less critical and the issue of longevity was also addressed making the diffuser an option. While other manufacturers have hinted at similar design approaches to date only Cree and Leoteck offer this option.

**LED Capabilities-** People obviously react differently to LED lights. Some will complain they are too bright and some they are not bright enough. The majority will like them and not say anything. Some LED manufacturers produce lights that have internal adjustability so that the output of the light can be changed in the field. There is a very small added cost for this capability but it offers a number of advantages. A light can be selected that is capable of more light than needed and then set to a lower lighting level. Should someone complain it could be adjusted both up or down and the same fixture could be used in multiple locations where differing levels of light are required thereby simplifying the install, maintenance and the replacements stocks. Likewise if the Town opts for a control network the lights can be adjusted remotely in response to special events, emergencies or citizen complaints. However it is important to understand the different company approaches if you may plan to use a control in the future as not all of them provide for both the internal adjustability and a control system without having to modify the fixture. In addition in order for a control system to work or for the light to be equipped with other sensing devices, it must have the ANSI 136.41 seven pin photocell receptacle. Again this is a very nominal cost of six or seven dollars per fixture and well worth the added cost so that you are capable of taking advantage of the technology as it continues to improve and expand what it can do for a community.



Most manufacturers offer back light protection. This is a shading system to reduce the higher angle light behind the fixture to reduce the light shining into windows particularly on a second floor. Only one manufacturer offers this for all four directions-Leotek.

#### CONTROL TECHNOLOGY

Currently, HPS and other HID streetlights are “controlled” with simple photocells that turn the light on at dusk and off at dawn, and once the light warms up, it runs at full power all night. Unlike HID lamps, LEDs are instant on and instant off and can be dimmed. As a result, the standard photocell can be replaced with an intelligent control that permits remote operation of the lights and measures their precise energy usage. These intelligent controls communicate using a variety of approaches. The American National Standards Institute (ANSI) and an international group called the TALQ Consortium are working on standards to introduce non-proprietary protocols. The lack of such standards has resulted in many proprietary systems. The goal is a system similar to cell phones where every phone regardless of the carrier can talk to other carriers’ phones. We recommend using control devices that comply with the evolving standards, where the controls are addressable using a standard computer IPv6 address. In addition the control should employ a metering chip that meets the ANSI 12.20 Class 1 meter requirement of +/- .5% in order to satisfy the utility concerns for accuracy. The analysis in this report uses such a system and its associated costs.

The deployment of the control system provides a network that can also be used to support other municipal functions. These same devices are already used in smart electric meters. They are being integrated into water meters, traffic signal controller systems, and other types of monitoring equipment. With increased bandwidth, they can support cameras capable of license plate reading, facial recognition, and gunshot location for high crime areas when needed. They could also power wireless microcells used by cellular companies to increase their coverage, thus providing the opportunity for the Town to lease space on their lights for use by these carriers. Some systems provide sufficient bandwidth for the Town to offer Town-wide WIFI. Much like the cell phone, the number and types of applications will grow exponentially in the coming years as these systems become more widespread and the industry grows to take advantage of them for a variety of purposes. Two potential added benefits to the Town would be to communicate with the water meters eliminating the need for meter reading as the streetlights could relay water usage data back to the Water Department, and localized Wi-Fi with some localized equipment upgrades, such as at the industrial parks. It should be noted the software to receive and process the water meter data is a separate expense and quite expensive. Kennebunkport’s largely rural character and the long distances

between lights would increase the need for relay equipment and drive the overall cost of such a system up. However there may be some localized applications that would be cost effective. Falmouth opted to include a control network and has found it very useful to dim the lights. But the most significant concern is the lack of interoperability of these systems and the lack of standards related to interoperability. Each system tends to be proprietary and as a consequence selecting the right system is at best a guess. We have no idea how many of these companies will still be in business in five years.

Control networks will add significantly to the project costs and depending on the network will likely include network and software fees on an annual basis driving up the cost of maintenance. A typical control device will cost between \$80 and \$120 plus the collection relay devices (gateways) at \$3500 to \$5000 each.

Currently the CMP tariffs do not support these ancillary uses. Just in the past year we have seen NGRID adopt some dimming tariffs as well as Eversource. Over time we would expect most utilities to provide dimming tariffs that can help offset the cost of these systems. They also can be used to analyze an outage to determine if a truck roll is necessary or if it is a utility issue but this requires someone to be knowledgeable of the system and familiar with its uses.

The major manufacturers of the LED fixtures have come to the same conclusion and beginning last summer many only offer fixtures for sale that are control ready. As a result, this report will look at three options for the conversion to LED technology:

1. **Control-Ready LEDs:** Conversion of the existing system to LED technology with internal adjustability and a control ready seven-pin receptacle. This would allow the Town the option of not investing in the controls today but they could be added in the future without changing the fixture. As a part of this section we will look at the added cost and savings of part night dimming photo controls.
2. **Retaining the existing lights:** This option retains the existing Radial Wave fixtures and retrofits them with LED sources and the existing cobra-heads would be replaced with new LED cobra-heads
3. **LEDs with Controls:** Conversion of the system to LED with part night controls. Part night controls allow for partial dimming for set periods. This approach is more expensive than the simple photocell but considerably less expensive than a full control network. Should CMP offer dimming tariffs this can save the town money and have a ROI of about 6 to seven years at today's energy costs.

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## INCENTIVES

Efficiency Maine does offer incentives for businesses to convert Parking lot lights and other lights to more energy efficient sources. However this program excludes light mounted on utility poles. This is clearly something that should be addressed for lights owned by municipalities on utility owned poles. Streetlighting is typically one of the largest utility bills paid by most cities and towns. Once the Town owns the lights it doesn't seem appropriate to treat some town owned lights one way and others differently. Secondly converting roadway lights has one of the highest returns on investment of any energy efficiency project and contributes to public safety. Further the savings benefit not just one business or facility but benefits every taxpayer in the Town. Nor other energy efficiency project has such wide reaching consequences and yet Maine doesn't offer incentives for it. Perhaps the logic is that this is so compelling it doesn't require an incentive. LightSmart will be reaching out to both Efficiency Maine and a local State representative to see if this can't be changed.

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## FINANCING

The Town can combine the asset acquisition costs and LED conversion into a single finance project. This has been a common approach by many communities in Massachusetts, and our consultant, Mr. George Woodbury has helped in many such transactions. Available funding sources can come from:

Appropriation

Bonding

Tax-exempt Municipal Lease

Cash Reserves

**Appropriation:** Appropriation offers the lowest cost of money. If the Town opted to appropriate the purchase price, it would see the full savings immediately following the acquisition. This would require the appropriation be included in the budget but that can present timing problems depending on when the budget is built and approved relative to the desired acquisition dates.

**Bonding:** Bonding does not make sense for the small dollar amounts. Issuing a bond typically costs approximately \$50-\$70,000 in administrative costs and these must be considered when comparing to a lease purchase. Typically bonding less than \$1.2 million costs more than current leasing costs for the same amount. In this case bonding is an option depending on the Town's willingness to incur the added bond debt, and the

timing issues of a referendum and General Assembly approval.

**Tax-exempt Municipal Leasing:** Lease arrangements using tax-exempt municipal financing can provide an excellent alternative to borrowing. These contracts are year-to-year leases subject to annual appropriation. As such, they are not a borrowing. They can be structured to allow the full cost of the streetlight program to be within existing streetlight account budgets and provide some annual savings depending on the term of the lease. Current representative lease rates for a ten-year lease might range from 3.5% to 4% for communities with good credit worthiness. Actual rates will vary from these depending on treasury rates at the time the contract is signed, the amount financed, the term of the lease, the Town's credit rating, and whether or not the lease payments are made monthly in arrears or annually in advance. There are no lease initiation fees or costs except for the Town's legal review of the lease document.

These leases can be set up to have little or no prepayment penalty. Should the Town at some time during the term of the lease, wish to pay it off with money from another source it could do so. Consequently, the lease option can provide a "bridge" to other financing. The shorter the term of the lease, the greater the long-term payback. More leasing companies and banks will be willing to finance the shorter term and interest rates are lower particularly for smaller sums. However, the longer-term leases provide a greater immediate savings and if the Town would plan to retire the lease early, the effective interest rate is reduced and both the short-term and long-term savings can be maximized.

**Cash Reserves:** Those communities that have sufficient reserves and believe this would be an appropriate use of these funds can use cash reserves. The cash reserves could be replenished over time from the savings in the streetlight account. This approach provides a viable alternative to the appropriation approach and avoids the cost of borrowing. However, the interest earnings of the cash reserves must be considered, as those revenues would be lost.

#### **COSTS AND SAVINGS ESTIMATES**

Table 3 below illustrates three LED options and compares it to Town ownership with no system changes. It is important to note these figures are based on assumptions using recent contracts in other states; bids and final costs in Maine could be more or less. Kennebunkport can save \$53,922.00 annually, if it purchases the system and converts to LED lights. An Intelligent streetlighting system using the old Radial Wave fixtures is not possible without modifying them to accept the appropriate photocell

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receptacle and installing a LED with a dimming driver or purchasing entirely new look alike fixtures already designed for this type of option. This option would be prohibitively expensive. Using a LED lamp in the existing fixture is certainly a possibility but with higher expected maintenance. The table below looks at the Municipal ownership of the existing system, conversion to all cobra-head LED's with conventional photocells, keeping the existing lights but converting them to LED sources and the full cobra-head system with intelligent controls.

**Table 3. Costs and Savings Options**

	<b>Current System</b>	<b>Town Owned Existing System</b>	<b>Town Owned Existing Lights Converted</b>	<b>Town Owned All LED Cobraheads</b>	<b>Town Owned All Cobraheads With Controls</b>
<b>CMP Lighting Service Charges</b>	\$33,369.00	\$-	\$-	\$-	\$-
<b>CMP Delivery Service</b>	\$6,208.92	\$6,208.92	\$1,589.16	\$1,589.16	\$1,589.16
<b>Supplier Energy Costs</b>	\$8,817.39	\$8,817.39	\$2,267.25	\$2,267.25	\$2,267.25
<b>Maintenance</b>	\$-	\$6,648.00	\$7,250.00	\$2,000.00	\$4,794.00
<b>Total</b>	<b>\$48,395.31</b>	<b>\$21,674.31</b>	<b>\$11,106.41</b>	<b>\$5,856.41</b>	<b>\$8,650.41</b>
<b>Savings From Current</b>	\$26,721.00	\$26,721.00	\$37,288.89	\$42,538.89	\$39,744.89
<b>Project Cost Estimates</b>	\$-	\$-	\$132,723.95	\$158,323.95	\$200,923.95

The project costs are using some high assumptions around labor costs and assumes the Town would likely opt for the lower glare option. It is expected the final costs will be somewhat lower. Also included in the costs is a 20% contingency as I expect many of the mast arms may require a rewire and a number of mast arms may need to be replaced due to corrosion and age factors. Also included is the cost of an Audit to both capture the asset details but also to do a visual condition assessment and project management costs.

As noted these projects can be financed using a tax exempt lease option which uses the savings to pay for the project. The purchase price can be rolled in to the project costs so the total cost of the acquisition and project can be financed. Typical rates right now are in the 3.5 to 4% range depending on the credit worthiness of the community and are typically financed over ten years to maximize budget savings. At 3.8% and spread over ten years the annual lease costs would be \$21,300 for the least expensive conversion to \$29,365 for the most expensive option. Taking into account financing costs the savings are still roughly half the current costs. Once the project costs are amortized the savings would nearly double. The table below looks at the ten year savings taking into account

estimated maintenance costs.

**Table 4. Ten-year Savings**

	<b>Town Owned Existing System</b>	<b>Town Owned Existing Lights Converted</b>	<b>Town Owned All LED Cobraheads</b>	<b>Town Owned All Cobraheads With Controls</b>
<b>CMP Delivery Service</b>	\$6,244.56	\$1,583.88	\$1,583.88	\$1,583.88
<b>Supplier Energy Costs</b>	\$8,809.94	\$2,259.51	\$2,259.51	\$2,259.51
<b>Maintenance</b>	\$6,624.00	\$7,250.00	\$2,000.00	\$4,794.00
<b>Total</b>	<b>\$21,678.50</b>	<b>\$11,093.39</b>	<b>\$5,843.39</b>	<b>\$8,637.39</b>
<b>Ten year costs</b>	<b>\$216,785.02</b>	<b>\$110,933.89</b>	<b>\$58,433.89</b>	<b>\$86,373.89</b>
<b>Ten Year savings</b>	<b>\$267,168.04</b>	<b>\$373,019.17</b>	<b>\$425,519.17</b>	<b>\$397,579.17</b>

#### **STREET LIGHTING POLICY**

Once the Town owns the streetlights, requests for additional lighting, light removals, dark sky issues, and so forth will become the Town's issues. The Town should develop a policy as to how it plans to deal with requests for changes in the lighting levels and other related issues. PRISM will help with this policy development if the Town chooses. Existing lighting levels should be reviewed and a policy established that would, over time, align the existing lighting to be consistent with the developed policy. Thus, whenever a light fails and the lamp head must be replaced it would be replaced with the appropriate type fixture for that location. If the Town chose to convert to LED lighting then the selection of LED lights would follow the desired policy. Such a policy should be based on a lighting philosophy that addresses the purposes of street lighting and provides a basic guideline for decision-making rather than setting lighting standards. Included should be:

1. Requests for new lights or increased wattages
2. Requests for removals
3. Types of fixtures permitted
4. Light trespass and light pollution
5. Permissible lighting levels for various applications
6. Process for application and decision

Typically an application is made to the Town Council, which in turn would give the request to a committee for review and recommendation. Represented on the committee are typically the Police, Fire, DPW and relevant boards or commissions. The committee would review the request against the established criteria and make a

recommendation to the Town Board. The recommendation may need to be reviewed by the budget committee, as changes will impact the current and future budgets.

There is a national effort to implement a policy directing any newly installed fixtures be full cut-off fixtures to reduce light pollution and spill light (see [darksky.org](http://darksky.org).) Any policy should take this into account. Finally, the Town may wish to address outdoor lighting in general such as up lighting or use of flood lighting as a part of its policy if this has not already been done. There are a number of example policies available, which the Town could use as a basis, and LightSmart can help develop Kennebunkport's policy if requested to do so.

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## SUMMARY

This analysis demonstrates the potential value of acquiring the streetlights and converting to an LED system. Once the purchase price is amortized, the savings are over 87%. The actual cost of maintenance and the final purchase price may be different than presented in these estimates depending on the approach taken, bid prices at the time of the maintenance bids, and any additional accumulated depreciation. However, the numbers in this report are an excellent representative example of the typical savings communities are experiencing and are intentionally conservative. The Town can save money immediately.

Ownership of the lights will provide the Town the ability to take advantage of technological advances and to choose the type of lighting it desires with less reliance on the utility for cooperation. It was this very issue that led to Nathan Poore leading the effort in writing the legislation that gives Cities and Towns the right to take over their lights. Issues such as light pollution, color quality, life cycle costs, lighting levels, and lamp styles become a matter of choice for the Town. The final design and selection of lights will be a collaborative effort with the Town to best meet the Town's goals. It may include a mix of solutions depending on location.

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## RECOMMENDATIONS

1. **Acquire the system from CMP---** The numbers are quite compelling-the Town should acquire the system from CMP. Acquiring the lights will not only save the Town a significant amount of money but also give them control over lighting decisions and control over what is likely to become a very important piece of real estate in the future. The City of Providence is collecting revenue by supporting

small cell repeaters.

2. **Audit and Map the System** – The data set is clearly inaccurate. The billing errors must be identified before the purchase is complete in order to get a refund. Based on conversations with the DPW, the Town chose to replace a number of the incandescent lamps with screw in LED replacements. This is not reflected on the supplied bill and they should be billed under the LED portion of the tariff. This would result in a small savings for each of these lamps. Once the Town owns the lights this opportunity is lost. An audit would not only create a valuable asset database for the Town, it captures important information relative to design and would be useful if the Town opted for the controls sometime in the future. Once the Town gives notice to CMP of its intention to move forward with the acquisition there will typically be at least a 60 day delay to finalize the paperwork. During this time delay we would endeavor to complete the system GIS audit.
3. **Complete a conversion to LED technology with a control ready system.** There does not seem to be compelling reason to do a full control system as the Town would realize minimal benefit. The lights are quite dispersed so more gateways and relays would be required. However there may be specific locations where added capabilities would be warranted and we can look at those as part of phase two. Additionally CMP sometime in the future may offer a dimming tariff and the system then could produce added savings as well as support other technologies.

The decision to retain the classic radial wave fixtures or replace them with newer modern fixtures will be a difficult decision given the historic nature of Kennebunkport. These fixtures would require significant modification to support a control network, they do not control light trespass, have a higher cross sectional wind area making them more prone to damage in storms or high winds and finding duplicate replacements for them will become increasingly challenging. The industry is focused on the more conventional cobra-head style fixture so that is where we will see the most advancements. My recommendation is the Town move to the cobrahead style throughout the Town. The Town could consider retaining the Radial wave fixtures in specific historic areas and keep the other removed lights as replacements for the future. It should be noted there is a demand for these old style fixtures and the Town could opt to sell them to help pay for the project. One consideration is the Town of Charlestown in RI opted for a control network and is working to try and find a way to use it to monitor for flooding in home basements. Charlestown has a lot of seasonal homes along the coast that are



unoccupied much of the year and such a system could be used to alert the town who in turn could alert the home owner of basement flooding. In addition they have a local observatory and the ability to dim the lights around the observatory was an important consideration in their decision.

**APPENDIX A**

**Sec. 1. 35-A MSRA § 2518, sub-§6**

## **2518. Joint use of poles**

**1. Municipality may order joint use of poles.** Subject to the provisions of sections 711 and 8302, the municipal officers may, after notice and hearing, order any wires used for conveying electric current or the transmission of telephone messages and attached to poles located in a public street or way of the municipality to be removed and attached to other poles, however owned and controlled, legally located in the public streets or ways, as the municipal officers may designate, only if in their judgment the change is practicable and can be made without unreasonably interfering with the business of any person. The municipal officers may establish such regulations as they determine necessary for the joint use of the poles.

[ 1995, c. 225, §12 (AMD) .]

**2. Cost of maintaining joint poles.** If the parties using the joint poles cannot agree as to the proportionate share each will bear of the original cost and of the expense of maintaining the poles, or a proper annual rental for the use of the poles, the following provisions apply.

A. The municipal officers may, after hearing the parties, determine the proportionate part of the expense each party will justly bear or a proper rental. [1987, c. 141, Pt. A, §6 (NEW).]

B. The municipal officers shall give personal notice to each party 14 days before the hearing. [1987, c. 141, Pt. A, §6 (NEW).]

C. The owner of the poles may recover, in a civil action, from each party using the poles, his share of the cost and expense or the rental as determined by the municipal officers. [1987, c. 141, Pt. A, §6 (NEW).]

[ 1987, c. 141, Pt. A, §6 (NEW) .]

**3. Orders and decisions of municipal officers.** All orders and decisions of the municipal officers under this section shall be in writing and a record of them shall be made by the municipal clerk. The service of a copy of the order or decision, attested by the clerk, upon the parties affected by it is sufficient notice to the party affected to require compliance.

[ 1987, c. 141, Pt. A, §6 (NEW) .]

**4. Exception: Long distance lines.** This section does not apply to long distance telephone wires or lines of poles used to support them. For the purpose of this section a long distance telephone wire is a telephone wire that extends at least 20 miles in a direct line from a central office.

[ 1987, c. 141, Pt. A, §6 (NEW) .]

**5. Appeals.** A party aggrieved by an order or decision of the municipal officers relating to the joint use of poles; or by any regulation established by the municipal officers relating to the joint use of poles; by their decision as to his proportionate share of the original cost; the cost of maintaining the joint poles; or the annual rental for the use of the joint poles, may appeal from the order, decision or regulation at any time, within 10 days after service of notice of them, to the Superior Court in the county in which the municipality is located.

A. When an appeal is taken, the appellant shall:

(1) Include in the complaint a statement setting forth substantially the facts of the case, and the orders, decisions or regulations of the municipal officers from which he appeals and in what respect he is aggrieved by them; and

(2) Give written notice of the appeal with a copy of the complaint to the opposite party. [1987, c. 141, Pt. A, §6 (NEW) .]

B. The presiding justice at the first term of the Superior Court shall appoint a committee comprised of 3 disinterested persons, not residents of the municipality named in the complaint, who shall, within 30 days after the appointment, after due notice and hearing:

(1) Affirm the orders or decisions of the municipal officers;

(2) Amend or modify the orders or decisions; or

(3) Make new and further orders, decisions or regulations governing the joint use of poles by any of the parties to

the proceedings, or in relation to the proportionate share of the expense to be borne by each party using the joint poles, or the just and fair rental for the use of the poles. [1987, c. 141, Pt. A, §6 (NEW).]

C. The committee's report shall be filed with the clerk of the Superior Court. Upon being accepted by a Justice of the Superior Court the report is final and binding on all parties to the proceedings, except that questions of law arising under the proceedings may be reserved for decision by the Law Court. [1987, c. 141, Pt. A, §6 (NEW).]

D. A person affected by an order or decision of the municipal officers, who is not joined in the original complaint, may, on motion to the Superior Court, be joined in the complaint at any time before hearing by the committee appointed under this section. [1987, c. 141, Pt. A, §6 (NEW).]  
[ 1987, c. 141, Pt. A, §6 (NEW) .]

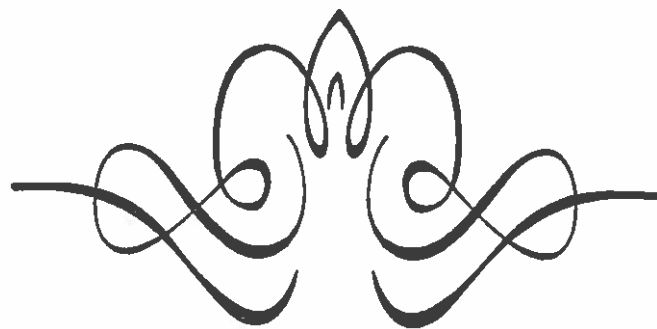
**APPENDIX B**  
**STREET LIGHTING TARIFFS**  
**Section 53**

**APPENDIX C**  
**Streetlighting Tariff**

**APPENDIX D**  
**Purchase Price Information**



# Agenda Item Divider







## TOWN OF KENNEBUNKPORT, MAINE

### STREET ORDINANCE

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

#### ARTICLE I - AUTHORITY

This Ordinance is adopted pursuant to, and consistent with, the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A, M.R.S.A. Section 3001. Date of Adoption: January 9, 1997. Amended: 6/12/2018

#### ARTICLE II – NAMING SYSTEM

Roads that serve 2 structures may be named regardless of whether the ownership is public or private. All roads that serve three or more structures shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare. A road name assigned by the municipality shall not constitute or imply acceptance of the road as a public way.

The following criteria shall govern the naming system:

1. No two roads shall be given the same name (ex. Pine Road and Pine Lane)
2. No two roads shall have similar-sounding names (ex. Beech Lane and Peach Lane).
3. Each road shall have the same name throughout its entire length.
4. Roads named prior to the adoption of the Street Ordinance shall, unless requested, remain the same.
5. Should two roads/streets that are currently dead ends ever be connected to improve public safety conditions may keep their individual names up to the point of connection, unless the combined residences of the two roads wish to rename the newly configured road as outlined in Article VII of this ordinance.

#### PRIVATELY OWNED STREETS

All privately owned streets serving two (2) properties may be named. All privately owned streets serving three (3) or more properties shall will be named, either by the developer, sub-dividing property owner, or abutting property owners, or the Town. The Town will name privately-owned streets, that meet the

established criteria, if the developer, sub-dividing property owner or abutting property owners do not come to an agreement on an acceptable name that meets Town criteria. A developer, sub-dividing property owner or abutting property owners shall submit proposed street names with the development or sub-dividing plan. If all property owners use this right of way to access their occupancy, all occupancies on this street will be addressed using the new street name and the number assigned. Occupancies on a corner lot will follow Article III of this ordinance.

### ARTICLE III- STREET NUMBERING

The following criteria shall govern the numbering system:

1. Numbers shall be assigned every 50 (fifty) feet along both sides of the road, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, as the numbers ascend. A 25-foot or less interval may be applied in more densely structured areas. Existing street numbers assigned on the 100' interval will remain, so long as there are no addresses containing the use of alpha or rear designate and reasonable conditions allow for new street numbers to be assigned.
2. Streets will be defined as "running from" one street "to" another street, dead end or Town line. The "from" end will be known as the "origin" of the street, the "to" end will be the "terminus". The numbering shall start at the origin of a street, with odd numbers on the right and even numbers on the left, in ascending order to the terminus of the street. Four (4) streets, River Road, Woodlawn Avenue, Arbor Ledge Drive and Poets Lane, have odd numbers on the left and even on the right are grandfathered.
3. The number assigned to each structure shall be that of the numbered interval falling closest to the ~~driveway~~ front door of said structure. If the front door cannot be seen from the main road the number assigned to that structure shall be that of the numbered interval falling closest to the driveway. ~~For structures situated on a corner of 2 streets, the structure will be numbered based on the driveway location. For structures situated on a corner of 2 streets, the structure will be addressed (street and number) based on the front door location. If the front door is not visible from the street, the address (street and number) shall be on the street adjacent to the driveway.~~
4. Every structure with more than one principle occupancy ~~shall~~ may have a separate number for each occupancy, i.e. duplexes ~~will~~ may have two separate numbers. The decision of which structures are given one or two numbers is made by the Addressing Officer and not the property owner. If the decision is one number, each occupancy in the building would be given a unit designation that goes along with the single address number. If the decision is two numbers, each occupancy will have a single address number with no apartment designation. For example, with a single number, a duplex could have an address of 235 Maple Rd. Apt.1 or 2. With two numbers assigned to one structure, a duplex could have 235-237 Maple Rd, where each apartment is given a street number. In buildings with 3 occupancies or more, the building will have one street number and each occupancy will have its own unit number. ~~apartments will have one road number with an apartment number, such as~~ For example, an apartment building would be, 235 Maple Road, Apt 2-1, 2 or 3.
5. (Existing) Condominium complexes will be numbered from the access point, and assigned unit #'s., such as 272 Mills Road, Unit 1F, regardless of the size of the complex

6. Any new subdivision, approved by the planning board, will have all interior roads named as part of the application/plan process. In the case of the subdivision with condominium units, they will be numbered/addressed on the road as either a single structure or duplex.
7. An "in-home" business will have the same street number as the residence.

#### ARTICLE IV – COMPLIANCE

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

1. Number on the Structure or Residence. Where the residence or structure is within 50 (fifty) feet of the edge of the road right-of-way, the assigned number shall be displayed on the front of the residence or structure near the front door or entry.
2. Number at the Road Line. Where the residence or structure is over 50 (fifty) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box, or on some structure at the property line adjacent to the walk or access drive to the residence or structure.
3. Size, Color, and Location of Number. Numbers shall be of a color that contrasts with their background color and shall be a minimum of four (4) inches in height. Numbers shall be located to be visible from the road at all times of the year.
4. Proper number. Every person whose duty is to display an assigned number shall remove any different number which might be mistaken for, or confused with, the number assigned in conformance with this ordinance.
5. Owners of properties failing to exhibit their assigned number(s) in accordance with this Article shall be notified by the **Street Naming and Numbering Delegate** ~~certified through~~ regular mail, using the current address to which the real estate tax assessment is mailed. ~~The first notice of violation shall explain to the property owner that their assigned number display does not comply with this ordinance and they have 30-days from the Town's mailing date for the number display to be brought into compliance without any fine. If the property is not brought into compliance, a second notice of violation will be sent by certified mail. The second~~ Such notice shall include a copy of this Ordinance, without Appendices, and advise that the owner is in default of this Ordinance and that a fine of ~~twenty-five (\$25.00)~~ **fifty (\$50.00)** dollars will be assessed to the property if compliance is not accomplished within forty-five (45) days of the date of the mailing of the certified letter. Additionally, a fine of one (\$1.00) dollar will be assessed for each day after the forty-fifth (45th) day that the owner remains in non-compliance. It shall be the owner's responsibility to have compliance verified by the ~~appropriate official(s)~~ **Street Naming and Numbering Delegate** after notification of default.
6. All monies, if any, collected in accordance with Section 5 above will be used to administer this Ordinance. At the Annual Town Meeting, the balance, if any, at the end of the fiscal year shall either be re-appropriated to this account or designated as un-appropriated surplus.

#### ARTICLE V – RESPONSIBILITY

1. The Board of Selectmen, hereinafter referred to as "The Board", shall be responsible for approving the naming and numbering of streets. The Board may assign or delegate the approval process to the

Addressing Office, who will utilize the Public Safety Committee to review new requests for naming streets prior to notification of requesting individuals.

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

#### **ARTICLE VI - ADDITIONAL REQUIREMENTS**

1. All named streets shall have a signpost erected at each end thereof, except that a dead-end street will not require one on the dead end. A cul-de-sac or other turn around will be considered a dead end. All signs shall be of a uniform size, lettering and color as designated by the Town Manager.
2. Costs for erecting signs for all streets within a private development will be borne by the developer.
3. Appendix I of this Ordinance shall be a complete list of all streets in the Town of Kennebunkport as of the date of enactment of this Ordinance. Said list will contain a brief description, locating the street by reference to the origin and terminus of the street, list all intersecting streets and the point of intersection. Appendix I will also be maintained current with a record of changes/additions thereto and the date of the change/addition.
4. Any circumstance, situation or question determined to not be covered in this Ordinance, shall be resolved by the Board and that resolution made part of this Ordinance.

#### **ARTICLE VII - NAME CHANGES**

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

#### **DEFINITIONS**

**CUL-DE-SAC:** A loop on the dead end of a street to provide a convenient turn around without encroaching upon private driveways.

**DRIVEWAY:** A vehicular access from a street to a residence or business.

**SQUARE:** A center of activity, usually business and usually the intersection of several streets. It also can be a memorial or historical plot. Residences and businesses located in a Square may be numbered as on the Square or on a street forming the Square.

**STREET:** Any way that provides vehicular access to two (2) or more residences, businesses or properties (existing or planned) or has the potential for same, whether public or private. It may be called an Alley, Avenue, Boulevard, Circle, Court, Drive, Lane, Parkway, Place, Road, Way, or other such descriptive title.

**TURN-AROUND:** A bulbous end of a dead-end street to facilitate a reversal of direction with a minimum of backing and filling usually made to accommodate automobiles not larger trucks.

## **APPENDICES**

**APPENDIX I:** A list of all Kennebunkport streets, public and private ([click to view](#)).

**APPENDIX II:** Maps of Kennebunkport streets and index thereof.

**APPENDIX III:** Record of changes.



# Agenda Item Divider



# Waterfront Ordinance

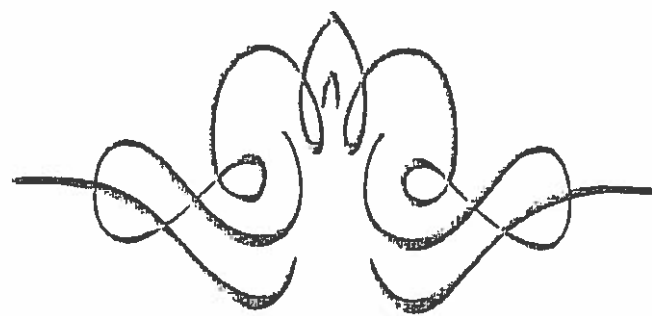
## 4.3.2 Waiting List :

The Harbor Master shall maintain a Mooring Permit Waiting List and a Mooring Relocation Waiting List each of which shall be available for inspection at the Harbor Master's office. The operation of all waiting lists shall conform to Title 38 M.R.S.A., § 7-A as amended. All persons desiring mooring space in Kennebunkport Waters shall place their name and the type of mooring desired on the Mooring Permit Waiting List. All Mooring Permittees desiring a different Mooring Site shall place their names and their desired mooring location on the Mooring Relocation Waiting List. A fee may be charged to be placed on the Mooring Permit Waiting List which shall be applied against the mooring permit fee as a credit the year the mooring is placed. The Mooring Permit Waiting List will be operated on a first come first serve basis, priority being given as stated below:

1. Commercial fishing vessel owners.
2. Shorefront property owners.
3. Recreational vessel owners.
4. Transient moorings to be operated by the Town of Kennebunkport.
5. Transient moorings to be operated by any other person.

**Waiting list member must renew their waiting list application annually to retain placement on the waiting list. All information such as vessel type, and length, residency status, as well as contact information must be updated by the person on the list.**

The Mooring Relocation Waiting List will be operated on a first come first serve basis. The Harbor Master shall attempt to accommodate any request for a relocated Mooring Site when, in the Harbor Master's discretion, conditions do not render the relocation undesirable, and the relocation is consistent with Section 4.2.



# Agenda Item Divider





[DATE]

11

Motion: I move that the resolution entitled, "Resolution to Authorize Town of Kennebunkport to Issue up to \$1,000,000 in Bonds for the Ocean Avenue Seawall Project," 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 \$1,000,000 IN BONDS FOR THE OCEAN AVENUE SEAWALL PROJECT**

Whereas, at the 2018 Annual Town Meeting duly called and held on June 12, 2018 and continued on June 16, 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 \$1,000,000 to pay costs of reconstruction of the road, sidewalk, and seawall on Ocean Avenue between Nonantum and Chick's Creek and related improvements (the "Project");

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

1. That pursuant to Annual 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 \$1,000,000.00 (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 any or all of the Bonds may be consolidated with and become a part of any other issue of temporary notes or general obligation bonds authorized to be issued by any previous or subsequent resolution or vote of the Board of Selectmen;
5. 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;

6. 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;
7. 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;
8. 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;
9. 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;
10. That the Treasurer is authorized to, as applicable, designate the Bonds as qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code")
11. 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;
12. 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;
13. 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;

14. 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;
15. 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;
16. 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;
17. That the Town hereby resolves and declares its official intent pursuant to Section 1.150-2(e) of the Treasury Regulations that the Town reasonably expects to use the proceeds of the Bonds to reimburse certain original expenditures from the Town's general or other fund, paid not earlier than 60 days prior to adoption of this Resolution or to be paid, which original expenditures have been or will be incurred in connection with costs of the Project; and that the Town reasonably expects that the maximum principal amount that the Town will issue to finance the Project is \$1,000,000.00; and
18. That the Town Clerk file an attested copy of this Resolution with the minutes of this meeting.

Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
A majority of the Board of Selectmen

A true copy, attest: \_\_\_\_\_  
Tracey O'Roak, Town Clerk

# **TOWN OF KENNEBUNKPORT**

## **TOWN WARRANT ANNUAL TOWN MEETING June 12 and 16, 2018**

State of Maine

County of York, SS

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

### **GREETINGS:**

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

To the voters of Kennebunkport: You are hereby notified that the Annual Town Meeting of this municipality will be held at the Village Fire Station, 32 North Street in said Town on Tuesday, the Twelfth (12<sup>th</sup>) day of June A.D. 2018, at 8:00 o'clock in the forenoon for the purpose of acting on Articles numbered one (1) and one a (1a) as set out below. The polls for voting on Article 1 shall be opened immediately after the election of the Moderator at 8:00 a.m. on June 12, 2018, and shall close at 8:00 p.m. While the polls are open, the Registrar of Voters will hold office hours to accept the registration of any person eligible to vote, to accept new enrollments, and to make any necessary corrections or changes to any names or addresses on the voting list. The continuation of said meeting will be held in the auditorium of the Consolidated School building in said Town on Saturday, the sixteenth (16<sup>th</sup>) day of June A.D. 2018, at 9:00 o'clock in the forenoon for the purpose of acting on Articles numbered 2 through 44 as set out below.

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

**ARTICLE 1.** To elect under the provisions of Title 30-A, M.R.S.A. Section 2528, the following Town Officers: two Selectmen, Assessors, and Overseers of the Poor, each for a term of three years; one Director of P.S.U. #21, for a term of three years; one Trustee of Kennebunk, Kennebunkport and Wells Water District for a term of three years; and one Beach Advisory Committee At-Large Member for a term of three years and to vote on the following referendum Questions 1 through 7:

*For each Question 1 through 7, a certified copy of the proposed ordinance is on file in the Town Clerk's Office and is incorporated by reference into each Question.*

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

**Amount requested: \$40,000**

***Selectmen recommend the amount requested - Voted 3-0.***

***Budget Board recommends the amount requested - Voted 5-0.***

**Article 40:** Do you favor authorizing the Board of Selectmen to issue general obligation bonds or notes in the name of the Town of Kennebunkport in a principal amount not to exceed \$1,000,000 for a term not to exceed 10 years, which bonds or notes may be made callable, and to use the proceeds of said bonds or notes to pay for costs of reconstruction of the road, sidewalk and seawall on Ocean Avenue between Nonantum and Chick's Creek and related improvements?

#### **TOWN OF KENNEBUNKPORT FINANCIAL STATEMENT**

**1. Total Town Indebtedness**

Bonds Outstanding and Unpaid	\$ 3,394,343.00
Bonds Authorized but Unissued	\$ 0.00
Bonds to be Issued if this Article is Approved	\$ 1,000,000.00
Total:	\$ 4,394,343.00


**2. Estimated Costs of Proposed Bonds**

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

Principal	\$1,000,000.00
Interest	\$ 157,947.50
Total Principal & Interest to be Paid at Maturity	\$ 1,157,947.50

**3. Validity**

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

  
Jennifer L. Lord, Treasurer  
Town of Kennebunkport

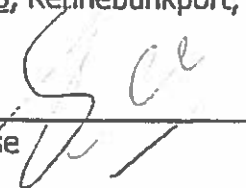
***Selectmen recommend the amount requested - Voted 3-0.***

***Budget Board recommends the amount requested - Voted 8-0.***

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

**GIVEN UNDER OUR HANDS** this 12<sup>th</sup> day of April, 2018, Kennebunkport, Maine.

  
\_\_\_\_\_  
Edward W. Hutchins, II

  
\_\_\_\_\_  
Stuart E. Barwise

\_\_\_\_\_  
Allen A. Daggett

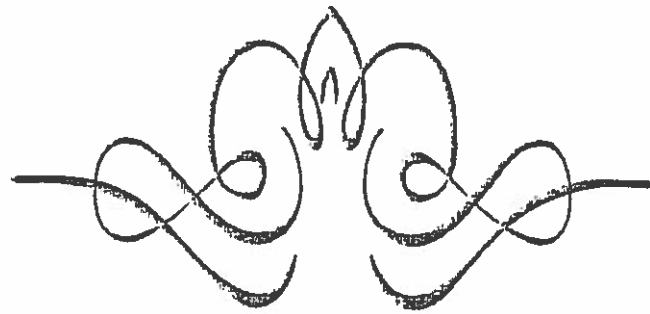
\_\_\_\_\_  
Sheila W. Matthews-Bull

  
\_\_\_\_\_  
Patrick A. Briggs

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

A true copy of the warrant attest:

  
\_\_\_\_\_  
Tracey O'Roak, Town Clerk



# Agenda Item Divider





Janet T. Mills  
GOVERNOR

12  
STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0016

Bruce A. Van Note  
COMMISSIONER

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

2/21/2019

Subject: Cyclical Pavement Resurfacing  
Project No.: 24039.00  
Towns of Kennebunkport and Biddeford

Dear Ms. Smith:

The Maine Department of Transportation will soon advertise the subject project for construction, and pursuant to 29-A MRSA § 2382 (7) we have established a "Construction Area". A copy of 29-A § 2382 is enclosed for your information. Also included is an agreement, which requires signature by the municipal officers, and additional background documents.

The agreement stipulates that the municipality will issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment (backhoes, bulldozers, etc.) that exceed legal weight limits, over municipal roads. The agreement acknowledges the municipality's right to require a bond from the contractor to "guarantee suitable repair or payment of damages" per 29-A MRSA.

29-A MRSA § 2382 (7) states that "*the suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers*". In other words, municipal officers determine the suitability of repairs on municipal ways and bridges.

The State cannot force municipalities to allow overweight vehicles to travel on posted municipal roads. Municipal postings supersede overweight permits. However, the agreement requires municipalities to make reasonable accommodations for overweight vehicles that are operated by contractors and the MDOT in connection with the construction project.

The specific municipal roads involved are not necessarily known at present, as the contractor's plan of operation won't be known until just prior to the start of work. If the municipality plans to require a bond; the amount of the bond should be determined prior to the start of work. If the project number administratively changes, you will be notified, and the agreement modified accordingly. Please return the completed agreement to my attention. Should you have any questions, please contact me at 624-3410.

Sincerely,

George Macdougall,  
Contracts & Specifications Engineer  
Bureau of Project Development



Return this AGREEMENT, when completed, to:

Maine Department of Transportation  
ATTN.: Mr. George Macdougall, Contracts & Specifications Engineer  
#16 State House Station, Child Street  
Augusta, Maine 04333-0016

Project No.: 24039.00

Location: Towns of Kennebunkport and Biddeford

Pursuant to 29-A MRSA § 2382, the undersigned municipal officers of the **Town of Kennebunkport** agree that a construction overlimit permit will be issued to the Contractor for the above-referenced project allowing the contractor to use overweight equipment and loads on municipal ways.

The municipality may require the contractor to obtain a satisfactory bond pursuant to 29-A MRSA § 2388 to cover the cost of any damage that might occur as a result of the overweight loads. If a bond is required, the exact amount of said bond should be determined prior to the use of any municipal way. The Maine DOT will assist in determining the amount of the bond if requested. A suggested format for a general construction overlimit bond is attached. A suggested format for a construction overlimit permit is also attached. This construction overlimit permit does not supersede rules that restrict the use of public ways, such as posting of public ways, pursuant to 29-A MRSA § 2395.

The maximum speed limit for trucks on any municipal way will be 25 mph (40 km per hour) unless a higher speed limit is specifically agreed upon, in writing, by the Municipal Officers.

**TOWN OF KENNEBUNKPORT**  
By the Municipal Officials

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Project WIN: 24039.00

**SPECIAL PROVISION 105**  
**CONSTRUCTION AREA**

A Construction Area located in the **Towns of Kennebunkport and Biddeford** has been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

The section of highway under construction in York County, WIN 24039.00 is on Route 9, beginning 0.04 mi. south of Beachwood Avenue in Kennebunkport and extending northerly 6.08 miles to 0.28 mi. south of Newton Road in Biddeford.

Per 29-A § 2382 (7) MRSA, the MDOT may "issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:

- A. Must be procured from the municipal officers for a construction area within that municipality;*
- B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:*

- (1) Withholding by the agency contracting the work of final payment under contract; or*
- (2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.*

*The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;*

- C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and*

- D. For construction areas, carries no fee and does not come within the scope of this section."*

The Municipal Officers for the **Towns of Kennebunkport and Biddeford** agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the "Construction Area".

As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 m per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

## GENERAL GUIDANCE

### CONSTRUCTION OVERLIMIT PERMIT AND BONDING

The Maine Bureau of Motor Vehicles (BMV) establishes requirements and standards for the permitting of non-divisible over dimensional and overweight vehicles and loads (collectively overlimit loads) on state roads. These state motor vehicle permits are available on-line. 29-A MRSA and Secretary of State Administrative Rules Chapters 155-157 apply. Additionally, municipalities and county commissioners may issue overweight permits for travel on municipal and county ways maintained by that municipality or county. These permits are typically single trip permits requiring vehicle registration data, intended route etc.

However, in this case we're dealing with *Construction Permits* involving overlimit loads in support of construction projects. According to 29-A MRSA § 2382 (7), a Construction Permit is a permit "*for a stated period of time that may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation*". According to 29-A § 2382 MRSA, the construction overlimit permit must be procured from the municipal officers for overweight loads on a municipal way in support of a construction project within that municipality.

By signing the attached agreement, the municipality agrees to issue construction overlimit permits to the MDOT construction contractor.

#### Frequently Asked Questions:

##### A. Why sign the document in advance of the actual construction contract?

Response: There are three primary reasons: First, to comply with 29-A § 2382. Second, to ensure that there are no surprises regarding the use of municipal roads by the Maine DOT contractor (to reasonably reduce risk and thus keep the cost of construction down) and third, to ensure the town is aware of its rights to control its own roads, and its rights to require a separate contractor's bond. (This is in addition to the Payment Bond and the Performance Bond the Maine DOT requires of the contractor).

##### B. Different roads may require different levels of scrutiny. How is a posted road handled?

Response: Despite the general construction overweight permit, the contractor cannot exceed the load limit on a posted municipal road without specific municipal permission. 29-A § 2395 MRSA notes that any ways requiring special protection (such as posted roads) will continue to be protected and overweight permits are superseded by such postings. In such a case the contractor would have to use an alternate route.

C. Is there any reason why the contractor cannot be held to indemnify and hold harmless the Municipality beyond the simple posting of a bond?

Response: The objective of our standard letter is to deal with overweight equipment and trucks on municipal ways during construction of an Maine DOT construction project. The bond merely provides a measure of protection against damage to municipal ways as a direct result of construction activity. Other areas of risk and indemnification are beyond the scope of our letter.

D. Are we required to obtain a bond?

Response: No. In fact, few municipalities have required a construction bond. It is a matter of risk management.

E. If used, what amount should be required on the bond?

Response: Previous MDOT letters used to speak about a maximum bond amount of \$14,000 / mile (\$9,000 / kilometer ) of traveled length, however 29-A § 2382 sets no maximum. The amount of the bond (if any bond is required at all) is based on the individual situation. The MDOT will assist in providing a bond amount estimate if so requested.

F. Why the blanket approval?

Response: The blanket approval we seek is the reasonable accommodation by the municipality to allow the Maine DOT contractor to use town ways (if required ) to haul overweight construction equipment and trucks. This theoretically gives the municipality and the MDOT time to discuss exceptions to a blanket approval. In general, this avoids unnecessary risks and saves money for all concerned in the long run.

G. Who determines the suitability of repairs?

Response: For municipal ways, the suitability of repairs may be determined by municipal officers. The MDOT will assist.

H. What is a non-divisible load?

Response: Per Chapter 157 (The Administration of Over-Dimension and Overweight Permits) under the Secretary of State administrative rules (See Rule Chapters for the Department of the Secretary of State on line), a non-divisible load is defined as: A load which, if separated into smaller loads or vehicles, would:

- 1) make it unable to perform the function for which it was intended;
- 2) destroy its value or;
- 3) require more than eight work hours to dismantle using appropriate equipment. Sealed oceangoing containers, spent nuclear materials in casks, and government-controlled military vehicles and their loads will be considered non-divisible

I. What is the standard for Overweight trucks and equipment?

Response: Overweight means a weight that exceeds the legal limits established in 29-A MRSA Chapter 21.

J. This is an unorganized township with no county or municipal roads. Why should I respond?

Response: Because of limited staff, we send out a standard letter to cover contingencies and minimize risk to the construction process. From time to time the letter may not have a practical application. In most cases of unorganized territories, the agreement is signed and returned as a matter of routine. This ensures that surprises will not be encountered after the start of construction regarding travel over municipal and county ways.

Additional tips:

False Information - Permit are invalidated by false information. A permit is invalidated by the violation of any condition specified by the terms of the permit or by false information given on the application. On evidence of such violation of falsification, the permittee may be denied additional permits.

Proper Registration - Overload permits do not relieve the registrants of vehicles from their obligations to properly register their vehicles in accordance with Motor Vehicle Laws.

Agent's Power of Attorney - If you do require a contractor's bond, make sure you have a copy of the Surety Agent's power of attorney authorizing the surety agent to sign for the surety. Keep the power of attorney with your duplicate original bond at the municipality. The contractor will also have a duplicate original.

Other bonds - The Maine DOT requires a payment bond and a performance bond of the contractor which is held against unsatisfactory performance on the part of the contractor for all construction projects over \$100,000. (The Miller Act (40 U.S.C. 270a-270f) normally requires performance and payment bonds for any federal aid construction contract exceeding \$100,000. 14 MRSA § 871 provides a similar requirement for state funded construction projects.) These bonds cover the proper performance of the contract and the payment of all employees, suppliers and subcontractors.

**SPECIAL PROVISION 105**  
**OVERLIMIT PERMITS**

**Title 29-A § 2382 MRSA Overlimit Movement Permits.**

1. **Overlimit movement permits issued by State.** The Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to move nondivisible objects having a length, width, height or weight greater than specified in this Title over a way or bridge maintained by the Department of Transportation
2. **Permit fee.** The Secretary of State, with the advice of the Commissioner of Transportation, may set the fee for single trip permits, at not less than \$6, nor more than \$30, based on weight, height, length and width. The Secretary of State may, by rule, implement fees that have been set by the Commissioner of Transportation for multiple trip, long-term overweight movement permits. Rules established pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.
3. **County and municipal permits.** A county commissioner or municipal officer may grant a permit, for a reasonable fee, for travel over a way or bridge maintained by that county or municipality
4. **Permits for weight.** A vehicle granted a permit for excess weight must first be registered for the maximum gross vehicle weight allowed for that vehicle.
5. **Special mobile equipment.** The Secretary of State may grant a permit, for no more than one year, to move pneumatic-tire equipment under its own power, including Class A and Class B special mobile equipment, over ways and bridges maintained by the Department of Transportation. The fee for that permit is \$15 for each 30-day period.
6. **Scope of permit.** A permit is limited to the particular vehicle or object to be moved, the trailer or semitrailer hauling the overlimit object and particular ways and bridges.
7. **Construction permits.** A permit for a stated period of time may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:
  - A. Must be procured from the municipal officers for a construction area within that municipality;
  - B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:
    - (1) Withholding by the agency contracting the work of final payment under contract; or

(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and

D. For construction areas, carries no fee and does not come within the scope of this section.

**8. Gross vehicle weight permits.** The following may grant permits to operate a vehicle having a gross vehicle weight exceeding the prescribed limit:

A. The Secretary of State, with the consent of the Department of Transportation, for state and state aid highways and bridges within city or compact village limits;

B. Municipal officers, for all other ways and bridges within that city and compact village limits; and

C. The county commissioners, for county roads and bridges located in unorganized territory.

**9. Pilot vehicles.** The following restrictions apply to pilot vehicles.

A. Pilot vehicles required by a permit must be equipped with warning lights and signs as required by the Secretary of State with the advice of the Department of Transportation.

B. Warning lights may be operated and lettering on the signs may be visible on a pilot vehicle only while it is escorting a vehicle with a permit on a public way.

With the advice of the Commissioner of Transportation and the Chief of the State Police, the Secretary of State shall establish rules for the operation of pilot vehicles.

**9-A. Police escort.** A person may not operate a single vehicle or a combination of vehicles of 125 feet or more in length or 16 feet or more in width on a public way unless the vehicle or combination of vehicles is accompanied by a police escort. The Secretary of State, with the advice of the Commissioner of Transportation, may require a police escort for vehicles of lesser dimensions.

A. The Bureau of State Police shall establish a fee for state police escorts to defray the costs of providing a police escort. A county sheriff or municipal police department may establish a fee to defray the costs of providing police escorts.

B. The Bureau of State Police shall provide a police escort if a request is made by a permittee. A county sheriff or municipal police department may refuse a permittee's request for a police escort.

C. A vehicle or combination of vehicles for which a police escort is required must be accompanied by a state police escort when operating on the interstate highway system.

**10. Taxes paid.** A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes. A municipality may waive the requirement that those taxes be paid before the issuance of a permit if the mobile home is to be moved from one location in the municipality to another location in the same municipality for purposes not related to the sale of the mobile home.

**11. Violation.** A person who moves an object over the public way in violation of this section commits a traffic infraction.

Section History:

PL 1993, Ch. 683, §A2 (NEW).

PL 1993, Ch. 683, §B5 (AFF).

PL 1997, Ch. 144, §1,2 (AMD).

PL 1999, Ch. 117, §2 (AMD).

PL 1999, Ch. 125, §1 (AMD).

PL 1999, Ch. 580, §13 (AMD).

PL 2001, Ch. 671, §30 (AMD).

PL 2003, Ch. 166, §13 (AMD).

PL 2003, Ch. 452, §Q73,74 (AMD).

PL 2003, Ch. 452, §X2 (AFF).



# MUNICIPAL OVERLIMIT PERMIT FOR CONSTRUCTION

MUNICIPALITY: \_\_\_\_\_

Phone: 207-\_\_\_\_\_; fax: 207-\_\_\_\_\_

## APPLICATION FOR OVERLIMIT PERMIT TO MOVE CONSTRUCTION EQUIPMENT AND LOADS IN EXCESS OF LEGAL LIMITS ON MUNICIPAL WAYS

Construction Time Period:

Per 29-A § 2382 (7) MRSA, application is hereby made to the MUNICIPALITY OF \_\_\_\_\_  
for An Overlimit Permit to move construction equipment, material, objects or loads in excess of legal limits over  
ways maintained by the MUNICIPALITY in support of construction operations for the following Maine DOT  
project

Project Description:

Project Identification Number (PIN):

NAME OF PERMITTEE (Construction Company):

STREET/P.O. BOX:

CITY:

STATE/PROV:

ZIP / POSTAL CODE:

PHONE:

FAX:

This object or load cannot be readily reduced to the legal limits.

Signed by:

(name & title)

Permit is granted. A copy of this signed permit will be provided to the permittee as prove of permit. This permit  
will automatically expire at the physical completion of the above construction project. The original permit will be  
held on file at the municipality.

Signed:

Municipal Official

BOND # \_\_\_\_\_

Date: \_\_\_\_\_

**MUNICIPAL CONSTRUCTION BOND**

KNOW ALL MEN BY THESE PRESENTS: That (name of construction firm) \_\_\_\_\_  
\_\_\_\_\_ and the Municipality of \_\_\_\_\_, as  
principal, and \_\_\_\_\_  
, a corporation duly organized under the laws of the State of \_\_\_\_\_ and having a  
usual place of business \_\_\_\_\_,  
as Surety, are held and firmly bound unto the Treasurer of the Municipality of  
\_\_\_\_\_ in the sum of  
\_\_\_\_\_ and 00/100 Dollars (\$) )  
to be paid said Treasurer of the Municipality of \_\_\_\_\_ or  
her/his successors in office, for which payment well and truly to be made, Principal and  
Surety bind themselves, their heirs, executors and administrators, successors and assigns,  
jointly and severally by these presents.

The condition of this obligation is such that if the Principal designated as Contractor in  
the Contract to construct Project Number \_\_\_\_\_ in the Municipality of  
\_\_\_\_\_ promptly and faithfully performs the Contract,  
without damage to the municipal ways, other than normal wear and tear; then this  
obligation shall be null and void; otherwise it shall remain in full force and effect.

However, if the Principal designated as Contractor causes damage to any municipal way  
beyond normal wear and tear, in the construction of the above project through the use of  
legal weight, legal dimension trucks or equipment; or overweight or over-dimension  
equipment or trucks (as defined in 29-A MRSA) on the municipal ways, then this bond  
may be used to guarantee that the contractor either repairs or pays for the damage caused  
by the use of its equipment or trucks. The degree of damage beyond normal wear and  
tear will be determined by municipal officials with the assistance of the Maine  
Department of Transportation.

The Surety hereby waives notice of any alteration or extension of time made by the Municipality.

Signed and sealed this ..... day of ....., 20....

WITNESS:

Signature.....  
Print Name Legibly .....  
.....

SIGNATURES:

CONTRACTOR:

.....  
Print Name Legibly .....  
.....

WITNESS:

Signature.....  
Print Name Legibly .....

SIGNATURES SURETY:

Signature.....  
Print Name Legibly .....

NAME OF LOCAL AGENCY: .....

ADDRESS .....

TELEPHONE .....

NAME OF SURETY

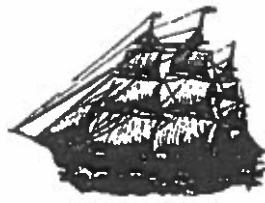
SURETY ADDRESS:.....

BOND # \_\_\_\_\_



# Agenda Item Divider





## KENNEBUNKPORT TOWN CLERK

**To:** Laurie Smith, Town Manager  
**From:** Tracey O'Roak, Town Clerk  
**Date:** March 4, 2019  
**Re:** Appointed Town Officers

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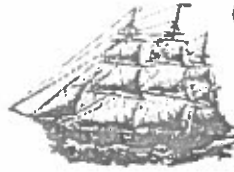
The following is a list of Town Officers to be appointed for the upcoming year. Please consider for the March 14<sup>th</sup> Selectmen's agenda. Thank you.

Animal Control Officer	<i>Vacant</i>
Assessor's Agent	Rebecca R. Nolette
Code Enforcement Officer	Werner D. Gilliam
Asst. Code Enforcement Officer	Gregory W. Reid
Asst. Code Enforcement Officer	Matthew K. Philbrick
Plumbing Inspector	Werner D. Gilliam
Asst. Plumbing Inspector	Gregory W. Reid
Asst. Plumbing Inspector	Matthew K. Philbrick
Constable	Tracey L. O'Roak
Emergency Management Director	Craig A. Sanford
Fire Inspector	John C. Everett
Harbor Master-Cape Porpoise	Christopher Mayo
Harbor Master-Kennebunk River	James Black
Health Officer	Alison Z. Kenneway
Deputy Health Officer	Angela Jenks
Public Access Officer	Tracey L. O'Roak
Registrar of Voters	Tracey L. O'Roak
Road Commissioner	Michael W. Claus
Shellfish Warden	Everett Leach
Street Naming & Numbering Delegate	James E. Burrows
Tax Collector	Laurie A. Smith
Town Clerk	Tracey L. O'Roak
Town Forester	Patrick A. Briggs
Treasurer	Jennifer L. Lord
Tree Warden	Patrick A. Briggs



# Agenda Item Divider





## KENNEBUNKPORT WASTEWATER DEPARTMENT

**Date:** 3/5/19

**To:** Laurie Smith

**CC:** Jen Lord

**From:** Chris Simeoni, Deputy Director Public Works

**Re:** Wastewater boiler/admin. building

As a result of our bid process, we have obtained several prices for the replacement of the boiler in the administrative building at the wastewater treatment plant. After receiving an estimate for the direct replacement of our waste oil boiler at a total of \$37,418.14, we contacted other heating contractors for options and pricing. All heating contractors were of the same opinion that a propane fired boiler was a better replacement option. The following is a table of bids by their respective contractors.

(Bids attached):

Contact Person	Company Name	American Made Price
Todd Atwood	Dirigo Waste Oil LLC	(Waste oil) \$37,418.14
Bill Perkins	Atlantic Comfort	\$22,583.00
Tom Littlefield	Garret Pillsbury	\$28,750.00
Mike Goulet	Jim Godbout Plumbing/Heating	\$29,500.00
Nathaniel Tripp	Haley's Metal Shop Inc.	\$29,570.00
	Air-Serv	Failed to respond

The low bidder was Atlantic Comfort at \$22,583.00. Based on pricing and past service with the town, I am recommending the contract be awarded to Atlantic Comfort. I'm looking to have this item placed on the agenda for the March 14<sup>th</sup> Selectmen's meeting to obtain approval for the purchase of these valves.

Thank you.



# Atlantic Comfort Systems, Inc.

Mechanical Contractors

March 6, 2019

Kennebunk Waste Water  
25 rec way  
Kennebunk Me

Atlantic Comfort Systems, Inc. is pleased to quote the following work.

- Provide & Install a replacement boiler
- Buderus 215-5 gas fired boiler
- Removal of old boiler
- Gas piping to outside customer supplied gas regulator
- Tie boiler venting into exsisting flue
- Complete piping of old boiler to new boiler
- Draining of oil line
- Fiberglass insulation to exposed copper piping
- Start up and test of system

Project Price: \$ 19,983.00

Bradford White 50 gal heat pump water heater  
Includes Electrical

Project Price: \$ 2,600.00(may qualify for \$750 rebate)

Excludes; Removal of oil tank , temp heat  
New boiler does not provide domestic hot water

Respectfully submitted,  
Bill Perkins  
General Manager

Term are 25% upon acceptance, billed upon progress, balance upon completion, net 10 days. If not paid indicated a 1.5% monthly service charge on over due balances will be applied plus legal fees for collection.

Customer Acceptance \_\_\_\_\_ Date \_\_\_\_\_



**National Society of  
Professional Engineers®**



Associate's Builders  
and Contractors







# Dirigo Waste Oil LLC

92 College Ave  
Waterville, ME 04901

Phone # 207 873 0881

Fax # 207 877 9701

dirigowasteoil@roadrunner.com

## ESTIMATE

Date	Estimate #
1/23/2019	31587

Bill To
Kennebunkport Sewage Dept PO Box 1038 Kennebunkport, ME 04046

Ship To
Kennebunkport Sewage Dept 25 R School St Kennebunkport, ME 04046

Project	Rep	Terms	
	GC	1/2 Down 1/2 On Completion	
Description		Qty	Total
Clean Burn CB350CTB waste oil(used-oil) boiler Includes metering oil pump, stand, boiler circulator, and accessories - Three-pass heat exchanger captures more heat for greater efficiency, Low-mass water design provides quick start-up and reduces stack heat loss. Patented burner engineered exclusively for waste oil combustion, pre-wired ready for installation - NO STAND OR CIRCULATOR		1	13,650.00T
Boiler Stand - 350CTB			
Circulator Pump - PL36 - CB350CTB		1	360.00T
Boiler materials including circulators, piping, commercial xtrol tank, smokepipe, oil line, air lines etc.		1	348.14T
Equipment rental		1	16,500.00T
Installation / Set-up Labor -		1	800.00T
		6	5,760.00
***Quote to swap out boiler and dispose of existing unit***			

ESTIMATE VALID FOR 30 DAYS UNLESS SPECIFIED ABOVE

Sign To Accept \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

Subtotal	\$37,418.14
Sales Tax (0.00)	\$0.00
<b>Total</b>	<b>\$37,418.14</b>



**To: Chris Simeoni**

**From: Garrett Pillsbury Plumbing & Heating**

**RE: Boiler Replacement at KPort Waste Water Facility**

We will supply and install a new propane boiler system to supply hot water to the existing heating system.

This includes the following:

- Remove the existing waste oil boiler.
- Install two Viessman CU3A-35 propane fired boilers with direct venting to the outside wall.
- Cascade control to alternate firing to even load for equal life span on each boiler.
- Install electric water heater for kitchen sink.
- Install gas piping to boiler from 1,000 gallon above ground tank located approximately 50' from building. (Must be located 25' from property line)
- This price assumes the use of all existing pumps and valves that are still in good working order.
- We will continue the use of the existing thermostats, and controlling system for each zone of heat.
- This price includes all labor, material and misc valves for installing the new boiler and connecting to the existing piping.
- All work is to be performed during regular business hours.
- Material taxes are not included. (Tax exempt)

Items Not Included:

- Any trenching
- Removal of the oil tanks
- Any carpentry related work
- Removal of the existing chimney

**Estimated Pricing: \$28,750.00**

**\*Payment terms: 33% down upon order with net due 25 days after completion.**

Thank you for the opportunity to provide you with this estimate.

**DATE OF PROPOSAL**

February 27, 2019

**PROPOSAL SUBMITTED TO:**

Kennebunkport Waste Water

PO Box 506

Kennebunkport, ME 04046

**PROJECT NAME**

Boiler Replacement

We are pleased to submit our proposal to supply labor and materials to replace one Clean Burn waste oil-fired boiler with two high-efficiency, modulating, propane boilers in the mechanical room in the Waste Water admin building located at 25 Recreation Way in Kennebunkport, ME.

Our work will include the following:

- Remove and dispose of the existing Clean Burn boiler, combustion air system, accessible flue pipe, circulator pump and all near boiler accessories.
- Provide and install three communicating, modulating Viessmann Vitocrossal 300 (CU3A-45) propane-fired boilers (95% AFUE) with integral outdoor reset and a 40 gallon indirect hot water heater (MS40).
- Provide and install a new Grundfos Magna3 circulator pump with ECM motor. This pump was designed to help save money when used with communicating boilers.
- Provide and install all new primary/secondary boiler piping, condensate piping and accessories.
- Provide and install all 3" intake and vent piping to the exterior of the building.
- Provide and install all necessary gas piping and valves from the boiler to the new gas regulator connection on the exterior of the building.
- Repair the concrete opening where the exterior louver has been removed.
- All work will be performed during regular business hours.

Also included are all applicable material taxes, a one-year warranty on the work performed and the equipment manufacturer's standard warranties.

**EXCLUSIONS:** All gas work on the exterior of the building, including the regulator(s), tank(s), underground piping and all exterior piping will be performed by the gas company at your expense.

**Project scope:** Anything not explicitly included in this proposal is to be considered beyond the scope of this proposal. We will confirm any additional charges with you before performing work that is beyond the scope of this proposal. If an element of the proposal has been omitted from this proposal, please advise prior to accepting so that we may amend our proposal.

If Haley's Metal Shop, Inc. suspects that asbestos needs to be removed, a sample must be tested by a licensed abatement contractor or testing agency to confirm its presence. If asbestos is determined to be present, removal must be done by a licensed abatement contractor. Haley's Metal Shop, Inc. will do the installation only after receiving written acknowledgement from the abatement contractor that the asbestos has been properly abated.

We propose to furnish the material and labor, as specified herein, for the sum of:

**\$29,570.00**

**Payment terms:** 33% down payment and net due thirty days from our invoice date with progressive billings.

**Note:** This proposal is valid for acceptance within 30 days from the date of this proposal.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Owner's Representative

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Nathaniel K. Tripp – HVAC Sales

MG

Jim Godbout Plumbing & Heating Inc.  
P.O. Box 365  
486 Elm St.  
Biddeford, Maine 04005  
207-283-1200 fax 207-283-2739  
[www.jimgodbout.com](http://www.jimgodbout.com)

February 12, 2019

Town of Kennebunkport Wastewater  
25 Recreational Way  
Kennebunkport ME 04046  
Christopher Simeoni <[csimeoni@kennebunkportme.gov](mailto:csimeoni@kennebunkportme.gov)>

**Replace existing oil-fired boiler with a modulating gas boiler**  
Disconnect and dispose of existing waste oil-fired boiler, existing venting and near boiler piping.  
Disconnect at tank and cap existing oil lines.

Install one **Viessmann B2HA100** high efficiency condensing natural gas boiler with Vitotronic control.

[http://www.viessmann-us.com/en/Commercial/Products/gas/Vitodens\\_200\\_Cascade.html](http://www.viessmann-us.com/en/Commercial/Products/gas/Vitodens_200_Cascade.html)  
Install low loss header with sensor, with Grundfos 26-150 boiler pump controlled by Viessmann controls.

This shall operate on constant circulation of Viessmann controller shutting off on warm weather shut down.

Use expansion tank, provide new low water cut off, boiler feeder and backflow prevention for new boiler.

Unit shall be installed in current mechanical room.

Existing pumps will be replaced by a single Grundfos Magna 40-80F

Boiler shall be sidewall vented.

All new piping shall be black iron and type M copper on heating system.

Install gas piping to the building regulator that is provided by propane tank setter/supplier.

System works on heating curve modulating boiler water on outside reset control.

Install condensate to building drain located in boiler room with condensate neutralizer.

MG

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P.O. Box 365

486 Elm St.

Biddeford, Maine 04005

207-283-1200 fax 207-283-2739

[www.jimgodbout.com](http://www.jimgodbout.com)

Price includes all low and line voltage wiring as well as complete start up and monitoring of system.

Install hydronic cleaner into system to flush impurities from system prior to start up.

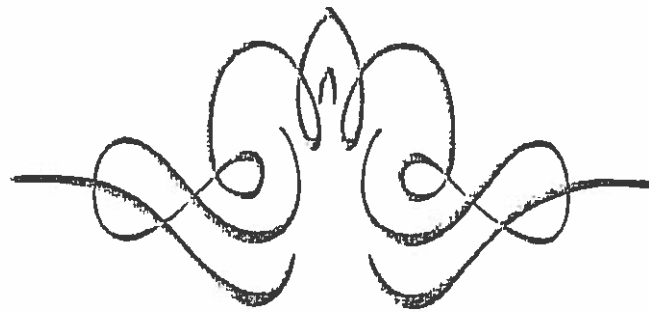
Install Fernox hydronic protector to system

No other work performed on any part of heat emitters in building, just connected to existing piping.

**Total Boiler proposal \$29,500.00**

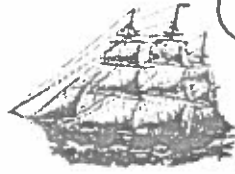
**Option to remove the existing waste oil tank and piping. \$1,850.00**

**Option to supply 1000-gallon above ground propane tank on pads and piped to the building.  
This option includes the first fill up. \$5,650.00**



# Agenda Item Divider





15

## KENNEBUNKPORT WASTEWATER DEPARTMENT

**Date:** 3/5/19

**To:** Laurie Smith

**CC:** Jen Lord

**From:** Chris Simeoni, Deputy Director Public Works

**Re:** Bond project- Headworks pump upgrade/Cape Porpoise valve replacement

As a result of our recent bid process for the headworks pump upgrade/ Cape Porpoise valve pump station valve replacement, we only received two responsive bidders. They were Atlantic Mechanical and T. Buck Construction. (Bids attached):

Contact Person	Company Name	American Made Price
Larry Paul	Atlantic Mechanical, Inc.	\$160,500.00
Terry Buck	T. Buck Construction	\$185,219.00

The low bidder was Atlantic Mechanical, Inc. at \$160,500.00. Based on pricing and thorough review of the bid submittal and company references by Wright-Pierce, I am recommending the contract be awarded to Atlantic Mechanical, Inc. I'm looking to have this item placed on the agenda for the March 14<sup>th</sup> Selectmen's meeting to obtain approval for the purchase of these valves.

Thank you.

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## ARTICLE 1 – BID RECIPIENT

- 1.01 This Bid is submitted to:  
*Town of Kennebunkport, c/o Paul Jessel*  
*P.O. Box 1038*  
*25 Recreation Way*  
*Kennebunkport, ME 04046*
- 1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

## ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS

- 2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

### ARTICLE 3 – BIDDER'S REPRESENTATIONS

- 3.01 In submitting this Bid, Bidder represents that:
- A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
<u>Addendum No.1</u>	<u>01-30-2019</u>
<u>Addendum No.2</u>	<u>02-12-2019</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

- E. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- F. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- G. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- H. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- I. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

#### **ARTICLE 4 – BIDDER’S CERTIFICATION**

##### **4.01 Bidder certifies that:**

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. “corrupt practice” means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
  - 2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
  - 3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
  - 4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

UNIT PRICE SCHEDULE

Item No.	Estimated Quantity	Brief Description of Item with Unit Price in Words	Unit Price In Figures	Total Estimated Price In Figures
1	Lump Sum	Construction of Wastewater Treatment Facility and Cape Square Pump Station Upgrades (Complete)		
		The sum of \$ <u>One hundred sixty thousand five hundred</u>		\$ <u>160,500</u>
		Per Lump Sum		

**TOTAL BID:** Total of Items 1 through 1 above.

One hundred sixty thousand five hundred (\$ 160,500)  
(use figures)

(use words)

**ARTICLE 6 – TIME OF COMPLETION**

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

**ARTICLE 7 – ATTACHMENTS TO THIS BID**

**[NTS: THE FOLLOWING ITEMS NEED TO BE EDITED TO SUIT PROJECT REQUIREMENTS AND COORDINATED WITH THE BID FORM]**

- 7.01 The following documents are submitted with and made a condition of this Bid:
- A. Required Bid security;
  - B. List of Proposed Subcontractors;
  - C. List of Project References;
  - D. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such license within the time for acceptance of Bids;
  - E. Contractor's License No.: #MS30004102 [or] Evidence of Bidder's ability to obtain a State Contractor's License and a covenant by Bidder to obtain said license within the time for acceptance of Bids;
  - F. Required Bidder Qualification Statement with supporting data; and
  - G. Signed Compliance Statement (Section 00406).
  - H. Signed Certification of Non-Segregated Facilities (Section SC-40).
  - I. Maine DEP Form 6100-4, "DBE Subcontractor Utilization Form"
  - J. Maine DEP Form 6100-3, "DBE Subcontractor Performance Form" for each proposed DBE subcontractor.

**ARTICLE 8 – DEFINED TERMS**

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

BIDDER: *[Indicate correct name of bidding entity]*

Atlantic Mechanical Inc

By:

*[Signature]*



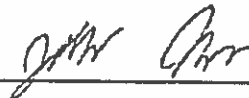
*[Printed name]*

Larry Paul

*(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)*

Attest:

*[Signature]*



*[Printed name]*

Jericho Adler

Title:

Estimator

Submittal Date:

02-20-2019

Address for giving notices:

Industrial Park Road B, Box 30 P.O. Box 140, Woolwich ME, 04579

Telephone Number:

207-386-0556

Fax Number:

207-386-0590

Contact Name and e-mail address:

Jericho Adler

Jericho@atlanticmechanicalinc.com

Bidder's License No.:

(where applicable)

SECTION 00405

QUALIFICATIONS STATEMENT

THE INFORMATION SUPPLIED IN THIS DOCUMENT IS CONFIDENTIAL TO THE EXTENT  
PERMITTED BY LAWS AND REGULATIONS

1. SUBMITTED BY:

Official Name of Firm: Atlantic Mechanical Inc

Address: Industrial Park Road B, Box 30 P.O. Box 140  
Woolwich ME, 04579

2. SUBMITTED TO: Town of Kennebunkport, c/o Paul Jessel

3. SUBMITTED FOR: Wastewater Treatment Facility & Pump Station Upgrades

Owner: Town of Kennebunkport

Project Name: Wastewater Treatment Facility & Pump Station Upgrades

TYPE OF WORK: Replacement of existing pumps and valves. Installation of  
new monorail track and hoist system.

4. CONTRACTOR'S CONTACT INFORMATION

Contact Person: Jericho Adler

Title: Estimator

Phone: 207-386-0556

Email: Jericho@atlanticmechanicalinc.com

5. AFFILIATED COMPANIES:

Name:

Address:

6. TYPE OF ORGANIZATION:

☐ SOLE PROPRIETORSHIP

Name of Owner:

Doing Business As:

Date of Organization:

☐ PARTNERSHIP

Date of Organization:

Type of Partnership:

Name of General Partner(s):

☒ CORPORATION

State of Organization:

Maine

Date of Organization:

1988

Executive Officers:

- President:

Larry Paul

- Vice President(s):

- Treasurer:

- Secretary:

\_\_\_\_\_

☐ **LIMITED LIABILITY COMPANY**

State of Organization:

\_\_\_\_\_

Date of Organization:

\_\_\_\_\_

Members:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ **JOINT VENTURE**

State of Organization:

\_\_\_\_\_

Date of Organization:

\_\_\_\_\_

Form of Organization:

\_\_\_\_\_

Joint Venture Managing Partner

- Name:

\_\_\_\_\_

- Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Joint Venture Managing Partner

- Name:

\_\_\_\_\_

- Address:

\_\_\_\_\_

\_\_\_\_\_

Joint Venture Managing Partner

- Name:

\_\_\_\_\_

- Address:

\_\_\_\_\_



7. LICENSING

Jurisdiction: Maine

Type of License: Masters

License Number: #MS30004102

Jurisdiction: \_\_\_\_\_

Type of License: \_\_\_\_\_

License Number: \_\_\_\_\_

8. CERTIFICATIONS

CERTIFIED BY: \_\_\_\_\_

Disadvantage Business Enterprise: \_\_\_\_\_

Minority Business Enterprise: \_\_\_\_\_

Woman Owned Enterprise: \_\_\_\_\_

Small Business Enterprise: \_\_\_\_\_

Other ( Veteran Owned Small Business ): U.S VA

9. BONDING INFORMATION

Bonding Company: Skilling & Shaw

Address: 485 Main Street, Lewiston Maine

Bonding Agent: Heidi Rodzen

Address: 485 Main Street, Lewiston Maine

Contact Name: \_\_\_\_\_

Phone: 207-753-7300

Aggregate Bonding Capacity: \$5 Million

Available Bonding Capacity as of date of this submittal: \$5 Million

**10. FINANCIAL INFORMATION**

Financial Institution: Camden National

Address: 52 Bath RD, Wiscasset ME, 04578

Account Manager: Vickie Herson

Phone: 207-882-7571

**11. CONSTRUCTION EXPERIENCE:**

**Current Experience:**

List on Schedule A all uncompleted projects currently under contract (If Joint Venture list each participant's projects separately).

**Previous Experience:**

List on Schedule B all projects completed within the last 5 Years (If Joint Venture list each participant's projects separately).

Has firm listed in Section 1 ever failed to complete a construction contract awarded to it?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Has any Corporate Officer, Partner, Joint Venture participant or Proprietor ever failed to complete a construction contract awarded to them in their name or when acting as a principal of another entity?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Are there any judgments, claims, disputes or litigation pending or outstanding involving the firm listed in Section 1 or any of its officers (or any of its partners if a partnership or any of the individual entities if a joint venture)?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

**12. SAFETY PROGRAM:**

Name of Contractor's Safety Officer: Brian Piontkowski

Include the following as attachments:

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) OSHA No. 500- Log & Summary of Occupational Injuries & Illnesses for the past 5 years.

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all OSHA Citations & Notifications of Penalty (monetary or other) received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all safety citations or violations under any state all received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

Provide the following for the firm listed in Section V (and for each proposed Subcontractor furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) the following (attach additional sheets as necessary):

Workers' compensation Experience Modification Rate (EMR) for the last 5 years:

YEAR	<u>2015</u>	EMR	<u>1.34</u>
YEAR	<u>2016</u>	EMR	<u>.85</u>
YEAR	<u>2017</u>	EMR	<u>.88</u>
YEAR	<u>2018</u>	EMR	<u>.89</u>
YEAR	<u>2019</u>	EMR	<u>.87</u>

Total Recordable Frequency Rate (TRFR) for the last 5 years:

YEAR	<u>2015</u>	TRFR	<u>0</u>
YEAR	<u>2016</u>	TRFR	<u>0</u>
YEAR	<u>2017</u>	TRFR	<u>0</u>
YEAR	<u>2018</u>	TRFR	<u>0</u>
YEAR	<u>2019</u>	TRFR	<u>0</u>

Total number of man-hours worked for the last 5 Years:

YEAR	<u>2015</u>	TOTAL NUMBER OF MAN-HOURS	<u>6700</u>
YEAR	<u>2016</u>	TOTAL NUMBER OF MAN-HOURS	<u>6100</u>
YEAR	<u>2017</u>	TOTAL NUMBER OF MAN-HOURS	<u>10000</u>
YEAR	<u>2018</u>	TOTAL NUMBER OF MAN-HOURS	<u>10000</u>
YEAR	<u>2019</u>	TOTAL NUMBER OF MAN-HOURS	<u>1400</u>

Provide Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) Days Away From Work, Days of Restricted Work Activity or Job Transfer (DART) incidence rate for the particular industry or type of Work to be performed by Contractor and each of Contractor's proposed Subcontractors and Suppliers) for the last 5 years:

YEAR	<u>2015</u>	DART	<u>0</u>
YEAR	<u>2016</u>	DART	<u>0</u>
YEAR	<u>2017</u>	DART	<u>0</u>
YEAR	<u>2018</u>	DART	<u>0</u>
YEAR	<u>2019</u>	DART	<u>0</u>

### 13. EQUIPMENT:

#### MAJOR EQUIPMENT:

List on Schedule C all pieces of major equipment available for use on Owner's Project.

Atlantic Mechanical Inc  
Equipment Inventory January 19, 2019

Description	Qty	Make	Model	Mfg Year	Mileage	Hours	Serial #	Acq Date	Unit Value	Total Value
Air conditioner (temp) Multi Aqua A/H 5 ft	1			2005				3/25/05	\$200	\$200
Anchors - 150# mushroom	2			2002					\$50	\$100
Anchors - 75# mushroom	4			2002					\$50	\$200
Backhoe/Loader	1	John Deere	410G	2005		722.5	T0410GX944398	11/17/05	\$40,000	\$40,000
Sack - 1cy canvas bag with hoisting eyes	10								\$5	\$50
Barriers - Jersey	4								\$100	\$400
Barriers - Traffic barrels	7								\$30	\$210
Barriers - Traffic barrels, rubber base	13								\$10	\$130
Barriers - Traffic cones	10								\$20	\$200
Barriers - Type 2 A frames	10								\$20	\$200
Beam safes - Senco	12							5/22/04	\$20	\$240
Cement hopper - 1yd. portable w/ dump	1								\$100	\$100
Chain - 2-legged	2							5/22/04	\$125	\$250
Chain - Anchor 50' (1 per anchor)	4								\$50	\$200
Chain - Anchor 50# (1 per anchor)	1								\$50	\$50
Chain - Anchor 75# (1 per anchor)	3								\$50	\$150
Chipping hammer	3							5/22/04	\$125	\$375
Compactor - plate	1	Mikasa	MVH 302G				A1775	5/22/99	\$1,500	\$1,500
Compressor - Portable Air 1/3 HP	1	Air-O-Jet					X2-14-648306		\$50	\$50
Compressor - Portable Air 185CFM	1	AtlasCopco	XAS 90 JD	1995		4585	HOL 602023		\$1,500	\$1,500
Compressor - Portable Air 185CFM	1	AirMan	PDS 1855			1470			\$3,000	\$3,000
Compressor - Portable Air 3HP	1	Craftsman	MO6340				28733340		\$100	\$100
Concrete curing box - Stainless steel 2'x4'	1	Curamold	6BA						\$1,000	\$1,000
Container - 8' x 20' storage	5		8x20	1995					\$500	\$2,500
Dozer Crawler Tractor	1	CAT	D3C111	1997		1853	65L02268	11/5/04	\$20,000	\$20,000
Drill - 3/4" electric	1	Milwaukee					6717789		\$250	\$250
Drill - 60# Air Hammer (rock drill)	1							5/22/04	\$500	\$500
Drill - IR Air	1							5/22/04	\$700	\$700
Drill - power (gas)	1	Stihl	BT45	2007				4/7/07	\$200	\$200
Drill - Mag	2	Milwaukee	4270-20	2008				4/7/08	\$400	\$800
Electrical - Temporary service	2								\$500	\$1,000
Excavator 200 class	1	Hitachi	ZX200	2006		1590	FF00ARH310964	9/17/07	\$75,000	\$75,000
Excavator 130G class	1	John Deere	130G	2018		200		12/31/17	\$160,000	\$160,000
Excavator - bucket	1							11/5/04	\$1,000	\$1,000
Fire Extinguishers - dry foam	2								\$50	\$100
Fire Extinguishers - CO2	1								\$50	\$50
Fan - General 12" blower	1		EP12AC				25808	5/22/04	\$100	\$100
Floats - 48" magnesium, concrete	1								\$50	\$50
Fuel tank - 75 gal portable (yellow w/pump)	1						Ab470532		\$100	\$100
Fuel Tank - 100 gal truck mount w/pump	1	Fill Rite							\$250	\$250
Forms - Concrete, Aluminum	1	Vestant/Precise		2005				6/29/05	\$25,000	\$25,000
Generator - 3500W	1	Craftsman	58032725				1727925		\$200	\$200
Generator - 5500W	1	B&G	09803-2				4508193		\$600	\$600
Grinder	1	AEG	WSC2300				255515		\$150	\$150
Hammer - Drop w/flying leads	1								\$1,000	\$1,000
Hammer - Drop	2								\$500	\$1,000
Hammer - Impact	1	Stanley	40EX					6/27/05	\$20,000	\$20,000
Hammer - Vibratory	1	HPSI	130L	2000		2897	62198	7/1/05	\$40,000	\$40,000
Heater - 150,000 BTU Kerosene	1								\$75	\$75
Heater - 75,000 BTU Diesel	1			2010				7/2/05	\$100	\$100
Hose - suction, 20', for 4" portable water	2								\$75	\$150
Jack - 20-30 Ton	1							5/22/04	\$50	\$50
Jack Hammer - 60#	1							5/22/04	\$400	\$400
Jack stand for pneumatic hammers	1							5/22/04	\$10	\$10
Jacks - 1-ton station	2								\$75	\$150
Ladder - 12' extension (24' length)	1	Werner	D6224-2						\$25	\$25
Ladder - 14' extension (28' length)	1	Werner	D6228-2						\$50	\$50
Ladder - 6' step	1								\$50	\$50
Ladder - 8' step	1								\$75	\$75
Level - Geotop auto 20X	1							5/22/04	\$100	\$100
Light plant - IR26	1	IR	D905	2000		2642	YL7285	11/5/04	\$3,000	\$3,000
Loader - Compact Track	1	John Deere	CT322	2005?		308	T0322TB117203		\$15,000	\$15,000
Office, Field	1	MT		2018				7/10/05	\$15,000	\$15,000
Outboard motor - 15HP	1	Johnson	15R78B	1980			E4853618		\$500	\$500
Outboard motor - 40 HP	1	Yamaha		2017					\$3,500	\$3,500
Outboard motor - 9.9HP	1	Yamaha		2012		10			\$1,000	\$1,000
Pipe Hangers - 4"	18								\$10	\$180
Pipe Stand - 2000#	2								\$75	\$150
Plank - Aluminum 20' x 24"	10								\$300	\$3,000
Plank - Aluminum pick walk 24' x 20"	2	Kicker						5/22/04	\$200	\$400
Pressure Washer	1	Honda	GX390	2005					\$250	\$250
Pump - 2" Submersible	2	Tsurumi	LB-480A	2010				7/2/05	\$300	\$600

Item	QTY	Brand	Model	Year	Unit Cost	Total Cost
Pump - 2 1/2" Submersible	1	William Johnson			\$400	\$400
Pump - 2" Submersible	1	Flyght			\$300	\$300
Pump - 3" Submersible	1	Flyght			\$800	\$800
Safety Block - Fall protection, 20' lead	1				\$100	\$100
Saw - chain	1	Stihl	270	2008	5/22/04	\$100
Saw - chop	1	Hitachi	C8FB2	2007	10/1/08	\$750
Saw - power	1	Makita	7300	2005	6/1/07	\$250
Saw - power	1	Stihl		2008	9/14/05	\$250
Saw - power	1	Husqvarna		2017	11/1/08	\$750
Screed - Concrete 12' razorback	1				\$3,000	\$3,000
Screed - Concrete 5' razorback	1				\$100	\$100
Screed - Concrete 2 5' razorback	2				\$100	\$100
Screed - Concrete 7 5' razorback	2				\$100	\$200
Screed - Concrete 10'	1				\$100	\$200
Screed - Concrete 2'	1				\$100	\$100
Sign Posts - 10' post, steel	23				\$50	\$50
Sign Posts - 42" base, steel	23				\$5	\$115
Sign Posts - 6' post, steel	2				\$5	\$115
Sign Posts - 8' post, steel	2				\$5	\$10
Sign Posts - Type 1 Easel	5				\$5	\$10
Signs - '25 MPH' 24"x24"	2				\$25	\$125
Signs - 'Be prepared to stop' 48"x48"	2				\$10	\$20
Signs - 'Detour' 30" x 24" Ahead	1				\$10	\$20
Signs - 'Detour' 30" x 24" Left arrow	4				\$10	\$10
Signs - 'Detour' 30" x 24" Right arrow	1				\$10	\$40
Signs - 'Detour Ahead' 48"x48"	2				\$10	\$10
Signs - 'Detour' Left 18" x 48"	2				\$10	\$20
Signs - 'Detour' Right 18" x 48"	2				\$10	\$20
Signs - 'End Detour' 18" x 24"	2				\$10	\$20
Signs - 'End Road Work' 48"x24"	2				\$10	\$20
Signs - 'Granite St Bridge Closed' 30"x48"	5				\$10	\$20
Signs - 'Granite St Bridge Closed-dale' 30"x48"	3				\$5	\$25
Signs - 'Granite Street' 30"x48"	7				\$5	\$15
Signs - 'One Lane Detour' 48"x48"	2				\$5	\$35
Signs - 'One Lane Road Ahead' 48"x48"	2				\$10	\$20
Signs - 'Pavement Ends' 24"x30"	2				\$10	\$20
Signs - 'Pavement Ends' 48"x48"	2				\$10	\$20
Signs - 'Road closed 1 mile ahead, LTO'	2				\$10	\$20
Signs - 'Road closed 1/4 mile ahead, LTC'	2				\$10	\$20
Signs - 'Road Closed 1000 Ft' 48"x48"	2				\$10	\$20
Signs - 'Road Closed' 30"x48" on easel	4				\$10	\$20
Signs - 'Road Closed 500 Ft' 48"x48"	2				\$10	\$40
Signs - 'Road Closed Ahead' 48"x48"	2				\$10	\$20
Signs - 'Road Work 1000 Ft' 48"x48"	2				\$10	\$20
Signs - 'Road Work 500 Ft' 48"x48"	2				\$10	\$20
Signs - 'Road Work Ahead' 48"x48"	2				\$10	\$20
Signs - 'Shoulder work' 48"x48"	2				\$10	\$20
Signs - 'Stop here on red' 36"x24"	2				\$10	\$20
Signs - 'Stop light marker' 48"x48"	2				\$10	\$20
Signs - 'Work Area' 48"x48"	1				\$10	\$20
Signs - 'Work Area Ahead' 48"x48"	2				\$10	\$10
Signs - worker picture 48"x48"	4				\$10	\$20
Spreader bar - 18-ton 40' long	1				\$10	\$40
Staging - pipe	6				\$1,000	\$1,000
Staging - castors	4				\$55	\$330
Staging - outriggers	2				\$30	\$120
Staging - planks	5				\$25	\$50
Steel - misc inventory	1				\$80	\$400
Steel - Sheeting	25	PZ-27	dbls		\$10,000	\$10,000
Storage box - Job Box	2				\$20,000	\$20,000
Storage rack	1				11/5/04	\$50
Tool box - 2' x 4' x 27"	1	Greenlee			11/8/04	\$50
Trailer - 40' box	1				\$250	\$250
Trailer - Tag 20-ton	1	Eager Beaver	20 XPT	2004	\$700	\$700
Trailer - Flat bed equipment trailer 16'x76"	1	Conpro		2017	\$14,500	\$14,500
Truck - Boom 39 Ton Manlift - 30120C	1	ICV	T300	2017	\$7,500	\$7,500
Truck - Dump Mack	1	Mack	R06885	1999	\$299,000	\$299,000
Truck - 2 Ton F-450	1	Ford	F-450	2017	\$20,000	\$20,000
Truck - 1/2 Ton F-150	1	Ford	F150	2012	\$45,000	\$45,000

Band saw shop	1	Ramco	RS100P	2008	\$1,200
Sandblaster	1	Marec		2005	\$1,200
Pumpjacks	4			2007	\$50
Oxygen / acetylen cutting outfit	1			2010	\$100
Pipe threader electric	1	Ridgid		2008	\$500
Trench box alum num	1				\$2,500
Total Value					\$903,230





# ATLANTIC MECHANICAL INC. – COMPLETED PROJECTS

Class of Work	Dollar Value	Date:	Firm Name/Street City/State/Zip	Contact Person	Telephone Number
Marine Concrete and Pier Repairs, USCG Station Rockland Maine	\$3,400,000	2017-2018	USCG Civil Engineering Unit	Jeff Grantham	401-824-4731
3,500lf 18 inch intake line and structure. Casco Fish Hatchery.	\$247,000	7/17/17	H.B. Fleming South Portland	Scotty Linscott	207-799-8514
Seabright Dam Gate replacement	\$50,000	6/16/16	Town of Camden WWTF	Dave Bolstridge	207-236-7955
Mechanical System Upgrades.	\$2,300,000	10/2017	MRRA Aviation Services Brunswick ME	Marty McMahon	207-725-9701
Ocean Street Bridge Replacement	\$498,000	12/2017	Ogunquit Maine	Barney Baker Dan Bannon	207-846-9724
Mechanical Sys Upgrade Penobscot Narrows Bridge	\$30,000	5/2016	MDOT	Wayne Arsenault	207-557-2133
Structural steel replacement and pile driving	\$254,000	Winter 2015/16	Barnacle Billy's 50 Perkins Cove Rd. Ogunquit, Maine	William Tower	207-251-2214
Fishway replacement, Nequasset Dam		10/2014	Bath Water District 1 Lambard St. Bath, Maine 04530	Stephanie Hubbard Wright Pierce	207-725-8721
Intake Line and Structure Replacement		11/2014	Town of Sunapee NH 23 Edgemont Rd. Sunapee, NH. 03782	Charlie Hirshberg CLD Engineers	802-698-0370
Clarifier Upgrade		9/2014	Downeast Correctional Fac. 64 Base Road Machaisport, ME. 04655	Nate Gustafson Travis Noyes CES Inc.	207-989-4824
Marine – Pier rehab		5/2014	Town of Saco 351 North Street Saco, ME. 04072	Barney Baker	207-846-9724
Bridge – Bethel Point Road		11/13	Town of Harpswell	Kristi Eiana	207-833-5771
Bridge – Reed Street over RR		10/12	MDOT	Sterling Paul	207 592-1165
Marine Access Terminal, Boston Head Light,		8/2010	U.S. Department of Homeland Security 5505 Robin Hood Rd. Norfolk, VA 23513	Lou Vinciguerra P.E. PM.	(757)-667-1120

Marine-Pier Repairs USCG Station New Castle, NH		4/2010	United States Coast Guard 300 Metro Center Blvd Warwick, RI 02886	Noah Elwood P.E. Appledore Engineering	(603) 957-1270
AHU Replaced USCG Station Southwest Harbor, ME		10/2009	United States Coast Guard 300 Metro Center Blvd Warwick, RI 02886	Gary Hills Contracting Officer	(207) 244-4221
Marine-Floating Dock Removal, USCG Bristol, RI		7/2009	United States Coast Guard 300 Metro Center Blvd Warwick, RI 02886	Dan Walker Contract Specialist	(401) 736-1764
	10/2008	United States Coast Guard 300 Metro Center Blvd Warwick, RI 02886	Jeff Grantham Inspector	(401) 824-4731	
	11/2007	Town of Bristol 316 US Route 1 York, ME 03909	Rob Ricard, P.E.	(207) 363-0669 Ext. 13	
	7/2007	Town of Brunswick 9 Industry Road Brunswick, ME 04011	John Foster Director of Public Works	(207) 725-6654	
	5/2007	Town of Yarmouth 200 Main Street Yarmouth, ME 04096	Steve Hallowell Wright- Pierce Engineers	(207) 769-2991	
	4/2006	USF&W Craig Brook National Fish Hatchery	Dave Theis, PM	(207)-469-7300 x230	

# ATLANTIC MECHANICAL INC. – CURRENT PROJECTS

## Schedule "A"

	Class of Work	Date:	Firm Name/Street City/State/Zip	Contact Person	Telephone Number
\$2,300,000	Pump Station Upgrades	2018/19	Freeport Sewer District	Dan Marks Hoyle Tanner	207-844-8102
\$900,000	Clarifier Rehab	2018/19	South Portland	Tim Parks	767-7675
\$3,350,000	Facility Rehabilitation, USCG Station Rockland, Maine	10/17	Department of Homeland Security. USCG	Dan Walker, Contracting Officer	401-736-1764 Daniel.B.Walker @uscg.mil
	Marine and Facility Repairs	On going	Bowdoin College	Jeff Tuttle	207-725-3071 jtuttle@bowdoi n.edu

I HEREBY CERTIFY THAT THE INFORMATION SUBMITTED HERewith, INCLUDING ANY ATTACHMENTS, IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME OF ORGANIZATION: Atlantic Mechanical Inc

BY: Jericho Adler

TITLE: Estimator

DATED: 02-19-2019

NOTARY ATTEST:

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 21 DAY OF FEBRUARY, 2019

NOTARY PUBLIC - STATE OF MAINE

MY COMMISSION EXPIRES: 3/9/2024

Lisa A. Hattery, Notary Public  
State of Maine  
My Commission Expires 2/21/2019



REQUIRED ATTACHMENTS

1. Schedule A (Current Experience).
2. Schedule B (Previous Experience).
3. Schedule C (Major Equipment).
4. Audited balance sheet for each of the last 3 years for firm named in Section 1.
5. Evidence of authority for individuals listed in Section 7 to bind organization to an agreement.
6. Resumes of officers and key individuals (including Safety Officer) of firm named in Section 1.
7. Required safety program submittals listed in Section 13.
8. Additional items as pertinent.

SECTION 00406COMPLIANCE STATEMENT

## EXECUTIVE ORDER 11246

Date: 02-19-2019

This statement relates to a proposed contract with the \_\_\_\_\_, who expects to finance the contract with assistance from an agency of agencies of the United States Government. I am the undersigned bidder or prospective contractor. I represent that ----

1. I ☒ have, ( ) have not, participated in a previous contract or subcontract subject to Executive Order 11246 (regarding equal employment opportunity) or a preceding similar Executive Order.
2. If I have participated in such a contract or subcontract, I ☒ have, ( ) have not, filed all compliance reports that I have been required to file in connection with the contract or subcontract.

I understand that if I have failed to file any compliance reports that have been required of me, I am not eligible and will not be eligible to have my bid considered or to enter into the proposed contract unless and until I make an arrangement regarding such reports that is satisfactory to the office where the reports are required to be filed.



\_\_\_\_\_  
Signature of Bidder or Prospective Contractor

Address: Industrial Park Road B, Box 30 P.O. Box 140  
Street, P.O. Box, etc.

Woolwich ME, 04579  
City, State and Zip Code

(This page to be completed by the Bidder and submitted with his Bid Form)

END OF SECTION

SECTION 00410

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER(Name and Address:  
 ATLANTIC MECHANICAL, INC.  
 P.O. BOX 140 WOOLWICH INDUSTRIAL PARK 30 ROAD B  
 WOOLWICH, ME 04579

SURETY(Name, and Address of Principal Place of Business  
 UNITED STATES FIRE INSURANCE COMPANY  
 305 MADISON AVENUE  
 MORRISTOWN, NJ 07962

OWNER(Name and address:  
 Town of Kennebunkport  
 P.O. Box 103  
 Kennebunkport, ME 04046

BIC

Bid Due Date FEBRUARY 21, 2019  
 Description(Project Name) Include Location:

WWTF & CAPE SQUARE PUMP STATION UPGRADES  
 KENNEBUNKPORT, ME

BOND

Bond Number ATLANTIC247

Date: FEBRUARY 19, 2019

Penal sum FIVE PERCENT OF ATTACHED BID \$ 5%  
 (Words) (Figures)

Surety and Bidder, intending to be fully bound hereby, subject to the terms set forth below, do each of this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER	SURETY
ATLANTIC MECHANICAL, INC. (Seal)	UNITED STATES FIRE INSURANCE COMPANY (Seal)
Bidder's Name and Corporate	Surety's Name and Corporate

By: [Signature]  
 Signature

By: [Signature]  
 Signature (Attach Power of Attorney)

LARRY PAUL  
 Print Name

JOLINE L. BINETTE  
 Print Name

PRES.  
 Title

ATTORNEY-IN-FACT  
 Title

Attest: [Signature]  
 Signature

WITNESS [Signature]  
 Signature

Title

Title

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
  - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
  - 3.2 All Bids are rejected by Owner, or
  - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set

**PENAL SUM FORM**

forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.

11. The term fiBidfi as used herein includes a Bid, offer, or proposal as applicable.



POWER OF ATTORNEY  
UNITED STATES FIRE INSURANCE COMPANY  
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY

01378414319

KNOW ALL MEN BY THESE PRESENTS: That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint:

*Heidi Rodzen, Robert E. Shaw, Jr., Joline L. Binette, Melanie A. Bonnevie*

each, its true and lawful Attorney(s)-In-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties not exceeding: Seven Million, Five Hundred Thousand Dollars (\$7,500,000).

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney revokes all previous Powers of Attorney issued on behalf of the Attorneys-In-Fact named above and expires on January 31, 2020.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 10<sup>th</sup> day of March, 2016.



UNITED STATES FIRE INSURANCE COMPANY

*A. R. Slimowicz*

Anthony R. Slimowicz, Executive Vice President

State of New Jersey)  
County of Morris )

On this 10<sup>th</sup> day of March 2016, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.

SONIA SCALA  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES 3/25/2019

Sonia Scala

*Sonia Scala*

(Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 19<sup>TH</sup> FEBRUARY 2019 day of UNITED STATES FIRE INSURANCE COMPANY



*Al Wright*

Al Wright, Senior Vice President



# T-Buck Construction

00310-1

## SECTION 00310

### BID FORM

PROJECT IDENTIFICATION: Wastewater Treatment Facility & Pump Station Upgrades

THIS BID IS SUBMITTED TO: Town of Kennebunkport, c/o Paul Jessel  
P.O. Box 1038  
25 Recreation Way  
Kennebunkport, ME 04046

14227A

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**ARTICLE 1 – BID RECIPIENT**

- 1.01 This Bid is submitted to:

*Town of Kennebunkport, c/o Paul Jessel*

*P.O. Box 1038*

*25 Recreation Way*

*Kennebunkport, ME 04046*

- 1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

**ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS**

- 2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

**ARTICLE 3 – BIDDER'S REPRESENTATIONS**

- 3.01 In submitting this Bid, Bidder represents that:

- A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
<u>1</u>	<u>1.30.19</u>
<u>2</u>	<u>2.12.19</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

- E. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- F. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- G. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- H. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- I. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

#### ARTICLE 4 – BIDDER'S CERTIFICATION

##### 4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
  - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
  - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
  - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

UNIT PRICE SCHEDULE

Item No.	Estimated Quantity	Brief Description of Item with Unit Price in Words	Unit Price In Figures	Total Estimated Price In Figures
1	Lump Sum	Construction of Wastewater Treatment Facility and Cape Square Pump Station Upgrades (Complete)		
		The sum of \$ <u>One Hundred Eighty</u>		<u>\$ 185,219.00</u>
		<u>Five Thousand Two Hundred Nineteen dollars</u>		
		Per Lump Sum		

**TOTAL BID:** Total of Items 1 through 1 above.

One Hundred Eighty Five Thousand Two (\$ 185,219.00 )  
(use figures)  
Hundred Nineteen dollars  
(use words)

**ARTICLE 6 – TIME OF COMPLETION**

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

**ARTICLE 7 – ATTACHMENTS TO THIS BID**

**[NTS: THE FOLLOWING ITEMS NEED TO BE EDITED TO SUIT PROJECT REQUIREMENTS AND COORDINATED WITH THE BID FORM]**

- 7.01 The following documents are submitted with and made a condition of this Bid:
- ~~A.~~ Required Bid security;
  - ~~B.~~ List of Proposed Subcontractors;
  - ~~C.~~ List of Project References;
  - D. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such license within the time for acceptance of Bids;
  - E. Contractor's License No.: \_\_\_\_\_ [or] Evidence of Bidder's ability to obtain a State Contractor's License and a covenant by Bidder to obtain said license within the time for acceptance of Bids;
  - ~~F.~~ Required Bidder Qualification Statement with supporting data; and
  - ~~G.~~ Signed Compliance Statement (Section 00406).
  - ~~H.~~ Signed Certification of Non-Segregated Facilities (Section SC-40).
  - ~~I.~~ Maine DEP Form 6100-4, "DBE Subcontractor Utilization Form"
  - ~~J.~~ Maine DEP Form 6100-3, "DBE Subcontractor Performance Form" for each proposed DBE subcontractor.

**ARTICLE 8 – DEFINED TERMS**

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.



ARTICLE 9 – BID SUBMITTAL

BIDDER: *(Indicate correct name of bidding entity)*

Thack Construction, Inc

By:

*(Signature)*

Yancy Bude

*(Printed name)*

Yancy Bude

*(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)*

Attest:

*(Signature)*

Tina Starn

*(Printed name)*

Tina Starn

Title:

Adm. Asst. Starn

Submittal Date:

2.21.19

Address for giving notices:

5025 Auburn RD

Turners ME 04282

Telephone Number:

207.783.6223

Fax Number:

207.783.3300

Contact Name and e-mail address:

mark@thackconstruction.net

Bidder's License No.:

*(where applicable)*

SECTION 00405

QUALIFICATIONS STATEMENT

THE INFORMATION SUPPLIED IN THIS DOCUMENT IS CONFIDENTIAL TO THE EXTENT  
PERMITTED BY LAWS AND REGULATIONS

1. SUBMITTED BY:

Official Name of Firm:

Address:

2. SUBMITTED TO:

3. SUBMITTED FOR:

Owner:

Project Name:

TYPE OF WORK:

4. CONTRACTOR'S CONTACT INFORMATION

Contact Person:

Title:

Phone:

Email:

5. AFFILIATED COMPANIES:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. TYPE OF ORGANIZATION:

☐ SOLE PROPRIETORSHIP

Name of Owner: \_\_\_\_\_

Doing Business As: \_\_\_\_\_

Date of Organization: \_\_\_\_\_

☐ PARTNERSHIP

Date of Organization: \_\_\_\_\_

Type of Partnership: \_\_\_\_\_

Name of General Partner(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ CORPORATION

State of Organization: MO: NE

Date of Organization: 1-11-89

Executive Officers:

- President:

- Vice President(s):

- Treasurer:

Terry Burk  
Mark Markers  
\_\_\_\_\_

Therrie Markelle  
\_\_\_\_\_

- Secretary: \_\_\_\_\_

☐ **LIMITED LIABILITY COMPANY**

State of Organization: \_\_\_\_\_

Date of Organization: \_\_\_\_\_

Members: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **JOINT VENTURE**

Sate of Organization: \_\_\_\_\_

Date of Organization: \_\_\_\_\_

Form of Organization: \_\_\_\_\_

Joint Venture Managing Partner

- Name: \_\_\_\_\_

- Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Joint Venture Managing Partner

- Name: \_\_\_\_\_

- Address: \_\_\_\_\_  
\_\_\_\_\_

Joint Venture Managing Partner

- Name: \_\_\_\_\_

- Address: \_\_\_\_\_

7. LICENSING

Jurisdiction:

Type of License:

License Number:

Jurisdiction:

Type of License:

License Number:

8. CERTIFICATIONS

CERTIFIED BY:

Disadvantage Business Enterprise:

Minority Business Enterprise:

Woman Owned Enterprise:

Small Business Enterprise:

Other ( ):

9. BONDING INFORMATION

Bonding Company:

Address:

Bonding Agent:

Address:

Contact Name:

Phone:

Aggregate Bonding Capacity:

Employers Mutual Casualty Co

PO BOX 712

Des Moines IA 50306

WST

123 Interstate Dr

West Springfield Mo

01089

Steve Vitanton

401-558-3122

\$5 million

EJCDC® C-451, Qualifications Statement.

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and American Society of Civil Engineers. All rights reserved.

Page 4 of 8

Available Bonding Capacity as of date of this submittal: 15 million

10. FINANCIAL INFORMATION

Financial Institution:

Chasse & Company LLC PA

Address:

51 Court St  
Auburn ME 04810

Account Manager:

Don Chasse

Phone:

207-788-6831

11. CONSTRUCTION EXPERIENCE:

Current Experience:

List on Schedule A all uncompleted projects currently under contract (If Joint Venture list each participant's projects separately).

Previous Experience:

List on Schedule B all projects completed within the last 5 Years (If Joint Venture list each participant's projects separately).

Has firm listed in Section 1 ever failed to complete a construction contract awarded to it?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Has any Corporate Officer, Partner, Joint Venture participant or Proprietor ever failed to complete a construction contract awarded to them in their name or when acting as a principal of another entity?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Are there any judgments, claims, disputes or litigation pending or outstanding involving the firm listed in Section 1 or any of its officers (or any of its partners if a partnership or any of the individual entities if a joint venture)?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

12. SAFETY PROGRAM:

Name of Contractor's Safety Officer: \_\_\_\_\_

Include the following as attachments:

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) OSHA No. 500- Log & Summary of Occupational Injuries & Illnesses for the past 5 years.

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all OSHA Citations & Notifications of Penalty (monetary or other) received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all safety citations or violations under any state all received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

Provide the following for the firm listed in Section V (and for each proposed Subcontractor furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) the following (attach additional sheets as necessary):

Workers' compensation Experience Modification Rate (EMR) for the last 5 years:

YEAR	_____	EMR	_____
YEAR	_____	EMR	_____
YEAR	_____	EMR	_____
YEAR	_____	EMR	_____
YEAR	_____	EMR	_____

Total Recordable Frequency Rate (TRFR) for the last 5 years:

YEAR	_____	TRFR	_____
YEAR	_____	TRFR	_____
YEAR	_____	TRFR	_____
YEAR	_____	TRFR	_____
YEAR	_____	TRFR	_____

addendum 2  
deleted

Total number of man-hours worked for the last 5 Years:

YEAR	_____	TOTAL NUMBER OF MAN-HOURS	_____
YEAR	_____	TOTAL NUMBER OF MAN-HOURS	_____
YEAR	_____	TOTAL NUMBER OF MAN-HOURS	_____
YEAR	_____	TOTAL NUMBER OF MAN-HOURS	_____
YEAR	_____	TOTAL NUMBER OF MAN-HOURS	_____

Provide Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) Days Away From Work, Days of Restricted Work Activity or Job Transfer (DART) incidence rate for the particular industry or type of Work to be performed by Contractor and each of Contractor's proposed Subcontractors and Suppliers) for the last 5 years:

YEAR	_____	DART	_____
YEAR	_____	DART	_____
YEAR	_____	DART	_____
YEAR	_____	DART	_____
YEAR	_____	DART	_____

**13. EQUIPMENT:**

**MAJOR EQUIPMENT:**

List on Schedule C all pieces of major equipment available for use on Owner's Project.

*see attached*



I HEREBY CERTIFY THAT THE INFORMATION SUBMITTED HERewith, INCLUDING ANY ATTACHMENTS, IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME OF ORGANIZATION: Truck Construction Inc  
BY: Yusef Biele  
TITLE: President  
DATED: 2.21.19

NOTARY ATTEST: Tina Storn

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 21 DAY OF Feb, 2019

NOTARY PUBLIC - STATE OF MO. MO  
MY COMMISSION EXPIRES: 1-26-2020

REQUIRED ATTACHMENTS

1. Schedule A (Current Experience).
2. Schedule B (Previous Experience).
3. Schedule C (Major Equipment).
4. Audited balance sheet for each of the last 3 years for firm named in Section 1.
5. Evidence of authority for individuals listed in Section 7 to bind organization to an agreement.
6. Resumes of officers and key individuals (including Safety Officer) of firm named in Section 1.
7. Required safety program submittals listed in Section 13.
8. Additional items as pertinent.

add 2  
deleted

add 2  
deleted

### **CURRENT EXPERIENCE**

[illegible]

# SCHEDULE B

PREVIOUS EXPERIENCE (Include ALL Projects Completed within last 5 years)

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
See attached	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				

# SCHEDULE B

PREVIOUS EXPERIENCE (Include ALL Projects Completed within last 5 years)

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
See attached	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				
	Name:	Name:				
	Address:	Company:				
	Telephone:	Telephone:				

### SCHEDULE C - LIST OF MAJOR EQUIPMENT AVAILABLE

[illegible]

SECTION 00406COMPLIANCE STATEMENT

EXECUTIVE ORDER 11246

Date: 9/21/19

This statement relates to a proposed contract with the TRUCK, who expects to finance the contract with assistance from an agency of agencies of the United States Government. I am the undersigned bidder or prospective contractor. I represent that ----

1. I (☒) have, ( ) have not, participated in a previous contract or subcontract subject to Executive Order 11246 (regarding equal employment opportunity) or a preceding similar Executive Order.
2. If I have participated in such a contract or subcontract, I (☒) have, ( ) have not, filed all compliance reports that I have been required to file in connection with the contract or subcontract.

I understand that if I have failed to file any compliance reports that have been required of me, I am not eligible and will not be eligible to have my bid considered or to enter into the proposed contract unless and until I make an arrangement regarding such reports that is satisfactory to the office where the reports are required to be filed.

James Bull  
Signature of Bidder or Prospective Contractor

Address:

5025 Auburn Rd  
Street, P.O. Box, etc.

Texas DE 04282  
City, State and Zip Code

(This page to be completed by the Bidder and submitted with his Bid Form)

END OF SECTION

SECTION SC-40CERTIFICATION OF NONSEGREGATED FACILITIESPART I - GENERAL1.1 DESCRIPTION

- A. Certification of Nonsegregated Facilities - (Applicable to federally assisted construction Contracts and related Subcontracts exceeding \$10,000 which are not exempt from the Equal Opportunity Clause).

The federally assisted construction CONTRACTOR certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction CONTRACTOR certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction CONTRACTOR agrees that a breach of this certification is a violation of the Equal Opportunity clause in this Contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. The federally assisted construction CONTRACTOR agrees that (except where he has obtained identical certifications from proposed Subcontractors for specific time periods) he will obtain identical certifications from proposed Subcontractors prior to the award of Subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certifications in his files.

Young Bull  
- Signature -

2.21.19  
- Date -

Toshy Buck Resident  
Name and Title of Signer (Please Type)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

END OF SECTION

**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of Identified certified DBE<sup>1</sup> subcontractors<sup>2</sup> and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name <b>IBuck Construction</b>		Project Name <b>WLF Pump Station</b>	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact	
Address <b>5505 Auburn RD Turner ME 04888</b>			
Telephone No. <b>207-625-6223</b>		Email Address	
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If yes, please complete the table below. If no, please explain:			
Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
<b>ELI</b>	<b>397 Whittier Hwy Nashua NH 03231</b>	<b>16900</b>	<b>yes</b>

Continue on back if needed

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Utilization Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
<i>[Signature]</i>	Terry Buck
Title	Date
President	2/21/19

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



OMB Control No: 2090-0030  
Approved: 8/13/2013  
Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name <b>Electrical Installations, Inc.</b>		Project Name <b>WUFF Cape Square Pump Station Upgrades</b>	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact <b>Darlene M. Fritz</b>	
Address <b>397 Whittier Highway, Moultonboro, NH 03254</b>			
Telephone No. <b>603-253-4525</b>		Email Address <b>Darlene.fritz@cii-hq.com</b>	
Prime Contractor Name		Issuing/Funding Entity: <b>Town of Kennebunkport, ME</b>	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<b>Electrical</b>	
DBE Certified By: <input checked="" type="checkbox"/> DOT <input type="checkbox"/> SBA <input type="checkbox"/> Other: _____		Meets/ exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
<i>[Signature]</i>	Terry Buck
Title	Date
President	2.21.19

Subcontractor Signature	Print Name
<i>[Signature]</i>	Darlene M. Fritz
Title	Date
President & Treasurer	2/15/19

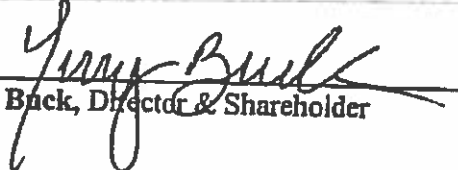
The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Unanimous Consent in Lieu of Annual Meeting  
of the Shareholders and Directors of  
T. Buck Construction, Inc.

The undersigned, pursuant to 13-C M.R.S.A. Sections 704 and 822 being all of the Shareholders and Directors of **T. Buck Construction, Inc.** do hereby adopt the following resolutions by unanimous vote without a Meeting effective on the date hereof:

- VOTED:** To proceed to the election of a Board of Directors for the coming year, and thereupon **Terry D. Buck** was duly elected having received all of the votes cast.
- VOTED:** To proceed to the election of a President for the coming year, and thereupon **Terry D. Buck** was duly elected President having received all of the votes cast.
- VOTED:** To proceed to the election of a Vice President for the coming year, and thereupon **Mark McPheters** was duly elected Vice President having received all of the votes cast.
- VOTED:** To proceed to the election of a Treasurer for the coming year, and thereupon <sup>MARCO'E</sup>~~Terry D.~~ **Buck** was duly elected Treasurer having received all of the votes cast.
- VOTED:** To proceed to the election of a Secretary for the coming year, and thereupon **Terry D. Buck** was duly elected Secretary having received all of the votes cast.
- VOTED:** To proceed to the election of a Clerk for the coming year, and thereupon **Shawn K. Bell** was duly elected Clerk having received all of the votes cast and was sworn to faithfully and impartially perform his duties.
- VOTED:** That the Corporation adopt a new Annual Meeting date of December 1 of each year beginning with the year 2018 (the "Annual Meeting Date") and amend the Bylaws of the Corporation through this vote to reflect the change of said Annual Meeting Date.
- VOTED:** That all purchases, sales, contracts, acts, disbursements, proceedings, elections and appointments by the Shareholders and Directors or any officer elected by said Directors since the last annual meeting of the Shareholders and Directors are hereby ratified, approved and confirmed.

Dated this 1<sup>st</sup> day of December, 2018

  
Terry Buck, Director & Shareholder

<u>Description</u>	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Serial Number</u>
1941 Plymouth Coupe	1941	Plymouth		
AB1 Arrow Board	Wanco		2007	5F11S101X71001530
AB2 Arrow Board	wanco		2008	5F11S101561002583
AB4 Arrow Board	Wanco	WTSP55	2007	5F11S10101061001213
AB5 Arrow Board				1N9AL1013pF272028
AB6- Arrow Board	Wanco`		2007	5F11S1010A1001012
E012-1985 185 Ingersoll-Rnd Comp	Ingersoll-Rnd	P-185-W-JD	1985	149626U85957
E013-1997 Godwin Sub Pump	Heidra	HS150	1997	9607671-2
E015-1978 Conc Screed Bidwell	Bidwell	RF200	1978	RF-79300-2-V
E016-1993 Miller Welder w/Trlr	Big Blue	251D		DIN/ISO3045IFN
E022-1974 40' Box Trailer	Home	Trlr	1974	94465
E036-Miller Welder				
E039-1998 Bomag Compactor	Bomag	3038	1998	40ZH7620
E050-1984 Box Trailer	Kentucky	Van	1984	1KKVE4520EL069467
E051-1983 Box Trailer	Kentucky	Van	1983	1KKVE4824DL000761
E054-1999 8x8 Manhole Box	Manhole Box	Trench	1999	Trench Box
E055-1999 Stone Box	Stone Box	Stone Box	1999	Stone Box
E056- 98 Trench Box (JordanEq)	Trench Box		1998	9802262
E057-6x12 Trench Box	Steel	Trench	2000	F06
E059A 2004 Cat 430D	CAT	430D	2004	BMC03548
E063-Ditchwitch	Dtchwtch 1996	3500		3N0398
E067A-2004CAT 430D	2005 CAT	430D	2004	BMC04911
E072-1980 Kentucky Van Trailer	Kentucky	Van	1980	60731
E073-1984 Theurer Van Trailer	Theurer	Trailer	1984	1TA124828E1113768
E074-2001 Snopro Trailer	Snopro	E65X20	2001	5FGE6202411002531
E080-1985 F700 Platform Dump	Ford	F700	1985	1FDXR74N5FVA03373
E083-Read Screenall	Read	Rd90		857389
E091-2002 Hydra Platform	Hydra-Platfrm	HP 32/180	2002	1H9US33342C196185
E092-2002 Custom Flatbed	Custom	6T182EDBYTW	2002	5B733163921004260
E095-96 Leroi 185 CFM Comp	Leroi// (Grn)	Q185DJE	1996	3272X1552
E096-1987 MSI 32' Trailer	MSI	OS32	1987	7034285
E098-1995 IR Air Compressor	Ingersoll Rnd	Air Compressr	1995	2S7202UFF327
E101-Asphalt Zipper	John Deere	AZ480	2003	48000112
E103-Bale Chopper	FINN	B-40	2004	SD-935
E104-2001 Haul Trailer	Haul	Trailer	2001	16HGB16241P023238
E106-2005 248B Cat Skidsteer	Cat	Skidsteer	2005	BCSCL00254
E106A Broom-Skid Steer	CAT	Skidsteer	2005	
E107- 2005 4 place Trailer	Homemade	TL	2005	2REA2S7C2G2Y13551
E108-2002 White Trailer Enclsd	Haul	Trailer	2002	16HGB24X2P026008
E109 -2005 Utility Dump	MAXI DUMP	MDT6814-HD	2005	5NJAA18275J113275
E113- 2005 DSGXL Bulldozer	Cat	DSGXL	2005	OWGB01367
E116-Sweeper Laymor				
E117-Compressor	Titan	TAC-2T		162107
E118-Trash Pump	Titan	TTP-300		161037
E119-Pressure Washer		TPW-2200		101054
E122--06 Superline Trailer	SUPERLINE	D027T233LP	2006	1E9DE23386A283044
E124-1996 Cat Forklift	Cat	Forklift	1996	1KK00496
E128-2005 D5NXL	2005 CAT	D5NXL	2005	AGG01626
E131-99 Manac Trailer	manac	Flat	1999	2M5121463X1058247
E132- 06 Ford Carrier	Ford	F65	2006	3FRNF65F46V356054
E133- Leroi Compressor	Leroi	250	1988	3120X41
E135 Cat Vibratory Roller	Multiquip	CS-323		06JD00122
E136- 1989 Monon Trailer	mONO	TRAILER	1989	1NNVS4521KM134305
E137- 1992 Stoughton Trailer	Stoughton	Trailer	1992	1DW1A4822NS781009
E140 08 GMC 4yd dump	GMC	TC5C04	2008	1GDE5C3938F405115
E141 07 GMC VAN-WHITE	GMC	TG3350	2007	1GDJG31U071143856
E142 Telescopic Handler	Cat	TH560		SLG01071
E143- Kabota 4wd HST Tractor	Kubota	L5740HSTC		32104

<u>Description</u>	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Serial Number</u>
E144 - Screed				
E145 LINCOLN 305D WELDER	LINCOLN	305D		
E146 RANGER 305D WELDER	LINCILN	RANGER 305D		
E147 CAT 328 EXCAVATOR	CATERPILLAR	328D	2008	GTN00316
E148 MOVAX		SP60F	2008	08U308
E150 H8XA Hydraulic Hammer	NPK	H8XA		60019
E151 2008 Honda Generator	Honda	EB6500	2008	EALC-1021897
E152- Sterling Bullett	STRG	BULLET	2008	3F6WK66A78G352586
E153 - 185 CMF Compressor	I-R	P185WJD	2004	344507UC0221
E154-18f CFM Compressor	I-R	P185 WJD		346511UE0221
E155- 185CFM Compressor	I-R	P185WJD		346512UE0221
E156- Light Tower	I-R	LS6KW		348951UH0789
E157- Light Tower	I-R	LS6KW		345965VE0789
E158 05 Ford F750	FORD	F750	2005	3FRWF75S95V208889
E160- 04 Cat 277B Skidsteer	Cat	277B	2004	OMDH01710
E161- 08303 CCR Mini Excavator	303 CCR	Cat	2008	BXT3973
E163- Temp. Bridge				
E164- Ingersoll Rand Comp	Ingersoll Rnd	P185WJD	1985	1300425U82923
E165 Peterbuilt	Peterbuilt	379	2010	1XPXD40X1AD799139
E167- Maverick Hammer	Maverick	750 HSP		
E168 CATM322C Exc	2006 Cat	Caterpillar	322	0H2E00352
E169 Safe Span Staging				
E170--Manlift		601S		300043095
E171-Manlift		601S		300044570
E172 Floor Saw	Stow	CS4030		ZG3700298
E173 Welder		TLW300SS		5322968
E174 Office Trailer	PLH		1994	BBW-51501
E175 Ground Heater & Trailer	THE Machin	2015MG		0801M09
E176 Fork Lift	BP104809 Lull	SS1048		003297
E177 Office Trailer	COASTAL	WM144C	1987	C-44385
E178 Office Trailer	CBS	CV-32-2W	1987	CBS-09010
E179 Genie S85 Boom Lift	Genie	S-85		S8004-3813
E180 Compressor	Airman	185CFM	2002	53-6A11535
E181 Miller Welder & Trailer	trailblzr 302			
E182-- Kaufman Trailer	KAUFMAN	AW TILT	2010	5VGFA2026AL000915
E183--Forklift		SS842		992243
E184--Portable Traffic signal	SQV			
E185--Air Compresor	IR	P185WJD	2002	333626UKM221
E186--Plat Compactor	Dyno-Pac	LG 300		13001073
E187--Plate Compactor	Dyno-Pac	LG 160		16001659
E188 Thule Trailer	CARGOPRO		2006	5FGC8182561025906
E190--Ground Heater	THAWZALL	6A		0304EC6A328
E191 Concrete Vibrator	Wacker	M2000		
E192 Volvo Excavator	Volvo	360B LC		EC360B80174
E193 MIC Rake for 320BL/325DL	MIC Rake			6604
E194 54" Bucket	CAT	325		
E195- Bucket for Cat 330L	CAT	330L		
E196-Hydraulic compactor	DEMAC	9850	2011	216221447
E197- Hydraulic Tamper				
E198-Bucket 56" for Cat 330	CAT	330		
E199- Bucket 56" for Cat 330	CAT	330		
E201 1994 Int'l Dump Truck	International	9400 Wheeler	1994	2HSFHASRXRC010357
E202 57" Bucket				7096
E203 - Yamaha Generator	Yamaha	EF2000IS		7DK-1506772
E204-Lark Trailer	LARK		2007	5RTBE242X7D007976
'206 1996 Chevrolet 3500	Chevrolet	3500	1996	1GBKC34F8TJ106537
08 1996 Chevy 3500	Chev	3500	1996	1GBHC34F6TE170448
9 GMC 7500	GMC	7500	2004	1GDM7C1C04F100217

<u>Description</u>	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Serial Number</u>
E210 1996 Intl	Intl	TK	1996	1HTSDAAR4TH276044
E211- Gomaco Conc. Paver	Gomaco	C-450-X	2011	900800-344
E212 MZ Bolt Tension-skidmore	SKIDMORE	MZ		
E213 Bomag Drum Roller	Bomag	BW145D		901581471395
E214 Honda Compactor	Honda	GX160		10-1027-21
E215 2011 Kubota Excavator	Kubota	KX057R3AP	2011	20136
E216- Hyundai 290 Excavator	HYUNDAI	R290LC-9	2010	HH1HQ801JA0000680
E217 Pressure Washer	MI-T-M	JCW-4004-1MHB	2010	104556632
E218 Office Trailer				MMO 16307
E219 17' Sears Boat & Trailer	Sears	61170		MH77R2698
E220 14' Mirrocraft	mirrocraft		88	mrx18375d888
E221 14' Boat & Trailer	Rich		1968	1702262
E222 Indirect Fire Heater	ICE	OHV500	2007	07010005PN
E223 Indirect Fire Heater	ICE	OHV	2007	06120145PN
E224 Water Tank on Trailer	MAGNUM	MWT500		055302
E225 1998 GMC Volvo WG	GMV	WG	1998	4VHJCBBE3WN862014
E226 345DL Excavator	Caterpillar	345DL		EEH00447
E227 Skidsteer CAT 279	CAT	279C2	2012	0279CCKWB00665
E228 Peterbuilt 367 Tractor	Peterbuilt	367	2013	1XPTD4EX0DD185100
E229 Pressure Washer		DxPW4240		
E230 Clark Forklift	Clark	GCS17MC		G138MC-0165-6305FA
E231 2013 Etnyre Lowbed	ETNYRE	Lowboy	2013	1E9313106DE111137
E232 Generator		G5.6A		5104715
E233 2001 JLG Scissor Lift	JLG	33RTS	2001	0200096236
E234 Generator	Champion	41533		12MAY07001190
E235 Hyundai R235 LCR-9	HYU	R235LCR-9	2013	HZ604AD0000277
E236 Hammer		V32		112344
E237 Trailer (homemade)		Homemade	2013	None
E238 1970 Linkbelt LS118 Crane	Linkbelt	LS-118	1970	9LV4769
E239 97 Pace Am. Trailer	Pace	TL	1997	4FPW53639VG019783
E240--Grader	Huber Motor	B8PD6005	1971	
E241-14' Alum boat w trailer	Sears		1964	4F0-0545
E244 924K Loader	Cat	924K	2013	PWR01420
E245- 2012 Gas Morter Mixer	MQ	WM90PH8EBC1	2012	A1259013
E246- 2013 Hyu R145 Excavator	HYU	R145LCRD-9	2013	HZ406TD0001068
E247 Bobcat 250 Welder	Bobcat			MA230800H
E248 1995 Wells Cargo Trailer	Well	Trailer	1995	1WC200K28S1069679
E249 MultiQuip Concrete Mixer	MultiQuip	MC94P	13	B1753272
E250 Ingersol Rand Compressor	Ingersol Rand	185CFM	13	147192085957
E251 Terrex Light Tower	Terrex	RL4	13	4253A1419D1008464
E252 Terrex Light Tower	Terrex	RL4000	13	42J5A1414D1007867
E253 Terrex Light Tower	Terres	RL4000	13	42JSA1417D1008477
E254 Whisper Watt Generator	Whisper Watt	DCA 25SSIU	73	7100973
E255 Cros Trailer	Cross		1994	1C9FS1620R1432138
E256 Bomag 142 Roller	BOMAG	142		106510110142
E257 Lull				EO410F7122
E258 Manlift	JLG	600SJ		0954150300042797
E259 Lull				315082
E260 Custom Trailer	Custom	Trailer	1982	
E261 Water Tank	Magnum	MWT500	2007	055247
E262 Great Dane Box Trailer	Great Dane	Trailer	1999	1GRAA0628XB077231
E263 Great Dane Box Trailer	Great Dane	Trailer	99	1GRAA0624XB077226
E264 ECTR Trailer	ECTR	7 ton	2007	42ETPKG2X71000367
E266 Hydroseeder	Finn	T-60T		1F9SP1719EF135492
E267 08 Ford F350	Ford	F350	2008	1FDWW36Y58EB00497
E268 06 Ford F350	Ford	F350	2006	1FDWW36Y66EB99280
E269 Kubota Skidsteer	Kubota	SVL75-2HWC		24927
E270--Carry Lack Crane	BRODERSON	IC-80-2E		278746

<u>Description</u>	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Serial Number</u>
E271 Hay Mulcher	Finn	B-70TD	1991	853796
E272 930K Wheel Loader	CAT	930K		RHN03346
E273 930K Wheel Loader	CAT	930K		RHN03577
E274 930K Wheel Loader	CAT	930K		RHN03254
E275 930K Wheel Loader	CAT	930K		RHN03606
E276 930K Loader	Caterpillar	930K		RHN03246
E277 930K Loader	CAT	930K		RHN03367
E278 International Sand Truck	International	S Series	1987	1HTZPGJR9HH483514
E279 06 Genie Z45/25	Genie	Z45/25	2006	Z452506-27207
E280 08 Cat TL642C Lull	Cat	TL642C	2008	TBK00430
E281 87 Ford Truck--Sand Trk	Ford		1987	1FDYK87U9HUA54749
E282 2000 Hydra Platform	HYDRA PLATFOR	HP-32	2000	1H9US2639YC196144
E283--Bomag Roller	Bomag			106510110142
E284--Trailer	PACE AMERICAN	TL	1997	4FPW53639VG019783
E285 Sweepster Sweeper	sweepster	SB726		020957
E286 2009 Bobcat Skidsteer	Bobcat	S150	2009	A3L135157
E287 Bobcat Skidsteer	Bobcat	965		
E288 Yale LPG Forklift	Yale	GLP050TFNUAFO		E177B11327B
E289- 28 Ton Link Belt Crane	Link Belt	HSP 8028S		4710-441
E290--Bobcat Sweeper	Bobcat			
E292--Ing. Rand Compressor	Ingersol Rand	185		168897U88329
E293 Matl TET Trailer	MATL	TET	1987	1RMTET482H1003893
E294 6 X 24 TP5 Trench Box				19644
E295 Yukon Generator	YUKON		2015	DJ190F13110223487
E296 Yukon Generator	YUKON		2015	DJ190F13110223480
E297 Yukon Generator	Yukon		2015	DJ190F13110223430
E298 Yukon Generator	Yukon		2015	DJ190F13110223440
E299 Yukon Generator	Yukon		2015	DJ190F13110223479
E300 Yukon Generator	Yukon		2015	DJ190F13110223504
E301 Yukon Generator	Yukon		2015	DJ190F13110223425
E302 Yukon Generator	Yukon		2015	DJ190F13110223475
E303 Yukon Generator	Yukon		2015	DJ190F13110223520
E304-01 Freightliner Dump Truc	Freightliner	MEDCCON	2001	1FVHBGAS21HJ24686
E305 Screen Machine			2004	
E306--Haulmark Trailer	Haulmark	K716BT	1998	16HPB1627XP018776
E307 MS RX26 HYD Hammer	MS	RX26		DEQ130903
E308 2016 Wells Cargo Trailer	Well	Cargo	2016	575200J20GP318369
E309--87 Landall Trailer	Landoll	Trailer	1987	1LH317UHXH1003074
E310 1997 Performance Trailer	Performance	Trailer	1997	1P9TC3232VW280060
E311 2015 Look Trailer	Look	Utility	2018	53BLTEB12FA020813
E312 2017 Cat 325 Excavator	Cat	325FCR	2017	XAA10416
E313 235 Hyundai Excavator	Hyundai	R235LCR-9A	2015	HHKHZ613CF0000133
E314 2017 Kubota Excavator	Kubota	KX057-4R3AP	2017	28055
E315 2017 Kubota Skidsteer	Kubota	SVI95-2SHEC	2017	34381
E316 08 Kaufman Trailer	Kaufman	Trailer	2008	5VGFW533358L001507
E317 Cat CS323C Roller	CAT	CS323		
E318 DROTT 1500CC Crane	DROTT	1500CC		231762
E319-1985 Kenworth Dump Trk	Kenworth	R500A	1985	
E320 Ingersol Rand Air Comp	Ingerso Rand	185		161837U87957
E321--1989 JCB 926 Lift	JCB	926	1989	660446
E322 Electric Breaker	Huskie B65			
E323 Electric Breaker	Huskie B65			
E324 2002 Ground Heater	GROE	E3000	2002	004700012339
E325 2008 Generator	Denyo MQ Powr	DCA-25US12	2008	8104273
E326 89 I R Compressor	Ingersol Rand	195	1989	178490U89329
E327--1999 Nichols Trailer				43321400000000054
E328 96 Leroy Compressor	Leroy	Q185DJ-F		3772X17YG
E330 Harley Power Rake	Harley	MX 7		MX75A090



<u>Description</u>	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Serial Number</u>
E331 2001 Office Trailer	Miller	832VV	2001	323322
E332 Bobcat Sweeper	Bobcat	Sweeper	2018	783743524
E333 2018 Wacker	Wacker	BPU5545A	2018	10845843
E334 1973 Water Truck	White	Constructor	1973	BT004HA809400
E335 Finn Straw Blower	Finn	B250	1984	322213
E336 04 Western Dump Truck	Western	WB123064	2004	5KJJAEAV04PM17014
E337 2005 Roller	Ammann	ASC45P48	2005	635548
E338 CAT 335 Excavator	Cat	335F	2018	SGJ20077
E339 04 WSTN Star DT	WSTR Star	4900FA	2004	5KJJAEAV74PM16152
E340 Gorilla Hammer	Gor	GXS120		18A16D16F28
E341 289D Cat Skidsteer	Caterpillar	289D		TAW11284
E342 1999 Great Dane	Great Dane	7411TP-SA	1999	1PNV482BXH225559
E343 99 Great Dane Trailer	Great Dane	7411TP-SA	1999	1PNV482B1XH225540
MB02 Message Board	WANCO			5F12S161971001529
MB04- Message Board 4	WANCO	WTLMB		5F12S161261003234
MB05 - 3 line Message Board	WANCO			5F12S161571001785
MB06 - 3 line Message Board	WANCO			5F12S161771001786
MB07 - 3 line Message Sign	WANCO			5F12S161071001788
MB08 - 3 Line Message Board	WANCO	WTLMB		5F12S161971001787
MB10 Message Board	Wanc	WTLMB	2007	5F12S161X71003323
MB12 Message Board	WANC	WTLM	2007	5F12S161371003325
P01 Pump		PDT3A	2000	5132903
P02 Flygt 2102HV Sumb Pump	Flygt	2102HV		022707
P03-Trash Pump		PDT3A	2006	5691904
P04 3" Submersible Pump	TSURUMI	NK215		B10096109
P05 Gorman Rubb 6" Pump	Gorman	8513545	13	Din/150 30461FN
P06--Gorman Rupp Pump	Gorman Rupp	16C20-FAL		869603
V14 2007 Silverado-502550	CHEV	SILVERADO	2007	1GCHK23617F502550
V24-FORD F250 (3156)	FORD	F250	2010	1FTSX2B57AEB33156
V26 Chev Silverado	Chev	Silverado	2011	1GCRKSE01BZ171201
V29-- Chevy 1500--Black	Chevy	1500	2001	1GCBC14TX1X296567
V30-2011 Chevy Silverado	Chev	Silverado	2011	1GCRKSE06BZ372818
V36 2010 Chevy HHR Blk	Chev	HHR	2010	3GNBABDB9AS572490
V37 2007 Chevy HHR Slvr	Chev	HHR	2007	3GCD425P17S621170
V39 2000 GMC C Series	GMC	C-SERIES	2000	1GDJ6H1C3YJ522603
V46 -- 04 GMC Sierra	GMC	1500	2004	2GTEK19T741392259
V47- 2014 Dodge Ram 3500	Dodge	Ram	2014	3C63RRJL9EG139439
V50 2015 Chev Silverado	Chev	2500	2012	1GC2KVEG7FZ519878
V51 2015 Chev 2500	Chev	2500	2015	1GC2KVEG8FZ509344
V52 2015 Ford F550	Ford	F550	2015	1FDUF5HT9FED32425
V54-2009 Chevy Silverado	CHEV	SILVER	2009	1GCEK19079E159591
V55-2004 GMC 2500HD	GMC	SIERRA	2004	1GTHK29224E397426
V56--2008 Ford Flatbed	FORD	F350SU	2008	1FDWW36Y68EB00508
V57--2008 Ford F350 Flatbed	FORD	F350SU	2008	1FDWW36Y48EB00507
V58 85 Int'l S1900 Fuel Truck	Int'l	S1900	1985	1HTLDTVN8EHA64378
V59 01 Int'l 4700 Water Truck	Int'l	4700	2001	1HTSCAAM21H143220
V60 2015 GMC Sierra	GMC	TK25953	2015	1GT22XEG9FZ555325
V61 2015 Chev Silverado 2500	Chev	CK25953	2015	1GC2KUEG1FZ355530
V62 2016 Dodge Ram 1500	Dodge	Ram 1500	2016	1C6RR7NMSG185153
V63 Chevrolet Silverado 2500	chevrolet	silverdo 2500	2016	1GC2KUEG0GZ313832
V64 2016 Chev Silverado 2500	Chevrolet	CK25953	2016	1GC2KUEG0GZ417060
V65--2015 GMC Yukon	GMC	Yukon	2015	1GKS2HKC7FR136756
V66 2016 GMC TH25953	GMC	TK25953	2016	1GT22REG5GZ419755
V67 1995 Chevy Topkick	Chevy	TK	1995	1GBM7H1J4SJ111624
V68 2017 Dodge Ram	Dodge	Ram	2017	3C6UR5HJ4HG547739
V69 Dodge Ram 2017	Dodge	Ram	2017	3C63R3GJ3HG527967
V70--17 GMC Sierra 2500	GMC	TK25943	2017	1GT12REG5HF174048
V71 2016 GMC Sierra	GMC	SIERRA	2016	1GT12SEG7GF161498

<u>Description</u>	<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Serial Number</u>
V72 2016 GMC SIERRA	GMC	SIERRA	2016	1GT12SEG9GF202813
V73-- 2012 Toyota Tundra	Toyota	Tundra	2012	5TFDY5F10CX228549
V74 2018 Chevy Silverado	Chev	Silverado	2018	3GCUKRECXJG374406
V75 2012 Volkswagen Jetta	Volkswagen	Jetta	2012	3VWPL7AJOCM676839
V76 2017 Dodge Ram 1500	Dodge	Ram 1500	2017	1C6RR7TT7HS822426
VBA 01-1968 Chevy Comaro				
VBA 02-1939 Chevy Coupe				
VBA 03-1936 Coupe				
VBA 04-2004 VW Bug				
VBA 05-1941 Chevy				
VBA 06-1967 Blk/Cherry Chevell				
VBA 07-1965 Mustang				
VBA 08-1940 Ford Sedan				
VBA 09-65 Ford Galaxy (Chet)				
VBA 10-57 Thunderbird				
W01 1998 Wacker	Bomag	BPR30/38	1998	101680-30-0755
W02 2004 Wacker	Bomag	BPR 30-38-3	2004	101680-36-1573
W03 Bomag Wacker	Bomag	BPR 30-38-3		101680-36-1383
W04 WP Wacker	Wacker	WP 1550		
W05 Wacker	Wacker	BPU 3545A	2	1889203
W06 Wacker	Wacker	BPU5545A	2018	10845843
W07 Wacker	Wacker	BPU4045A	2018	10857892

## TERRY D. BUCK

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### EXPERIENCE:

1/89- T. BUCK CONSTRUCTION, INC., 24 Libby Avenue, Lewiston, ME  
Present PRESIDENT, General Contractor

8/85- BEAVER CORPORATION, Malden, MA  
1/89 1988-89 VICE PRESIDENT

Projects:

Christa McAuliffe Planetarium, Concord, NH \$1.6 MIL

Architect: LaValle/Bresinger, Manchester, NH

1987-1988 SUPERINTENDENT and PROJECT MANAGER

Projects:

Sanford Elementary School, Sanford, ME 2.3 MIL

Ocean National Bank, Wells, ME 325,000

Sewage Treatment Plant, So. Windham, ME 380,000

Elementary School, Whitefield, ME 1.2 MIL

High School Renovation, Hampton, NH 130,000

1985-1987 SUPERINTENDENT

Projects:

Willard School, Quincy, MA 1.2 MIL

Ira Oldsmobile Body Shop, Danvers, MA 450,000

Ira Oldsmobile Service Additions, Danvers, MA 250,000

Eagle Electric, So. Boston, MA 1.0 MIL

Post Office Renovation, Georgetown, MA 150,000

Community Center, Bedford, MA 185,000

Pump Station, Newport, ME 395,000

5/79- WINN-CON CORPORATION, Laconia, NH  
8/85 SUPERINTENDENT

Projects:

Waste Water Treatment Plant, Jacksonville, VT 935,000

Sludge Dewatering Facility, Old Orchard Beach, ME 327,000

Incinerator Building, Franklin, NH 50,000

Commissary Improvements, Loring AFB, ME 364,700

Chemical Building Improvements, Plymouth, NH 20,000

Water Treatment Plant, Kittery, ME 1.1 MIL

Indian Head Bank, Epping, NH 160,000

Pump Station, Newport, NH 142,000

Elementary School, Raymond, NH 301,800

Metal Building, Laconia, NH 54,500

Dynamic Test Structure, Laconia, NH 127,000

Veterans Hospital Renovation, Milford, NH 82,000

Post Office Renovation, Milford, NH 131,000

9/77- R.C. FOSS & SON, INC., Pittsfield, NH  
5/79 SUPERINTENDENT, various Industrial and Commerical Buildings

7/78- NALEWS, INC., Laconia, NH  
9/77 CARPENTER, various Waste Water Treatment Facilities

EDUCATION: Fryeburg Academy, Fryeburg ME

# Mark E. McPheters II

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**Objective****Project Qualifications****Experience**

1992-Present T. Buck Construction Inc. Lewiston, Maine

**Vice-President, Estimator, Project Manager**

- Estimator for projects from \$5,000 to 10,000,000.
- Project Manager, including purchasing, scheduling, quality assurance, and safety.

1989-1991 George Roberts Co. Inc.. Alfred, Maine

**Estimator, Project Manager, Draftsman**

- Estimated packaged sewerage pumping stations, \$5,000 to \$500,000.
- Ordered material, oversaw fabrication, prepared shop drawings.

1987-1988 Precast Concrete Products Topsham, Maine

**Estimator, Project Manager, Draftsman**

- Estimated packaged sewerage pumping stations, \$5,000 to \$500,000.
- Ordered material, oversaw fabrication, prepared shop drawings.

1985-1986 Rainbow Bicycles Auburn, Maine

**Manager**

- Managed store including sales, repairs, and instructional seminars.
- Increased regional sales from \$150,000 to \$250,000.

1981-1984 Superior Concrete Auburn, Maine

**Estimator, Project Manager, Draftsman**

- Estimated packaged sewerage pumping stations, \$5,000 to \$500,000.
- Ordered material, oversaw fabrication, prepared shop drawings.

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**Education**

1979-1981 Central Maine Technical College Auburn, Maine

- Graduate Architectural and Civil Engineering Technology.

**BRUCE R. KENNEY**

49 Elmwood Avenue  
Scarborough, ME 04074  
(207) 883-5560

**OBJECTIVE:** To obtain a challenging position in a managerial/engineering field allowing me to demonstrate my experience and education.

**EDUCATION:** Wentworth Institute Of Technology, Boston, MA  
Bachelor Of Science, Manufacturing Engineering Technology September 1987  
Dean's List

**Major Courses:**

Hydraulics & Pneumatics  
Computer Aided Design (AutoCad)  
Mechanical Drafting  
Tool Design  
Automation & Robotics  
Manufacturing Processes  
Compact II Programming  
Welding  
Machine Tool Technology

Casting  
Electric Circuits & Controls  
Quality Assurance  
Work Measurement  
Work Simplification  
Numerical Control Programming  
Metallurgy  
Metrology  
WordPerfect  
Lotus 1-2-3

**EXPERIENCE:** T BUCK CONSTRUCTION, Bridgton, ME (May 1991 - Present)  
Supervisor/Estimator: Major responsibilities include reviewing shop drawings and submittals, scheduling subcontractors, vendors, equipment, and personnel. Estimated jobs from \$80,000 to 4 million dollars which included schools, libraries, water and wastewater facilities.

DONOVAN ELECTRIC, INC., Kennebunk, ME (Nov. 1989 - May 1991)  
Contract Manager: Responsibilities included estimating, job tracking, writing proposals, job scheduling, personnel scheduling, and purchasing various electrical equipment.

MILLIKEN BROTHERS (S.D. Warren Co.), Westbrook, ME (Sept. 1987 - Nov. 1989)  
Office Manager: Responsible for purchasing electrical equipment, reading blueprints, shipping and receiving, take-offs of cable tray and various electrical equipment.

G & L MACHINE CORPORATION, South Paris, ME (Co-op 1986)  
Screw Machine Operator: Responsible for set-up and operation of machine, reading blueprints, and assisting in the design of jigs and fixtures.

SHAPE INCORPORATED, Biddeford, ME (Co-op 1986)  
Designer/Draftperson: Responsible for designing and drawing the electrical, plumbing, and compressed air required by the manufacturing process for two existing plants.

**BRUCE R. KENNEY**

T. Buck Construction, Inc., Lewiston, ME  
Addendum to Resume

**Projects Completed as Job-Supervisor for T.Buck Construction Inc.**

Pine Ridge Pump Station, Saco, ME	\$ 84,122.00
Colonial Road Pump Station, Westbrook, ME	\$ 626,879.00
Water Tank Upgrade, Togus, ME	\$ 116,276.00
Water Tank Upgrade, Brunswick Naval Air Station, Maine	\$ 345,129.00
Computer Room Renovations, State of Maine, Augusta	\$ 101,171.00
Miscellaneous Crane Rail Repairs, Portsmouth Naval Shipyard, Kittery, ME	\$ 78,427.00
Chemical Addition System Building 72, Portsmouth Naval Shipyard, Kittery, ME	\$ 494,253.00
India/Northeast Street Pump Station, Portland, ME	\$ 192,000.00
Repair Sanitary District system & Catwalks	\$ 547,556.00
Canopy Sign, Maine Turnpike	\$ 491,244.00
Derry Wastewater Treatment Plant, Derry, NH	\$ 966,000.00
Wastewater Treatment Plant Clarifier Upgrade, Saco, Maine	\$1,117,254.00
Brunswick Topsham Water Treatment Plant Construction	\$1,349,995.00
Owlshead Wastewater Collection System, and Pump Stations	\$ 545,660.00
Gray Culvert, MDOT	\$ 89,185.00
Portland Jetport, Sidewalks, entrances, and canopies.	\$ 900,000.00
Odor Control Facility, Portland, ME	\$6,355,635.00
Festival Plaza, Auburn, ME	\$1,587,931.00

Job Number	Name & No. of Cont./rs	State	Date of Award	Amount of Contract	% completed	Forecasted	Cost to Date	Completion	Prime/2nd	Name	Street	Owner & Address	City	St	Zip	Contact	Phone #	Work Available
117123	Erstler	MI	5	3,254,006.73	91.44	5	1,253,187.00	5	11/29/2019	Prime	Town of Dryden	101 Court St	Erstler	MI	48833			
117175	St. Johnsbury	VT	5	508,965.39			215,181.00		5/7/2018	Prime	Town of St. Johnsbury	18 Depot Square	Erstler	VT	05819			Farm Stationing Proj
117177	Brownell Int	ME	5	2,873,375.00	92.88	5	2,664,771.11	5	6/1/2018	Prime	Mayor DOT	16 State House Station	Augusta	ME	04319			Pump Station/Bldg
117176	Woodlett Pn & Central Hwy	ME	5	645,345.00	90.8	5	624,619.22	5	7/10/2018	Prime	Mayor DOT	11 Spruce Drive	Augusta	ME	04313			Bridge
117137	Sandy River Penitentiary	ME	5	1,178,931.89	90.8	5	1,070,169.54	5	6/20/2018	Prime	Mayor DOT	11 Spruce Drive	Augusta	ME	04313			Street Imp
117178	Watts Bridge Rep	ME	5	978,351.17	96.23	5	882,762.08	5	8/23/2018	Prime	Mayor DOT	16 State House Station	Augusta	ME	04313	John	(207) 597-7816	Bridge
117153	Waterbury Cong Deck Rep	ME	5	1,225,909.00	81.39	5	1,071,659.48	5	5/27/2019	Prime	Mayor DOT	16 State House Station	Augusta	ME	04313	Carly	(207) 441 5247	Bridge
117092	Town of Portland Bridge Rep	ME	5	2,417,175.20	94.59	5	2,101,544.18	5	5/27/2019	Prime	Mayor DOT	16 State House Station	Augusta	ME	04313	Core	(207) 448 1248	Bridge
117181	Braytonville Water Rep	ME	5	2,930,000.00	12.35	5	351,777.50	5	6/21/2020	Prime	Mayor DOT	16 State House Station	Augusta	ME	04313			Bridge
117183	Braytonville Water Rep	ME	5	776,000.00	80.95	5	652,118.00	5	12/7/2018	Prime	Town of Middlebury	157 Peachtree	Augusta	ME	04313			Utilities
117185	Freeport Academy Dining	ME	5	2,664,477.00	12.94	5	319,611.00	5		Prime	Town of Fryeburg	63 Broadway	Fryeburg	ME	04842			Utilities
118157	Freeport Academy Dining	ME	5	6,412,775.00	17.94	5	1,101,807.42	5		Prime	Town of Fryeburg	63 Broadway	Fryeburg	ME	04842			Utilities
118187	Freeport Academy Dining	ME	5	6,412,775.00	17.94	5	1,101,807.42	5		Prime	Town of Fryeburg	63 Broadway	Fryeburg	ME	04842			Utilities
118200	Freeport Academy Dining	ME	5	6,412,775.00	17.94	5	1,101,807.42	5		Prime	Town of Fryeburg	63 Broadway	Fryeburg	ME	04842			Utilities
118200	Freeport Academy Dining	ME	5	6,412,775.00	17.94	5	1,101,807.42	5		Prime	Town of Fryeburg	63 Broadway	Fryeburg	ME	04842			Utilities
118200	Freeport Academy Dining	ME	5	6,412,775.00	17.94	5	1,101,807.42	5		Prime	Town of Fryeburg	63 Broadway	Fryeburg	ME	04842			Utilities
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**Product (continued)**



## Bid Bond

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

### BIDDER (Name and Address):

T. Buck Construction, Inc.  
302B Auburn Road, Turner, ME 04282

### SURETY (Name, and Address of Principal Place of Business):

Employers Mutual Casualty Company  
P.O. Box 712, Des Moines, IA 50306-0712

### OWNER (Name and Address):

Town of Kennebunkport  
PO Box 566, Kennebunkport, ME 04046

### BID

Bid Due Date: February 4, 2019

Description (Project Name—Include Location): WWTF and Cape Square Pump Station Upgrades

### BOND

Bond Number: Bid Bond

Date: February 4, 2019

Penal sum Five Percent of Amount Bid

\$ 5%

(Words)

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

### BIDDER

### SURETY

T. Buck Construction, Inc. (Seal)  
Bidder's Name and Corporate Seal

Employers Mutual Casualty Company (Seal)  
Surety's Name and Corporate Seal

By:

Signature

Print Name

Title

Attest:

Signature

Title

By:

Signature (Attach Power of Attorney)

Print Name

Attorney-in-Fact

Title

Attest:

Signature

Title

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
  - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
  - 3.2 All Bids are rejected by Owner, or
  - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.



## CERTIFICATE OF AUTHORITY INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

1. Employers Mutual Casualty Company, an Iowa Corporation
2. EMCASCO Insurance Company, an Iowa Corporation
3. Union Insurance Company of Providence, an Iowa Corporation

4. Illinois EMCASCO Insurance Company, an Iowa Corporation
5. Dakota Fire Insurance Company, a North Dakota Corporation
6. EMC Property & Casualty Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

Shelly Andrada

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the following Surety Bond:

Surety Bond Number: Bid Bond

Principal : T. Buck Construction, Inc.

Obligee : Town of Kennabunkport

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

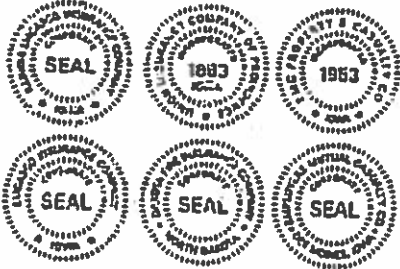
## AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

**RESOLVED:** The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 1st day of July, 2018.

Seals



Bruce G. Kelley, CEO, Chairman of Companies 2, 3, 4, 5 & 6; President of Companies 1, 2 & 6; Treasurer of Companies 1, 2, 3, 4 & 6

Todd Strother, Senior Vice President

On this 1st day of July, 2018 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Todd Strother, who, being by me duly sworn, did say that they are, and are known to me to be the CEO, Chairman, President and Treasurer, and/or Senior Vice President, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Todd Strother, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.

My Commission Expires October 10, 2019.

Notary Public in and for the State of Iowa



## CERTIFICATE

I, James D. Clogh, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on 1st day of July, 2018, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 4th day of February, 2019.

  
Vice President