



TOWN OF KENNEBUNKPORT, MAINE

INCORPORATED 1653

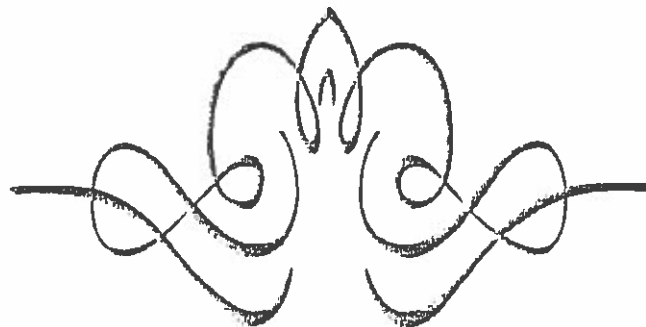
**Board of Selectmen Agenda
Village Fire Station – 32 North Street
March 28, 2019
6:00 PM**

1. Call to Order.
2. Final review of fiscal year 2020 municipal budget requests.
3. Approve the March 14, 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 a renewal liquor license application submitted by Nunan's Lobster Hut, Inc., 9 Mills Road.
6. Consider a renewal liquor license application submitted by the Seaside Hotel Association, Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue.
7. Consider a renewal special amusement permit application submitted by the Tina Hewett-Gordon, Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue.
8. Consider a renewal liquor license application submitted by SBJC, LLC, DBA Bandaloop, 2 Ocean Avenue.
9. Consider appointments to Village Parcel Master Plan Steering Committee.
10. Consider renewing contract with Sunrise Credit Services, Inc. to assist in bill collection.
11. Review proposed ordinance revisions and vote to place on Town Meeting Warrant.
 - a. Street numbering
 - b. Waterfront Ordinance

12. Donation of tax-acquired parcel, ice skating rink, to the Kennebunkport Heritage Housing Trust.
13. Accept donations of \$50 to the nurses fees account from Donald and Lucille Gaudette in memory of Ellen Dube.
14. Accept a donation of \$100 from Ed Macleod to the nurses general account.
15. Other business.
16. Approve the March 28, 2019, Treasurer's Warrant.
17. Adjournment.

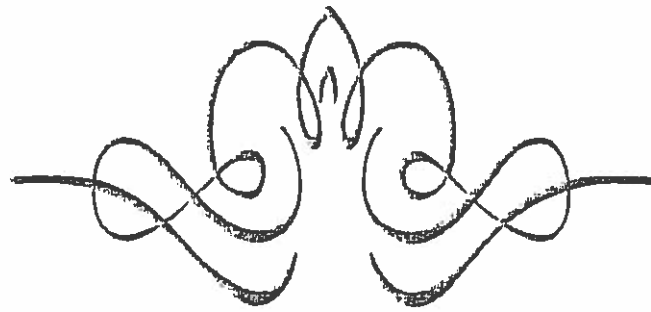


Agenda Item Divider



Town of Keene bunkport				
	2019	2020	2020	2020
	Budget with carryforwards	Manager	BOS	BB
Operating				
01 - Administration	938,595.00	1,001,725.00		
05 - Zoning Board Of Appeals	500.00	500.00		
07 - Conservation Commission	2,685.00	1,350.00		
08 - Growth Planning Committee	10,000.00	5,000.00		
09 - Legal fees	68,000.00	93,000.00		
10 - Insurance	268,966.00	268,142.00		
11 - Community Development	28,741.00	29,495.00		
12 - Planning & Development	421,898.00	447,171.00		
01 - Police dept	1,648,350.00	1,768,839.00		
02 - Communications	513,433.00	531,938.00		
03 - Fire dept	399,614.50	417,258.00		
04 - KEMS	150,000.00	155,000.00		
05 - Emergency Management	1,500.00	1,500.00		
06 - Animal Control	15,298.00	15,376.00		
07 - Harbormaster	21,968.00	38,838.00		
01 - Solid Waste	464,495.00	498,220.00		
02 - Health	184,702.00	187,811.00		
03 - Welfare	3,335.00	3,335.00		
04 - Social Services	22,400.00	22,400.00		
07 - Shellfish	4,018.00	3,671.00		
10 - Public Restrooms	32,500.00	32,500.00		
01 - Highway dept	888,777.00	976,267.00		
02 - Mechanic	101,663.00	0.00		
03 - Utilities	182,510.00	192,790.00		
04 - Shade Tree	42,088.00	42,123.00		
06 - Cemetery	20,553.00	14,513.00		
01 - Recreation	265,499.00	283,002.00		
02 - Graves Library	150,000.00	155,000.00		
03 - Cape Porpoise Library	13,950.00	13,950.00		
04 - Parsons Way	3,900.00	4,000.00		
05 - GRB Advisory	44,000.00	44,000.00		
07 - Contingency	107,089.00	65,000.00		
01 - Miscellaneous	10,790.00	10,668.00		
01 - Debt Service	210,957.00	627,662.00		

Town of Kennebunkport					
	2019	2020	2020	2020	2020
	Budget with carryforwards	Manager	BOS	BB	
Capital Outlay					
01 - Administration	20,000.00	130,000.00			
02 - Police	37,000.00	30,000.00			
04 - Fire Reserve	186,100.00	188,500.00			
06 - Highway	175,000.00	6,000.00			
09 - Road Improvement	717,000.00	587,600.00			
11 - Sidewalk Construction	93,000.00	90,000.00			
13 - Recreation	0.00	2,000.00			
19 - Revaluation	0.00	67,000.00			
20 - Special Projects	65,000.00	0.00			
39 - Piers	130,000.00	200,000.00			
Expense Totals:	8,665,874.50	9,253,144.00	0.00	0.00	
overlay	76,297.00	76,297.00			
Education	10,220,198.00	10,684,131.00			
County tax	1,135,299.00	1,169,358.00			
	20,097,668.50	21,182,930.00			



Agenda Item Divider



**Town of Kennebunkport
Board of Selectmen Meeting
March 14, 2019 – Immediately following
Joint Budget Meeting at 6:00 PM**

Minutes of the Selectmen's Meeting of March 14, 2019

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

Selectmen Absent: Patrick A. Briggs

Others: Barbara Barwise, Ted Baker, Dan Beard, Susan Boak, Carol Cook, Michael Claus, Michael Davis, Doug Dicey, Jay Everett, Werner Gilliam, David James, Kathryn Leffler, Jennifer Lord, Arlene McMurray, Dimitri Michaud, Dawn Morse, Michelle Powell, Breese Reagle, John Ripton. Craig Sanford, Beverley Soule, Stedman Seavey, Chris Simeoni, Laurie Smith, Dick Stedman, Jim Stockman, and others

1. Call to Order.

Chair Hutchins called the meeting to order at 6:05 PM and Budget Board Chair Barbara Barwise also called the Budget Board meeting 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.

Town Clerk Tracy O'Roak presented a PowerPoint presentation of her budget for fiscal year 2020 and other department directors presented their capital budget.

Chair Barwise adjourned the Budget Board Meeting at 7:16 PM.

3. Approve the February 28, 2019, and March 7, 2019, selectmen meeting minutes.

Motion by Selectman Daggett, seconded by Selectman Barwise, to approve the February 28, 2019, selectmen meeting minutes. **Vote:** 4-0.

Motion by Selectman Daggett, seconded by Selectman Barwise, to approve the March 7, 2019, selectmen meeting minutes. **Vote:** 4-0.

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

Nina Pearlmutter, member of the Shade Tree Committee, mentioned she will be doing a presentation about envisioning the whole town as an arboretum, this Saturday, at Graves Library, from 2:00 PM to 3:30 PM and at the April 25 Board of Selectmen Meeting. She will also talk about a tree inventory system that will be more viable and open to the public.

John Ripton, also a member of the Shade Tree Committee, added that the trees are important to the town because they play a significant role in ecological concerns and tourism.

5. Consider renewal liquor license application submitted by Alissons/DockSquare, L.T.D., DBA Alisson's Restaurant, 11 Dock Square.

Motion by Selectman Barwise, seconded by Selectman Daggett, to approve the renewal liquor license application submitted by Alissons/DockSquare L.T.D., DBA Alisson's Restaurant, 11 Dock Square. **Vote:** 4-0.

6. Consider appointment to the Senior Advisory Committee.

Motion by Selectman Barwise, seconded by Selectman Daggett, to appoint Beverley Soule to the Senior Advisory Committee for a term expiring in June 2020. **Vote:** 4-0.

7. Consider appointments to the Village Parcel Master Plan Committee.

Chair Hutchins said for those that applied to the committee, the Board would like to conduct interviews on one or two nights at town hall.

8. Establish a regulation restricting motorized vehicles on Goose Rocks Beach, under the authority of the Beach Use Ordinance.

Selectman Matthews-Bull said since there was only one complaint, she sees no need to make changes.

Selectman Daggett suggested keeping everything the way it is and see how it goes for another year.

Police Chief Craig Sanford reported he has not heard any complaints.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to table this item. **Vote:** 4-0.

9. Streetlight report presentation.

Director of Public Works Michael Claus said the Town hired a consultant to analyze streetlight acquisition and options for energy efficiency improvements. Jim Stockman, member of the Lighting Committee presented a PowerPoint presentation with the results of the analysis. See Exhibit A.

Mr. Stockman said the Town has been leasing the streetlights from CMP since 1927. He added that if the Town owned the streetlights, it would be a savings of approximately \$26,000 a year. To buy the system would cost approximately

\$50,000 with a two-year payback. Converting to LED platter lights would use less electricity but cost more. He and Mr. Claus will need to negotiate the costs for LED lights for fiscal year 2021 and develop a master plan. Mr. Claus will bring back more costs to the Board for LED conversion.

The Board would like to explore this further.

David James suggested having the Lighting Committee look at lighting in different areas of town.

Nina Pearlmutter said a resident she knows prefers the old lights. She also suggested looking at solar lights.

Selectman Matthews-Bull asked if other towns have done this. Mr. Stockman replied that Falmouth, Yarmouth, and South Portland have purchased new fixtures but not the same fixtures Kennebunkport wants.

Susan Boak asked if there will be additional lumens for safety. Mr. Stockman responded that it will be part of the design project.

10. Consider suggested changes to proposed ordinance revisions by town attorney.

Ms. O'Roak explained the changes in the proposes ordinances.

a. Street numbering

See Exhibit B

b. Waterfront Ordinance

See Exhibit C

Selectman Barwise left the meeting.

11. Adopt Resolution to Authorize Town of Kennebunkport to issue up to \$1,000,000 in bonds for the Ocean Avenue Seawall Project.

See Exhibit D

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, 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. **Vote:** 3-0.

12. Consider a construction overlimit permit-DOT.

Public Works Superintendent Michael Claus said this is routine for Maine DOT to request a permit for vehicles needed during construction activities which are over the weight limit on posted roads. The Department of Transportation is planning to pave a portion of Mills Road.

Motion by Selectman Daggett, seconded by Selectmen Matthews-Bull, to approve the construction overlimit permit for Maine DOT. **Vote:** 3-0.

13. Appoint Town Officers.

Town Manager Laurie Smith announced that these are annual appointments. Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, appoint the following slate of town officers:

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

Vote: 3-0.

14. Award bid for Wastewater boiler replacement.

Deputy Public Works Director Chris Simeoni said he received five bids and low bidder was Atlantic Comfort. He recommends awarding the bid to Atlantic Comfort.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to award the bid to Atlantic Comfort for a cost of \$22,583.00 **Vote:** 3-0.

15. Award bid for valve replacement at Cape Porpoise pump station.

Mr. Simeoni reported that he received two bids and recommends awarding the bid to Atlantic Mechanical.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to award the bid for valve replacement at the Cape Porpoise pump station to Atlantic Mechanical at the cost of \$160,500. **Vote:** 3-0.

16. Other business.

Ms. Smith said she received a request from the Parsons Way Committee to erect a Blue Star memorial marker in Parsons Way.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to erect a Blue Star memorial marker at Parsons Way. **Vote:** 3-0.

17. Approve the March 14, 2019, Treasurer's Warrant.

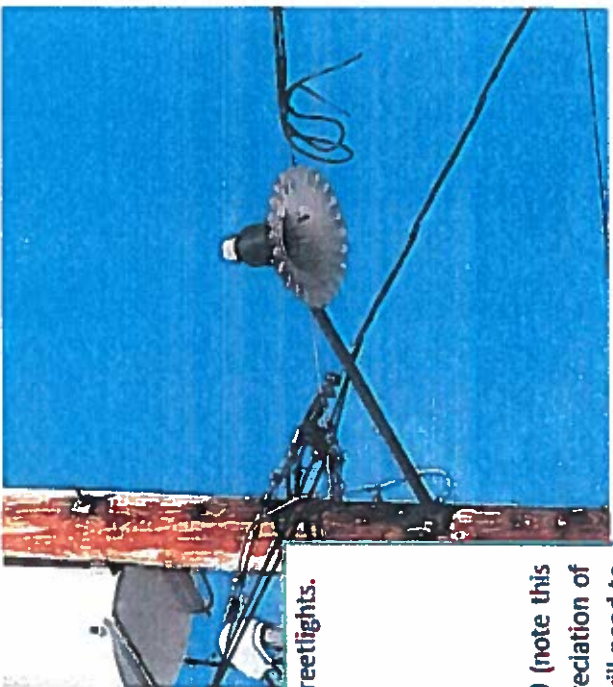
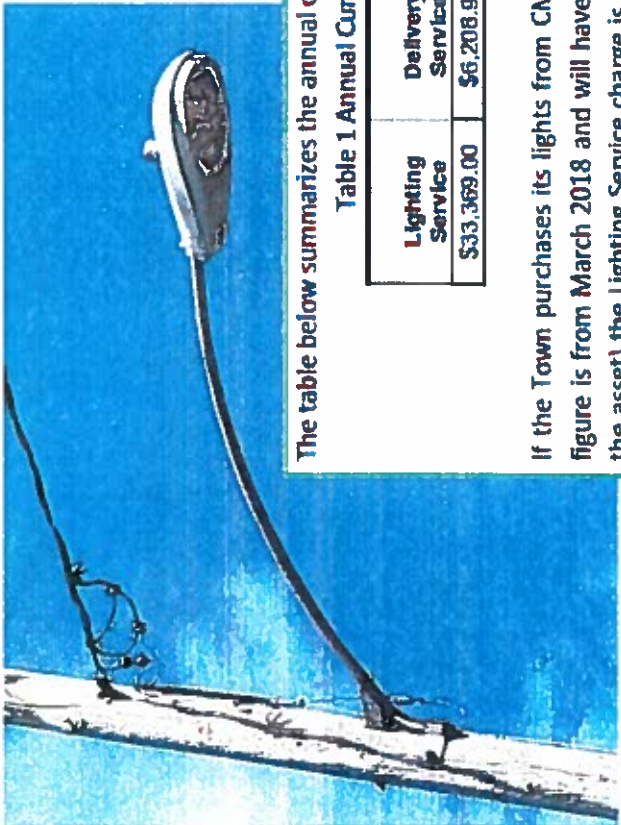
Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the March 14, 2019, Treasurer's Warrant. **Vote:** 3-0.

18. Adjournment.

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

The meeting adjourned at 7:59 PM.

Submitted by Arlene McMurray
Administrative Assistant



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

FY 2021 – Purchase Existing Streetlight System and Plan for LED Conversion
Budget Estimate Capital Cost \$75,000

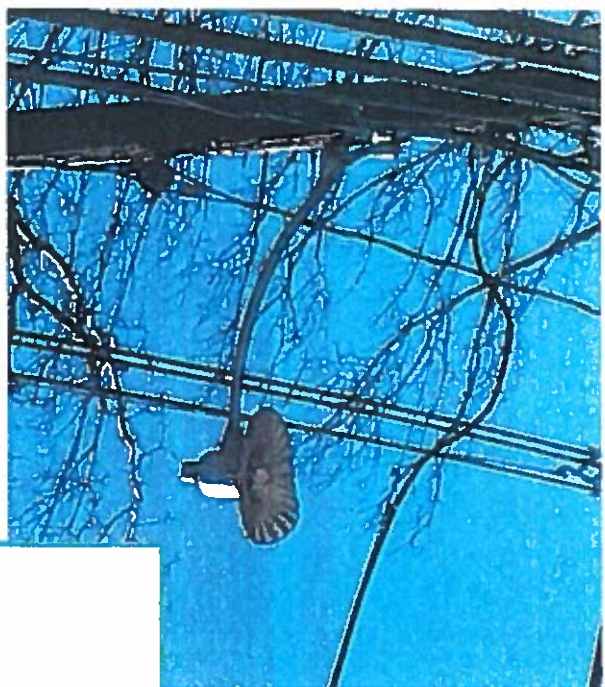
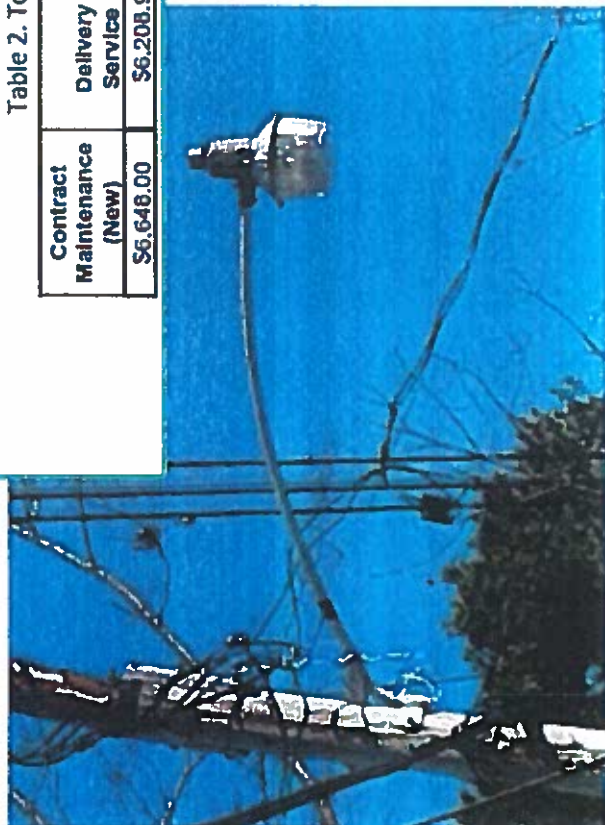


Table 3. Town Owned LED Costs

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

Future New LED Streetlight Costs:
Streetlight costs vary by
fixture performance characteristics
and manufacturing costs. Premium LED
fixtures cost \$750 + and volume
produced LED streetlights cost \$250 +.
Add \$150 per fixture for installation.



RSW Series



Autobahn Series ATB Micro
Roadway Lighting



Jamestown
Radial Wave SE



Eclipse
Radiant™

FY 2022 or beyond. Convert Streetlight
System to New LED. Budget Estimate
Capital Cost \$125,000 to \$275,000





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.

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.

[DATE]

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: 3/14/2019





Sheila Matthews-Bull
A majority of the Board of Selectmen

A true copy, attest:



Tracey O'Roak, Town Clerk



Agenda Item Divider



(5)

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

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

PRESENT LICENSE EXPIRES: 4/30/19

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:

- ☒ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)
☐ GOLF COURSE (Class I,II,III,IV) ☐ TAVERN (Class IV) ☐ QUALIFIED CATERING
☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Nunan's Lobster Hut, Inc.</u>			Business Name (D/B/A)		
APPLICANT(S) - (Sole Proprietor) <u>Richard Nunan</u>			DOB: <u>04/08/1960</u>		
Physical Location: <u>9 Mills Rd</u>					
City/Town <u>Keith Nunan</u>			State <u>ME</u>		
Zip Code <u>04014</u>					
Address <u>9 Mills Rd</u>			Mailing Address <u>9 Mills Rd.</u>		
City/Town <u>Kennebunkport</u>			State <u>ME</u>		
Zip Code <u>207-967-4362</u>			Zip Code <u>04046</u>		
Telephone Number <u>207-967-4362</u>			Business Telephone Number <u>207-967-4362</u>		
Fax Number			Fax Number		
Federal I.D. # <u>56-2342805</u>			Seller Certificate #: or Sales Tax #: <u>1071867</u>		
Email Address: Please Print			Website:		

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

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

ROOMS \$ N/A FOOD \$ 608,203.74 LIQUOR \$ 90,271.79

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



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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

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: 4-12-19

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:

- ☐ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☒ HOTEL (Class I,II,III,IV) ☒ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)
☐ GOLF COURSE (Class I,II,III,IV) ☐ TAVERN (Class IV)
☐ QUALIFIED CATERING
☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>SEAIDE HOTEL ASSOCIATES LTD PARTNERSHIP</u>		Business Name (D/B/A) <u>NONANTUM RESORT</u>	
APPLICANT(S) -(Sole Proprietor) _____		Physical Location: <u>95 OCEAN AVENUE</u>	
DOB: _____		City/Town <u>KENNEBUNKPORT</u> State <u>ME</u> Zip Code <u>04046</u>	
Address <u>220 MAINE MAINE ROAD</u>		Mailing Address <u>PO BOX 2626</u>	
City/Town <u>So. Portland</u> State <u>ME</u> Zip Code <u>04106</u>		City/Town <u>KENNEBUNKPORT</u> State <u>ME</u> Zip Code <u>04046</u>	
Telephone Number <u>207-761-2131</u> Fax Number <u>207-761-9208</u>		Business Telephone Number <u>207-967-4050</u> Fax Number _____	
Federal I.D. # <u>01-0493637</u>		Seller Certificate #: <u>0237544</u> or Sales Tax #: _____	
Email Address: <u>STAY@NONANTUMRESORT.COM</u>		Website: <u>WWW.NONANTUMRESORT.COM</u>	

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: 109

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

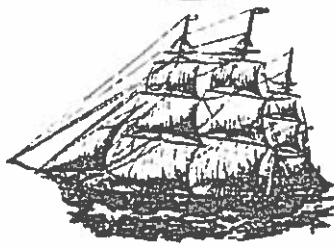
ROOMS \$ 3,914,809 FOOD \$ 1,785,558 LIQUOR \$ 591,708

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:



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

Name of Applicant

TINA HEWETT-GORDON

Residence Address

11 TIDEWATER CT. KENNEBUNK, ME

Home Telephone Number

207-967-4050

Name of Business

SEASIDE HOTEL ASSOC. DBA NOVANTUM RESORT

Business Address

95 OCEAN AVENUE

Type of Business

RESORT HOTEL & RESTAURANT

Business Telephone Number

207-967-4050

Nature of Special Amusement

MUSIC & DANCING

PRIVATE EVENTS

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

Yes

No

X

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

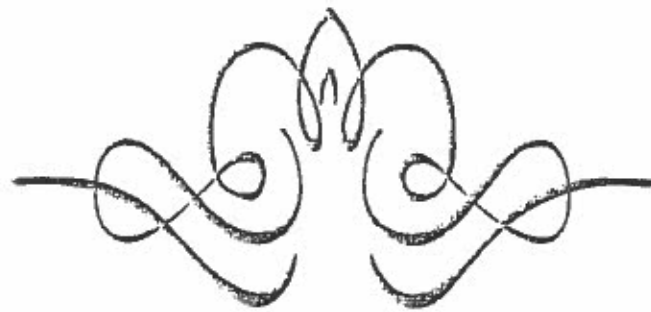
1. Permit Fee: \$ 50.00 (payable to the Town of Kennebunkport)
2. By making application for this permit and signing this application form, I acknowledge that I am familiar with the rules and regulations governing this permit.

Signature of Applicant

Printed name:

Tina Hewett-Gordon

Tina Hewett-Gordon



Agenda Item Divider



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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

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: 3/24/19

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:

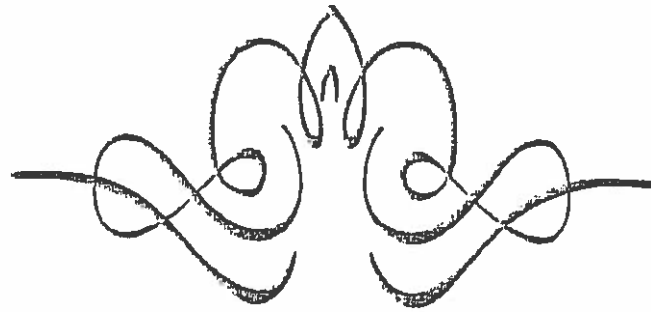
- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (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: _____ | | <input type="checkbox"/> SELF-SPONSORED EVENTS |
- (QUALIFIED CATERERS ONLY)

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: SBJC LLC		Business Name (D/B/A) BANDALOOP	
APPLICANT(S) --(Sole Proprietor) W Scott Lu		DOB: 8/7/70	
Address 5 Oak Grove Ln		Physical Location: 2 Ocean Ave	
City/Town Kennebunkport	State MAINE	Zip Code 04046	
Mailing Address 5 Oak Grove Ln		Same As Above? <input type="checkbox"/>	
City/Town Kennebunkport	State ME	Zip Code 04046	
Telephone Number 207 205 4994 cell	Fax Number	Business Telephone Number 207 967 4994	Fax Number N/A
Federal I.D. # 593781150		Seller Certificate #: 1074962 or Sales Tax #:	
Email Address: info@bandaloop.biz		Website: www.bandaloop.biz	

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: N/A
- State amount of gross income from period of last license:
 ROOMS \$ 0 FOOD \$ 445,000.00 LIQUOR \$ 169,500.00
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
 If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐



Agenda Item Divider



10

Town of Kennebunkport

Memo

To: Laurie Smith, Town Manager, and the Board of Selectmen
From: Jennifer Lord, Treasurer
Date: 3/20/19
Re: Collections

We have sent final notices out to all our accounts receivable the week of March 11, 2019, informing recipients that the Board of Selectmen will determine the next course of action.

In the past, we have used Sunrise Credit Services, Inc to assist with this. Their fees are 25% of all collections. In August 2016, they started the process with the parking violations and had a 13% collections rate. This process takes 8 months from start to finish.

I am requesting that we contract with Sunrise Credit Services, Inc to collect our past due balances on accounts receivable, which includes parking violations, recreation programs, moorings, pier dues and others for the years prior to and including FY 18. The total of \$21,254.59 will be adjusted accordingly with payments that come in prior to the start date for the collections service.

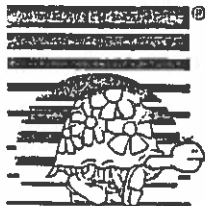
As of today, 3/20/19 the summary is as follows:

Type	# of bills	amount
Dock Square Parking Lot	77	\$554.00
Pier - moorings	19	\$810.00
Pier - fuel	7	\$667.59
Pier - dues	8	\$3,690.00
Alarms	2	\$100.00
Shade tree work	2	\$1,345.00
Recreation	17	\$2,838.00
Parking violations	272	<u>\$11,250.00</u>
		\$21,254.59

Thank you for your consideration.

A COLLECTION AGREEMENT FOR

MS. JEN LORD
THE TOWN OF KENNEBUNKPORT, ME
6 ELM STREET
KENNEBUNKPORT, ME 04046



**Sunrise Credit
Services, Inc.**

260 Airport Plaza Farmingdale, NY 11735

1-800-208-8565

Fax 1-631-501-8529

COLLECTION AGREEMENT

COLLECTION SERVICE AGREEMENT	MONTH	DATE	YEAR
THE TOWN OF KENNEBUNKPORT, ME	6	20	2016

TO: (collector)

Sunrise Credit Services, Inc.
260 Airport Plaza
Farmingdale, NY 11735

1. SERVICE TO BE PERFORMED

The undersigned, The Town of Kennebunkport, ME, is herein referred to as the "Client". The person, firm, or corporation to which this agreement is addressed is herein referred to as the "Collector". The Collector will provide Client with collection services when, as, and if Client shall submit to the Collector claims of Client against customers (hereinafter called claims), such services to be provided in accordance with the terms and conditions set forth in this agreement.

2. SUBMISSION AND COLLECTION OF CLAIMS

Client may from time to time submit claims to the Collector for collection. The Collector will exert active and continuous collection efforts in accordance with legal and ethical collection practices during the period such claims are held by the Collector for collection.

The Collector shall be allowed 180 days from the date of transmittal of a claim to:

- Collect the account in full
- Close and return as uncollectible
- Request in writing litigation approval
- Establish a payment arrangement

Otherwise, at the conclusion of said 180 day period, the client shall have the right to recall the claim with due notice.

3. HANDLING OF FUNDS

Upon receipt of collections hereunder, the Collector will immediately deposit the same in a trust account maintained in a reputable bank by the Collector on behalf of Client. The Collector shall be liable to Client for all loss, theft, or destruction of monies collected while in the custody of the Collector. All collections shall be held in trust by the Collector as the sole and exclusive property of Client.

4. RATE

SEE ATTACHED

5. COLLECTOR'S MONTHLY STATEMENT

The gross amount of all collections, less Collector fees, will be remitted monthly, accompanied by a detailed remittance advice. The Collector's remittance will include the customer's name, account number and amount paid (to you, or to us).

6. DIRECT PAYMENTS

Client will furnish the Collector a report of all direct payments made on assigned accounts on a monthly basis.

7. SETTLEMENTS

No settlements for dropped students for less than 80% of the full outstanding indebtedness shall be made without prior written consent of client.

8. OBSERVANCE OF ETHICAL PRACTICES; COMPLIANCE WITH LAW

The Collector agrees that all activities of the Collector shall be carried out in strict compliance with federal, state and local laws, regulations, and requirements, including, but without limitation, all regulations and requirements of the Federal Trade Commission and the Fair Debt Collection Practices Act. The Collector agrees that it will not misrepresent itself in any way or use any name similar to that of any governmental agency or body, that will not use any skip tracing tactics disapproved of by the Federal Trade Commission, and that the Collector will not make any collect telephone calls in which it represents itself as a Client.

Further, the collector will not falsely represent, directly or indirectly, that the collector is an attorney or counselor at law if he is not, that the Collector will not do any act deemed to be the authorized practice of law in the state in which the debt collector is located unless he is a licensed member of the appropriate bar, that the Collector will not attempt to collect a debt by use of threats of violence or use false, deceptive, or misleading representations, that the Collector will not use obscene or abusive language in communications with debtor, that the Collector will not collect or attempt to collect a debt by means of judicial proceedings when the Collector knows jurisdiction over the debtor or property has not been obtained or is improper.

9. INSTITUTION OF LEGAL ACTION

The Collector shall not institute civil proceedings unless all legal documents requiring Client's signature shall have been submitted to Client for execution and unless the Collector has received authorization from Client. It is understood that any court cost incurred will be advanced by Collector and billed back to Client on a separate remittance.

10. POWER OF ATTORNEY

1. Client gives Collector power of attorney to sign its name to checks, drafts or payments in any form and certificates of cancellation of judgments for the purpose of depositing payments from clerks of court or others, all limited to the scope of this agreement.
2. Client gives Collector limited power of attorney to cancel judgments in case of emergency or incapacity to handle these functions or termination of agreement.

11. NO ADVERTISING OF RELATIONSHIP WITH CLIENT

The Collector represents and agrees that it is an independent contractor and that neither the Collector nor any of its agents or employees shall advertise or otherwise represent that either they are or have been in any way associated or affiliated with Client, except that Collector may advise others of the existence of this agreement.

12. LIABILITY AND INSURANCE

The Collector shall both during and after the term hereof indemnify and hold harmless Client, its agents and employees against and from all actions, suits, liabilities, settlements, losses, damages, costs, charges, counsel fees, and all other expenses relating to or arising

from any and all claims (whether founded or unfounded) of every nature or character (including but without limitations, claims for personal injury, death, libel, slander, false arrest, detention, or accusation, malicious prosecution, abuse of process, assault and battery, damage to property, harassment or invasion or infringement of any tangible or intangible personal property right) due to any actual or alleged negligence of or to any actual or alleged act of commission or omission by, the Collector. The Collector, if Client so requests, shall resist and defend such action, suit or proceeding, at the sole expense of the Collector, by reputable counsel reasonably acceptable to Client. The Collector now carries and will continue to carry, at its sole expense, with insurers, and under policies satisfactory to client, liability insurance including, Commercial General Liability of \$2 million dollars, with \$10 Million Excess/Umbrella liability coverages. The public liability insurance shall provide comprehensive coverage, including coverage for harassment, libel, slander, false arrest, detention, or accusation, malicious prosecution, abuse of process, and assault and battery; coverage of the undertakings of the Collector pursuant to the first sentence of this paragraph. A Certificate with respect to the aforesaid insurance shall be furnished to Client, which certificate shall contain a statement of the extent and nature of the liability coverage and the provision that coverage thereunder may not be canceled or amended except on ten days prior written notice to Client.

Notwithstanding the above, Client agrees that it will defend, indemnify and hold Collector harmless against any loss, suit, claim, demand or recovery including without limitation, all court costs and attorneys' fees, arising out of or in connection with any of Client's business practices, policies, procedures, or the acts or omissions of any of its employees or agents, that shall have been the direct cause of any loss, suit, claim, demand or recovery brought against Collector.

13. CERTAIN CLAIMS WITHDRAWAL

Client may withdraw or recall at any time and for any reason any or all claims submitted to said Collector. There upon, the Collector shall forthwith return to Client the recalled or withdrawn claims together with all documents and records. Client shall be entitled to advise its customers of the withdrawal or recall of such claims. The rights of the Collector with the respect to withdrawn claims shall be limited to payment of unpaid commissions with the respect to collection made by the Collector at his or the Client's locations up to the date of withdrawal.

14. FORCE MAJEURE

Notwithstanding any provision to the contrary, no party to this Agreement will be liable to the other party for any delay or interruption in performance of any obligation resulting from governmental emergency orders, judicial or governmental action, emergency regulations, sabotage, riots, vandalism, labor strikes or disputes, acts of God, fires, electrical failure, major computer hardware or software failures, equipment delivery delays, acts of third parties or any other cause, if the delay or interruption in performance is beyond its reasonable control.

15. TERMINATION AND AMENDMENT AGREEMENT

This agreement shall be effective as of the date set forth above and shall continue in effect until terminated as hereinafter provided. Either party may terminate this agreement by giving the other party at least 30 days prior written notice of the date of termination; provided, however, that Client may terminate this agreement forthwith in the event that the Collector shall violate any of the terms of provisions hereof.

In Witness Whereof the parties have executed this Agreement on this day of _____, 2016
by signing below.

THE TOWN OF KENNEBUNKPORT, ME

BY: _____

TITLE: _____

SUNRISE CREDIT SERVICES, INC.

BY: _____

TITLE: _____

COLLECTION FEE SCHEDULE

PRIMARY.....25%

MAJOR CREDIT CARDS:
VISA & MASTER CARD

No fee



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



(13)

Kennebunkport Public Health

March 4, 2019

ATN: Kennebunkport Board of Selectmen, Laurie Smith-Kennebunkport Town Manager

Please accept this generous gift of \$50.00 in memory of Ellen Dube to the Nurses fees account
Thank you!

Alison Kenneway RN, BSN

Kennebunkport Public Health

DONALD A. GAUDETTE
LUCILLE P. GAUDETTE
207-286-4139
P.O. BOX 1714
BIDDEFORD, ME. 04005

4020

52-7439/2112

2/28/19

Date

CHECK AMOUNT
TRADE PROTECTION

Pay to the
Order of

K Port Public Health Nursing

\$ 50.00

Fifty Dollars & No/100

Dollars



Photo
Safe
Deposit
Death as per



Biddeford Savings

Donation

For

Ellen W. White

Lucille P. Gaudette





Agenda Item Divider



14

Kennebunkport Public Health

March 18, 2019

ATN: Kennebunkport Board of Selectmen, Laurie Smith-Kennebunkport Town Manager

Please accept this generous gift of \$100.00 from Ed Macleod to the Nurses general (G1—320-39) account.

Thank you!

Alison Kenneway RN, BSN

Kennebunkport Public Health

EDWARD MACLEOD
(203) 567-3126
242 KINGS HIGHWAY
KENNEBUNKPORT, ME 04046

2901

52-8849/2112

MARCH 13, 2019
Date

CHECK AGAINST
TRANSACTION

Pay to the
Order of KENNEBUNKPORT PUBLIC HEALTH \$ 100.00
ONE HUNDRED AND ^{NO} /100 Dollars

INFINITY

1298 Alfred Road
Arundel, ME 04046

Photo
Safe
Deposit®
Details on back

For _____

Ed P. Macleod MP

Noted Clerk