

**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 proposed 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.

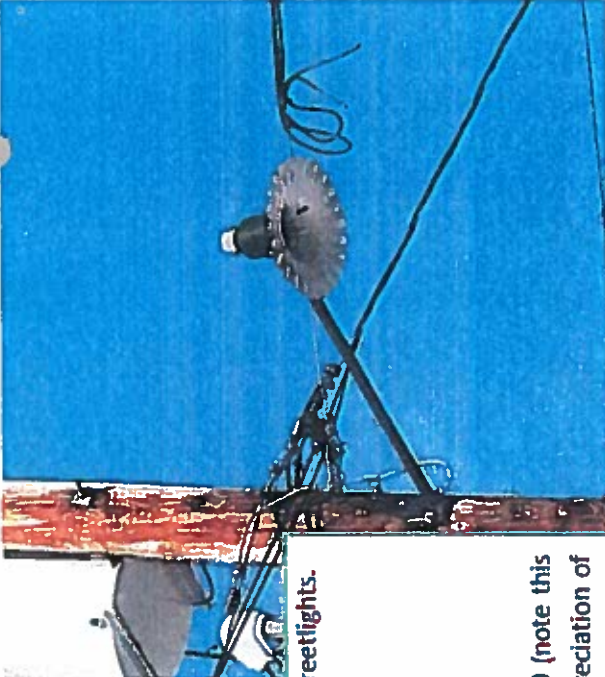
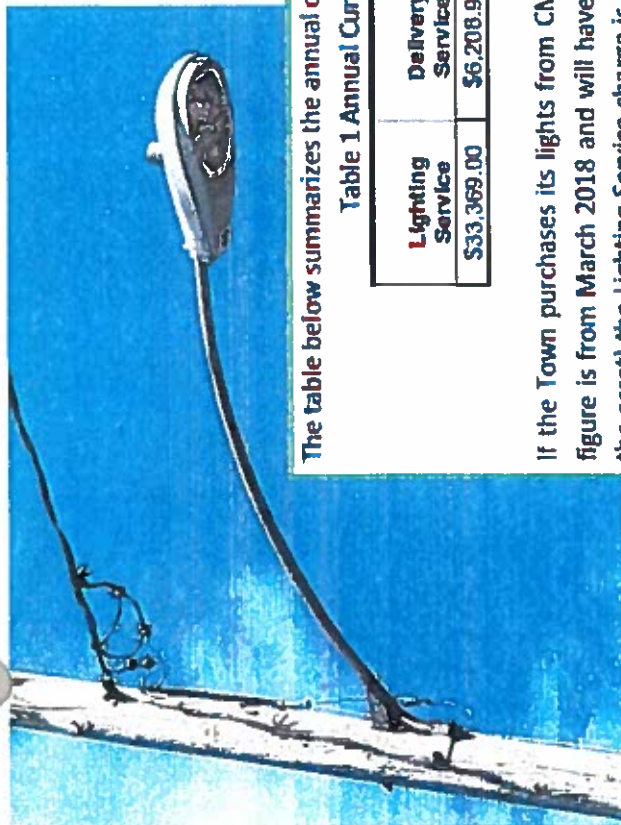
18. Adjournment.

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

(9) EXHIBIT A - MARCH 17, 2011



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

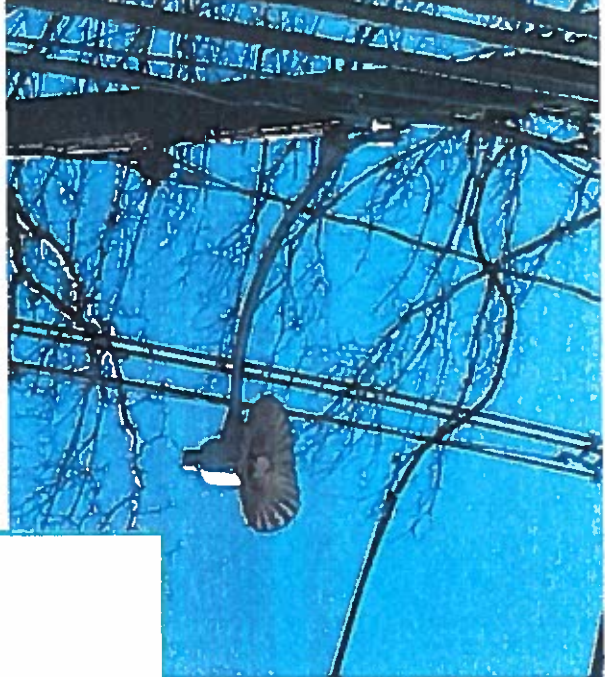
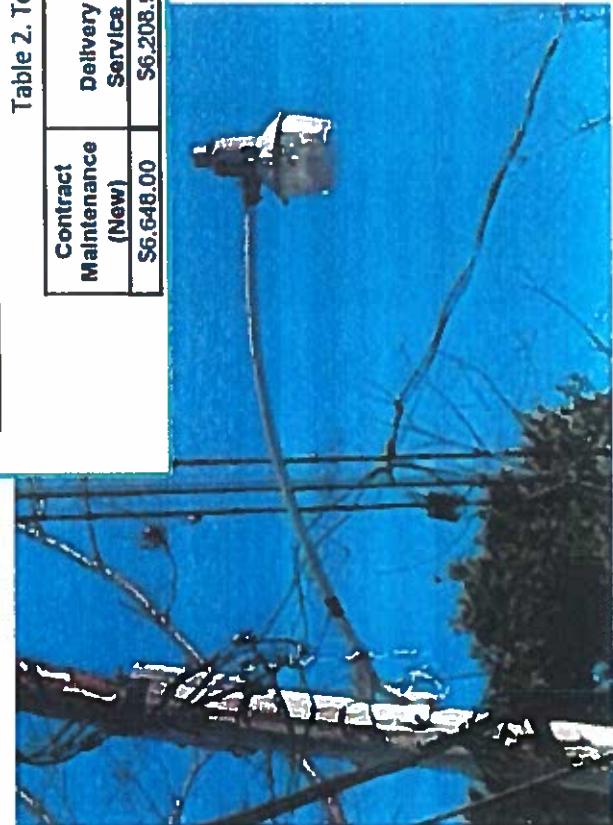


Table 3. Town Owned LED Costs

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 ATBMicro
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





Shula Matthews-Bull
A majority of the Board of Selectmen

A true copy, attest:



Tracey O'Roak, Town Clerk