

TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, APRIL 26, 2016 – 6:15 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA

SPECIAL MEETING – 6:15 P.M.

Interview the following Candidate for Committees:

Lorraine Burr

Downtown Committee

Vacancies: (2) Alternate 2016

REGULAR MEETING – 6:30 P.M.

1. Call to Order & The Pledge of Allegiance

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

2. Minutes (2-3 minutes)

- a. April 12, 2016 Regular Meeting

3. Items to be Signed (3-5 minutes)

- a. Items as Presented

4. Public Hearing(s) (10-15 minutes)

- a. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

Boulangerie, LLC d/b/a Boulangerie
Located at 5 Nason's Court
For a renewal Malt and Vinous Liquor License Application

Town Manager's Note (not part of the public hearing notice):

Fire Department: no deficiencies noted in the annual inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

MOTION: To approve the renewal Malt and Vinous Liquor License Application for Boulangerie, LLC d/b/a Boulangerie.

- b. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

Ports of Italy The Kennebunks d/b/a Ports of Italy
Located at 4 Western Avenue
For a renewal Malt, Spirituous, and Vinous Liquor License Application

Town Manager's Note (not part of the public hearing notice):

Fire Department: no deficiencies noted in the annual inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

MOTION: To approve the renewal Malt, Spirituous and Vinous Liquor License Application for Ports of Italy The Kennebunks d/b/a Ports of Italy.

- c. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

**Old Vines Wine Bar d/b/a Old Vines Wine Bar
For a new Special Amusement Permit
Located at 173 Port Road**

Town Manager's Note (not part of the public hearing notice):

Fire Department: Due to the renovations currently underway, the facility is not ready for a Fire & Life Safety Inspection. The Fire Chief's recommendation is to issue the licenses and hold until the following have occurred: Code Enforcement Officer's final inspection and Fire Department's Fire & Life Safety Inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

MOTION: To approve the new Special Amusement Permit for Old Vines Wine Bar d/b/a Old Vines Wine Bar, pending final inspection by the Code Enforcement Officer and Fire Department.

- d. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following:

**Proposed Zoning Ordinance Amendment-Art. 8, Section 6.B.7-3,
under the accessory use called Renting of Rooms**

Proposed Town Meeting Warrant Article:

Art. ____ Shall an ordinance entitled "Kennebunk Zoning Ordinance" be enacted to revise the text of Section 6.B.7-3 as shown below?

Permitted Uses: The following accessory uses: Renting of rooms, not to exceed six rented rooms.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Town Manager's Note (not part of the public hearing notice):

The changes to Art. 8, Section 6.B.7-3, under the accessory use called Renting of Rooms, would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 14, 2016, the motion could be as follows:

MOTION: To send the proposed changes to the Kennebunk Zoning Ordinance-Art. 8, Section 6.B.7-3, under the accessory use called Renting of Rooms, to the Annual Town Meeting on June 14, 2016.

NOTES REGARDING PUBLIC HEARINGS E & F (PAY-AS-YOU-THROW AND LD1) BELOW:

At the Selectmen's meeting on April 12th, the public hearings below (regarding PAYT and LD1 Property Tax Levy Limit) were held.

PAYT: The Board of Selectmen voted not to send the PAYT question to the Annual Town Meeting on June 14, 2016, while the Budget Board, at an earlier meeting that evening, voted to send the PAYT question to the Annual Town Meeting.

LD1 Property Tax Levy Limit: The Board of Selectmen declined to vote on this question, while the Budget Board, at an earlier meeting that evening, voted to send the LD1 Property Tax Levy Limit question to the Annual Town Meeting.

After consulting with the Town attorney about the PAYT question as written, the following was determined:

- The PAYT question cannot go forward solely on a Budget Board recommendation since the question involves both a policy (Ordinance amendment) and funding.
- The Selectmen could reverse the prior decision (of April 12), which would keep the question on the ballot
- The Selectmen could make no further changes
- The Selectmen could send a non-binding question to the voters concerning this topic

The Town attorney will be present to discuss the options with the Board of Selectmen and Budget Board, who have been invited to the meeting for this discussion.

- e. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following:

A continuation of the discussion regarding the Pay As You Throw program.

Additional information is available in the Town Clerk's Office.

Town Manager's Note (not part of the public hearing notice):

Below is information from the April 12th Public Hearing:

Amendments to the Pay As You Throw Ordinance

Proposed Town Meeting Warrant Article:

Art. ____ Shall an Ordinance entitled "Amendment to Section 3-14 of the Town's Solid Waste, Pay as You Throw, Recycling and Residential Compost Ordinance" be enacted to delete all references to "Pay As You Throw" and related provisions thereby eliminating the "pay per bag" trash program in Kennebunk, which shall raise and appropriate \$435,000 for the collection and disposal of the Town's municipal solid waste and other related miscellaneous expenditures by assessment.

[Fiscal Note: If this ordinance amendment passes, the elimination of the "Pay As You Throw" program of trash collection (purchase of blue and purple trash bags) will result in an increase to the Town's budget by \$435,000, which is the equivalent of (an approximate) \$.23 increase to the Town's tax mil rate. On the other hand, if this ordinance amendment fails, the continuance of the "Pay as You Throw" trash program may require the price of bags to be increased by 35%.]

Note: This warrant article pertains to the Town's blue and purple trash bags, not the Town's new trash and recycling containers. The containers will continue to be used regardless of the outcome of the vote.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

- f. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following:

A warrant article for the 2016 Annual Town Meeting regarding LD #1 property tax Levy limit.

Additional information is available in the Town Clerk's Office.

Town Manager's Note (not part of the public hearing notice):

Below is information from the April 12th Public Hearing:

LD 1 Property Tax Levy Limit

Proposed Town Meeting Warrant Article:

Art. ____ To see if the Town will vote to increase the Town's LD 1 property tax levy limit amount by \$435,000, but to be effective only if Article ____ above passes, eliminating the Town's Pay As You Throw solid waste program.

[Fiscal Note: The Town's LD 1 property tax levy limit will need to be increased by \$435,000 only if Article ____ eliminating the Pay As You Throw solid waste program is passed; otherwise, the LD1 limit will not be increased.]

- g. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

To hear public comment on the proposed warrant articles for the 2016 Annual Town Meeting.

The draft of the warrant is attached for your review.

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements (5 minutes)

- a. Nominations Papers for the June 14th Election: Nomination papers are available for the following positions:

| | |
|--|-----------------------|
| Board of Selectmen | 2 seats, 3-year terms |
| RSU 21 Director | 2 seats, 3-year terms |
| Trustee Kennebunk Light & Power District | 1 seat, 5-year term |
| Trustee Kennebunk Sewer District | 2 seats, 3-year terms |

Nomination papers are available in the Town Clerk's Office and must be returned by Monday, May 2nd by 4:30 p.m. A minimum of 25 signatures is required. FMI, please contact the Town Clerk's office at 604-1326.

7. Time Sensitive Business

- a. Award the Wayfinding Signage Bids (5-10 minutes) – The Town began the process of identifying wayfinding signage within Kennebunk in 2014. The goals were to:

- Welcome all to Kennebunk
- Present our three district villages and shopping areas
- Promote shopping, dining, and entertainment opportunities within Town

- Guide visitors to places of interest
- Have signage that identifies Kennebunk in a consistent manner which also informs and directs visitors.

The Town received the following four bids for the wayfinding signage:

| Company | A Signs & Install | B Signs Only (price include in A) | C Fire/Police Building Signs | Total A & C |
|---|----------------------|---|------------------------------------|----------------|
| Rising Revolution Studio Shapleigh, ME | \$ 20,246.65 | \$ 8,961.65 | \$ 6,942.80 \$3,471.40/each | \$ 27,189.45 |
| Creative Impressions Norcross, GA | \$ 27,680.00 | \$ 11,980.00 | \$ 8,900.00 \$4,450.00/each | \$ 36,580.00 |
| Prevost Signs Kennebunk, ME | \$ 23,465.50 | | \$ 5,570.50 \$2,785.25/each | \$ 29,036.00 |
| W.S. Sign Design Corp. Springfield, MA | \$ 16,991.11 | \$ 9,969.31 | \$ 5,165.00 \$2,582.50/each | \$ 22,156.11 |

The low bidder is W.S. Sign Design Corp. of Springfield, MA. The budget for the wayfinding signage, item A, which includes the signs and installation, would come from the Route One/Downtown TIF. Item C, which replaces the Fire and Police building signs, would come from the Police and Fire Department budgets.

MOTION: To award the Wayfinding Sign Bid to W.S. Sign Design Corp. for \$16,991.11, to be funded from the Route One/Downtown TIF.

MOTION: To award the Fire and Police Department Building Identification Sign Bid to W.S. Sign Design Corp. for \$5,165.00, to be funded from the Fire and Police Department's current budgets.

- b. Discuss the Road Closures for the Month of May 2016, Associated with Special Event Applications (5-10 minutes) The new Special Event Policy requires Board approval for road closures. According to the Police Department, they are requesting approval for the following road closures or delays. Note: There are no changes from previous years.

- **May 14, 2016: Run For The Homeless**
This 5K race begins at Mother's Beach and has a start time of 9:00 A.M. Beach Avenue will be closed to thru traffic from the intersection of Beach Avenue and Woodland Avenue to the intersection of Beach Avenue and Boothby Road. (This is to allow for safe passage of the runners crossing the roadway to the finish line and spectators gathered in the area.)
Duration: Until the completion of the race, 10:30 A.M. +/- (start time of 9:00 A.M.)

- **May 15, 2016: Maine Coast Marathon**
This race begins at the Kennebunk High School and has a start time of 7:30 A.M. Fletcher Street will be closed to thru traffic from the intersection of Fletcher Street & Ross Road to the intersection of Fletcher Street & Main Street.
Duration: Approximately 15 minutes (start time of 7:30 A.M.)
- **May 22, 2016: Cocoon’s Day Care “Race to Educate”**
This 5K & 10K race begins in front of the Waterhouse Center and has a start time of 10:00 A.M. Main Street northbound will be closed twice for approximately 2 minutes to allow the start of each race. The finish line is at the end of Grove Street. Grove Street will be closed for a distance of 100 feet from the intersection of Main Street. Vehicle traffic will be allowed to go behind the Kennebunk Inn and into the municipal parking lot behind Perfectos.
Duration: Until the end of both races, 12:30 P.M. +/- (start time of 10:00 A.M.)

MOTION: To approve the road closure for May as noted above.

In the future, would the Board like to see these only when there is a full road closure, as opposed to a single lane closure? If so, the Board should take a vote stating this.

- c. Approve the CDBG Application for a Economic Development Program for Gymnation Discussed at the 3/8/16 Public Hearing (5-7 minutes) – At the March 9th meeting, the Board held public hearings to discuss CDBG applications. The Board needs to vote to send the Economic Development Program application for **Gymnation** to the Department of Economic Development and Community Development (DECD).

Listed as Public Hearing 4.i on the March 8th agenda:

To discuss an application being submitted to the State of Maine CDBG program for a Microenterprise grant. The purpose of the request is to assist **Gymnation** with gap financing of \$120,000 to develop a new home, with a new structure and equipment along Route 1 south, adjacent to Garret Pillsbury.

Monies will be used for the purchase of new equipment. This move is necessitated by the demolition of their present building on Water Street for use in the future Sewer Treatment Expansion Project. The application is for \$120,000. Total project costs will be in excess of \$1.3 million.

MOTION: To approve the submittal of the CDBG application for a Microenterprise grant to the Department of Economic and Community Development for Gymnation.

8. Old Business (2nd Reading)

- a. Discuss the Creation of a New Committee on Aging (5-7 minutes) – At the last meeting, the Board discussed the creation of this new committee. Our current committees range in size from three to eleven members. The majority of committees have five regular members and two alternate members, for a total of seven.

With new committees, we advertise on Channel 5, on our website and send a news brief to the local reporters, seeking members. Based on the interest received, the Board could then decide on the number of committee members. On several committees, we have also have ex-officio members.

This new committee may be aided by representatives from the Chamber of Commerce and the Town's Social Services and Planning Office.

The following was provided at the last meeting concerning the focus of the new committee:

The committee would:

- gather relevant information pertaining to senior citizens residing in Kennebunk
 - medical services
 - recreation centers for seniors
 - senior residences, nursing homes, rehab centers, hospices
 - nursing services, physician/elder care specialists
 - private groups concerned with elder care
- establish a liaison with other Town committees and departments which have relevant concerns
 - Social Service/GA Department
 - Town Committees (Affordable Housing, Community Garden, Festival, Recreation, Planning Board)
- gather information from seniors and interested entities working on behalf of seniors, so that the committee might advise Town officials about issues of immediate concern

Once the committee is established, committee members could recommend a name for the committee.

MOTION: To advertise for the formation of a new committee focusing on seniors, with interested members meeting briefly with the Selectmen at 6:15 p.m. at the May 24th meeting.

- b. Discuss a Policy on Town Hall Flag Display (5 minutes) – At the last meeting, the Board discussed the possibility of a new policy honoring deceased veterans of Kennebunk. This would entail flying the American Flag at half-mast on the day of the veteran's funeral or burial. The policy also allows the flag to be flown at half-mast for others as designated by the Selectmen. Attached is a draft of the Flag Policy.

MOTION: To approve the proposed Flag Policy.

9. New Business (1st Reading)

- a. Discuss the TIF Priority Rankings (10-15 minutes) – In January, the Board discussed the usage of TIF funds with the Economic Development Committee (EDC). At that time, the Board asked the EDC to refine the priorities, identify costs and provide further explanation of the projects.

The Economic Development Committee has reviewed all three TIF Districts and the various capital improvements for each area. During this review, the EDC identified a number of adjacent roadways which could be included for improvements, thusly reducing some road improvements in the current program listing. The document also lists out the necessary capital improvements to support existing and new businesses and possible expansions.

EDC members will be present to discuss this detailed plan.

MOTION: To move to a second reading on April 26th.

- b. Discuss the Usage of the Town's Portion of the Garden Street Parking Lot for the Kennebunk Farmers' Market (5-7 minutes) – The Kennebunk Farmers' Market has requested to use the Town's portion of the Garden Street Parking Lot from May Day (May 7th) to mid-November. This would entail using the lot for 30 Saturdays from 7:30 a.m. to 1:30 p.m. They will clean the lot when finished each week, provide their own portable toilets and storage area (the storage area will be a neighboring private property).

FYI, each artisan or crafter at the Waterhouse Center pays a yearly fee of \$100 (\$50 for rental and insurance and \$50 for promotion of the Waterhouse Center) and covers the time period of May to October.

If the Board is inclined to charge a fee to the Farmers' Market, it should be included in the motion below.

MOTION: To allow the Kennebunk Farmers' Market use of the Town's portion of the Garden Street Parking Lot from May 7th to mid-November of 2016 during the hours of 7:30 a.m. to 1:30 p.m.

- c. Discuss the Memorial Day Parade and Veterans Appreciation Concert (5-7 minutes) – The Town's Memorial Day Parade will be held on Monday, May 30th beginning at 2:00 p.m. The Town generally closes Main Street for the duration of the parade from 2:00 p.m. to 3:00 p.m. ±

This year, a free Memorial Day Veterans Appreciation Concert will be held at the Waterhouse Center after the parade. The concert features the Don Campbell Band with a special tribute to local veterans. Depending on the concert attendees, the Town may need to extend the road closure (after the parade) or restrict the area for no parking (from Grove Street to Nason's Court on the Waterhouse Center side) using barricades to prevent parking. This restrictive parking would allow for an overflow from the concert, if necessary. Should the overflow area not be sufficient, the Police would redirect traffic as necessary.

MOTION: To extend the road closure and restrict parking near the Waterhouse Center, if necessary, as noted above for the Memorial Day Veterans Appreciation Concert with Police redirecting traffic for public safety as needed.

- d. Discuss Applying Kennebunk's RSU 21 IUUAL MainePERS Distribution (5-10 Minutes) – At the Board of Selectmen's regular meeting on April 28, 2015, the Board voted to allow the Town Manager and Finance Director to determine when to apply the distribution of \$731,679 over the next four years. The goal of this was to lessen the increase of the RSU 21 assessment to the Town of Kennebunk due to the school renovation bonds issued last fall. The focus last year was on the assessments for FY2017, 2018 and 2019. However, the RSU's debt service payments for its 2015 general obligation bonds are greatest during FY2019 through 2023 – five years (see schedule enclosed).

Three scenarios have been calculated for applying the distribution:

- A) a three-year straight-line allocation during FY2017 through FY2019;
- B) a three-year proportional allocation during FY2017 through FY2019; or
- C) a five-year allocation that levels the estimated debt service assessment to approximately \$2,009,084 during FY2019 through FY2023.

(See spreadsheet enclosed.)

No motion is required if scenario A or B is preferred. The following motion is required if the Board prefers scenario C.

MOTION: To request the RSU 21 Board to apply Kennebunk's IUUAL MainePERS distribution to Kennebunk's annual assessment as outlined as option C.

- e. Set the Date for Candidates' Night (5 minutes) – With the upcoming election for municipal officers, we have four potential candidates (at this time) for two seats on the Board of Selectmen. As of this writing (April 22), not all have returned their papers, however the deadline is not until Monday, May 2 at 4:30 p.m.

Would the Board like to host a Candidates' Night for those running for Selectmen? A possible date would be Wednesday, May 18th at 6:30 p.m. We would find a facilitator for this event and it would be televised and streamed live as we do with our other meetings.

MOTION: To schedule the Candidates' Night for Wednesday, May 18th at 6:30 p.m. for candidates running for the Board of Selectmen.

- f. Discuss Boards and Committees (resignations/appointments, if any) (2-3 minutes)

- **Appointment of Resident being interviewed at the beginning of the meeting:**

- Lorraine Burr Downtown Committee Vacancies: (2) Regular 2016

If the Board wishes to make the appointment, the motion could be as follows:

MOTION: To appoint Lorraine Burr as an Alternate member on the Downtown Committee with a term expiring on June 30, 2016 (when all other alternate positions expire).

- g. Discuss Any Other Business (2-3 minutes)

10. Selectmen's Comments

- a. Subcommittee Reports (if any)
- b. Individual Selectmen Comments

11. Town Manager's Comments/Notes

- a. **Note: Survey Deadline Extended to May 31st**
We want to hear from you! Complete our Online Survey (or paper version available at Town Hall) Deadline extended to May 31st! The Town is developing a strategic planning process to guide their future activities. The survey is divided into three sections:

1. Strategic planning questions for the Board of Selectmen and Town Manager
2. Comprehensive planning and land use questions for the Update Committee
3. Demographic information about you to help us better understand trends in the community

Please take the time to participate in this important effort. Your comments and observations will be anonymous and we encourage you to be open and candid.

The online survey can be found on the homepage of the Town's website (under News & Announcements) or at www.kennebunkmaine.us/planningsurvey. Printed copies are also available at the Town Clerk's Office. Surveys must be completed by May 31st.

b. **May 21st**

Board of Selectmen Outreach Sessions – The next session will be held on Saturday, May 21st and will be held on the 3rd floor of the Town Hall from 8:30 a.m. to 10:30 a.m. This session will be hosted by Selectmen Cluff and (TBD).

These sessions will provide residents with a chance to meet and talk with Selectmen on a one-on-one basis. They will be informal gatherings attended by two Selectmen. Refreshments will be available.

Sessions are generally held on the 3rd Saturday of each month at the Town Hall (3rd floor) from 8:30 a.m. to 10:30 a.m. Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc.

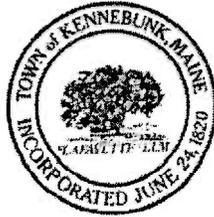
- c. Wright Pierce Report/Dams – On March 22, 2016, Kennebunk Light & Power District released the updated Wright Pierce Hydro Alternates Report regarding the dams. The report is posted on their website at: www.klpd.org/hydro-facilities. It can also be found on the Town's website at: www.kennebunkmaine.us/klpd.

12. Executive Session(s)

- a. Discuss an Economic Development Matter with the Town Manager, Economic Development Director and Finance Director regarding an economic development matter where premature disclosure of the same would prejudice the competitive bargaining position of the Town relative to the same - Title 1 MRSA Sec. 405(6)(C)
- b. Discuss Pending Litigation with the Town Manager and Finance Director - Title 1 MRSA Sec. 405(6)(E)

13. Adjournment

Special
Meeting
6:15 p.m.
(interviews)



Committee Volunteer Form
(please type or print clearly)

Full Name Lorraine Burr

Street Address 69 Old Falls Rd, Kennebunk

Mailing Address (if different from street address) same

Daytime Phone # _____ Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: Downtown Committee
Committee

(Check one or both):

Regular Membership Status (3-year term) _____

or

Alternate Membership Status (1-year term) _____
(Alternates vote if Regular member absent)

| |
|----------------------------------|
| <u>Town Use Only:</u> |
| Committee: _____ |
| Membership: Regular or Alternate |
| Term ends: _____ |

Do you currently serve on any Town committee? NO

If so, please list the committee and the number of years of service _____

Occupation Director of Operations

Employer Pelican Publications dba The Real Estate Book

List any civic organizations to which you belong: _____

Please complete questions on back of this form

1. Do you have any questions about what the committee does or its mission?

2. Do you have any practical experience or formal education that would be related to the committee?

Assoc in Accounting; leader of parent committee at my daughter's dance studio

3. Why would you like to be on the committee?

Am a lifetime resident and would like to be involved with improving downtown.

4. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings?

Yes - 1 meeting a month.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

My husband and I also own a Kennebunk business and enjoy being part of town.

SIGNATURE:

Lorraine Burr

Thank you for volunteering to serve your community.

Please return form by (1) mailing or dropping off to the Town Manager's Office, 1 Summer Street, Kennebunk, ME 04043, (2) emailing to knolette@kennebunkmaine.us, or (3) faxing to: 207-985-4609.

The Board of Selectmen will consider all applications. Once the form has been submitted to the Town Manager's office, an informal meeting will be set up for you to meet the Selectmen. The Selectmen like to meet all candidates before appointing them to committees. Please note that not all committees currently have openings; however, vacancies occur on a regular basis. If the committee you wish to serve on does not have an opening at this time, you may still submit the form and your name will be placed on a waiting list. You will be notified when an opening occurs on that committee.

Thank you for considering serving the Town on one of the many Town committees.

2

(MINUTES)

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, APRIL 12, 2016 – 6:30 P.M.
MINUTES**

REGULAR MEETING

1. CALL TO ORDER

On April 12, 2016 at 6:30 p.m. in Room 301 of the Town Hall, Kevin Donovan, Chairman of the Board of Selectmen for the Town of Kennebunk, called to order the Regular Meeting of the Board of Selectmen. Present were Selectmen Kevin Donovan, Richard Morin, Edward Karytko, Christopher Cluff, Shiloh Schulte, Daniel Boothby and Deborah Beal.

2. MINUTES

- a. March 22, 2016 Regular Meeting

A motion was made to accept the Minutes of the March 22, 2016 Regular Meeting.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

Take up Article 7.a. (out of order) Confirm the Town Manager's Appointment of the Recreation Director

- 7.a. The Board will meet Tashia Pinkham, the new Director, and say goodbye to current Recreation Director Brian Costello, whose last day with the Town will be April 15th

DISCUSSION:

Donovan thanked Costello on behalf of the Board for his years of service and the great job he has done with the Recreation Department. Costello thanked the Board and said he will miss the kids and the Town.

Costello introduced Tashia Pinkham who addressed the Board and described her background. Pinkham is looking forward to working with the Town of Kennebunk.

The Chair proceeded to the next item.

3. ITEMS TO BE SIGNED

- a. Items as Presented

4. PUBLIC HEARING(S)

- a. The Chair opened the Public Hearing to act on the following:

**Peggy S. Liversidge d/b/a Kitchen Chicks Catering
For a renewal Malt, Spirituous and Vinous Catering Liquor License Application
Located at 4 Water Street**

Town Manager's Note (not part of the public hearing notice):

Fire Department: no deficiencies noted in the annual inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

DISCUSSION:

Tibbetts is recommending renewal.

There were no public comments.

A motion was made to approve the renewal Malt, Spirituous and Vinous Catering Liquor License Application for Peggy S. Liversidge d/b/a Kitchen Chicks Catering.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

b. The Chair opened the Public Hearing to act on the following:

**Destination Catering
For a renewal Malt, Spirituous and Vinous Catering Liquor License Application
Located at 35 Fletcher Street**

Town Manager's Note (not part of the public hearing notice):

Fire Department: no deficiencies noted in the annual inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

DISCUSSION:

Tibbetts is recommending renewal.

There were no public comments.

A motion was made to approve the renewal Malt, Spirituous and Vinous Catering Liquor License Application for Destination Catering.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

c. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following:

Amendments to the Pay As You Throw Ordinance

Proposed Town Meeting Warrant Article:

Art. ____ Shall an Ordinance entitled "Amendment to Section 3-14 of the Town's Solid Waste, Pay as You Throw, Recycling and Residential Compost Ordinance" be

enacted to delete all references to “Pay As You Throw” and related provisions thereby eliminating the “pay per bag” trash program in Kennebunk, which shall raise and appropriate \$435,000 for the collection and disposal of the Town’s municipal solid waste and other related miscellaneous expenditures by assessment.

Tibbetts read the fiscal note [Fiscal Note: If this ordinance amendment passes, the elimination of the “Pay As You Throw” program of trash collection (purchase of blue and purple trash bags) will result in an increase to the Town’s budget by \$435,000, which is the equivalent of (an approximate) \$.23 increase to the Town’s tax mil rate. On the other hand, if this ordinance amendment fails, the continuance of the “Pay as You Throw” trash program may require the price of bags to be increased by 35%.]

Note: This warrant article pertains to the Town’s blue and purple trash bags, not the Town’s new trash and recycling containers. The containers will continue to be used regardless of the outcome of the vote.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk’s Office and on the Town’s website at www.kennebunkmaine.us.)

Town Manager’s Note (not part of the public hearing notice):

The changes to the PAYT Ordinance would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 14, 2016, the motion could be as follows:

DISCUSSION:

Tibbetts explained the fiscal note would be included on the warrant and explained a result of eliminating PAYT would mean an increase in the Town’s budget of \$435,000, which equals 23 cents to the Town’s mil rate. If the Article fails, the price of bags may increase by 35%, with a number still to be determined. He further explained that this Article pertains to trash bags only not the trash containers.

Resident Rachel Phipps came to the podium and questioned how this issue happened. She requested information on budget hearing dates be posted in the newsletter that is included with the tax bill. Phipps explained she was on the Board when the PAYT began. She questioned the rationale of the amounts from \$80,000 to \$435,000. Karytko explained how the Board came to their decision, which included yearly deficits and complaints about the bags from residents. Phipps would like to see data to support the Board’s decision. Schulte explained he is in the minority with the vote. He also stated that the entire cost will go through assessment with no current plan to change it, but the Board will look into opportunities if they arise in the future. Morin had proposed an alternative being a lift charge. Schulte is concerned recycling will reverse if PAYT is eliminated. Phipps stated she will vote against the ordinance change and asked voters to do as well because of the impact on the environment and paying for others who produce more trash. If PAYT remains, Schulte would like to see a fine system implemented for those who are not in compliance.

Resident Arline Poisson agreed with Phipps and believes an increase in the budget is a hardship on homeowners. She will vote against the change.

Resident John Costin does not believe the loss should be attributed to people cheating. He explained the pricing is complex and doing away with the bags will not reduce the cost of disposing garbage. Costin inquired if he can use a Town can for trash instead of a dumpster, which he pays for. Tibbetts explained the ordinance is for residential household trash only. Costin does not think the Town can make a distinction between residential and commercial and asked if the Town attorney has been consulted.

Sharon Staz questioned the process and emphasized people need to understand the Town has provided a composite program. She is against eliminating the bags.

Donovan stated that he was one of the Board members who proposed getting rid of the bags. Now he is concerned with the LD1 property tax limit being increased due to this issue. He would prefer to save raising the limit to purchase emergency equipment.

Morin believes a program to assess a tipping fee it would have a zero impact on the budget. Schulte agrees some charges should be shared to set a price for the assessments and increase the price of bags. Shared costs he suggested. Board members discussed not voting for ordinance and, instead, increase the price of bags. Boothby does not think people will take advantage and he is voting for the article. Beal believes taking away incentive to recycle will increase trash collected.

Town Clerk, Merton Brown, explained there is still time and this can be postponed until the next meeting on April 26th. If the motion does not pass, it will disappoint people who want a choice.

MOTION: To send the proposed changes to the Kennebunk Town Ordinances, Section 3-14 Solid Waste, Pay As You Throw, Recycling and Residential Compost Ordinance, to the Annual Town Meeting on June 14, 2016.

MOVED: Boothby

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 2 in favor (Boothby, Karytko), 5 opposed (Morin, Schulte, Donovan, Beal, Cluff). The motion failed.

Downs reminded the Board that the Budget Board voted to approve this item. After discussion, Tibbetts will contact the Town's attorney regarding compliance with the Charter. Board agreed to review at the next meeting.

The Chair proceeded to the next item.

- d. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following:

LD 1 Property Tax Levy Limit

Proposed Town Meeting Warrant Article:

Art. ___ To see if the Town will vote to increase the Town's LD 1 property tax levy limit amount by \$435,000, but to be effective only if Article ___ above passes, eliminating the Town's Pay As You Throw solid waste program.

[Fiscal Note: The Town's LD 1 property tax levy limit will need to be increased by \$435,000 only if Article ___ eliminating the Pay As You Throw solid waste program is passed; otherwise, the LD1 limit will not be increased.]

Town Manager's Note (not part of the public hearing notice):

This article needs to accompany the PAYT question and would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 14, 2016, the motion could be as follows:

DISCUSSION:

The Board did not vote on a motion based on their vote on the previous agenda item.

The Chair proceeded to the next item.

- e. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following:

Amendments to the Property Tax Assistance Ordinance

Proposed Town Meeting Warrant Article:

Art. ____ Shall an ordinance entitled “Amendment to Section 4-7 of the Town’s Property Tax Assistance Ordinance” be enacted to delete references to the State of Maine’s repealed “Circuit Breaker Program” and to establish new eligibility requirements based on the State of Maine’s new “Property Tax Fairness Credit,” as well as a new amount of property tax assistance of \$300 or other prorated amount based on available funds?

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk’s Office and on the Town’s website at www.kennebunkmaine.us.)

Town Manager’s Note (not part of the public hearing notice):

The changes to the Property Tax Assistance Ordinance would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 14, 2016, the motion could be as follows:

DISCUSSION:

Tibbetts explained that this is similar from an earlier State law that was changed a few years ago. This is a good program, which benefits 20-30 families and individuals. Tibbetts is recommending sending this to the voters. In the past, the average amount the Town has paid out has been \$5,000 – \$6,000 a year. There are adequate funds set aside to implement for this for the coming year.

Resident Bevan Davies asked if this money will be in addition to the amount taxpayers already receive. Tibbetts said it was and explained the requirements.

A motion was made to send the proposed changes to the Kennebunk Town Ordinances, Section 4-7 Property Tax Assistance Ordinance, to the Annual Town Meeting on June 14, 2016.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item

- f. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following proposed new ordinance:

Single-Use Plastic Carry Out Bag Ordinance

Proposed Town Meeting Warrant Article:

Art. ____ Shall a new ordinance entitled “Single-Use Plastic Carry Out Bag Ordinance” be enacted to eliminate the use of single-use carry out plastic bags by retail establishments engaged in the sale of food or other merchandise in the Town of Kennebunk?

(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office and on the Town’s website at www.kennebunkmaine.us.)

Town Manager's Note (not part of the public hearing notice):

This new ordinance would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 14, 2016, the motion could be as follows:

DISCUSSION:

Tibbetts wanted to clarify that businesses do not need to charge five cents for bags. This ordinance would eliminate carry out bags. Bags that are used in grocery stores for vegetables or meats are not affected. Cluff thinks there should be an accommodation to smaller businesses. If the Board wished to add this, Tibbetts stated that he could add an exception for a size and move this item to the April 26th meeting. Donovan would like this ordinance applied to all stores regardless of their size.

Residents came to the podium and encouraged the Board to leave the wording as is. The Energy Efficiency Committee is willing to provide reusable bags. Resident Sharon Staz pointed out some stores and businesses on Main Street are currently using paper bags.

Morin appreciates what Dennis Andersen has done and thanked him for his work on this issue. Cluff suggested the Energy Efficiency Committee provide reusable bags for them as well.

A motion was made to send the proposed new Single-Use Plastic Carry Out Bag Ordinance to the Annual Town Meeting on June 14, 2016.

MOVED: Schulte
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- g. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following:

Amendments to the Street Vendors and Peddlers Ordinance

Proposed Town Meeting Warrant Article:

Art. ____ Shall an ordinance entitled "Amendment to the Town's Street Vendors and Peddlers Ordinance" be enacted to revise the text of Section 6-1.5 Location and Section 6-1.13 Amendments as shown below?

Section 6-1.5

6.e. Applicant shall comply with all local ordinances and restrictions pursuant to the terms of any permit of the Code Enforcement Officer.

Section 6-1.13

The Board of Selectmen may, after public notice and hearing, amend this Ordinance and draft and adopt regulations implementing the terms of this Ordinance on any matter not expressly set forth herein or as otherwise provided by law.

Proposed additions to the text are underlined.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Town Manager's Note (not part of the public hearing notice):

The changes to the Street Vendors and Peddlers Ordinance would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 14, 2016, the motion could be as follows:

DISCUSSION:

Tibbetts explained the minor changes were to ensure mobile food vendors or street vendors are in compliance and within zoning code regarding locations. This does not affect the Farmers' Market.

There were no public comments.

A motion was made to send the proposed changes to the Kennebunk Town Ordinances, Section 6-1 Street Vendors and Peddlers Ordinance, to the Annual Town Meeting on June 14, 2016.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- h. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following proposed new ordinance:

Pawnbrokers Ordinance

Proposed Town Meeting Warrant Article:

Art. ___ Shall a new ordinance entitled "Pawnbrokers Ordinance" be enacted to create regulations for the licensing and operation of pawnbrokers and related businesses in the Town of Kennebunk?

(A copy of the proposed ordinance is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Town Manager's Note (not part of the public hearing notice):

This new ordinance would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 14, 2016, the motion could be as follows:

DISCUSSION:

Tibbetts explained the Town did not have an ordinance to address pawnbroker businesses and he has had a request by a business owner to open one in Town. He further explained it is important that police are able to go into the building and do checks for stolen property.

A motion was made to send the proposed new Pawnbrokers Ordinance to the Annual Town Meeting on June 14, 2016.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 approved, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- i. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the following:

Amendments to the Victualer & Lodging Licenses Ordinance

Proposed Town Meeting Warrant Article:

Art. ____ Shall an ordinance entitled “Amendment to Sec. 6-3 of the Town’s Victualer & Lodging Licenses Ordinance” be enacted to revise the text of Section 6-3.8 as shown below?

Businesses participating in ~~the Kennebunk~~ a farmers’ market located in a Town approved location ~~the Town parking lot~~ are exempt from the requirements of this Ordinance during the hours the farmers’ market is in operation.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk’s Office and on the Town’s website at www.kennebunkmaine.us.)

Town Manager’s Note (not part of the public hearing notice):

The changes to the Victualer & Lodging Licenses Ordinance can be approved at this public hearing and do not require a Town Meeting vote. If the Board wishes to approve the amendments, the motion could be as follows:

DISCUSSION:

Tibbetts explained the Kennebunk Farmers’ Market is moving from the Lafayette Center’s parking lot because of a new property owner. The change in the ordinance reflects Town approval of locations, including private lots. Tibbetts explained the purpose of this change is to: a) ensure the area is approved for the zone; and b) provide access for emergency vehicles. Schulte wants to make sure the Town is doing what they can to help the Farmers’ Market remain open. Boothby stated the Market was not in compliance last year and the Town overlooked it. Schulte asked about the availability of the Waterhouse Center. Tibbetts explained the Market did not want to be with the crafters last year. In addition, on days of events, the Market would have to be out of the Center by 1:30 p.m. at the latest.

There were no public comments.

A motion was made to approve the Amendment to the Kennebunk Town Ordinances, Section 6-3 Victualer & Lodging Licenses Ordinance.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair closed the public hearing portion and proceeded to the next item.

5. PUBLIC COMMENTS

NONE

The Chair proceeded to the next item.

6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

- a. Nominations Papers for the June 14th Election: Nomination papers are available for the following positions:

| | |
|--|-----------------------|
| Board of Selectmen | 2 seats, 3-year terms |
| RSU 21 Director | 2 seats, 3-year terms |
| Trustee Kennebunk Light & Power District | 1 seat, 5-year term |
| Trustee Kennebunk Sewer District | 2 seats, 3-year terms |

Nomination papers are available in the Town Clerk's Office and must be returned by Monday, May 2nd by 4:30 p.m. A minimum of 25 signatures is required. FMI, please contact the Town Clerk's office at 604-1326.

DISCUSSION:

Town Clerk, Merton Brown, reiterated that nomination papers are due back on May 2nd by 4:30 p.m. and he listed who has taken papers out.

The Chair proceeded to the next item.

7. TIME SENSITIVE BUSINESS

- a. Confirm the Town Manager's Appointment of the Recreation Director – The Town of Kennebunk is pleased to announce that Tashia Pinkham has been selected as the new Director of the Kennebunk Recreation Department.

Tashia received her degree in Recreation from the University of Southern Maine and has been in the recreation field for more than 20 years. She was previously employed by the YMCA, Town of Old Orchard Beach, and most recently served as the Director of the Buxton Recreation Department. Tashia is an avid outdoor adventurer who resides in Buxton with her husband and children.

We look forward to Tashia bringing her leadership, energy and commitment to the Kennebunk Recreation Department. She will begin her new position on April 13th at an annual salary of \$60,000. Per the Town Charter, the Board of Selectmen confirms the Town Manager's appointment.

There was no public comments.

A motion was made to confirm the Town Manager's Nomination of Tashia Pinkham as Recreation Director, effective April 13, 2016, for a term expiring on June 30, 2016 (date all Annual Appointments expire).

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- b. Accept the Following Donation – The Town received a \$150 donation from Cynthia Ward and John Brine in memory of Mary Ward to be applied to the Town's Emergency Fuel Assistance Fund.

There were no public comments.

A motion was made to accept the donation and send a thank you letter for the generous donation.

MOVED: Donovan
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- c. Discuss the 2016 One-Ton Dump Truck Bids – In this year’s budget (2015-16), we allocated \$130,000 for two one-ton dump trucks. Bids specifications were sent out and the following bids were received:

| Company | Bids |
|---|--|
| Tri City Chrysler Dodge Jeep Ram | Base Bid (per vehicle): \$65,452.00 ea. |
| Somersworth, NH | Deduct Alt. 1 (allowance for trade-in) n/a |
| Make/Model: Ram 3500 Reg. Cab 4x4, Model DD8L63 | Add Alt. 1 (extended warranty) \$3,995.00 |
| Body Manufacturer: 9’ Galion Godwin 2.5 to 3.7 yd. Stainless Steel dropside dump body Model 103UDS-9 | |
| Location: Tri City Chrysler Dodge Jeep Ram, Somersworth, NH | |
| | |
| Weirs Motor Sales | Base Bid (per vehicle): \$61,729.00 ea. |
| Arundel, ME | Deduct Alt. 1 (allowance for trade-in) n/a |
| Make/Model: GMC Sierra 3500 TK36003 | Add Alt. 1 (extended warranty) \$1,942.00 |
| Body Manufacturer: 9’ Galion Model 103UDS-9 | |
| Location: Weirs Motor Sales, Arundel | |
| | |
| O’Connor’s GMC | Base Bid (per vehicle): \$59,152.40 ea. |
| Augusta, ME | Deduct Alt. 1 (allowance for trade-in) n/a |
| Make/Model: Chevrolet 3500HD, CK36003 | Add Alt. 1 (extended warranty) \$1,295.00 |
| Body Manufacturer: Rugby FDS-9-3SS/Tommy Gate G2-92-1650LD33 | |
| Location: HP Fairfield, Scarborough | |

The Public Services Director recommends accepting the low bid from O’Connor GMC at a price of \$59,152.40 per vehicle, without the extended warranty.

The complete bid specifications can be viewed on our website by following this [link](http://www.kennebunkmaine.us/DocumentCenter/View/4517) (or at www.kennebunkmaine.us/DocumentCenter/View/4517).

DISCUSSION:

Tibbetts stated O’Connor’s does meet specifications and staff are recommending the bid go to them. Boothby would like the bid to go to Weirs because they are neighbors and do a lot for the community. He pointed out the price difference is below the 5% variance of budgeted amount. Beal asked for clarification regarding the extended warranty. Eric Labelle, Public Services Director, has spoken to the fleet manager and was told there would not be a return on the investment. Labelle stated that the Town does business with both Weirs and O’Connor’s. Cluff pointed out the difference in the two bids would be \$5,153.20.

A motion was made to award the bid for two 2016 One-Ton Dump Trucks to Weirs Motor Sales, at a price of \$61,729.00 per vehicle, without the extended warranty.

MOVED: Boothby
SECONDED: Schulte
MODIFICATIONS: None
VOTE: 5 in favor, 2 opposed (Beal, Karytko). The motion carried.

The Chair proceeded to the next item.

- d. Discuss a Proposed Amendment to Zoning Ordinance Article 8, Section 6.B.7-3 Under the Accessory Use Called Renting of Rooms – At the March 14, 2016 Planning Board meeting, the Planning Board held a public hearing on the zoning amendment request (which was included in the Board packet) from John and Kathy Daamen (owners of the Waldo Emerson Inn at 108 Summer Street). At the conclusion of the public hearing, they voted (4 in favor/ 1 opposed) to pass this proposed amendment on to the Board of Selectmen with a positive recommendation.

The proposed amendment will change the allowable number of rented rooms in a B & B located in the Suburban Residential Zone – from four rented rooms to six rented rooms.

This change would require a public hearing by the Board of Selectmen and a Town Meeting vote.

DISCUSSION:

Tibbetts explained a request from property owners was received regarding a zone change. The change would enable them to rent out six instead of four rooms at their B & B. He further explained the Planning Board is in favor of amending the zoning ordinance.

John Daamon, a property owner in that zone, explained his Inn has had a negative cash flow. Increasing the ability to rent six bedrooms instead of four would generate more revenue. Daamon also feels this amendment would entice others in the area to open B & B's.

Cluff asked how it would affect the air B&B culture. Daamon mentioned they are not regulated and tend to rent fewer rooms. Daamon also stated he has not had any complaints from neighbors. During the meeting, Selectman Morin read an email from the Executive Director of the Chamber voicing support.

A motion was made to schedule a public hearing for April 26th to hear public comments on the proposed amendments to Article 8, Section 6.B.7-3 of the Zoning Ordinance.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- e. Review the Draft of the Annual Town Meeting Warrant – The draft warrant for the June 14th Annual Town Meeting was included in the Board packet for review. It includes all monetary considerations and ordinance changes (including the amendment to Zoning Ordinance Article 8, Section 6.B.7-3, being discussed in the previous article). The zoning ordinance amendment would be removed from the final warrant, if, on April 26th, the Board chooses not to forward it to the Town Meeting.

Per our Charter, two public hearings are required for all warrant items. The first public hearing will be held on April 26th; the second one is scheduled for May 24th, along with the final budget public hearing.

There were no public comments.

A motion was made to schedule a public hearing on April 26th to hear public comments on the warrant articles subject to earlier discussion and attorney consultation.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- f. Countersign the RSU 21 Warrant and Notice of Election – As Municipal Officers of the Town, you are obligated by State law to sign this Warrant and Notice of Election. As you are aware, by signing, it does not mean you are endorsing it. The document will be provided on Tuesday evening for your signatures. Please note that you must sign on the same line on all 10 copies.

There were no public comments.

A motion was made to countersign the RSU 21 Warrant and Notice of Election for the RSU 21 Budget Validation Referendum and Bond Referendum Election to be held on June 14, 2016.

MOVED: Donovan
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

8. OLD BUSINESS (2ND READING)

- a. Discuss the Possibility of Televising Zoning Board of Appeals Meetings– As you recall, we received a request to televise Zoning Board of Appeals (ZBA) meetings. At their March 21st meeting, the ZBA discussed the pros and cons of televising their meetings. A summary of that discussion is included in the Board packet. Some concerns were raised about sensitive information discussed at disability variance hearings and disclosing other confidential information. Our attorney felt these issues could be addressed appropriately on a case-by-case basis.

The ZBA concluded with the following non-binding consensus regarding televising the ZBA meetings:

- 4 members thought it was not a bad idea
- 1 member was opposed to the idea

How would the Board like to proceed?

DISCUSSION:

Donovan would like to see the meeting televised. Morin mentioned he attended the meeting and the majority of the Board did not oppose but were concerned with privacy. Tibbetts believes privacy issues can be managed and stricken from the records. Cluff asked about cost of videographers. Tibbetts explained there

are not many meetings and he does not see it as an issue. Cluff would like to avoid a second reading and some Board members disagreed.

There were no public comments.

A motion was made to approve televising the Zoning Board of Appeals meetings.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 4 in favor, 3 opposed (Beal, Schulte, Karytko). The motion carried.

The Chair proceeded to the next item.

- b. Discuss the Creation of a New Committee on Aging – At the last meeting, the Board heard comments from residents on possible opportunities for serving the aging, which represents roughly 30% of the residents in Kennebunk.

The representatives interested in forming this committee met recently and provided the following guidelines for this new committee.

The committee would:

- gather relevant information pertaining to senior citizens residing in Kennebunk
 - medical services
 - recreation centers for seniors
 - senior residences, nursing homes, rehab centers, hospices
 - nursing services, physician/elder care specialists
 - private groups concerned with elder care
- establish a liaison with other Town committees and departments which have relevant concerns
 - Social Service/GA Department
 - Town Committees (Affordable Housing, Community Garden, Festival, Recreation, Planning Board)
- gather information from seniors and interested entities working on behalf of seniors, so that the committee might advise Town officials about issues of immediate concern

Additionally, the Board should consider what name this new committee will be called, i.e. Senior Resource Committee, Committee on Aging, Elder Committee, etc.

DISCUSSION:

Morin stated other towns that have done this without a negative impact. Cluff thinks it is good and does not want to lose sight of the other senior service agencies in the area. Morin explained what the committee will be doing. Beal thought many residents, not only the 35% representing seniors, would benefit in this resource.

Susan Petit, Executive Director of The Center in Lower Village, thinks it is a great idea and would like to the committee to consist of a cross section of the community (West Kennebunk, Downtown and Lower Village). Petit thanked the Board for their work. Ted Trainer, Board Member of No Place Like Home, explained that this committee would be a vehicle to bring relevant issues to the Town. Resident John Daamon described the senior citizen program in other areas and he supports a committee.

A motion was made to move to a second reading on April 26th.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

9. NEW BUSINESS (1ST READING)

- a. Discuss a Road Closure for a Special Event (9th Annual Kennebunk Beach Classic Road Race) on Sunday, June 5th – The new Special Event Policy requires Board approval for road closures.

Included in the Board packet was the application for The Center's (formerly The Senior Center at Lower Village) annual road race on June 5, 2016. According to the Police Department, they are requesting approval for the following road closures or delays. Note: There are no changes from previous years.

Sunday, June 5th

9:00AM:

Western Avenue would be closed to thru traffic from the intersection of Western Avenue & Boothby Road to the intersection of Western Avenue and Beach Avenue. (This is to allow for finish line on Western Avenue to be set up.)

Duration: Until the completion of the race, approximately 10:30AM +/- . Note: Local residents and vehicles leaving area businesses are allowed to go toward Wells on Western Avenue.

Eastbound traffic on Western Avenue at the intersection of Sea Road will be directed toward the beach.

Duration: Until the completion of the race, 10:30AM +/-.

Local traffic on Western Avenue between Sea Road and Boothby Road, going toward Kennebunkport, will be directed down Boothby Road. Duration: Until the completion of the race, 10:30AM +/-.

9:30AM:

The race will start on Port Road by Port Hardware. Traffic will be stopped from the intersection of Coopers Corner to Port Hardware. Duration: 5 minutes +/-.

DISCUSSION:

Tibbetts explained that this event has been held for nine years with no issues. He needed to bring this to the Board to comply with the new Special Event Permit Policy. Discussion ensued of alerting residents of the road closures. Resident Susan Petit mentioned the road race had a different name and has been held for 25 years to benefit The Center.

A motion was made to approve the road closure on June 5th as noted above.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed

The Chair proceeded to the next item.

- b. Discuss Nominating a Selectman to Represent Kennebunk on the York County Budget Committee– The York County Budget Committee Caucus will be held on Wednesday, April 13th at 6:30 p.m. in the York County Government Building (Commissioners Meeting Room), 149 Jordan Springs Road in Alfred. We should consider nominating a Selectman to represent Kennebunk on this County Budget Committee, as there is one vacant seat in our district, District #2, which includes Arundel, Biddeford, Kennebunk and Kennebunkport. Please note, our representative will still need to be elected at the Caucus taking place on April 13th. Fellow elected board members that wish to vote would need to attend the caucus.

DISCUSSION:

Tibbetts informed Board members this meeting is to discuss the County budget and there are four to six meetings a year. Donovan asked Board members if they wanted to participate. No Board members volunteered.

No motion was made.

The Chair proceeded to the next item.

- c. Discuss a Policy on Town Hall Flag Display– Selectman Donovan was recently in a municipality that honored their deceased veterans with the American flag being flown at half-mast.

Does the Board wish to consider a flag policy honoring deceased veterans of Kennebunk? This would occur on the day of the funeral of the Kennebunk veteran.

DISCUSSION:

Donovan requested this policy because it is comforting for the families to see their loved ones being honored. The flags would be at half-mast for one day only. Funeral directors would notify the Town of veterans who have passed. The Town Clerk is currently informed.

A motion was made to move to a second reading on April 26th.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

- d. Discuss the Dedication of the 2015 Annual Town Report – Each year, the Town has the opportunity to honor those individuals who have committed a significant portion of their time and energy to the service of the Kennebunk community as committee members and/or employees.

We would like to dedicate the 2015 Annual Town Report to the following individuals who passed away in 2015 that served the community in various capacities.

In Memoriam

C. Wesley Crowell
Date of Death: 1/7/2015

Member of Board of Selectmen (1994-96)
Charter Commission (2002-03)
Comprehensive Implementation Committee (1992)

| | |
|---|--|
| Richard F. Hogue Date of Death: 06/11/2015 | Member of the Conservation Commission (1988-90) |
| E. Barbara Storer Date of Death: 10/12/15 | Long-time Recording Secretary for the Conservation Commission and Shellfish Committee |
| Carolyn F. Walker Date of Death: 2/20/15 | Ballot Clerk for many years |

DISCUSSION:

Tibbetts read the above list of individuals.

There were no public comments.

A motion was made to dedicate the 2015 Annual Town Report to C. Wesley Crowell, Richard F. Hogue, E. Barbara Storer and Carolyn F. Walker.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

In years past, we have dedicated the report to residents/employees who passed away during the year. In the future, we would like to have the option to also include residents and/or employees who are still living that have made a significant contribution to the Town (i.e. employee retiring after a lengthy tenure or similar situation).

DISCUSSION:

Board members discussed separating out those who have passed away and employees. The Board recommended staff review and make recommendations in the future.

There were no public comments.

A motion was made to consider residents and/or employees who have passed away during that year or who are still living for the special recognition dedication of the Annual Town Report.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

e. Discuss Boards and Committees (resignations/appointments, if any)

- Accept the Following Resignation:

Madeleine Tunison Festival Committee – Regular 2018

There were no public comments.

A motion was made to accept the resignation of Madeleine Tunison from the Festival Committee and send a letter thanking her for her service.

MOVED: Donovan
SECONDED: Schulte
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

f. Discuss Any Other Business

None

The Chair proceeded to the next item.

10. SELECTMEN'S COMMENTS

a. Subcommittee Reports (if any)

None

b. Individual Selectmen Comments

Selectman Beal

- She and Selectman Schulte will be here Saturday morning from 8:30 a.m. – 10:30 a.m. for the Selectmen Outreach Session.
- She is seeing many people being scammed recently and encourages people to go to their banks or other officials if they receive requests for money.

Selectman Karytko

- He attended the West Kennebunk Committee meeting and they discussed the Family Fun Days event that will be held on August 6th.
- He attended the Site Plan Review meeting and the Pilothouse's plans are moving forward with the restaurant boat.
- Attended the RSU 21 meeting and there was discussion regarding the bond.
- Asked Chris Osterreider about the road plan. Osterreider replied he is working on it.
- He wanted to reconfirm and encourage people to recycle.
- If anyone has flags that are tattered or torn, he suggested to bring them to the American Legion on Water Street.

Selectman Cluff

None

Selectman Schulte

- If residents have a strong opinion on the PAYT program, he recommends voicing opinions. There needs to be a solution - maybe sharing costs in the mil rate and increase bag prices or replace the program using a lift program.

Selectman Boothby

- Make sure goals are not put on the back burner.

Selectman Morin

- Reminded the public of the Outreach Sessions and expressed his appreciation of the hospitality of the Police Department for hosting the last meeting.
- He attended the Lower Village Committee and was impressed with how well it was run. The Committee is looking at signage and the upcoming issues the road improvements will create.

Selectman Donovan

- Thanked the Town staff for the flowers that were sent to his father-in-law's funeral.

The Chair moved to the next item.

11. TOWN MANAGER'S COMMENTS/NOTES

a. **No later than April 15th**

We want to hear from you! Complete our Online Survey (or paper version available at Town Hall) Deadline is April 15th. The Town is developing a strategic planning process to guide their future activities. The survey is divided into three sections:

1. Strategic planning questions for the Board of Selectmen and Town Manager
2. Comprehensive planning and land use questions for the Update Committee
3. Demographic information about you to help us better understand trends in the community

Please take the time to participate in this important effort. Your comments and observations will be anonymous and we encourage you to be open and candid.

The online survey can be found on the homepage of the Town's website (under News & Announcements) or at www.kennebunkmaine.us/planningsurvey. Printed copies are also available at the Town Clerk's Office. Surveys must be completed by April 15th.

b. **April 16th**

Board of Selectmen Outreach Sessions – The next session will be held on Saturday, April 16th and will be held on the 3rd floor of the Town Hall from 8:30 a.m. to 10:30 a.m. This session will be hosted by Selectmen Debbie Beal and Shiloh Schulte.

These sessions will provide residents with a chance to meet and talk with Selectmen on a one-on-one basis. They will be informal gatherings attended by two Selectmen. Refreshments will be available.

Sessions are generally held on the 3rd Saturday of each month at the Town Hall (3rd floor) from 8:30 a.m. to 10:30 a.m. Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc.

c. Wright Pierce Report/Dams – On March 22, 2016, Kennebunk Light & Power District released the updated Wright Pierce Hydro Alternates Report regarding the dams. The report is posted on their website at: www.klpd.org/hydro-facilities. It can also be found on the Town's website at: www.kennebunkmaine.us/klpd.

- d. Miscellaneous - There will be a picture contest for the cover of the annual town report. Information is on the website. Tibbetts asked the Board to extend the deadline for the surveys (agenda item 11a) to May 31st. The Board agreed. There will be a clean up on a portion of Blueberry Plains by students. Signs and notices will be posted.

The Chair proceeded to the next item.

12. EXECUTIVE SESSION(S)

- a. Discuss an Economic Development Matter with the Town Manager, Economic Development Director and Finance Director regarding an economic development matter where premature disclosure of the same would prejudice the competitive bargaining position of the Town relative to the same - Title 1 MRSA Sec. 405(6)(C)
- b. Discuss Union Negotiations with the Town Manager, Finance Director, Human Resource Director and Director of Public Services - Title 1 MRSA Sec. 405(6)(D)]
- c. Discuss a Personnel Issue with the Town Manager and Finance Director - Title 1 MRSA Sec. 405(6)(A)]

A motion was made to go into Executive Session at 9:15 p.m.

MOVED: Donovan
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

Upon coming out of Executive Session, the Board had nothing to report on Article 12a and 12c.

A motion was made to approve the Public Services Union Contract for 2015-2018.

MOVED: Donovan
SECONDED: Schulte
MODIFICATIONS: None
VOTE: 4 in favor, 3 opposed (Boothby, Karytko, Morin). The motion carried.

13. ADJOURNMENT

A motion was made to adjournment the meeting at 10:50 p.m.

MOVED: Donovan
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

Deborah Beal, Secretary
Kennebunk Board of Selectmen

Dates Minutes Approved: _____

4

PUBLIC
HEARING

(d)

Proposed Amendment to Zoning Article 8, Section 6

The proposed language to be added is shown with underlines and language to be deleted is shown with ~~strikethroughs~~ on attached amendment.

Section 6. Suburban Residential (SR)

A. Purpose

The purpose of the Suburban Residential District is to acknowledge and respect an established pattern of residential development, predominantly on one- and two-acre lots, such as exists along the Sea Road and Route 35 corridors between Kennebunk Village and Lower Village. The intention of the district is to allow additional development that (a) is harmonious with the established neighborhoods in these areas, (b) can safely coexist with the rural and suburban landscape of these areas, including wooded lands, adjacent wetlands, and a gently rolling topography and roadways that are fitted to that topography, and (c) will not unduly change the historic character of segments of these areas. The Comprehensive Plan recognized that public sewer lines serve portions of the Suburban Residential District and may be extended to other parts of the district to replace failing septic systems on poor soils; but the Plan's intention for the district is to maintain a relatively low density of development as a break between the more intensely developed Kennebunk Village and Lower Village.

B. Permitted Uses

The following uses are permitted in the Suburban Residential District:

1. The following resource protection uses:
 - 1-1 Forest management
 - 1-2 Harvesting of wild crops
2. The following resource production uses:
 - 2-1 Agriculture
 - 2-2 Horticulture
 - 2-3 Keeping of horses
 - 2-4 Timber harvesting
3. The following residential uses:
 - 3-1 Single family detached dwellings
 - 3-2 Accessory apartments
 - 3-3 Two-family dwellings
 - 3-4 Multifamily dwellings, with no more than six units per building
 - 3-5 Multifamily lots
4. The following institutional uses:
 - 4-1 Cemeteries
5. The following recreation and marine uses:
 - 5-1 Outdoor recreation
6. The following utility uses:
 - 6-1 Essential services
7. The following accessory uses:
 - 7-1 Accessory uses and buildings
 - 7-2 Home occupations
 - 7-3 Renting of rooms, not to exceed ~~four~~ **six rented** rooms

(rec'd from business in the Suburban Residential District.)

Waldo Emerson Inn and Mainely Quilts Gift Shop

This ordinance update is fully supported by the EDC, Zoning Board and the Chamber of Commerce just to name a few.

Kathy and I returned to the East Coast some 13 years ago after retiring from our successful careers in the West coast, after the .com bubble burst, Kathy as a registered nurse and myself as a corporate manufacturing engineer and plant management.

We took our 401K and invested it in the Inn and gift shop property in 2013. We dedicated our energies in restoring the inns infrastructure and cash flow from a negative operation to a sustaining venture.

In 2015 I joined the Economic Development committee (first as a Chamber board member) to see what I could do, as a member, to retain and further what is known as the "cottage industry", i.e. home businesses and in doing so to help preserve other historic homes in our area (to prevent the repeat of the fate of our landmark "wedding cake house").

About two years ago, with the change in the tourist industry demographics (the Canadian and Euro value versus the dollar) and my two strokes we reviewed the possibility of hiring additional help especially during the summer months (our high season). We found that this would bring us into a very marginal sustainability level. (We are in addition competing with AirBnB type of room rentals (about 246 in the Kennebunk area).

It is our intend to make this "clean and renewable" industry sustainable by allowing up to six (6) revenue rooms that would attract future investors into our larger historic homes to generate enough cash flow to sustain these historic homes and its architectural qualities.

Our goal is to match B&B allowable revenue rooms from not to exceed four (4) rooms to six (6) in our Suburban Residential area matching that of other in town districts.

This would:

- Retain and promote small home business.
- Decentralize the tourist concentration by distributing the guests over a larger area instead of adding to the bottle neck in the, for example like, Lower Village, where there have been two attempts, in the not so distant past, for receiving permits to build larger "high density" hotels/accommodations in the already congested (traffic) areas.
- Support the introduction of other historic homes in the then sustainable home business. These homes have typically (1) one or more acres sufficient to accommodate added (hidden) parking.
- Meet the ever increasing demand for available rooms supporting the hospitality and other shop cash flow thus having a lowering impact on the mill rate.
- Help eliminate traffic concentration in specific tourist attraction areas
- Help improve the quality of life in these areas.

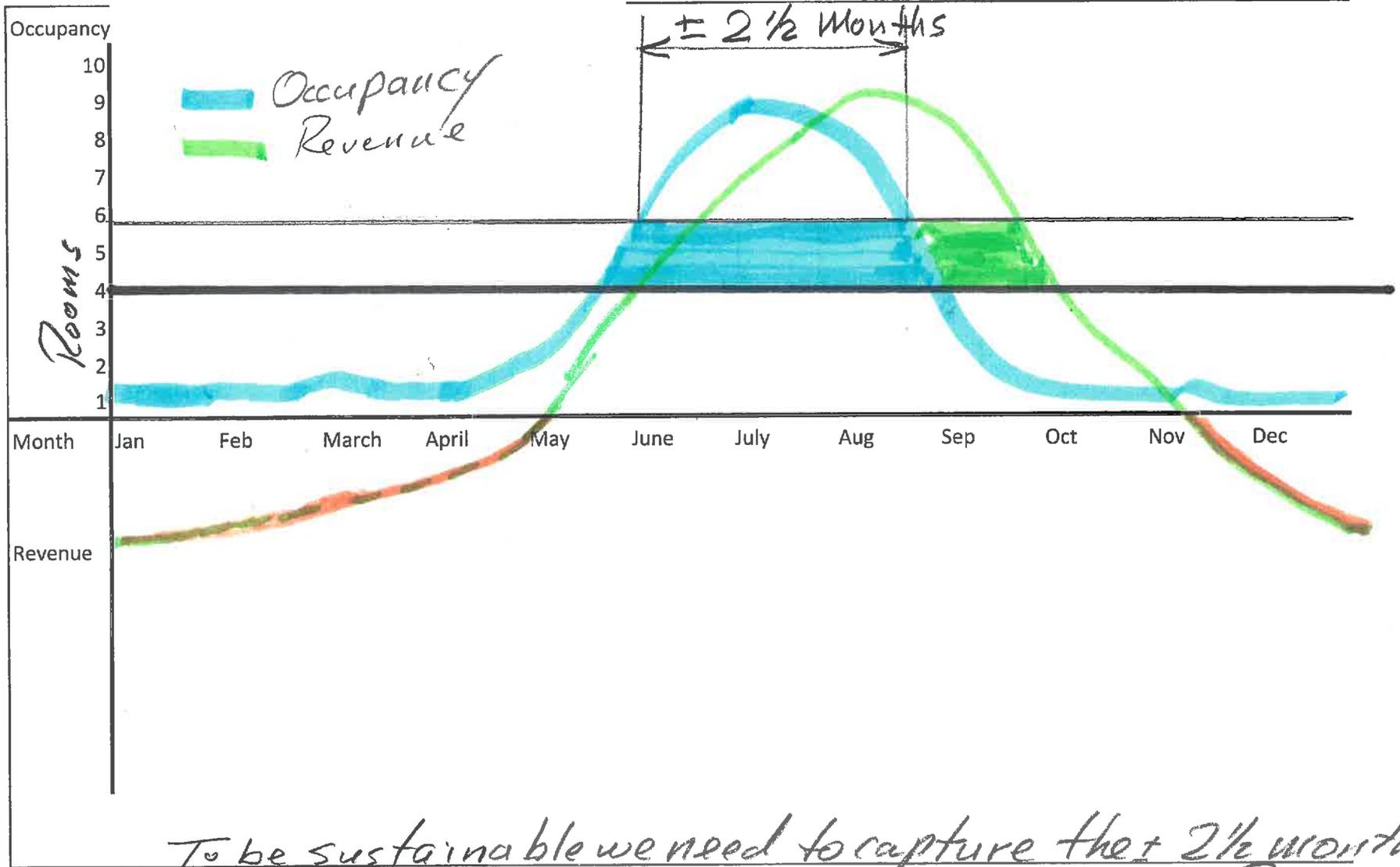
Suburban Residential Ordinance update of Rooms for rent

Zoning Ordinance Article 8, Section 6.B.7-3

April 12, 2016

- Retain and promote the establishment of more BnB type business.
- Preserve our beautiful historic homes
- Support the ever increasing outside visitor (hospitality) needs
- Promote bringing in outside revenue in to our town and support local businesses
- Promote sustainable home business “cottage industry”
- Distribute the visitors load rather than concentrating them into already congested areas
- Preserve the local “historic” homes and value with minimal, if any, environmental impact
- i.e. help decrease our mill rate at some point

Typical Bed and Breakfast
4 room - Occupancy / Cashflow



To be sustainable we need to capture the $\pm 2\frac{1}{2}$ month Revenue

4

PUBLIC
HEARING

(e)

3-14 SOLID WASTE, ~~PAY AS YOU THROW~~, RECYCLING AND RESIDENTIAL COMPOST ORDINANCE

Section I: Title

This Ordinance shall be known as the Town of Kennebunk, Maine, Solid Waste, ~~Pay as you throw~~, Recycling and Residential Compost Ordinance.

Section II: Enabling Legislation

This Ordinance is enacted pursuant to the authority granted in 30-A M.R.S.A. Sections 3001 and 3002 and 38 M.R.S.A. Sections 1304-B and 1305.

Section III: Purpose

The purpose of this Ordinance is to protect the health, safety and welfare of the citizens of Kennebunk through the management of the collection, transportation and disposal of residential solid waste and recycling in accordance with the provisions of Title 38 M.R.S.A. § 1305, as amended .

Solid Waste Disposal:

The Town of Kennebunk has a statutory obligation to provide solid waste disposal services for domestic and commercial solid waste generated within the municipality and is authorized to provide such services for industrial waste and sewage treatment plant sludge, pursuant to 38 M.R.S.A Section 1305, Subsection 1.

Recycling:

To allow the Town to mandate the recycling of solid waste materials that do not require incineration or burial through its curbside collection service, to ensure that State goals regarding recycling are met and lessen degradation to the environment by reducing the volume of waste placed in the long-term disposal sites.

Section IV: Definitions

All terms not specifically defined herein shall have their ordinary meaning; words used in the present tense include the future and the plural includes the singular.

A) Acceptable Solid Waste: All solid wastes generated within the Town, including ordinary household, municipal, institutional and commercial wastes, as designated by the Municipal Officers in accordance with current disposal agreements, with the following exceptions:

1) Demolition or construction debris from building and roadway projects or locations;

- 2) Liquid wastes or sludges;
- 3) Abandoned or junk vehicles or parts or accessories from vehicles;
- 4) Hazardous waste, that is waste with inherent properties that make it dangerous to manage by ordinary means, including but not limited to: chemicals, explosives, pathological wastes, radioactive wastes, toxic wastes and other wastes defined as hazardous by the State of Maine or the Resource Conservation and Recovery Act of 1976, as amended, or other federal, state or local laws, regulations, orders or other actions promulgated or taken with respect thereto.
- 5) Dead animals or portions thereof;
- 6) Pathological wastes, surgical and medical dressings;
- 7) Water treatment residues;
- 8) Tree stumps;
- 9) Tannery sludge;
- 10) Waste oil;
- 11) Ashes; and
- 12) Discarded 'white goods' including, but not limited to: freezers, stoves, refrigerators and washing machines.

B) Collection Facility: A building, container or designated area in which Acceptable Waste and Recyclables are deposited and temporarily stored for transshipment to the Town's designated Transfer/Recycling facilities.

C) Collection Unit: A single residential dwelling, or single commercial, industrial, institutional or municipal establishment, which produces Acceptable Waste and Recyclables within the Town of Kennebunk.

D) Commercial Waste: Acceptable waste that is non-residential and is picked up and disposed of by a private contractor.

E) Designated Disposal Facility: The facility designated by this Ordinance as the disposal facility for residential Solid Waste collected in a curbside collection program and pursuant to an existing agreement for collection and disposal services.

F) Disposal Facility: The facility designated by the Municipality as the storage and/or disposal site(s) for Unacceptable Waste and Recyclables.

G) Residential Compost: Acceptable Solid Waste generated by residential Collection Units that generally consists of decayed organic materials and has been designated by the Municipal Officers as acceptable pursuant to current agreements for collection and disposal of the same.

H) Large household furnishings: All large and/or bulky articles other than white goods actually used in the home and which equip it for living (chairs, sofas, tables, beds, carpets).

I) Municipality/Town: The Town of Kennebunk, Maine. J) Municipal Officers/Board: The Board of Selectmen.

~~K) Pay as you throw: A user fee system for disposal of municipal solid waste; also known as "pay per bag." The user fee plan promotes equity and fairness by linking the cost of waste disposal to the amount of waste actually generated by a person or household.~~

L) Recyclables: Solid Waste that is designated by the Municipal Officers pursuant to current disposal agreements as suitable for collection and disposal under this Ordinance, including, but not limited to, certain paper, cardboard, glass, plastics, aluminum, tin and steel products.

~~M) Refuse bags: Bags designed for the collection and storage of residential solid waste and approved by the Municipal Officers for such use.~~

N) Refuse containers: Containers designed for the collection and storage of Refuse Bags and Recyclables, as approved by the Municipal Officers and provided to residential Collection Units for such use. All containers shall be closed for pickup.

O) Solid Waste: Useless, unwanted or discarded solid material with insufficient liquid content to be free-flowing, including, but not limited to, rubbish, garbage, scrap materials, junk, refuse, inert fill material and landscape refuse. Solid waste shall not include septic tank sludge or agricultural or hazardous wastes. Collection and disposal of Solid Waste pursuant to this Ordinance shall be limited to Acceptable Solid Waste as defined herein and as determined by the Municipal Officers.

P) Transfer Station: The facility designated in Town Ordinance 3-16 that processes Acceptable Waste and Recyclables generated and collected in the municipality, but not collected as part of a curbside collection program or pursuant to an existing collection and disposal agreement.

Q) Unacceptable Solid Waste: All solid waste of the type municipalities are required to regulate by 38 M.R.S.A. Section 1305, as amended, that are excepted from the definition of Acceptable Waste and any other items as determined by the Board of Selectmen.

R) White goods (major appliances): Any large and/or bulky household mechanism (as a refrigerator, washer, dryer, stove, etc.) ordinarily operated by gas or electric current.

Section V: Designation

In accordance with the provisions of 38 M.R.S.A. Section 1304-B, the Municipal Officers hereby designate the Casella Waste facility located at 590 County Road in Westbrook, Maine as the facility for disposal of the Town's Solid Waste for the purposes cited in Section III of this Ordinance.

Section VI: Regulation of Acceptable Waste, Recyclables and Residential Compost

The accumulation, collection, transportation and disposal of Acceptable Waste, Recyclables and Residential Compost generated within the Municipality shall be regulated in the following manner:

A) Acceptable Solid Waste and Recycling Collection Provided

The Town of Kennebunk shall establish a system of regular curbside collection of Acceptable Solid Waste and single stream recycling materials for transportation to and disposal at the Designated Disposal Facility. Collection shall consist of once per week curbside collection of all Acceptable Solid Wastes and Recyclable Materials, from Collection Units as determined by the Board of Selectmen and pursuant to the requirements of this Ordinance.

B) Acceptable Residential Compost

The Town will authorize one licensed vendor for Residential Compost to be collected. Collection shall consist of once per week curbside collection of acceptable composting items in approved containers. The authorized vendor will provide a subscription service to residents as approved by the Board of Selectmen. Said subscription service shall be optional and paid for solely by residents who elect to use the service.

C) Solid Waste Disposal

The Town of Kennebunk shall control the collection of residential acceptable wastes, its transportation and its delivery to the Designated Disposal Facility to gain management control over acceptable wastes. Collection Units shall provide acceptable wastes generated within the Town of Kennebunk in accordance with the collection schedule, as established by the Board of Selectmen, in order to ensure a supply of such wastes to the Designated Disposal Facility.

D) Solid Waste, Recycling and Residential Compost Containers

It shall be the responsibility of each and every Collection Unit to use those containers made available through the Town and its vendors as approved by the Board of Selectmen.

The Town will provide Refuse Containers for the collection and disposal of Acceptable Solid Waste and Recycling as determined necessary and appropriate by the Municipal Officers pursuant to existing agreements for curbside collection and disposal of the same.

The designated vendor will provide Containers for the collection and disposal of Residential Compost to those who subscribe to its paid service.

E) Specification for Refuse Bags and Containers

Acceptable Solid Waste set out for curbside collection by the Town's designated vendor shall be placed in Town-approved ~~Refuse Bags in Town-approved~~ Refuse Containers as determined by the Board of Selectmen.

Recyclable Materials set out for curbside collection by the Town's designated vendor shall be placed in Town-approved Refuse Containers as determined by the Board of Selectmen.

No Refuse Containers shall be filled to a weight in excess of that determined by the Board of Selectmen. In no case shall the Town pick up any garbage or rubbish placed in paper bags, unapproved bags or containers, or any other container such as corrugated cardboard or paperboard boxes.

Town of Kennebunk public trash receptacles shall not be subject to the size and weight limitations of this subsection.

Residential Compost set out for subscription curbside collection shall be placed in Town-approved containers as provided by the Town's designated vendor and determined by the Board of Selectmen.

F) Limitation on Quantity of Refuse Containers

There is ~~no~~ a limit to the number of Town-authorized Refuse-bags containers that can be collected. Each resident will be assigned a one Refuse Container for the disposal of Acceptable Solid Waste materials and a one Refuse Container for Recyclable Materials. The resident may request one additional recycling container. These containers are the property of the Town. Each participant in the Residential Compost subscription service will be provided a container by the vendor and shall be subject to the vendor's rules and regulations regarding use of that container.

Each resident should exercise care in maintaining and using their container. The container is the property of the Town and cannot be sold, misused or taken out of Kennebunk. Residents are responsible for any misuse. Should a container be destroyed by natural causes or by the Town's snow plow operations, it will be repaired or replaced.

G) Time for Setting Out Solid Waste, Recyclable Materials and Residential Compost Containers shall be allowed to be put out for collection 24 hours preceding collection. Collection begins at 6:00 a.m. each collection day and the town will not make return trips for containers not put out prior to the actual pick up time. Containers must be removed from the curb or town right of way the same day as collection. Non-compliance may result in a fine/penalty authorized by the Board of Selectmen.

Residential compost containers shall be set out only on the day of collection and removed as soon as possible following collection, but not later than the end of the same day.

H) Collection Refused

The Town may refuse to collect any Solid Waste and/or Recyclable Materials not placed in approved Refuse Containers, which have been put out for collection in a manner that does not comply with the requirements of this Ordinance. Any Solid Waste or Recyclable Materials that have spilled from containers or have been pulled from containers by animals will not be picked up by the Town or its vendor and the person placing such items out shall clean up and dispose of the items properly, within eight (8) hours of the time of collection.

The vendor may refuse to collect any Residential Compost items not placed in an approved container, which has been put out for collection in a manner that does not comply with the requirements of this ordinance or exceeding the weight limit for picking up the container.

I) Containers to be Properly Located for Collection

Containers placed for collection shall be located as close to the curb or paved portion of the street as practicable but shall not be placed within the paved street portion of any street or right-of-way. All containers must have the front (serial #) of the container facing the street.

J) Authority of Municipal Officers

The Municipal Officers may establish such further rules and regulations governing the collection of Solid Waste, Recyclable Materials and Residential Compost not inconsistent with the provisions of this Ordinance.

K) Holidays

If a holiday falls on the scheduled collection day for a collection route/zone, the Solid Waste, Recyclable Materials or Residential Compost of such route/zone will be collected on the holiday or a make-up day as designated by the Public Services

Director.

L) No person shall place commercial or household Solid Waste, Recyclable Materials or Residential Compost in or around public trash receptacles. The Owner(s) of the business or residence where the solid waste originated shall be deemed responsible for illegal placement of solid waste items. (06-09-2004)

Section VII: Regulation of Unacceptable Waste

The accumulation, collection, transportation and disposal of unacceptable waste generated within the municipality shall be regulated in the following manner:

A) To be collected, transported and disposed of at generator's expense:

1) Demolition or construction debris from building and roadway projects or

locations;

2) Liquid wastes or sludges;

3) Abandoned or junk vehicles or parts or accessories from vehicles; 4)

Hazardous waste;

5) Dead animals or portions thereof;

6) Pathological wastes and medical and surgical dressings;

7) Water treatment residues;

8) Tree stumps;

9) Tannery sludge;

10) Ashes; and

11) any other items as determined by the Board of Selectmen.

B) Transfer and recycling shall also take place at the Transfer Station located next to the Town garage and identified in Ordinance 3-16, unless an alternate transfer station is designated by the Board of Selectmen.

The following shall be received for recycling at the Transfer Station and at curbside collection, if indicated: (some items may be subject to a fee):

1) Newspapers, magazines, junk mail, telephone books, books, glossy paper, mixed paper, or any item made from a paper fiber derivative (curbside collection also);

2) Corrugated cardboard (curbside collection also);

- 3) White, green and brown glass (no caps) (curbside collection also);
 - 4) Aluminum and tin containers (curbside collection also);
 - 5) #1 - #7 HDPE and PET plastic containers (curbside collection also);
 - 6) 'White goods' subject to a fee set by the Board of Selectmen;
 - 7) Demolition or construction debris from building and roadway projects or locations;
 - 8) Waste oil;
 - 9) Scrap metal; and
 - 10) Any item designated by the Board of Selectmen.
- 11) A swap table (or designated area) as determined by the Selectmen shall be available under the supervision of the vendor managing the Transfer/Recycling Facility.
- C) There shall be a designated area for leaf and yard waste, subject to a fee set by order of the Board of Selectmen
- D) Brush not exceeding 4" in diameter, subject to a fee set by order of the Board of Selectmen.
- E) Operating hours for the Transfer Station will be set by order of the Board of Selectmen and posted.
- F) The Board of Selectmen may modify this list as needed.
- G) The Board of Selectmen shall set fees for the items listed above and any other items that it may designate in the future.

Section VIII: Exempted Waste

The following categories of waste shall be exempted from regulation by the Ordinance:

- 1) Materials from manufacturing, processing or packaging operations which are segregated from solid waste and salvaged for alternate use or reuse by the generator or sold to third parties.
- 2) Glass, metal or other noncombustible materials which are separated from Acceptable Waste by the generator as part of a recycling program.

3) Cardboard, paper or other combustible materials which are separated from Acceptable Waste by the generator as part of a recycling program.

Section IX: Administration

This Ordinance shall be administered by the Municipal Officers. Their powers and duties are as follows:

- 1) To adopt reasonable rules and regulations as needed to enforce this Ordinance.
- 2) To consider all license applications pursuant to Section X of this Ordinance and to grant or deny each application within thirty (30) days after receipt of a completed application at the Municipal Offices or within such other time, as the Municipal Officers and the applicant shall agree is reasonable.
- 3) To review any alleged violation of this ordinance, and to impose appropriate penalties therefore after notice and hearing as required by this ordinance.
- 4) To institute necessary proceedings, either legal or equitable, to enforce this ordinance.
- 5) To approve reasonable fees for waste accepted at the Town's Transfer Station. Said fees to be established by the Town's designated vendor responsible for operating the Transfer Station based on the cost of staffing the facility, storing, handling, transporting and disposal of the waste. (ADDED 11-21-1989)

Section X: Licensing

1) No person, firm or corporation shall accumulate, collect, store, transport or dispose of Acceptable Waste or Unacceptable Waste generated within the Municipality without obtaining a license from the Municipal Officers, except that a person, firm or corporation that accumulates, collects, stores, transports or disposes of less than 8 tons per month of its own waste shall not be required by this section to obtain such a license.

2) Any person, firm or corporation required by this ordinance to obtain a license shall make application to the Municipal Officers, providing the information required. Each

initial application shall be accompanied by an annual, non-refundable application fee as set by the Board of Selectmen's fee schedule.

3) The application shall contain all information required by Municipal Officers, including but not limited to a description of the activity(ies) engaged in, e.g.,

collection, transporting, or disposal of Acceptable and/or Unacceptable Waste; type and amount of waste handled in each service area; description of the facility(ies) operated and used; and equipment inventory, including for vehicles a description - the make, model and year of each vehicle used for the collection or transportation of solid waste. All information provided shall be revised annually upon application for license renewal. If the Municipal Officers determine the application is incomplete, they shall notify the applicant in writing of the specific information necessary to complete it. The Municipal Officers shall be informed immediately in writing of any changes in or additions to equipment, including vehicles.

4) An applicant for a license under this section shall demonstrate that it meets the following criteria:

a) Financial capacity to perform as proposed in the application.

b) Technical capacity (including vehicles and other equipment) to perform as proposed in the application and as required under this ordinance.

c) Adequate liability, collision and workers' compensation insurance coverage.

d) Safety record (including compliance with state and local motor vehicle laws, ordinances and regulations) so as not to be a danger to public health, safety and welfare.

5) Licenses shall not be transferable. In the event of an emergency or vehicle breakdown, a licensee shall be issued a special license for a satisfactory replacement vehicle, upon furnishing of all information required for a licensed vehicle.

6) All licenses shall expire one (1) year from the date of issue unless otherwise stated on the license or revoked or suspended sooner in accordance with the provisions of this ordinance.

7) The annual license fee for each vehicle licensed or for each applicant licensed for activities not involving the transport of solid waste shall be as set by the Board of Selectmen' fee schedule. License fees shall not be refunded in the event that a license is suspended or revoked. (06-12-2002)

8) In the event the Municipal Officers deny a license application, they shall notify the applicant in writing and shall state the reasons for the denial. The applicant may request a public hearing in accordance with the procedures in Section XII.

9) Cover and secure all loads for transportation.

Section XI: Suspension or Revocation

Any license issued may be suspended or revoked by order of the Municipal Officers after benefit of a hearing in accordance with the procedures in Section XII, for the following causes:

- 1) Violation of this ordinance.
- 2) Violation of any provision of any state or local law, ordinance, code or regulation,

which relates directly to the provisions of this ordinance.

- 3) Violation of any license condition(s).
- 4) Falsehoods, misrepresentations or omissions in the license application.

Section XII: Hearings

1) Anyone denied a license pursuant to Section X or whose license is suspended or revoked pursuant to Section XI shall be entitled to a hearing before the Kennebunk Zoning Board of Appeals, if such request is made in writing within ten (10) days of the denial, suspension or revocation.

2) Such hearings shall be held within thirty (30) days after receipt of the written request for a hearing.

3) The licensee or applicant shall be notified, in writing, as to the time and place of the hearing at least ten (10) days prior to the hearing date. The applicant or licensee has the right to be represented by counsel, to offer evidence and to cross-examine witnesses.

4) A determination shall be made by the Zoning Board of Appeals within ten (10) days after the conclusion of the hearing, and notice of the decision shall be served upon the applicant or licensee by registered mail, return receipt requested.

5) The Zoning Board of Appeals' final determination relative to the denial or suspension or revocation of a license and the period of suspension or revocation shall take effect as provided in the notice but no later than ten (10) days after the date notice of such final determination has been mailed by registered mail, return receipt requested, to the applicant and shall be conclusive. Notice of the final determination shall set forth the reasons for the denial, suspension or revocation and the effective dates thereof together with a statement that such decision may be appealed as provided in this ordinance.

6) Any controversy or claim arising out of or relating to the Zoning Board of Appeals' determination shall be directly reviewable by Superior Court pursuant to M. R. Civ. P., Rule 80B.

Section XIII: Enforcement

1) All provisions of this ordinance are enforceable by duly authorized police officers or

the Municipal Officers.

2) Any person who violates any provision of this ordinance is subject to arrest and if convicted, to punishment as provided in Section XIV.

3) Whenever the Municipal Officers determine that there has been a violation by virtue of noncompliance, they shall give notice of such violation to the person(s) responsible by personal service or by registered mail, return receipt requested.

a) The citation shall include a statement of reasons and shall allow reasonable time for performance of any act it requires.

b) The citation may contain an outline of remedial action, which, if taken, will effect compliance.

c) The citation shall state that unless corrections are made within the allotted time, the violation is subject to prosecution and/or to license revocation or suspension pursuant to the provisions of this ordinance.

Section XIV: Penalties

1) Criminal penalties: any person who violates this ordinance shall be guilty of a Class E crime for each violation.

2) Civil penalties: any person, firm or corporation who violates this ordinance shall be subject to a civil penalty, payable to the Municipality, as set by the Board of Selectmen's fee schedule for each violation. Each day of violation shall be considered a separate violation. Such person, firm or corporation shall also be liable for court costs and reasonable attorney fees incurred by the Municipality.

Section XV: Conflict and Severability

1) The provisions of this law shall supersede all other local laws, ordinances, resolutions, rules or regulations contrary thereto, or in conflict therewith.

2) The provisions of this ordinance shall be severable and if any phrase, clause, sentence or provision, or the application thereof to any person or circumstances shall

be held invalid, the remainder of this ordinance and the application thereof shall not be affected thereby.

Section XVI: Amendment

This ordinance may be amended in the same manner as any other ordinance of the Municipality, subject to the contractual obligations outlined in the contract between the Municipality and the solid waste facility.

The Board of Selectmen may, after public notice and hearing, amend this Ordinance and draft and adopt regulations implementing the terms of this Ordinance on any matter not expressly set forth herein or as otherwise provided by law.

Section XVII: Effective Date

This Ordinance shall become effective on the date of adoption by Town vote. Any person, firm or corporation required to obtain a license hereunder shall have sixty (60) days from the date of adoption of this ordinance to secure such license, which shall become effective on the date specified therein.

Section XVIII: Fees

Fees shall be as shown on a fee schedule set by vote of the Board of Selectmen each year, after notice and hearing. (06-12-2002)

ADOPTED 06-23-1987; AMENDED 06-12-2002; 06-09-2004; 06-16-2005; 06-21-2011; 03-24-2015

4

PUBLIC
HEARING

(g)

**WARRANT FOR THE
ANNUAL TOWN MEETING
JUNE 14, 2016**

To Barbara Duffy, a resident of the Town of Kennebunk in the County of York and State of Maine:

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the said Town of Kennebunk, qualified by law to vote in Town affairs, to assemble in the Edward C. Winston Town Hall Auditorium of said Town on Tuesday, the 14th day of June, A.D. 2016 at six (6:00) o'clock in the forenoon, then and there to act on the articles listed below.

The polls will open as soon as Article 1 has been acted upon and will remain open to vote on Articles 2 through ___ until eight (8:00) o'clock in the evening.

The Registrar hereby gives notice that the Town Clerk's Office will be open for the purpose of registering voters and correcting a list of voters on Monday, June 6, 2016, Tuesday, June 7, 2016, Wednesday, June 8, 2016 and Thursday, June 9, 2016 from 8:00 a.m. to 7:30 p.m. The Registrar will be in the Edward C. Winston Town Hall Auditorium on Election Day, June 14, 2016, until the closing of the polls to register voters and to correct names and addresses.

Article 1: To choose a Moderator to preside at said meeting.

Article 2: To choose, by ballot, the following Town Officials, namely, Two Selectmen, for three years; Two RSU # 21 Board of Directors, for three years; One Trustee for the Kennebunk Light & Power District, for five years; and Two Trustees for the Kennebunk Sewer District, for three years.

Article 3: Referendum Question 1: To see if the Town will vote to appropriate \$12,216,550 for General Government Services (Selectmen, Town Clerk's Office, Assessor's Office, Town Manager's Office, Office/Administration, Community Development Division, Town Hall Maintenance, Computer Department, Social Services, Employee Benefits, Operational Contingency, Kennebunk Free Library, Boards and Commissions, and Agencies), Public Safety (Police/Communications, Harbormaster, Fire, Ambulance, Lifeguards, and Civil Emergency Preparedness), Public Services (Highway, Recycling, Solid Waste, Hydrants and Street Lights, Parks, Recreation, and Recreation Facilities), and Debt Service (principal and interest of bond & lease/purchase payments) with \$4,100,100 to be funded from estimated revenues, \$100,000 from unassigned general fund balance ("surplus"), and \$8,016,450 to be raised by assessment.

(Information regarding the proposed operational budget as listed above is on file and may be reviewed in the Town Clerk's office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a majority vote. (Selectmen did not vote for their own budget.)

Budget Board recommends acceptance of this article by a majority vote.

**YES
NO**

Article 4: Referendum Question 2: To see if the Town will vote to transfer from the unassigned general fund balance ("surplus") the sum of \$854,080 and to appropriate the same for the purchase, rental and repair of capital vehicles and equipment; Town Hall and Fire Department Central Station insulation projects; road cracksealing, gravel, culvert and basin projects; capital improvements and equipment reserves; reserves to be used to reduce current and future debt service; and to reduce the Pay-As-You-Throw solid waste enterprise fund deficit balance.

(A listing of the proposed capital projects, equipment and vehicles, transfers to capital and reserve accounts, transfer to capital assets and projects, and transfer to the Pay-As-You-Throw solid waste enterprise fund is on file and may be reviewed in the Town Clerk's office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

Budget Board recommends acceptance of this article by a vote of 4 in favor, 3 absent.

**YES
NO**

Financial Statement for Article 4 Referendum Question The issuance of bonds by the Town of Kennebunk is one of the ways in which the Town borrows money for certain purposes. The following is a summary of the bonded indebtedness of the Town of Kennebunk as of April 2, 2016.

| | |
|--|---------------------|
| Bonds Now Outstanding and Unpaid | \$11,609,000 |
| Interest to be Repaid on Outstanding Bonds | <u>\$ 1,883,872</u> |
| Total to be Repaid on Bonds Outstanding | <u>\$13,492,872</u> |

Additional Bonds to be Issued if Approved by Voters:

Article 4, For road paving, drainage and bridge repair or replacement and other capital improvement projects; a Public Services plow/dump truck, a Fire/EMS Department ambulance, two (2) Recreation Department buses, and a computer network back-up system. \$ 2,570,000

Estimate of Potential New Interest on Such Additional Bonds:

Article 4, For road paving, drainage and bridge repair or replacement and other capital improvement projects; a Public Services plow/dump truck, a Fire/EMS Department ambulance, two (2) Recreation Department buses, and a computer network back-up system. \$ 378,062

Total Additional Bonds to be Issued and Estimated Interest if Approved by Voters: \$2,948,062

When money is borrowed by issuing bonds, the Town must repay not only the principal amount of the bonds but also interest on the bonds. The amount of interest to be paid will vary depending upon the rate of interest and the years to maturity at the time of issue. The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimates made of the costs involved, including varying interest rates, the estimated cost of interest on the bond amount to be issued and the total cost of principal and interest to be paid at maturity.

/s/

Joel E. Downs,
Treasurer, Town of Kennebunk

Article 5: Referendum Question 3: To see if the Town will vote to approve a general obligation bond borrowing, short-term note borrowings or lease/purchase agreements, of up to \$2,570,000, or combination thereof as determined by the Board of Selectmen, for the purpose of financing expenditures for road paving, drainage and bridge repair or replacement and other capital improvement projects; a Public Services plow/dump truck, a Fire/EMS Department ambulance, two (2) Recreation Department buses, and a computer network back-up system, hereby authorized, with the bonds and notes to be issued with or without call provisions and with such dates, maturities, denominations, interests rate(s), redemption provisions and other details as the Municipal Officers shall determine (total estimated debt service of \$2,948,062 of which principal is \$2,570,000 and estimated interest at 3.25% over 10 years is \$378,062) and to accept any monetary or in-kind donations and grants for these assets or projects.

Note: The bonds to be issued, if approved by the voters, may have a first-year bond payment (principal and interest) estimated to be \$400,480, starting in fiscal year 2017-18, depending when the bonds are issued. The average annual bond payment (principal and interest) over the 10-year term is estimated to be \$294,806 per year.

(Information regarding the proposed road paving, drainage and bridge repair or replacement and other capital improvement projects; a Public Services plow/dump truck, a Fire/EMS Department ambulance, two (2) Recreation Department buses, and a computer network back-up system is on file and may be reviewed in the Town Clerk's office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a vote of 6 in favor, 1 opposed.

Budget Board recommends acceptance of this article by a vote of 4 in favor, 3 absent.

YES
NO

Article 6: Referendum Question 4: (PENDING FURTHER DISCUSSION) Shall an Ordinance entitled "Amendment to Section 3-14 of the Town's Solid Waste, Pay as You Throw, Recycling and Residential Compost Ordinance" be enacted to delete all references to "Pay As You Throw" and related provisions thereby eliminating the "pay per bag" trash program in Kennebunk, which shall raise and appropriate \$435,000 for the collection and disposal of the Town's municipal solid waste and other

related miscellaneous expenditures by assessment?

Fiscal Note: If this ordinance amendment passes, the elimination of the "Pay as You Throw" program of trash collection will result in an increase to the Town's budget of approximately \$435,000, which is the approximate equivalent of a \$0.23 increase to the Town's tax mil rate. On the other hand, if this ordinance amendment fails, the continuance of the "Pay as You Throw" program will nonetheless require the price of bags to be increased by 35%.

Note: This warrant article pertains to the Town's blue and purple trash bags, not the Town's new trash and recycling containers. The containers will continue to be used regardless of the outcome of the vote.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a vote of 2 in favor, 5 opposed.

Budget Board recommends acceptance of this article by a vote of 4 in favor, 1 opposed, 1 absent.

YES
NO

Article 7: Referendum Question 5: (PENDING FURTHER DISCUSSION) To see if the Town will vote to increase the Town's LD 1 property tax levy limit amount by \$435,000, but to be effective only if Article 6 above passes, eliminating the Town's Pay as You Throw solid waste program.

Fiscal Note: The Town's LD 1 property tax levy limit will need to be increased by \$435,000 only if Article 6 eliminating the Pay as You Throw solid waste program is passed; otherwise, the LD1 limit will not be increased.

Selectmen recommend acceptance of this article by a vote of ___ in favor, ___ opposed.

Budget Board recommends acceptance of this article by a vote of 4 in favor, 1 opposed, 1 absent.

YES
NO

Article 8: Referendum Question 6: Shall an ordinance entitled "Amendment to Sec. 4-7 of the Town's Property Tax Assistance Ordinance" be enacted to delete references to the State of Maine's repealed "Circuit Breaker Program" and to establish new eligibility requirements based on the State of Maine's new "Property Tax Fairness Credit," as well as a new amount of property tax assistance of \$300 or other prorated amount based on available funds?

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Article 9: Referendum Question 7: Shall a new ordinance entitled "Single-Use Plastic Carry Out Bag Ordinance" be enacted to eliminate the use of single-use carry out plastic bags by retail establishments engaged in the sale of food or other merchandise in the Town of Kennebunk?

(A copy of the proposed ordinance is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Article 10: Referendum Question 8: Shall an ordinance entitled "Amendment to the Town's Street Vendors and Peddlers Ordinance" be enacted to revise the text of Section 6-1.5 Location and Section 6-1.13 Amendments as shown below?

Section 6-1.5

6.e. Applicant shall comply with all local ordinances and restrictions pursuant to the terms of any permit of the Code Enforcement Officer.

Section 6-1.13

The Board of Selectmen may, after public notice and hearing, amend this Ordinance and draft and adopt regulations implementing the terms of this Ordinance on any matter not expressly set forth herein or as otherwise provided by law.

Proposed additions to the text are underlined.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Article 11: Referendum Question 9: Shall a new ordinance entitled "Pawnbrokers Ordinance" be enacted to create regulations for the licensing and operation of pawnbrokers and related businesses in the Town of Kennebunk?

(A copy of the proposed ordinance is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Article 12: Referendum Question 10: Shall an ordinance entitled "Kennebunk Zoning Ordinance" be enacted to revise the text of Section 6.B.7-3 as shown below?

Permitted Uses: The following accessory uses: Renting of rooms, not to exceed six rented rooms.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Selectmen recommend acceptance of this article by a vote of ___ in favor, ___ opposed.

YES
NO

HEREOF FAIL NOT to make due service of this warrant and return of your doings thereon, at the time and place of said meeting.

GIVEN UNDER OUR HANDS at Kennebunk, Maine in the County of York and State of Maine the 10th day of May in the year of Our Lord Two Thousand and Sixteen.

A majority of the Municipal Officers of
Kennebunk, Maine.

Attest: A True Copy:

Merton Brown, Town Clerk

RESIDENT'S RETURN

Pursuant to the within warrant, to me directed, I have notified and warned the Inhabitants of the Town of Kennebunk, in the County of York and State of Maine, qualified by law to vote in Town affairs, to assemble at the time and place and for the purpose within named by posting up on the 11th day of May 2016 one attested copy of the within warrant in the Town Hall Lobby and on the Town's website [www.kennebunkmaine.us], all being public and conspicuous places in the Town of Kennebunk, Maine.

Barbara Duffy, Kennebunk Resident

7.a.

BID OPENING

Bid Subject: Wayfinding Signage (the purchase of)

Date & Time: April 21, 2016 at 2:30 p.m.

Location: Town Manager's Outer Office

In Attendance:

Town Manager, Town Clerk, or Finance Director: Barry Tibbetts

Department Head or Municipal Employee: Kathy Nolette

Bids Received:

| Company | A Signs & Installation | B Signs Only (price included in A) | C Fire/Police Building Signs | Total A & C |
|---|------------------------------|--|------------------------------------|--------------|
| Rising Revolution Studio Shapleigh, ME | \$ 20,246.65 | \$ 8,961.65 | \$ 6,942.80 | \$ 27,189.45 |
| Creative Impressions Norcross, GA | \$ 27,680.00 | \$ 11,980.00 | \$ 8,900.00 | \$ 36,580.00 |
| Prevost Signs Kennebunk, ME | \$ 23,465.50 | | \$ 5,570.50 | \$ 29,036.00 |
| W.S. Sign Design Corp. Springfield, MA | \$ 16,991.11 | \$ 9,969.31 | \$ 5,165.00 | \$ 22,156.11 |
| | | | | \$ - |

Recommendation:

The recommendation is to award the bid to W.S. Sign Design Corp. at a price of \$22,156.11, which includes installation.

Award:

The award will be discussed at the Selectmen's meeting on April 26, 2016

W.S. SIGN DESIGN CORPORATION

April 18, 2016

Barry Tibbetts
Town of Kennebunk
1 Summer Street
Kennebunk, ME 04043

RE: KENNEBUNK WAYFINDING SIGNAGE PROJECT
BID: KWS-001

Dear Barry,
Per our conversation, thank you for the opportunity to quote the Town of Kennebunk's Wayfinding Project.

Pricing A

Item 1, Quantity 2, Primary, \$711.00 Total \$1,137.20
Item 2, Quantity 17, Secondary, \$508.83 Total \$8,650.11
Item 3, Quantity 1, Tertiart, \$182.00 Total \$182.00

=====
TOTAL PROJECT COST \$9,969.31

Pricing B

Item 1, Quantity 2, Primary Sign \$711.00 Total \$1,137.20
Sign Posts (2each) \$220.00 Total 440.00
(10 foot upright 2" galvanized square, 14 gauge with 36", 2-1/4" galvanized base post, 12 gauge)
with stainless steel vandal resistant attachment bolt, nut and washer.
Installation \$220.00 Total \$440.00
Total Cost for \$2302.00

Item 2, Quantity 17, Secondary Sign \$508.83 Total \$8,650.11
Sign Posts \$110.00 Total 1,870.00
(10 foot upright 2" galvanized square, 14 gauge with 36", 2-1/4" galvanized base post, 12 gauge)
with stainless steel vandal resistant attachment bolt, nut and washer.
Installation \$220.00 Total \$3,740.00
Total Cost for \$14,260.11

Item 3, Quantity 1, Secondary Sign \$182.00 Total \$182.00
Banding and Hardware \$35.00 Total \$35.00
Installation \$220.00 Total \$220.00
Total Cost for \$437.00

=====
TOTAL PROJECT COST 16,999.11

W.S. SIGN DESIGN CORPORATION

Alternate #1 POLICE AND FIRE RESQUE HEADQUARTERS SIGNAGE

Item 1-ALT Quantity 1 Sign \$1,937.50 Sign Posts \$150.00 (2 each 6" x 6" square redwood painted) Installation \$345.00
Item 1-ALT Quantity 1 Sign \$1,937.50 Sign posts \$150.00 (2 each 6" x 6" square redwood painted) Installation \$345.00

All signs carry a 5 year warranty. To increase the warranty 10 years using Type III Hi-Intensity Reflective sheeting.

OPTIONS:

Price adder for Type III reflective is: Primary \$41.00 per sign
Secondary \$35.00 per sign
Tertiary \$10.00 per Sign
Price adder for Graffiti Overlay film: Primary \$77.00 per sign
Secondary \$49.00 per sign
Tertiary \$16.00 per sign

REFERENCES

THREE RIVERS COMMUNITY COLLEGE_JAMES KELLY, Purchasing Agent 1-860-215-9258
CITY OF AUBURN, MAINE_ ERIC COUSENS, Deputy Director of Planning and Development 1-207-333-6601 EXT 3223
CITY OF LEWISTON, MAINE_ DAVID HEDIGER, City Planner/Deputy Director Planning and Code Enforcement
1-207 513-3125 EXTENTION 3223

DELIVERY DATE 60 DAYS MAXIMUM AFTER LAYOUT APPROVALS

W.S. SIGN DESIGN CORP IS THE LEADING DESIGNER AND FABRICATOR OF GATEWAY AND WAYFINDING SYSTEMS IN THE NORTHEAST. THE COMPANY HAS BEEN OWNED BY RONALD WHITAKER, PRESIDENT SINCE 1981.

ACCOMPLISHMENTS:

IN NEW YORK CITY WE SURVEYED ALL OF MIDTOWN MANHATTAN SIGNS. WE MADE RECOMENDATIONS TO REDUCE SIGN CLUTTER AND IMPROVE LEGABILITY. WE DID THIS AND MADE THE SYSTEM VERY ATTRACTIVE AND VANDAL RESISTANT. OVER 2000 SIGN INSTALLATIONS WERE REMOVED!

WE ARE THE MHEC (MASSACHUSETTS HIGHER EDUCATION CONSORTIUM)

G24 CONTRACT HOLDER FOR ALL COLLEGES IN NEW ENGLAND AND EVERY COMMUNITY THAT IS A MEMBER. WITH THIS SYSTEM MEMBERS SAVE AN AVERAGE OF 20% WITHOUT GOING TO BID. WE CAN PROVIDE A LIST OF OVER 20 COLLEGES AND UNIVERSITIES IN NEW ENGLAND WHO HAVE USED THIS SERVICE.

If we are awarded the contract the will immediately schedule a conference call with all concerned. We will produce all layouts for your consideration within 7 business days. A prototype sign will be submitted with colors at this time. After approval we will schedule a time line for fabrication in 40 days with installation in 60 days after layout approval.

If there are any comments or concerns, please feel free to contact me 413-241-6919. I look forward to our conversations, in hopes of being part of this wayfinding project.

Best Regards,



Ronald Whitaker
president

ATTACHMENT 2- BID SHEET

Town of Kennebunk * 1 Summer Street Kennebunk, ME 04043 *207-985-2102 x1308
btibbetts@kennebunkmaine.us

Design and Fabrication of Wayfinding Signage "KENNEBUNK WAYFINDING SIGNAGE #KWS-001"
 Bids due by 2:00 pm EST, Wednesday, April 20, 2016

Company W.S. Sign Design Corporation
 Address 884 Alden Street, Springfield, MA 01109
 Telephone Number 413-241-6916 Email: ronw@wssign-design.com
 Contact Person: Ronald E. Whitaker
 Signature: Ronald E. Whitaker

PRICING A: SIGN FABRICATION ONLY

| Item # | Quantity | Sign Type | Cost Per Sign | Total Cost |
|--------------------|----------|-------------------------------|---------------|-------------|
| 1 | 2 | Primary Directional Signage | \$ 711.00 | \$ 1,137.20 |
| 2 | 17 | Secondary Directional Signage | \$ 508.83 | \$ 8,650.11 |
| 3 | 1 | Tertiary Directional Signage | \$ 182.00 | \$ 182.00 |
| TOTAL PROJECT COST | | | | \$ 9,969.31 |

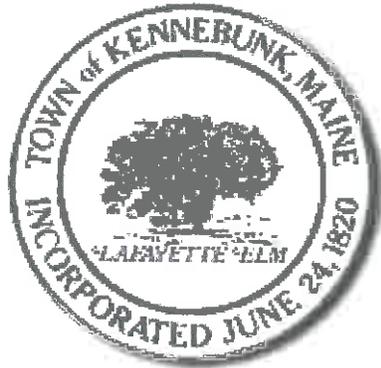
PRICING B: SIGN FABRICATION, SIGN POSTS, AND INSTALLATION OF ALL ITEMS.

| Item # | Quantity | Sign Type | Cost Per Sign | Sign Posts | Installation | Total Cost |
|--------------------|----------|-------------------------------|---------------|------------|--------------|--------------|
| 1 | 2 | Primary Directional Signage | \$ 711.00 | \$ 220.00 | \$ 220.00 | \$ 2,302.00 |
| 2 | 17 | Secondary Directional Signage | \$ 508.83 | \$ 110.00 | \$ 220.00 | \$ 14,260.11 |
| 3 | 1 | Tertiary Directional Signage | \$ 182.00 | \$ 35.00 | \$ 220.00 | \$ 437.00 |
| TOTAL PROJECT COST | | | | | | \$ 16,999.11 |

W.S. SIGN DESIGN
CORPORATION

Town of Kennebunk, Maine
~WAYFINDING SIGNAGE PROGECT~

Bid #KWS-001



Proprietary Confidential Material • All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whiteco Corporation, and it's subsidiaries.

884 Alden Street • Springfield • MA 01109

Ph 413.241.6916 • Cell 413.244.6209 • Fax 413.241.6918

[www. WSSIGN-DESIGN.COM](http://www.wssign-design.com)

W.S. SIGN DESIGN CORPORATION

PRIMARY DIRECTIONAL



←Tree image to be supplied by customer.

Mileage TBD

Primary Directional Signage

Aluminum .125 x w66 x h45

Alloy 5052-H38 per Maine DOT

3" Uppercase Letter Height (Clearview Font)

5.50" "Welcome to Kennebunk" (Vivaldi Italic)

Engineer Reflective Sheeting (5 year Warranty)

2" Galvanized Steel Square Tubing (14 gauge)

Basepost 2.25" Galvanized Square Tubing

Installed 55" from ground to bottom of sign

36" Below Ground

Stainless Steel Fasteners

Vandal Resistant

Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and it's subsidiaries.

W.S. SIGN DESIGN CORPORATION

SECONDARY DIRECTIONAL



←--Tree image to be supplied by customer.

Mileage TBD

"Kennebunk" (Vivaldi Italic Font)



"Kennebunk" (Clearview Font)

Secondary Directional Signage

- Aluminum 125 x w42 x h41
- Alloy 5052-H38 per Maine DOT
- 3" Uppercase Letter Height (Clearview Font)
- Engineer Reflective Sheeting (5 year Warrantee)
- 2" Galvanized Steel Square Tubing (14 gauge)
- Basepost 2 25" Galvanized Square Tubing
- Installed 55" from ground to bottom of sign
- 36" Below Ground
- Stainless Steel Fasteners
- Vandal Resistant

Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whiteco Corporation, and it's subsidiaries.

W.S. SIGN DESIGN CORPORATION

TRITINARY DIRECTIONAL



Tertiary Directional Signage

Double-Sided

Aluminum .125 x w36 x h8

2.50" U/L Case Letter Height (Clearview Font)

Engineer Reflective Sheeting

Attached to Light Pole (off Route 1 / Water Street Intersection)

Stainless Steel Banding & Bracket

Vandal Resistant Hardware

Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and its subsidiaries.

W.S. SIGN DESIGN CORPORATION

FIRE RESCUE SIGN



Fire & Rescue Sign

Aluminum .125 x w84 x h40

6" Uppercase Letter Height

Reflective Sheeting

3" Square Tubing

Installed 55" from ground to bottom of sign

Stainless Steel Fasteners

Vandal Resistant

LOCATION @ 1 SUMMER STREET

Proprietary Confidential Material · All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and it's subsidiaries.

W.S. SIGN DESIGN CORPORATION

POLICE SIGN



Police Sign

Aluminum 125 x w84 x h40

6" Uppercase Letter Height

Reflective Sheeting

3" Square Tubing

Installed 55" from ground to bottom of sign

Stainless Steel Fasteners

Vandal Resistant

LOCATION @ 4 SUMMER STREET

Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and it's subsidiaries.

Past Projects Lewiston - Auburn, Maine



Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and its subsidiaries.

Past Projects City of Pittsfield, Massachusetts



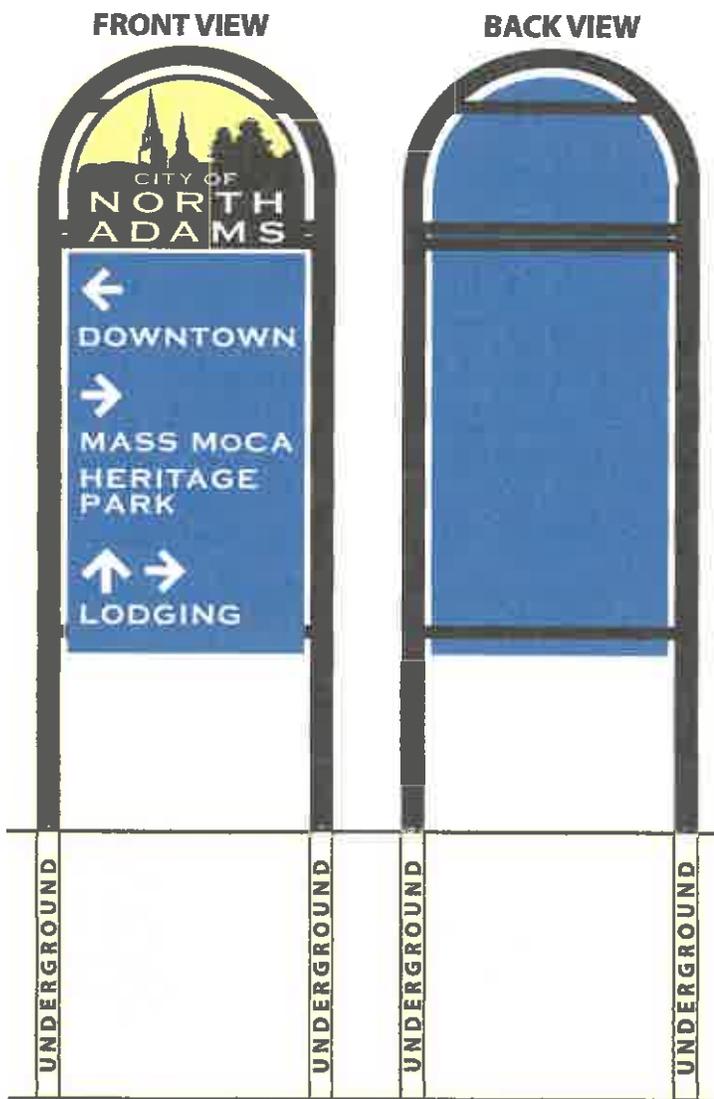
Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and its subsidiaries.

Past Projects City of Hartford, Connecticut



Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and its subsidiaries.

Past Projects City of North Adams, Massachusetts



Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and its subsidiaries.

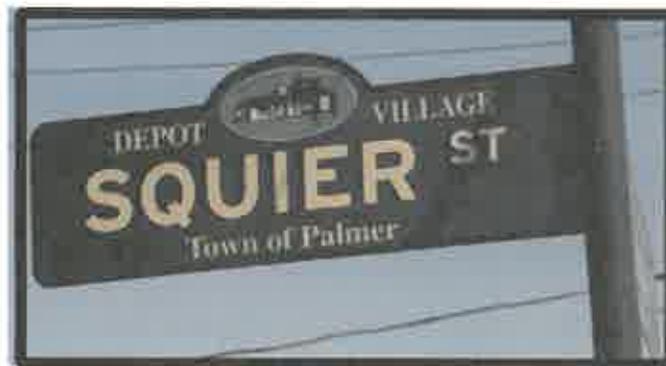
Past Projects City of Norwich, Connecticut



Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whitco Corporation, and its subsidiaries.

Past Projects

City of Palmer, Massachusetts



Proprietary Confidential Material - All images and information are for presentation purposes and are the sole property of W.S. Sign & Design Corporation and may not be used for any other purpose without the express written consent of W.S. Sign & Design Corporation, Whiteco Corporation, and it's subsidiaries.

**The full
Wayfinding Signage
Bid Documents
can be viewed on the
Town's website at:**

<http://www.kennebunkmaine.us/DocumentCenter/Index/622>

7.c

Approve the CDBG Application for a Economic Development Program for Gymnation at the 3/8/16 Public Hearing (5 minutes) –

At the last meeting, the Board held public hearings to discuss CDBG applications. The Board needs to vote to send the Economic Development Program application for Gymnation to the Department of Economic Development and Community Development (DECD). 1. Listed as Public Hearing i on the March 8th agenda – To discuss an application being submitted to the State of Maine CDBG program for a Microenterprise grant. The purpose of the request is to assist Gymnation in its relocation to Route 1 west/York Street. Monies will be used for the purchase of new equipment. This move is necessitated by the demolition of their present building on Water Street for use in the future Sewer Treatment Expansion Project. The application is for \$120,000. Total project costs will be in excess of \$1.3 million.

MOTION: To approve the submittal of the CDBG application for a Microenterprise grant to the Department of Economic and Community Development.

STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Application

APPLICATION PACKAGE REQUIREMENTS:

- Economic Development Program Application with original signatures
- Problem Statement, Proposed Solution and Citizen Participation descriptions (maximum of six (6) 8 ½ x 11 consecutively numbered sheets of paper)
- Community Benefit Worksheet **(if applicable)**
- Retail Business conditions with original signatures **(if applicable)**
- Job Creation Assurances and Baseline Employment Summary with original signatures
- Job descriptions for all jobs to be created
- Matching Funds Table
- Budget Summary
- Consumer Credit Authorization
- Financial Summary Statement **(if applicable)**
- Documentation of public hearing notice, minutes (which must include narrative of hearing including person's asking and answering questions, responses to questions, etc.) and attendance list
- Documentation of Local Legislative Body Approval

FINANCIAL DOCUMENTATION REQUIREMENTS:

- Business' Federal tax return for the years **2015, 2014 and 2013** and/or complete accountant prepared financial statements (income statement and balance sheet and notes)
- Interim financial statements (if the most recent financial information is older than 90 days)
- Personal Financial Statement and Federal Income Tax Returns for the years **2015, 2014 and 2013** of all owners and guarantors with 20% or more ownership. If an owner or guarantor does not file federal income tax returns, please state such and why, and provide audited or accountant-prepared income statements and balance sheets for the last three years, and if the information is older than 90 days, include current internal income statement(s) and balance sheet(s) for the year(s) for which audited or accountant-prepared statement(s)/balance sheet (s) are not available. In any event, a current balance sheet and YTD income statement must be supplied.
- Company business plan and/or financial documents which must include pro forma balance sheets, income statements and monthly cash flow statements with supporting assumptions for at least the period required for job creation. Identify the person preparing them, their expertise and experience in the particular business area involved, and state the assumptions on which income projections are based.
- Signed commitment letters from all financing sources indicated as providing match funding for the project. Letters of Commitment must include the amount of funds committed to the project, the use of those funds and the terms and conditions under which the funds are being committed. Business/owner/partner committing personal matching funds must provide documentation (i.e., bank statement) showing that cash exists and is accessible at time of application.
- Amount of capital to be invested including name of each investor; amount of investment and written documentation or confirmation of commitment for each investor
- Opening day balance sheet showing all capital and debt
- Documentation of expertise or expertise of all involved parties
- Evidence of potential sources of revenue adequate to allow evaluation from the standpoint of likelihood and magnitude, and copies of any contract(s) anticipated to generate revenue

An original and one set of application and required financial documentation must be provided as well as three copies of the application package only. If the application and financial documentation package does not contain all of the required documentation it will be deemed an incomplete application and will not be scored. Do not include any material not specifically requested in the above checklist. If supplemental information is needed it will be requested by the Office of Community Development.

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
COVER SHEET AND CERTIFICATIONS
Economic Development Program**

Please note that all information requested in this application must be included for the application to be considered complete. Please refer to Page 8 for the Economic Development Program Application Package Requirements. The Office of Community Development (OCD) will only process complete applications. All materials submitted to OCD in connection with your EDP application shall become the property of OCD, unless otherwise requested and shall be retained or destroyed in accordance with OCD's file retention policy.

I. APPLICANT MUNICIPALITY INFORMATION

| | |
|--|---------------|
| Municipality: Town of Kennebunk | County: York |
| Mailing Address: 1 Summer Street Zip Code+4: 04043 | State: Me. |
| Manager/Contact Person: Mathew Eddy E-Mail: Meddy@kennebunkmaine.us | |
| Phone: 604-1366 | Fax: 985-4609 |
| Applicant Municipality DUNS (Dunn & Bradstreet) #: 097729446 (visit http://fedgov.dnb.com/webform if business needs to obtain a number) | |

II. APPLICANT BUSINESS INFORMATION

| |
|--|
| Legal Name of Business: Kennebunk Gymnastic and Sport, Inc. |
| Legal Address of Business where jobs will be created and/or retained: One Gerardi (TEMP); new is 117 York Street |
| Town/City: Kennebunk State: Me Zip Code: 04043 County: York |
| Manager/Contact Person: Carol Dickinson |
| Phone: 985-6621 Fax: 985-6099 |
| Email: cdgymnation@gwi.net Website: http://www.gymnationsport.com/ |
| Please check if you <input checked="" type="checkbox"/> Own <input type="checkbox"/> Lease <input type="checkbox"/> Rent note: rented recently but are being evicted because of demolition of the building; this app. Concerns the new property |
| Square Feet: 26,000s.f. Monthly Payment: Replaced by New Facility <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Federal Employer Identification Number: 20-0904857 _ (of applicant business) |
| Applicant Business DUNS (Dunn & Bradstreet) #: (visit http://fedgov.dnb.com/webform if business needs to obtain a number) |
| Is the Applicant Business currently in bankruptcy proceedings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Has the Applicant Business or any owner of more than 20% of the Applicant Business been in bankruptcy proceedings in the last ten years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If the answer to either of the above is "Yes," please give particulars, including the court location and docket # of the proceedings. |

Type of Entity: C Corp S Corp Sole Proprietorship Partnership
 Limited Liability Company (list "type"): Other (list):

State of Organization:

III. BUSINESS OWNERSHIP (attach additional sheets as necessary)

Name and Title: Carol Dickenson

% of Ownership: 50%

Legal Address: 46 Wildes District Road Kennebunkport, Maine

Annual Compensation: \$20,256

Name and Title: Brenda Plante

% of Ownership: 50%

Legal Address: 49 Vista Drive Dayton, Maine

Annual Compensation: \$20,256

IV. PROPOSED SOURCES AND USES OF FINANCING

| Sources: | Amount: | Uses: | Amount: |
|---------------------------------|---------------------|---------------------------|-----------|
| Bank | \$1,100,000 | | |
| Owner Cash Contribution | \$150,000 | | \$ |
| CDBG | \$120,000 | | \$ |
| Other Saco Biddeford Dev. corp. | \$100,000 | | \$ |
| Total Project Cost | \$ 1,470,000 | Total Project Cost | \$ |

V. PROPOSED COLLATERAL

Available to secure job creation or job retention connected with the grant of CDBG funds in the event DECD elects to secure such requirement/repayment with assets of the Applicant business for a term of up to five years; to secure CDBG Economic Development Program Funds

| Type/Description | Existing Lienholder | Outstanding Balance | Available Collateral |
|------------------|---------------------|---------------------|----------------------|
| Property | | 0 | \$150,000 |
| | | | |
| | | | |

VI. SUMMARY OF BUSINESS EMPLOYMENT AND BENEFITS

Current Employment: Full-Time # _____ Part-Time# _____

Projected Employment Increases Over Next 12 Months:
 Full-Time # 3 Part-Time # _____

Minimum Starting Hourly Wage: Full-Time \$ _____ Part-Time \$ _____

In determining CDBG National Objective compliance with job creation/retention only **Permanent** jobs may be counted; temporary jobs may not. Full time jobs require a worker to work at least 1750 hours per year. Part time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full Time Equivalents (FTE). A FTE is defined as two part time jobs. **Seasonal** jobs may count only if the seasonal job lasts long enough and provides sufficient income to be considered the employee's principal occupation. (Contact OCD prior to counting seasonal jobs towards LMI benefit.) **All** permanent jobs created by the project must be counted, regardless of funding source(s). Jobs indirectly created by the project (i.e., remote location, "trickle down" jobs) do not count.

Number of positions to be created as part of this development project by job classification identifiers:

1. Managerial/Officer ____ 2. Professional 3 3. Technical ____ 4. Sales ____
 5. Clerical/Office ____ 6. Craftworker ____ 7. Operatives ____ 8. Laborer ____
 9. Service Worker ____

| Occupation/ Job Title | Hire Date | # of Jobs | Annual Earnings | Total Payroll |
|--------------------------|--------------|--------------|--------------------|------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

F/T Workers Benefits (check if applicable)

Paid Holidays Paid Sick Days Retirement/Profit Sharing Life Insurance
 Paid Vacation Health Insurance Dental Insurance Child Care
 Health Insurance for Employees: % of Employee Benefits ____%

VII. SUMMARY OF BUSINESS EMPLOYMENT AND BENEFITS (continued)

| Type of Investment | Description | Cost |
|--------------------|-------------|------|
| Employee Training | | \$ |
| Other: | | \$ |
| Other: | | \$ |

VIII. DISCLOSURE

Check the public purpose (all that apply) that will be met through CDBG support of this development project:

- Job Creation Capital Investment
 Job Retention Training Investment
 Tax Base Improvement Other (list):

Check whether applicant is current on all taxes owed the State of Maine: Yes No
 If no, please explain and itemize any and all deficiencies.

IX. CERTIFICATION BY AUTHORIZED OFFICIAL OF MUNICIPALITY AND BUSINESS

1. State Certifications

- a. To the best of my knowledge and belief, the information in this Application is true and correct;
- b. the governing body of the applicant has duly endorsed the document;
- c. the proposed project has been reviewed and it complies with the Community's comprehensive plan and/or applicable state and local land use requirements;
- d. will work with the Office of Community Development to develop a detailed project if it receives a conditional award; and
- e. will comply with all applicable State laws and regulations.

2. Federal Certifications

- a. will take actions to affirmatively further fair housing and implement CDBG activities in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968;
- b. will not attempt to recover capital costs for the construction of public improvements, assisted in whole or in part with CDBG funds, by charging special assessments or fees against properties owned and occupied by persons of low and moderate income, including any fee, charge or assessment made as a condition of obtaining access to such public improvements, unless:
 - (i) CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds;
 - or
 - (ii) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, and the applicant certifies that it lacks sufficient CDBG funds to comply with the requirements of clause (i) above.
- c. prior to expenditure of CDBG funds, it will establish a local community development plan that identifies the Community's housing and community development needs, including the needs of low and moderate income, and the activities to be undertaken to meet them;
- d. will provide in a timely manner for citizen participation, public hearings, and access to information with respect to the Maine CDBG Program and the proposed local CDBG project/program. Indicate in public notices and at public hearings that the State program is competitive, the maximum grant amount that can be requested, and the general type of activities contained in the proposed local program. Also announce in public notices the availability of the local program plan/application, describe the Community's previous CDBG performance (if any), and how the Community will collect, consider and maintain all oral and written comments received on the proposal;
- e. will adopt and follow a residential anti-displacement and relocation assistance plan which complies with Section 104 (d) of the Housing and Community Development Act of 1974, as amended, that at a minimum provides for the replacement of all low/moderate income dwelling units that are demolished or converted to a non-LMI housing use as a direct result of CDBG assistance, and a relocation assistance component;
- f. is not listed on U. S. Department of Labor's Debarred and Suspended Contractor's List and will not employ contractors or subcontractors on this list;
- g. will comply with the requirements of Section 319 of Public Law 101-121 regarding government-wide restrictions on lobbying; and
- h. with the exception of administrative or personnel costs, it will verify that no person who is an employee, agent, consultant, officer, or elected official or appointed official of state or local government or of any designated public agencies, or subrecipients which are receiving CDBG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to CDBG activities, per 24 CFR Part 570.611.
- i. Jobs created/retained must be in the community applying for the EDP award, new jobs to that community and not associated with any other branches of the assisted business located in another community.
- j. Transfer positions cannot be counted toward the job creation/retention requirements.
- k. All projects must document that at a minimum, 51% of all jobs created or retained as a result of the funded activity must be taken/held by persons of low and moderate income as defined by HUD.
- l. The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applications on the basis of race, color, religion, national origin, sex, marital status, age (provided that the applicant has the capacity to enter into a binding contract); and because all or parts of the applicant's income is derived from any public assistance program; or because the applicant has, in good faith, exercised any rights under the Consumer Credit Protect Act. The federal agency that administers compliance with this law concerning this creditor is the Federal Trade Commission. If a person believes that he or she was denied assistance in violation of this law, they should contact the Federal Trade Commission, Washington DC 20580.
- m. I/We understand that by signing this application I/We authorize the Maine Office of Community Development (OCD) to make inquiries as needed to verify the accuracy of the information and to determine

creditworthiness. I/We certify the information is true and accurate and is provided for the purpose of obtaining a grant and/or loan. OCD will maintain the confidentiality of this information and it will not be released without authorization.

3. CDBG Program Certifications.

The Municipality certifies that (1) it is capable of investigating the Applicant Business and the proposed Development Project to determine that the job creation and/or job retention requirements can be met, (2) it has investigated the Applicant Business and the proposed Development Project and determined that the job creation and/or job retention requirements can be met, (3) the EDP assistance to the Applicant Business is for a Development Project that is necessary and appropriate, (4) the EDP assistance to be provided is commensurate with the community benefits that will accrue from the Development Project, and (5) the Municipality will comply with the documentation requirements for jobs created and/or jobs retained and are cognizant of the requirements that should the intended Job Creation/Retention National Objective of the CDBG program; (6) understand that DECD may elect to secure such requirement/repayment with assets of the Applicant Business for a term of up to five years should this project be approved for funding; and (7) it and the applicant fully understand that DECD may deduct from the amount of any Grant the cost of legal fees associated with the review, underwriting and securing of collateral should this project be approved for funding.

4. Liabilities:

The borrower has no liabilities except as contemplated by this grant and/or loan agreement and fully disclosed in the borrower's financial records as presented to the Government (in your case, DECD). Such financial records are true and correct. No data was withheld and no material adverse change in the borrower's financial position has occurred which would adversely effect such statements. The borrower's assets are not less than its liabilities as determined in accordance with generally accepted accounting principles and the borrower is solvent.

5. Litigation and Taxes:

There are no actions, suits or proceedings pending or, to the knowledge of the borrower, threatened against or affecting the borrower at law or in equity before any court or administrative officer or agency which might result in any material adverse change in the business or financial condition of the borrower. The borrower is not in default (a) in the payment of any taxes levied or assessed against it or any of its assets or (b) under an applicable statute, rule, order, decree, writ, injunction or regulation of any governmental body (including any court).

| | |
|---------------------------------------|--------------------------|
| Signature of Municipal Official: | Name: Barry Tibbetts |
| Date: | Title: Town Manager |
| | |
| Signature of Business Representative: | Name: Carol Dickenson |
| Date: | Title: Owner/Director |

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Application**

COMMUNITY BENEFIT WORKSHEET

Local Fiscal Improvement:

What percent of value to the total value is the municipal assessment? .012%

| | |
|--|--------------------|
| 1. Assessed value of land prior to improvements | \$235,100 |
| 2. Assessed value of buildings prior to improvements | \$0 |
| 3. Total assessed value (1+2) | \$235,100 |
| 4. Estimated total assessed value following improvements | <u>\$1,335,100</u> |
| 5. Estimated tax based on #4 | \$ 20,694 |
| 6. Current tax | <u>\$ 3643</u> |
| 7. Anticipated net tax increase (#5 - #6) | <u>\$17,052</u> |

The above figures were obtained through (check all that are applicable)

- Town Records
- Assessments
- Appraisals
- Construction estimates

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Application**

GRANTEE/BUSINESS ASSURANCES - JOB CREATION

The Business (as identified below), having applied for funding from the Municipality (as identified below) through the Maine Community Development Block Grant (CDBG) Program agrees to create a minimum of 4 new jobs above the employment baseline within a 12 month period from time of CDBG EDP application the deadline date for which will be stated in the CDBG contract between the Municipality and the State of Maine. The Business also agrees that at least 51% of the new full-time and full-time equivalent jobs must be taken by qualified low-to-moderate income (LMI) persons in compliance with the Maine CDBG program rules, regulations and policies. The Business will verify the job creation achievements and assist the Municipality in compiling the appropriate documentation as required by the Maine CDBG Program.

In determining CDBG National Objective compliance with job creation only **Permanent** jobs may be counted; temporary jobs may not. Full-time jobs require a worker to work at least 1750 hours per year. Part-time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full-Time Equivalents (FTE). An FTE is defined as two part time jobs. **Seasonal** jobs may count only if the seasonal job lasts long enough and provides sufficient income to be considered the employee's principal occupation. (Contact OCD prior to counting seasonal jobs towards LMI benefit.) **All** permanent jobs created by the project must be counted, regardless of funding source(s). Jobs indirectly created by the project (i.e., remote location, "trickle down" jobs) do not count.

It is understood by the Business and the Municipality that, in the event the job creation goals are not met within the prescribed time frame and according to the regulations of the State of Maine Community Development Block Grant Program, the State of Maine will exercise its right and seek repayment from the Municipality in accordance with the contract provisions and the Municipality may exercise its rights and seek repayment in accordance with the default provisions contained in any agreement it may have with the Business.

Having read and fully understanding the requirements set forth in this agreement, the undersigned agree to the job creation requirements contained herein, and to comply with all regulations of the U.S. Department of Housing and Urban Development and the State of Maine governing this program including submission of quarterly status reports regarding job creation benefit.

| | |
|---------------------------------------|-----------------------|
| Signature of Municipal Official: | Name: Barry Tibbetts |
| Date: | Title: Town Manager |
| Signature of Business Representative: | Name: Carol Dickenson |
| Date: | Title: Owner/Director |

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Application**

JOB CREATION BASELINE EMPLOYMENT SUMMARY

| | |
|---|---------------------------------|
| Name of Business to be Assisted: | Kennebunk gymnastics and sports |
|---|---------------------------------|

| Job Title* | Job Class* | Full Time (Place X) | Part Time (Place X) | # Currently Employed | # to be Created | Base Wage (\$) | Fringe Benefits (\$/value) |
|-------------|------------|------------------------|------------------------|----------------------|-----------------|----------------|----------------------------|
| Instructors | 2 | x | | 18 | 4 | tbd | tbd |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

*** Attach a job description for each job title for which a position will be created and use the attached job category definition numbers outlined in Appendix A of this application to indicate job class.**

Signature of Human Resources Officer

Date

Printed Name and Title

INSTRUCTIONS FOR COMMITMENT LETTERS

Economic Development Program applicants must provide sufficient evidence that all other financial commitments are in place for this project. To meet this requirement, letters of commitment must be submitted with the application and must include the following elements as appropriate to the type of project being considered:

1. The individual signing the commitment letter must identify their authority to commit the resources necessary to this proposal and provide documentation of same.
2. Indication that the loan has been approved by the individuals or committees, corporate board etc., empowered to lend the stated commitment and provide documentation of same.
3. Indication that the institution/entity will lend the funds subject to any conditions such as:
 - Loan amount
 - Term of loan
 - Loan interest rate
 - Guarantee and insurance requirements
 - Collateral or security for loan
 - Use of loan funds
 - Expiration date of commitment
 - Reasons why additional funds will not be provided
 - Business/owner/partner committing personal matching funds must provide documentation (i.e., bank statement) showing that cash exists and is accessible at time of application

Commitments from public financing sources must approximate as closely as possible the content of a commitment letter from a private financial source. If the public source requires a formal acceptance of the loan or grant conditions, an executed acceptance notice must be included with the commitment letter.

Repayment Proposal

Describe the method used to determine repayment terms. Provide a summary of the process followed to calculate justification for Economic Development Program financing, including but not limited to loan rate and term by referring to financial information included in the Program application.

Equity

For applicants who have committed equity in the project explain the nature of the equity injection, particularly the conditions for its use and repayment. Include as a commitment letter as described for commitments.

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Application**

Budget Summary (Include All Sources)

| Cost Category | Column 1 CDBG | Column 2 Local | Column 3 State | Column 4 Utility | Column 5 Federal | Column 6 Other | Column 7 Total |
|-----------------------------------|------------------|-------------------|-------------------|---------------------|---------------------|-------------------|-------------------|
| Acquisition (if allowable) | | | | | | \$150,000 | \$150,000 |
| Clearance/Demolition | | | | | | | |
| Site Improvements | \$200,000 | | | | | | \$200,000 |
| New Building Construction | \$1,000,000 | | | | | | \$1,000,000 |
| Building Renovations | | | | | | | |
| Water/Sewer Improvements/Drainage | | | | | | | |
| Lighting | | | | | | | |
| Roads & Streets | | | | | | | |
| Parking | | | | | | | |
| Utility Lines/Fiber Optics | | | | | | | |
| Rail Lines & Spurs | | | | | | | |
| Equipment | \$20,000 | | | | | | \$120,000 |
| Inventory | | | | | | | |
| Fixtures | | | | | | | |
| Working Capital | | | | | | | |
| Professional Fees | | | | | | | |
| Legal Expenses | | | | | | | |
| Inspection | | | | | | | |
| Architectural/Engineering | | | | | | | |
| Other (List) | | | | | | | |
| 1. | | | | | | | |
| TOTAL COSTS | \$1,320,000 | | | | | | \$1,470,000 |

Directions for Completing Budget Summary

For each applicable cost in the Cost Category column, list the projected dollar amount for all applicable funding sources in columns 1-6.

List the total dollar amount for each cost category in column 7, Total

Enter the sum of all Totals in column 7 in the TOTAL COSTS box directly under column 7.

Submit a copy of this Summary with the original and the four copies of the application.

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Application**

CONSUMER CREDIT AUTHORIZATION

You have submitted a request to the Department of Economic and Community Development (DECD) to provide financing through the Office of Community Development administered Community Development Block Grant Program.

The DECD designee's procedure for reviewing this kind of request include the purchase and review of credit reports, which include information on both the Business, and primary principals of businesses. A primary principal is any person having an ownership interest in the company of twenty percent (20%) or more. Prior to ordering these reports the DECD must have written permission from each primary principal. Please sign below acknowledging notification of the DECD's intent to order consumer credit information in the Business and/or your name and providing your permission to do so.

The DECD will not proceed with review of the financing request without these reports. Therefore, this form must be signed by all applicable individuals and included with your application.

Thank you in advance for your cooperation.

The undersigned acknowledges the above and gives permission to DECD and/or its designee to acquire any consumer credit information or reports it requires in connection with the above referenced application for financing assistance.

| | |
|-----------------------|-------------------------|
| Signature: | Printed Name: |
| Title: | Date: |
| Ownership Percentage: | Social Security Number: |

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Application**

Draft—March 4, 2016

**FINANCIAL SUMMARY STATEMENT
(not required for municipally owned projects)**

Provide the following information on the current obligation of the Business to be assisted for the following:

| Current Debt | Debt Holder | Rate/Term | Payment | Collateral |
|---------------------|--------------------|------------------|----------------|-------------------|
| Awaiting summary | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Proposed new obligations of the Business after EDP assistance:

| Proposed Debt | Debt Holder | Rate/Term | Payment | Collateral |
|----------------------|--------------------|------------------|----------------|-------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

APPENDIX A

Responses to Questions

Problem Statement Maximum of 40 points:

Scope In early, 2014, after successfully implementing a previous, smaller CDBG grant, Gymnation and a co-tenant, Cross-fit, were informed that they would need to vacate the building by the end of summer,2016 (after a series of interventions by the community and following negotiations). The owner, the Kennebunk Sewer District, a separate community entity operating under a different charter, will need to demolish the structure to make way for an EPA/DEP required sewer treatment plan update and expansion (costing the district roughly \$20 million). The Gymnation space will be needed for new buildings housing offices and maintenance facilities, as those existing spaces will be used for the treatment facility.

Since that news, the Town has worked with the Crossfit and Gymnation to find a new location within the community. Their future plans, before this announcement, included the development of a new facility capable of hosting regional and national competitions, in both Crossfit and Gymnastics. Gymnation has both boys and girls successfully competing in the national Junior Olympics Movement. Crossfit has a similar potential. The community was highly concerned with two basic issues: the loss of the two entities would result in a loss of over 20 jobs, two very successful businesses, and an important institution of learning and athletic movement critical to the health of the community. Secondly, the growth of the two entities was extremely promising in attracting visitors to the communities in a sanctioned competitive venue that would help soften the impact of the tourist shoulder seasons. In essence, both the loss of jobs and a loss in job growth potential.

These losses seem critical to the community's Strategic Economic and Development Action Plan (SEDAP): "Ensure and market recreation activities available in the region... as part of a creative economic attraction...and... Build on the success of community events and places designed to serve our citizens as an attraction to visitors and those interested in locating here in Kennebunk.

Impact (10 points). In the spring of last year, a CDBG based survey was conducted of the employee base at Gymnation to assess whether this was a job retention program. While we failed to meet the 50% requirement, we did find that just under 50% of the employees at Gymnation are low and moderate income households and would be directly impacted should the operation close. Beyond this direct impact, Gymnation provides an important niche in a growing health care related industry. They are the only business that combines a full range of day care support and evening gymnastics training. The daytime activities provide an education foundation for pre K and post school programs, while built around a variety of physical development activities. In combination with Crossfit, also unique in its training approach, Gymnation reaches out to a vast array of locals to provide this array of services—without them, we would have a hole in a day care and physical training system.

Beyond that, the building that Gymnation is in presently is assessed at \$1,029,900 and pays approximately \$15,963.45 in taxes annually. With its conversion to a non-taxable sewer district use, that revenue is lost. Gymnation would make this up with a subsequent increase in revenue through the development of its new location on Route 1 of approximately \$17,000.

Need (15 points) the community, to this point, has tapped its resources to handle a project of this magnitude. It certainly grew well beyond qualifying for the microenterprise fund and exceeded the availability of TIF funds to complete this project (this is the Route 1 TIF, which has three projects before this one that have not been able to be funded yet, based on existing revenue flow). The community has invested over \$450,000 for Sewer line extensions (\$300,000 in CDBG funds) and \$450,000 for water line extensions (\$300,000 in CDBG funds and over \$1.5 million in associated community infrastructure improvements) to serve properties in the location area, thus permitting this project to move forward. The community has been working with the business to close the gap in financing to make this project happen. As the Proforma suggests, with primary and secondary financing, as well as equity associated with the purchase of the property, there remains a roughly \$150,000 gap. This is after roughly 100% plan development and a number of tweaks, based on cost, made during the planning board process.

Kennebunk has proven its ability to use a mixture of resources wisely to increase job development in the community. Along this area of Route 1 South, Northeast coating doubled its size (as a result of changes in infrastructure) adding roughly 30 jobs and is planning on a second expansion. Pillsbury Garrett was purchased by a new owner, and has added roughly 10 new jobs and an oil and propane delivery company. Hancock Lumber, in the same area, is completing a \$ expansion (facilitated by town improvements) and adding up to 10 new employees. The core community economic development and TIF program, including CDBG, MDOT and TIF investments has invested over \$9 million dollars in funds in the past few years, have counted almost 700 new jobs over a longer period of investment, returning generally 1 job per \$11,000 of investment and \$8,000 in new value for every \$1 of new TIF dollars; much of this new value is slated for new investment in various infrastructure projects. (A list of companies can be provided upon request; see SEDAP, Measuring our Success: Benchmarks on the Town Web site).

Solution

Project Description. EDP funds of \$120,000 will be used to construct a new location and permanent home for Gymnation. The project will be constructed on York Street (Route 1 south) just north of the Wells border, on an undeveloped site that will be served by sewer, water and electrical utilities. It is roughly 1 mile from the downtown and associated services (hotels, restaurants, nearby schools). The construction includes a 255'x102" wide gymnastics and fitness area. Specialized construction will include specially designed pits for gymnastics, high ceilings, superior superstructure in the roof to support equipment, various classrooms and gymnastics equipment (most of it an upgrade over existing, although the previous special needs and youth equipment funded with CDBG will be moved to the site), as well as other support features (offices, showers, locker rooms, etc.).

EDP funds, in this case will be focused on the purchase of new equipment to outfit the new facilities. The new arrangements, with specially constructed pits and performing surfaces, will require the replacement of most of the old equipment. (list of equipment to be provided once final).

Clearly, the new building solves the most basic of issues, a need for a new permanent home. However, the new facility, with an opportunity to design the center correctly, will be a place for regional competition and will meet the extensive requirements of the Junior Olympics (<https://usagym.org/docs/Women/Rules/Rules%20and%20Policies/09-10RulesPolicies> 77-

Draft—March 4, 2016

82.pdf). This will not only permit superb training conditions for local athletes (for example, the present bar exercises lack maximum height clearances while the runways are less than adequate), but will allow the owners to enter the facility into competitions on a local, regional and national level, further expanding the sources of revenue to pay for the facility and its operations.

There is an anticipation of 4 new jobs to be created. Based on a survey of existing employees and the fact that these instructors are likely to be trained and entry level, it is anticipated that all may meet the low and moderate income requirements of the CDBG program.

EDP funds are part of an overall financing project estimated at this time to be \$1,470,000. \$120,000 of EDP funds will be focused on the purchase and installation of specialized equipment. This is both it will be easier to account for the equipment as part of the CDBG process and because it will necessarily follow the construction of the building. From a timing perspective related to the CDBG environmental review process, this will help us meet the opening requirement that is now slated for fall, 2016.

Effect on Assisted Business the new project achieves two critical needs. First, it provides a new home for Gymnation, which will be evicted this year at some point. There are no structures in the area than can come close to meeting the specialized needs of the facility. There are some lesser sites in the region; however, major renovation costs would be required to establish a permanent location for the facility. In addition, the owners see Kennebunk as the core of their market (south coastal Maine); leaving this location will likely drive business down by reducing potential consumers.

Because there are no existing structures, a build to suit option is essential. The specific requirements, both from a technical and safety perspective, are difficult to meet in a conventional industrial or mill building. Distance, height, pit depths, the centralized nature of the event itself, work best when the facility is built new to existing standards.

The combination of these two that will be met with a new facility which will permanently retain 18 positions, the positions at Crossfit (with over 300 members, Crossfit hires contractors for trainers, which are not counted here for CDBG purposes), and at least 4 new positions in the 12 month period. Further growth is anticipated, especially related to the event potential that the new facility will have.

Give me a paragraph--

Describe the market including identification of competitors, price structure, resource availability, operating/manufacturing costs, transportation costs, demand, and other factors influencing the marketability of the product or service proposed.
Identify all project risks and the extent of those risks.

Project Timeline and Feasibility (15 points)

By necessity, the project is anticipated to be completed within a 6 month window from the time the grant is approved. Some flexibility for extending their stay for a few months may be possible, but also at significant cost to the tenants. And, an extension is not guaranteed. The project is presently moving through the local review process. State Fire marshals' Office

Draft—March 4, 2016

approval will also be required and is proceeding. Approvals are anticipated for the beginning of April with a contractor already having been identified (_____)

Construction of the building is expected to begin sometime in May or June. Utilities will be connected to the building in July. Final rough out of the building is to be completed in August; at the same time equipment will be ordered and installed in August and September. A rough opening is anticipated for September or the first of October.

Citizen Participation Maximum of 20 points: to be completed after hearing

Public Hearing Process (10 points)

Describe how citizen participation contributed to the actual development of this application, including how the required public hearing contributed to the process.

(Submit a public hearing record consisting of the published public hearing notice, hearing minutes, and attendance list with the original and all three copies of the application.)

Business/Local Involvement (10 points) to be completed after hearing

Outline other input from businesses, chambers of commerce, development organizations, local groups and individuals have had in increasing the citizen participation process for the proposed project.

Highlight how the use of any media (TV, radio, newspapers, etc.) increased public awareness and participation in the EDP project.

Business Friendly Community Designation Bonus – 3 bonus points will be assigned to an applicant community who has been certified as a Business-Friendly Community at the time of receipt of the EDP application.

APPENDIX B

JOB CATEGORY DEFINITIONS AND CLASS NUMBERS

1. **Officials and Managers** – Occupants requiring administrative personnel who set broad policies, exercise overall responsibility of execution of these policies, and individual departments or special phases of a firm's operations. This includes: Officials, Executives, middle management, plant managers and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, and kindred workers.
2. **Professional** – Occupants requiring either college graduation or experience of such kind and amount as to provide a comparable background includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, professional and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.

3. **Technicians** – Occupants requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post-high school education such as is offered in many technical institutions and junior colleges, or through equivalent on the job training. This includes: computer programmers and operators, drafters, engineering aides, junior engineers, mathematic aides, licensed practical or vocational nurses, photographers, radio operators, scientific assistants, surveyors, technical illustrators, technicians (medical, dental, electronic, physical science) and kindred workers.
4. **Sales** – Occupants engaging wholly or primarily in direct selling. This includes: advertising agents and sales workers; insurance agents and brokers; real estate agents and brokers; sales workers, demonstrators and retail sales workers; and sales clerks, grocery clerks and cashiers; and kindred workers.
5. **Office and Clerical** – Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included. This includes: bookkeepers, cashiers, collectors (bills and accounts), messengers and office helpers, office machine operators, shipping and receiving clerks, stenographers, typists, and secretaries, telegraph and telephone operators, and kindred workers.
6. **Craft Worker (skilled)** – Manual workers of relatively high level having a thorough and knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. This includes: the building trades, hourly paid supervisors and lead operators (who are not members of management), mechanic and repairers, skilled machining occupations, compositors and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors, and kindred workers.

APPENDIX B (continued)

7. **Operatives (semi-skilled)** – Workers who operate machines or other equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. This includes: apprentices (auto mechanics, plumbers, electricians, machinists, mechanics, building trades, metal working trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, dress makers and sewers (except factory), dryer's furnaces workers, heaters (metal), laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers and greasers (except auto), painters (except construction and maintenance), photographic process workers, boiler tenders, truck and tractor drivers, weavers (textile), welders and flame metals workers, and kindred workers.
8. **Laborers (unskilled)** – Workers in manual occupations which generally require no special training perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. This includes: garage laborers; car washers and greasers; gardeners (except farm) and ground keepers; stevedores; wood

choppers; laborers performing lifting, digging, mixing loading, and pulling operations; and kindred workers.

9. **Service workers** – Workers in both protective and non-protective service occupations. This includes attendants (hospital and other institutions, professional and personal service, including nurses' aides and orderlies), barbers, chair workers and cleaners, cooks (except household), counter and fountain workers, elevator operators, firefighters and fire protection guards, door keepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, and kindred workers.

APPENDIX C

SAMPLE PUBLIC HEARING NOTICE TO COMPLY WITH TITLE VI REQUIREMENTS

Public Hearing Notice

The City/Town of _____

The City/Town of _____ will hold a Public Hearing on _____ (date) _____, at
(time) _____, at the _____ (location) to discuss an application being submitted to the State of Maine
CDBG program for a _____ (specific name of grant program) . The purpose of the request is to
(state purpose) _____ . Public comments will be solicited at this Hearing and will be
submitted as part of the application's required documentation.

All persons wishing to make comments or ask questions about the proposal are invited to
attend this Public Hearing. Comments may be submitted in writing to: (name of contact,
address) at any time prior to the Public Hearing. TDD/TTY users may call (list local TTY
number or 711) . If you are physically unable to access any of the City's/Town's programs
or services, please call (list local contact and phone number), so that accommodations can
be made.



APPENDIX D

SAMPLE COUNCIL RESOLUTION

WHEREAS, the Town/City of _____ wishes to apply to the Department of Economic and Community Development for a Community Development Block Grant to carry out a community development program; and

WHEREAS, the planning process required by Maine Law and the CDBG Program have been complied with, including participation in the planning process by low and moderate income families and individuals and the community has conducted at least one duly advertised public hearing; and

WHEREAS, the Town/City of _____ is cognizant of the requirement that should the intended National Objective of the CDBG program not be met all CDBG funds must be repaid to the State of Maine CDBG program; and

NOW THEREFORE, be it resolved by the Council of the Town/City of _____ that the Town/City Manager (or other local government official or officer):

- 1) Is authorized and directed to submit an application for the following program(s) and dollar amount(s) within the State of Maine's CDBG Program:

Program: _____ Amount: _____

To the Department of Economic and Community Development on behalf of the Town/City of _____, substantially in the form presented to this council;

- 2) Is authorized to make assurances on behalf of the Town/City of _____ required as part of such applications, and
- 3) Is authorized and directed, upon acceptance of said funds to carry out the duties and responsibilities for implementing and said program(s), consistent with the Charter of the Town/City of _____ and the laws and regulations governing planning and implementation of community development programs in the State of Maine.

DATE ENACTED: _____

Municipal Seal

AUTHORIZED SIGNATURES

| | |
|-------------|-------------|
| Name | Date |

APPENDIX E

SAMPLE TOWN MEETING WARRANT ARTICLE

Date: _____

Shall the Town/City of _____ vote to approve a Community Development Block Grant application(s) for the following program(s) and dollar amounts:

Program: _____ Amount: _____

and to submit same to the Department of Economic and Community Development and if said program is approved, to authorize the municipal officers to accept said grant funds, to make such assurances, assume such responsibilities, and exercise such authority as are necessary and reasonable to implement such programs.

Furthermore, the Town/City of _____ is cognizant of the requirement that should the intended National Objective of the CDBG program not be met all CDBG funds must be repaid to the State of Maine CDBG program.

**MUST BE SUBMITTED AS A TRUE DOCUMENT COPY
WITH CERTIFIED SIGNATURE(s)**

A "BLANKET" WARRANT ACCEPTING ALL STATE OR FEDERAL FUNDS IS NOT
ACCEPTABLE.

**THIS MATERIAL IS AVAILABLE IN ALTERNATIVE FORMAT UPON
REQUEST**

BY CONTACTING:

**OFFICE OF COMMUNITY DEVELOPMENT
111 SEWALL STREET, 3RD FLOOR
59 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0059
TELEPHONE (207) 624-7484
TTY: 1-800-437-1220**

**ALSO AVAILABLE ON THE OFFICE OF COMMUNITY DEVELOPMENT WEB
SITE:**

www.maine.gov/decd/meocd/cdbg

The Maine State CDBG Program is Funded by:



8.b.

Town of Kennebunk, Maine

Policy for Flying the American Flag

Purpose

Out of respect to its war dead and its veterans, or such other persons as the Selectmen shall designate, the Town of Kennebunk hereby adopts the following policy with respect to flying the American Flag at half-mast.

Half-Mast

The American Flag may be flown at half-mast on any day, weather permitting, of a funeral or burial of a veteran of the Town or other persons the Selectmen shall so designate.

Veteran Designation

- A veteran shall be designated as a man or woman who has served in the Armed Forces of the United States and who has been separated or discharged under conditions other than dishonorable, regardless of whether the veteran, at the time of death, was a resident of the Town.
- A veteran shall be designated as a man or woman who is serving in the Armed Forces of the United States, regardless of whether the veteran, at the time of death, was a resident of the Town.

Flag Locations

The American Flag shall be lowered to half-mast at the following locations:

- Town Hall (1 Summer Street)
- Washington Park (corner of Main Street/Summer Street/Portland Road, next to Police Station)
- Cannon Park (corner of Main and Fletcher Streets)

Town Notification

- Local undertakers are encouraged to notify the Town Clerk if any veteran so defined is to have his/her funeral in Town or be buried in Town.
- Family members of the deceased veteran are encouraged to notify the Town Clerk in advance of the funeral or burial.
- The Town's designee will notify the Police Department for flag adjustment.

Policy: DRAFT 2016-04-26

9.a

Town of Kennebunk, Maine



Mathew Eddy
Economic Development Director
Tel: (207) 604-1366
Fax: (207) 985-4609

To: Board of Selectmen
From: Blake Baldwin
Date: March 31, 2016
Subject: TIF Priority Settings

Introduction. Earlier this year, the Economic Development Committee (EDC) presented the Board of Selectmen (BOS) with its annual review of the Tax Increment Financing (TIF) program. This included an examination of the annual operational TIF budget (which was approved by the BOS) and the long term capital budget. Charged with this annual presentation, the EDC:

- Reviewed the Town approved TIF program;
- Analyzed the present Tax Shift related to the TIF program that benefits the Town's investment strategy, noting the cost of removing overall TIF value
- Identified completed TIF projects, increases in overall value, return on investment in terms of jobs (1 job for every \$17,500 invested, half the national rate), return on investment for value (for every \$1,000 of TIF investment, there was \$8,000 in new value); and identified and projected TIF revenues by District.
- Reviewed property improvements assisted by TIFs; and,
- Identified remaining projects to be completed.

Assignment. Subsequent to that presentation, the BOS asked that the EDC refine the priority listing, identifying key projects to be completed in the near future. The EDC was also asked to incorporate, where appropriate, the Town's new road improvement program into that ranking system. This report presents the EDC's Action Plan for BOS consideration. In methodically organizing this program the EDC divided the projects into Strategic and Tactical, and then by geography:

- **Strategic: Planning projects key to determining future costs and investments not now well known. They are intended to be cash projects drawn from TIF reserves and are consistent with the original**

programming. They will provide better cost estimates on future tactical decisions and give the EDC and BOS better tactical direction.

- **Tactical:** *Intentional actions to implement TIF priority programs paid for with TIF funds through bonds or reserves. These actions implement real projects with defined parameters and reflect needs and timing. The list below reflects all high priority projects, but is further ranked by numeric importance. Any given opportunity could shift that ranking (i.e. private or public investment).*
- **Geography:** *Since each of the TIFs are defined by their own geographical and budgetary limits per the original Town approval, we have organized the tactical expenditures as such. Strategic expenditures are generally permissible across all four TIF's.*

Summary. This effort takes all of the previously identified TIF projects in the approved TIF programs and re-prioritizes each project based on needs and program funding. None of these capital projects are new to the system, but are either more clearly identified for study or actual implementation. We ask that you revisit the previous TIF reports and updates for any clarification. They can be found at <http://www.kennebunkmaine.us/DocumentCenter/View/3766> or through earlier memos and presentations that can be made available upon request. A summary table of top priorities is below:

| Type of Action | Priority | Project | Cost |
|------------------------|----------|----------------------------------|-------------|
| Strategic | 1 | Storm Drainage Management Plan | \$200,000 |
| | 2 | Downtown and Lower Parking Needs | \$70,000 |
| | 3 | Port Road and Coopers Corner | \$75,000 |
| | 4 | Town GIS/Web Site | \$125,000 |
| Tactical-Route 1 TIF | 1 | Gas Line Project | TBD/Unitil |
| | 2 | Upper Square/Route 1 North | \$750,000 |
| | 3 | Downtown Parking | TBD |
| | 4 | Downtown Roads | \$650,000 |
| | 5 | Factory Pasture Road | TBD |
| Tactical-Lower Village | 1 | Port Road | TBD |
| | 2 | Coopers Corner | TBD |
| | 3 | Lower Village Roads | \$30,000 |
| | 4 | Western Avenue | \$200,000 |
| | 5 | Lower Village Parking Facility | \$400,000 |
| Tactical | 1 | William Arthur Access Road | \$1,000,000 |
| | 2 | Adjacent Roads | \$140,000 |

TIF Action Plan-Project Descriptions

Strategic TIF Actions

Priority 1: Engage a consultant in the assessment of drainage management and treatment issues in the following locations:

- Route 1 South
- Route 1 North
- Downtown
- Lower Village

Explanation: Through future concerns for development and environmental requirements, these areas have been identified as in need of identifying drainage management plans and estimating preliminary costs. Expenditures would be through cash outlays from appropriate TIF accounts.

Cost: \$200,000

Priority 2: Engage a consultant in the assessment of downtown and lower village parking needs.

Explanation: Many local assessments have been conducted, but a definitive assessment given existing and future development pressures are needed to establish base level costs related to possible alternatives. This includes both the Downtown and Lower Village.

Cost: \$70,000

Priority 3: Engage a consultant in final assessment of Port Road and Coopers Corner, Lower Village.

Explanation: A final planning study is needed, addressing road and parking alignment, as well as streetscape costs and utility improvements. In addition, Cooper's corner needs further assessment of lights, configuration and crossing patterns. There are some preliminary plans available, but further refinement and cost estimates are needed.

Cost: \$75,000

Priority 4: Modify the town's web site to provide a series of GIS layers concerning land and appropriate conditions for ease of access by residents and businesses alike.

Explanation: Original TIF approvals call for the expansion of a GIS data system and application to the web site for use by residents and businesses. The recent

upgrade in the Town Web Site eliminated a series of existing layers. These funds would be used to re-establish that tool.

Cost: \$125,000 +/-

Tactical TIF Actions

Tactical Priorities: Route 1 Northⁱ

Priority 1: Invest, in conjunction with local users and the provider, in a gas line expansion that can serve downtown/Route 1 businesses.

Explanation: Recent extension of the gas line to the High School and possible business development have called on the need to extend gas lines into multiple areas. Unitil is investigating options and costs; they will be a significant source for improvements, provided certain business development needs are met.

Cost: To be established by Unitil, after meeting with potential users.

Priority 2: Upper Square and Route 1 North, road and streetscape improvements.

Explanation: this includes the planned work for Upper Square and the work in design for Route 1 North. Signal improvements for Upper Square are included.

Cost: \$750,000 (\$350,000 for Route 1 north)

Priority 3: Parking in the Downtown

Explanation: This construction would follow the planning study. However, development need may push the project both forward and backward, depending on buildout scenarios for downtown properties.

Cost: TBD

Priority 4: Adjacent roads to Downtown

Explanation: This includes area roads serving the downtown in need of road reconstruction in accordance with the Town road plan; including, Storer, Bourne, Dane, Grove, Friend, Water, Park, and Depot and Brown Street. MDOT funds possible.

Cost: @ \$650,000

Priority 5: Factory Pasture Road

Explanation: Area destined for next business park; has been zoned and planned for that for last 20 years. Installation of train station may change basic use to transit oriented. More study likely needed, but opportunities may emerge. Property available.

Cost: TBD

Tactical Priorities: Lower Village

Priority 1: Port Road

Explanation: On Town road improvement program, recommended as next stage for improvements in Lower Village. Utility improvements needed. MDOT sub-funding possible; physical need unquestioned. Need for new layouts likely.

Cost: TBD

Priority 2: Coopers Corner

Explanation: Intersection in need of work, see above.

Cost: TBD

Priority 3: Improvements to Atkins Way, Beach Ave. and Chase Hill

Explanation: Road improvements eligible within TIF defined area; on the Town's road improvement program as reviewed during the town's budget process.

Cost: Estimated at \$30,000

Priority 4: Western Avenue

Explanation: Road improvements eligible within TIF defined area; on road improvement program. Road work can be confined to the sidewalk and edge areas.

Cost: \$200,000

Priority 5: Lower Village Parking Facility

Explanation: The original Lower Village TIF called for the development of a public parking facility in the lower village. Once a very high priority, this has dropped, mostly because of a lack of public support. The physical need, particularly for employee parking, remains. Space opportunities are dwindling.

Cost: \$400,000

Tactical Priorities: Alfred Road

Priority 1: William Park Access Road

Explanation: Dependent on availability of lots for development. EDA grants and TIF funding available. Access would assist new KSB project with new road existing out to Alfred Road.

Cost: \$1,000,000

Priority 2: Adjacent Roads

Explanation: Within TIF area, identified on Road improvement program to include portions of Thompson, Warren's Way, and Alewife.

Cost: \$140,000

Lower Ranked Priorities

The following is an abbreviated list of lower priority projects that will be re-visited next year, or as opportunities present themselves:

- Ross Road Infrastructure-\$350,000
- Tech Incubator-\$750,000
- Downtown WIFI-\$25,000
- Route 1 South Building Assistance-\$200,000
- Broadband Communications Improvements-\$250,000

Projects Eliminated

The following Projects, originally approved through TIF district approvals, are no longer applicable:

- Marine supplies, access
- Lower village visitor center
- Signage Program (to be completed)

ⁱ Note that the Train station TIF commitment is not included here; it has already been funded through a bond commitment.

9.d.

Estimated constuction debt schedule 12.1.15 *

| | Fiscal Total | Bond Premium Reduction | Net payment | 9.44110% Arundel | 49.15011% Kennebunk | 41.40880% Kennebunkport | Total |
|------|--------------|---------------------------|-------------|---------------------|------------------------|----------------------------|---------------|
| FY16 | 775,781 | (275,655) | 500,126 | 47,217 | 245,812 | 207,096 | 500,126 |
| FY17 | 4,364,172 | (1,805,625) | 2,558,547 | 241,555 | 1,257,529 | 1,059,464 | 2,558,547 |
| FY18 | 4,747,688 | (874,688) | 3,873,000 | 365,654 | 1,903,584 | 1,603,763 | 3,873,000 |
| FY19 | 4,624,688 | | 4,624,688 | 436,621 | 2,273,039 | 1,915,028 | 4,624,688 |
| FY20 | 4,501,688 | | 4,501,688 | 425,009 | 2,212,585 | 1,864,095 | 4,501,688 |
| FY21 | 4,378,688 | | 4,378,688 | 413,396 | 2,152,130 | 1,813,162 | 4,378,688 |
| FY22 | 4,255,688 | | 4,255,688 | 401,784 | 2,091,675 | 1,762,229 | 4,255,688 |
| FY23 | 4,131,375 | | 4,131,375 | 390,047 | 2,030,575 | 1,710,753 | 4,131,375 |
| FY24 | 4,005,750 | | 4,005,750 | 378,187 | 1,968,831 | 1,658,733 | 4,005,750 |
| FY25 | 3,880,125 | | 3,880,125 | 366,326 | 1,907,086 | 1,606,713 | 3,880,125 |
| FY26 | 3,754,500 | | 3,754,500 | 354,466 | 1,845,341 | 1,554,693 | 3,754,500 |
| FY27 | 3,628,875 | | 3,628,875 | 342,606 | 1,783,596 | 1,502,674 | 3,628,875 |
| FY28 | 3,524,437 | | 3,524,437 | 332,746 | 1,732,265 | 1,459,427 | 3,524,437 |
| FY29 | 3,441,187 | | 3,441,187 | 324,886 | 1,691,347 | 1,424,954 | 3,441,187 |
| FY30 | 3,357,938 | | 3,357,938 | 317,026 | 1,650,430 | 1,390,482 | 3,357,938 |
| FY31 | 3,274,031 | | 3,274,031 | 309,105 | 1,609,190 | 1,355,737 | 3,274,031 |
| FY32 | 3,188,906 | | 3,188,906 | 301,068 | 1,567,351 | 1,320,488 | 3,188,906 |
| FY33 | 3,102,656 | | 3,102,656 | 292,925 | 1,524,959 | 1,284,773 | 3,102,656 |
| FY34 | 3,015,281 | | 3,015,281 | 284,676 | 1,482,014 | 1,248,592 | 3,015,281 |
| FY35 | 2,926,781 | | 2,926,781 | 276,320 | 1,438,516 | 1,211,945 | 2,926,781 |
| FY36 | 2,837,156 | | 2,837,156 | 267,859 | 1,394,465 | 1,174,832 | 2,837,156 |
| FY37 | 533,537 | | 533,537 | 50,372 | 262,234 | 220,931 | 533,537 |
| | 76,250,928 | (2,955,968) | 73,294,960 | 6,919,850 | 36,024,553 | 30,350,563 | 73,294,967 ** |
| | | | 73,294,960 | | | | 73,294,967 |

* municipal % allocation based upon FY16 actual (100% SEV + TIF)

* does not include new Arundel TIF

* does not include MePERS distribution (Kenn: \$731,679; K'Port: \$458,236)

* includes bond premium

** rounding

Town of Kennebunk - RSU 21
 MainePERS IUUAL Credit Allocation to Kbk and Kport Assessments
 Balance of the Credit
 \$1,189,915

| Payment Year | Total Net Debt Service | A | | B | | | C | | |
|--------------|------------------------|---|--------------------------------|---|---------------|--------------------------------|---|---------------|--------------------------------|
| | | Est Allocation (based on FY2017 %s) | Net funds needed for Debt Serv | Est Allocation (based on FY2017 %s) | IUUAL Credit | Net funds needed for Debt Serv | Est Allocation (based on FY2017 %s) | IUUAL Credit | Net funds needed for Debt Serv |
| | | 49.22828% | 61.49% | 49.22828% | 61.49% | 49.22828% | 61.49% | 49.22828% | 61.49% |
| | | Straight 1/3 Allocation | | Proportional Based on FY17-19 Debt Service | | | Based on Leveling Estimated FY19-23 Debt Service | | |
| FY2016 | 500,126 | 246,203 | 246,203 | 246,203 | 246,203 | 246,203 | 246,203 | 246,203 | 246,203 |
| FY2017 | 2,558,547 | 1,259,529 | 1,015,636 | 1,259,529 | 23% (168,286) | 1,091,243 | 1,259,529 | 1,259,529 | 1,259,529 |
| FY2018 | 3,873,000 | 1,906,611 | 1,662,718 | 1,906,611 | 35% (256,088) | 1,650,524 | 1,906,611 | 1,906,611 | 1,906,611 |
| FY2019 | 4,624,688 | 2,276,654 | 2,032,761 | 2,276,654 | 42% (307,305) | 1,969,349 | 2,276,654 | 37% (267,570) | 2,009,084 |
| FY2020 | 4,501,688 | 2,216,104 | 2,216,104 | 2,216,104 | | 2,216,104 | 2,216,104 | 28% (207,019) | 2,009,084 |
| FY2021 | 4,378,688 | 2,155,553 | 2,155,553 | 2,155,553 | | 2,155,553 | 2,155,553 | 20% (146,469) | 2,009,084 |
| FY2022 | 4,255,688 | 2,095,002 | 2,095,002 | 2,095,002 | | 2,095,002 | 2,095,002 | 12% (85,918) | 2,009,084 |
| FY2023 | 4,131,375 | 2,033,805 | 2,033,805 | 2,033,805 | | 2,033,805 | 2,033,805 | 3% (24,721) | 2,009,084 |
| FY2024 | 4,005,750 | 1,971,962 | 1,971,962 | 1,971,962 | | 1,971,962 | 1,971,962 | | 1,971,962 |
| FY2025 | 3,880,125 | 1,910,119 | 1,910,119 | 1,910,119 | | 1,910,119 | 1,910,119 | | 1,910,119 |
| | | | (731,679) | | 100% | (731,679) | | 100% | (731,697) |
| | | <i>Debt Service allocation determined annually; based on State Valuation.</i> | | <i>Debt Service allocation determined annually; based on State Valuation.</i> | | | <i>Debt Service allocation determined annually; based on State Valuation.</i> | | |