

**TOWN OF KENNEBUNK  
BOARD OF SELECTMEN  
TUESDAY, JULY 12, 2016 – 6:15 P.M.  
KENNEBUNK TOWN HALL  
3<sup>rd</sup> FLOOR/ROOM 301  
AGENDA**

**SPECIAL MEETING – 6:15 P.M.**

**Interview the following Candidate for Committees:**

<u>Name</u>	<u>Committee</u>
Daniel Lyons	Comprehensive Plan & Zoning Ord. Update Comm. no terms

Note: Bob Metcalf, Chairman of the Comprehensive Plan & Zoning Ordinance Update Committee, recruited Dan Lyons to this committee because of his background and interest in the community. Bob noted Dan had provided support during the first plan in the 1990's as Chairman of the Planning Board; Dan also has a keen interest in transportation and bikeways.

**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. June 28, 2016 Regular Meeting

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

a. Items as Presented

**4. Public Hearing(s)**

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

**Jean Krull d/b/a Mainely Meatballs  
for new Victulater License  
located in Federal Jack's parking lot, 8 Western Avenue**

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

*Fire Department/Codes Office: mobile vendor – inspected by the State; no local fire inspection required*

*Police Department: new license – nothing to report from police*

*MOTION: To approve the new Victualer License for Jean Krull d/b/a Mainely Meatballs subject to final approval of site location by the Safety Committee and conformance with their approved plan.*

**5. Public Comments (5-10 minutes)**

**6. Acknowledgements/Announcements (5-10 minutes)**

**7. Time Sensitive Business**

- a. Take up the Election of the 2016-17 Board of Selectmen Officers (5-7 minutes) – Each year, at the first meeting in July, the Board elects its new officers for the coming year.

**MOTION:** To elect \_\_\_\_\_ as the Chairman.

**MOTION:** To elect \_\_\_\_\_ as the Vice Chairman.

**MOTION:** To elect \_\_\_\_\_ as the Secretary.

- b. Review the Board of Selectmen By-Laws (5-7 minutes) – Attached are the current by-laws for the Board. With a newly elected member on the Board, the by-laws should be reviewed.

No motion required.

- c. Review the Board of Selectmen Code of Ethics (5-7 minutes) – Attached is the Code of Ethics previously adopted and amended by the Board of Selectmen. Should the Board decide to continue with this practice, a new form is attached for signatures.

**MOTION:** To sign the Code of Ethics.

**8. Old Business (2<sup>nd</sup> Reading)**

- a. Discuss a Park Use Ordinance (5-7 minutes) – The draft Park Use Ordinance has been amended to identify the parks, define drone usage and place the setting of fees by the Board of Selectmen. The changes made (since the last meeting) are shown in red. This ordinance summarizes the park usage for the public and will assist staff with enforcement.

**MOTION:** To forward the proposed Park Use Ordinance to the Town attorney for review.

**9. New Business (1<sup>st</sup> Reading)**

- a. York County Public Works Mutual Aid Agreement (5-7 minutes) – This mutual aid agreement between Public Works Departments of different towns affords municipalities the opportunity to share resources in an emergency, as necessary. The agreement defines the role of the participating communities.

**MOTION:** To move to a second reading on August 9<sup>th</sup>.

- b. Discuss a Violation in the Resource Protection and Shoreland Overlay Districts on Great Hill Road (10-15 minutes) – The Town’s Code Enforcement Officer issued a Notice of Violation for the cutting of vegetation on land adjacent to “Strawberry Island” that was cut during the late winter/early spring of this year (violation observed on February 23, 2016).

The properties involved are owned by the Kennebunk Land Trust (KLT) Tax Map 97, Lot 37 and Kennebunk Beach Improvement Association (KBIA) Tax Map 97, Lot 38. The properties are both located in the Resource Protection District (flood zone) also subject to Shoreland Overlay standards. The cutting was done in violation of Shoreland Zoning regulations within the Town’s Zoning

Ordinance [Article 4, Section 1 E and Article 10, Section 3 D. (1) & (2) (d)], which strictly limit the amount of cutting that may occur within the Resource Protection and Shoreland Overlay Districts of the Town.

After an investigation of the activity, it was determined that the cutting of the vegetation was contracted solely by KLT. KBIA is included in the Notice of Violation as the cutting infraction incurred on their property as well, though it does not appear that they were a willing participant in the violation. For the purposes of an enforcement action, any party in violation is included in the Notice of Violation and then the Town may decide how to resolve the Land Use violation with each party. The parties may be subject to a consent agreement in lieu of court action and the Town may wish to assess penalties on an individual basis, depending on the level of involvement and nature of the violation.

According to KLT, Boiling Spring Landscape was contracted to cut the vegetation and did so in February of 2016. The cutting involved 5 to 6 foot tall beach roses that, as a result of the activity, were left at about 6 inches high. The area that was disturbed is approximately 12,000 square feet and had no original growth (trees) other than the beach roses. The Town did not witness the work, but based on our observation it does not appear to have been done with any heavy equipment, nor was there significant damage to the root structure.

A copy of the Notice of Violation has been provided to the KLT and to KBIA since they are the subject to the enforcement action.

Included in the attachments are a copy of the Notice of Violation, a response letter from KLT, a response letter from Shepard & Read (Attorneys at Law on behalf of KBIA), a photo of the beach rose vegetation in question, an aerial of the approximate extent of cutting, and a Tax Map depicting the approximate location of the property.

This item is being forwarded to the Board of Selectmen for options on how to proceed with enforcement action as a result of this violation. This land use violation can be remedied as an administrative action (consent agreement) or under the Maine Rules of Civil Procedure as an 80K Land Use violation, whereby the Town would attempt to have the violation and resulting enforcement action adjudicated at the District Court level. It has not been the practice of the Town to rush to court and the Town Attorney has often suggested the Town seek to remedy land use violations as an administrative matter, rather than rely on the Court system.

Paul Demers will be available at the meeting to discuss the situation, options to resolve the matter and answer any questions the Board may have.

**MOTION:**

- c. Hear a Brief Presentation on Board of Selectmen Relations, Roles and Freedom of Access Act (FOAA) (30-45 minutes) – The Town’s attorney, Bill Dale, will be present to share the FOAA rules for Maine and how they apply to municipalities, elected and appointed officials, and staff. The presentation will include a discussion on Board relations and roles within the scope of the Town’s Charter.

**MOTION:**

- d. Discuss Selectmen Liaisons to Committees (5-7 minutes) – The attached spreadsheet lists the various Town committees that include Selectmen Liaisons. Board members should review the list and indicate the committees they are interested in working with. Selectmen should not be expected to attend all committee meetings, but Selectmen should sign up for committees they expect to be able to attend on a quarterly or as-needed basis.

**MOTION:**

- e. Discuss Selectmen Subcommittee Assignments (5-7 minutes) – The subcommittees are listed at the bottom of the Selectmen Liaison spreadsheet. Subcommittees have no more than three members and meet as necessary.

**MOTION:**

- f. Election of MMA’s 2016-2018 Legislative Policy Committee (5 minutes)–MMA’s member municipalities have made their nominations for the 2016-18 Legislative Policy Committee. Last month, as you will recall, the Board nominated Richard Morin to represent Kennebunk in District 34. For your review, we have attached the memo from MMA as well as the ballot and candidate information. The deadline for retuning our ballot is August 5<sup>th</sup>.

Our district may vote for two candidates. You will notice there are two names on the ballot as well as a place for a write-in. The names are:

- Richard Morin, Selectman, Town of Kennebunk
- Larissa Crockett, Warrant and Finance Committee Chair, Town of Acton

After voting, a majority of the Board can sign the Ballot or the Board can designate the Town Manger to sign on their behalf.

**MOTION:** To vote for Richard Morin and Larissa Crockett to represent District 34 on MMA’s Legislative Policy Committee.

**MOTION:** To authorize the Town Manager to sign the ballot on the Board’s behalf.

- g. Election of Maine Municipal Association’s Vice President and Directors (5 minutes) – Attached you will find a Voting Ballot for MMA’s Officers as well as a brief biographical sketch on each nominee. Deadline for voting is noon on Friday, August 12<sup>th</sup>.

- The first election is for the Vice-President, for a 1-year term. There is one person running for this seat.
- The second election is for Directors, for 3-year terms. There are three running and the Board needs to vote for three.

After voting, a majority of the Board can sign the Ballot or the Board can designate the Town Manger to sign on their behalf.

**MOTION:** To vote for Linda Cohen (Councilor, City of South Portland) **for Vice President** and James Gardner, Jr., (Town Manager, Town of Easton), Christine Landes (Town Manager, Town of Bethel), and Mary Sabins (Town Manager, Town of Vassalboro) **for the three Director positions.**

**MOTION:** To authorize the Town Manager to sign the ballot on the Board’s behalf.

- h. Set a Workshop Date to Discuss Town Committees (2-3 minutes) – As discussed at the last meeting, we tentatively set Tuesday, October 4<sup>th</sup> as the date to hold a workshop on committees, i.e. number of committees, number of members, terms of members, committee structure, etc. We would also invite committee members to the workshop to receive their input.

**MOTION:** To set a workshop date for Tuesday, October 4<sup>th</sup> at 6:30 p.m. to discuss Town Committees.

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

• **Accept the Following Resignation(s):**

Teri Collard – CDBG Façade Advisory Committee, Resident Representative (no term)

**MOTION:** To accept the resignation of Teri Collard from CDBG Façade Advisory Committee and send a letter thanking her for her service.

• **Appointment of Resident(s) being interviewed at the beginning of the meeting:**

Daniel Lyons, Comprehensive Plan & Zoning Ordinance Update Committee (no term)  
If the Board wishes to make the appointment(s), the motion could be as follows:

**MOTION:** To appoint Daniel Lyons to the Comprehensive Plan & Zoning Ordinance Update Committee (no term).

- j. 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. **Upcoming Events and Workshops:**

• Selectmen's Summer Meeting Schedule:

July 12	6:30 p.m.	<b>July 26</b>	<b><u>Canceled</u></b>
August 9	6:30 p.m.	<b>August 23</b>	<b><u>Canceled</u></b>

The regular meeting schedule (2<sup>nd</sup> and 4<sup>th</sup> Tuesday) will resume in September.

- **Tuesday, September 6** – Board of Selectmen Workshop on TIFs will be held at 6:30 p.m. on the third floor of the Town Hall.
- **Tentative: October 4** – Board of Selectmen Workshop on Committees

## 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)

## 13. Adjournment

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

# Kathy Nolette

---

**From:** noreply@civicplus.com  
**Sent:** Friday, June 24, 2016 10:09 AM  
**To:** Kathy Nolette  
**Subject:** Online Form Submittal: Committee Volunteer Form

## Committee Volunteer Form

### Step 1

Town of Kennebunk, Maine

Committee Volunteer Form

First Name Daniel

Last Name Lyons

Street Address Summer St

Mailing Address Summer St

Daytime Phone #

Cell Phone # *Field not completed.*

E-Mail Address

Board/Committee/Commission I wish to be considered for appointment to: Other

### Step 2

Term and Membership Status Regular Membership Status (3-year term)

Do you currently serve on any Town Committee? no

If so, please list the committee. Not currently serving

Years of Service Not currently serving

Occupation self-employed

Employer Lyons Coffee Service Inc

List any Civic Organizations to which you belong: Kennebunk Landing Ad Hoc Committee

### Step 3

- |   |  |
|---|--|
| 1. Do you have any questions about what the committee does or its mission?  | No.  |
| 2. Do you have any practical experience or formal education that would be related to the committee?   | Kennebunk Planning Board 1985-1990; Chairman 1989-1990; Studied civil engineering and worked in the Colorado DOT Traffic Engineering Division; President of Lyons Coffee Service Inc 1985-present.                                     |
| 3. Why would you like to be on the committee?   | As a Kennebunk resident for 31 years, I've benefited from the work of many committed volunteers and town officials whose efforts have shaped our community in countless ways. I'd like to contribute to this work in my own small way. |
| 4. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee. | Yes.   |
| 5. Do you have any conflict of interest that might involve either direct or indirect financial gain or other gain?  | No.  |
| 6. Do you have anything you would like to add?  | No.  |

Thank you for volunteering to serve your community.

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

Email not displaying correctly? [View it in your browser.](#)

2

(MINUTES)

**TOWN OF KENNEBUNK**  
**BOARD OF SELECTMEN MINUTES**

**JUNE 28, 2016 - 6:15 P.M.**

**SPECIAL MEETING – 6:15 P.M.**

**Interview the following Candidates for Committees:**

<u>Name</u>	<u>Committee</u>	<u>Vacancies</u>
Rachel Phipps	Economic Dev. Comm.	(1) Regular (2018-B.Baldwin's position)*
Linda Miller Cleary	Dog Advisory Committee	(2) Regular (no terms)
Dianne Trachimowicz (non-resident)**	Dog Advisory Committee	
Olivia Aiken	Recreation Committee	(1) Youth Rep. (2017)
Roberta (Bobbi) Searles	West Kennebunk Village Comm	(2) Regular (2017) & (2018)
Heather McLaughlin	Budget Board	(1) Regular (2019)
Thomas Cahoon	Budget Board	

\* Blake's term on the EDC will become available on July 1<sup>st</sup> when his Selectmen's term begins. Rachel has been on the waiting list.

\*\* The Dog Advisory Committee discussed having non-residents serve on the committee and were fine with it. They are looking forward to having Linda and Dianne join the committee.

**DISCUSSION:**

Rachel Phipps stated that she has been on the waiting list for four years and is very qualified to be on the Economic Development Committee. She handed out her résumé to the Board members. Phipps mentioned that she includes many areas into discussions on Economics such as transportation. Boothby agreed with her that being on the waiting list for four years was a long time and that they should not wait any longer to appoint her to the committee.

Linda Miller Cleary wants to be on the Dog Advisory Committee as she has volunteered in the past.

Olivia Aiken noted that she was going to be a senior in high school next year and has worked with the Recreation Department before. Aiken also said that her brother has held the same position that she is seeking (Youth Representative on the Recreation Committee).

Heather McLaughlin wants to be on the Budget Board to learn and to be a part of the community. She added that a lot of the duties that she would have on the Budget Board were new to her but she was willing to learn.

Thomas Cahoon ran to be on the Board of Selectmen and lost, but he thanked voters. He mentioned that a lot of the Selectmen were on the Budget Board before being on the Board of Selectmen. He added that more young people should be on the Budget Board to be involved with the community. Cahoon wants to retire here in this community.

**1. REGULAR MEETING – 6:30 P.M.**

On June 28, 2016, at 6:30 P.M., in Room 301 of the Town Hall, Richard Morin, Vice-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 Richard Morin, Daniel Boothby, Edward Karytko, Christopher Cluff and Deborah Beal.

Also in attendance was Town Manager, Barry Tibbetts, Finance Director, Joel Downs and Town Engineer, Chris Osterrieder.

Absent were Selectmen Shiloh Schulte (out of the country) and Chair, Kevin Donovan (at Emergency Management training).

The Vice-Chair proceeded to the next item.

**2. MINUTES**

- a. June 14, 2016 Regular Meeting

**DISCUSSION:**

None.

There was no public comment.

**A motion was made to approve the Minutes from the June 14, 2016 Regular Meeting.**

**MOVED:** Cluff

**SECONDED:** Karytko

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 0 opposed, 2 absent (Donovan, Schulte). The motion passed.

The Vice-Chair proceeded to the next item.

**3. ITEMS TO BE SIGNED**

None.

The Vice-Chair proceeded to the next item.

**4. PUBLIC HEARING(S)**

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

**Rebecca Charles d/b/a Pearl/Spat Oyster Cellar  
for new licenses for:**

**Special Amusement Permit  
Victualer License**

**Malt, Spirituous, and Vinous Liquor License**

**Located at 27 Western Avenue**

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

*Fire Department/Codes Office: 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 Occupancy Permit issuance, and Fire Department's Fire & Life Safety Inspection.*

*Police Department: new license – nothing to report from police*

DISCUSSION:

None.

There were no public comments.

**A motion was made to approve the new Special Amusement Permit, new Victualer License and new Malt, Spirituous, and Vinous Liquor License for Rebecca Charles d/b/a Pearl/Spat Oyster Cellar, contingent on final inspections by the Code Office and Fire Department and the issuance of the Certificate of Occupancy Permit.**

**MOVED: Karytko**

**SECOUNDED: Cluff**

**MODIFICATIONS: None**

**VOTE: 5 in favor, 0 opposed, 2 absent (Donovan, Schulte). The motion passed.**

The Vice-Chair proceeded to the next item.

**5. PUBLIC COMMENTS**

None.

The Vice-Chair proceeded to the next item.

**6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

Merton Brown, Town Clerk, swore in Richard Morin (re-appointed to the Board of Selectmen) and L. Blake Baldwin, just elected to the Board of Selectmen (he will be on the Board at the next meeting but observed this meeting in the audience). Both will serve three year terms.

- a. Welcome Newly Elected Selectmen – On Tuesday, June 14<sup>th</sup>, voters elected new Selectman L. Blake Baldwin and re-elected Richard Morin as Selectman, both to three-year terms. Congratulations to each of you – Staff looks forward to working with you!
- b. Thank you to Outgoing Selectman Donovan – We would like to thank Kevin Donovan for his service on the Budget Board and Board of Selectmen. Kevin served on the Budget Board for one year and the Board of Selectmen for six years, with the last two serving as Chairman. Kevin's expertise, commitment and willingness to serve the community has been a tremendous asset in moving the community forward and keeping the quintessential New England character of our community. We wish him the very best in the future. His elected appointment will end on June 30<sup>th</sup>.

The Vice-Chair proceeded to the next item.

**7. TIME SENSITIVE BUSINESS**

- a. Discuss Fuel Oil Options for 2016-17 – Each year we try to anticipate the optimum time to obtain pricing for fuel purchasing. Over the past few years, we have found that contacting dealers for pricing/quotes versus a formal bid process can result in the best pricing. Suppliers are only able to offer pricing for a short time (usually one day), and we must be able to react quickly to that offer. Would the Board consider authorizing the Town Manager to monitor the pricing with the Finance Director to seek the optimum pricing and lock in the rate (after a discussion with a Finance subcommittee member)? **This was authorized for the last several years and has worked well.** For 2014-15, the rate was \$3.149. This year (FY15-16) our rate was \$2.649.

**DISCUSSION:**

Cluff asked what the budget was and Tibbetts said that the costs were lower than last year. Boothby noted that over the last two years they would have gotten a better deal if they hadn't locked in. But others said that the rates change a lot and predicting the price is tough.

John Costin from the public spoke. He said that many people try to predict what will happen with the price of oil and that these people are better than most at doing such. Therefore, he thinks that the Board of Selectmen should decide not to be bidders who judge the market because so many people are better than them at doing such.

Karytko asked Joel Downs, the Finance Director, when they would lock into a rate. Downs stated that he sends out an email to suppliers, asking for prices. He then reviews many different numbers to try to decide what price is the best. He thought that their rate of \$2.649 was good but that it is always a hard determination to make. He also asks people in the oil business about prices.

Tom Cahoon from the public spoke. He said that some people try to have a locked in rate for much of their gallons, but not all, leaving the rest up to the market. Certain people find this to be an opportunity and Cahoon said that it was something to think about. He also said that Joel Downs does a good job with the budget and that they are not out to make money but to keep the community strong.

Boothby asked how many players were big enough to take care of them. Downs answered, listing Downeast, Dead River, Garrett Pillsbury, Branch Brook and others.

Karytko asked if they had changed suppliers multiple times or if someone gave them a good price consistently. Downs noted the different suppliers that they have used throughout the years, at one point adding that Downeast was good for many years. However, now they use Garrett Pillsbury. Karytko wondered if it was better to have a set rate for higher drops and to leave it up to the market for lower ones. Downs noted that people charge them \$50-\$100 extra for the smaller drops. Tibbetts and Downs both agreed that the price per gallon would go up significantly if they did what Karytko suggested.

**A motion was made to authorize the Town Manager to lock in the price of #2 heating fuel, subject to a discussion with the Finance Director and a Finance subcommittee member.**

**MOVED:** Cluff

**SECONDED:** Karytko

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 0 opposed, 2 absent (Donovan, Schulte). The motion passed.

The Vice-Chair proceeded to the next item.

## 8. OLD BUSINESS (2<sup>ND</sup> READING)

- a. Presentation of Division/Department Overviews – Division Directors will be presenting a 3-5 minute overview of significant accomplishments within their departments over the past fiscal year and identifying select goals and objectives they will be striving to obtain during the next fiscal year. As you will recall, the last meeting contained overviews from Public Services, Community Development, Kennebunk Free Library, and Human Resources.

We will hear overviews from:

- Merton Brown – Town Clerk/Elections
- Jeff Rowe – Fire/EMS
- Robert Mackenzie – Police
- Mathew Eddy – Economic Development
- Joel Downs – Finance Office (Finance, Tax Collection, Assessing, IT Dept., GA)

### DISCUSSION:

**Merton Brown, Town Clerk**, spoke about the successes over the past year. He said that they changed the dog licensing program from paper to computer. They have also become more organized with various files. A record restoration project (started years before) was finished and numerous records dating back to 1980 can be found. He wants to preserve even older records at some point. The absentee voting hours have been extended. One goal of Merton's is to meet with every committee to establish basic laws (for example, he wants to review the procedures with the minutes as well as attendance). More training of the election staff is crucial to Merton as well, in order to keep up with the demands that this upcoming November Presidential election will bring. Finally, creating a welcome packet for new residents was deemed by Merton to be a good idea for the future.

Boothby wondered how people liked the new voting booths. Merton replied that there was only one resident who was concerned about not having a curtain at the booths (Merton did, however, add that there was a row of voting booths with the curtains still available for people to use). Most of the feedback on the new voting booths was positive.

Finally, Karytko asked how successful the 6-8 A.M. voting timeframe was and Merton said that he enjoyed having that time available for people to vote.

**Fire Chief Jeff Rowe, Division Director of Fire/EMS**, talked about the recently added personnel. They now have a new Division Chief in charge of EMS who Rowe said was doing a great job. Their uniforms have been standardized. Rowe stated that Atria's 911 banquet was turned into a rewards banquet for Police and Fire. Referring to equipment, Rowe praised public works. They have a new small inflatable rescue boat and a new ambulance, among other things. They implemented an, "I am responding" program so that volunteers can tell where calls are coming from and at what time. It works with "iPhone-like devices". They have a lot of iPads and the stations have monitors to see what is going on. They now own one fourth of a smoke trailer (they share it with Wells, North Berwick and Ogunquit). Rowe said that it had been a year since they started their active smoke detector program. They have visited 43 homes and installed 153 detectors. Eight hundred and eighty-two citizens have been certified in CPR through the Kennebunk Fire Rescue American Heart Association training center. New personnel are sought and improvements to storm management are

also a goal. He expressed their need of volunteers and their struggle to find qualified lifeguards. Pressure washing and inspecting their vehicles is important to Rowe as well.

Boothby asked where they were in terms of getting houses numbered. Rowe thanked him for bringing it up and said that there is an ordinance in town that if you live within 50 feet from the main road you must have your house numbered and if you are further than that from the road you must have a post out front with your number on it. People will be trying to get houses numbered during the summer intern program, said Rowe. He hopes that everyone will do this because not having a house numbered makes it difficult for personnel to locate a home at night when there is no light coming from the residence.

**Next, Robert Mackenzie, Chief of the Police Department,** spoke. He said that they graduated their 2<sup>nd</sup> citizens' Police Academy. The number of people on the volunteer staff was raised to 10. Their 3<sup>rd</sup> citizens' Police Academy is to begin in August and Mackenzie encouraged people to stop by the police station to fill out an application to be a part of such if they desired to do so (they can also go online for this information).

Karytko asked if the number of applicants wanting to be in the Police Academy fills up and Mackenzie stated that it does (it is mainly on a first come, first serve basis). They have expanded their community outreach in multiple ways. For example, Mackenzie attended "Coffee with the Chiefs", which will be occurring again; Mackenzie guessed that the date will be in July. They have collaborated with different banks to set safety procedures for employees. In addition to this they have done various things on Facebook. Their records management system was updated. A police officer was chosen as an agent for Maine Drug Enforcement (this was the first time in the history of the Kennebunk Police Department). Such will help fight the heroin epidemic. All of the police cars are now equipped with Narcan in case of an overdose. Listing goals, Mackenzie said that he wants to add more volunteers and to set up a peer support and crisis intervention team for the Police Department and others. Some officers go through a lot of hardship. Lastly, he noted that he wants to expand their community outreach by possibly creating a community resource officer position as well as broadening their reach through the use of social media.

Boothby asked how their relations with other departments was and Mackenzie said that they work well together. Karytko referenced a program to help fight drugs in Sanford and wondered if the Town of Kennebunk should implement a similar program. He also said that drugs are one of the most serious problems that he sees today. Beal added that there were six overdoses in Sanford over a 24-hour period. Mackenzie said that they have been outspoken about such and have spread the message.

Rachel Phipps from the public stated that the Coastal Healthy Communities Coalition (which serves Kennebunk) just received a drug free community's grant. She noted that they would love help and participation.

**Mathew Eddy, Economic Development Director,** spoke next. Medical and senior services were worked with a lot. Among other things, tourism has been an important focus point. They want to take advantage of the location of Kennebunk and to focus on the train station. Many different employers are having trouble finding employees, stated Eddy. A successful job fair was held. Transportation and energy were cited as big issues at the job fair. Companies have helped in finding locations in Kennebunk. Eddy expressed their goal of taking advantage of natural resources and noted that they want to improve their storm water management programs. Referring to the marketing of Kennebunk, Eddy said that he wants to keep Kennebunk known for its nice, coastal character. Eddy wants to

move forward with the rest area project and address the problem with the vernal pool, only about 10 feet from Route 1.

Last to speak was **Finance Director Joel Downs, Division Director of Finance** (Finance, Tax Collection, Assessing, IT Dept., GA). He said that the Assessing Dept is reviewing all scanned archived documents, trying to make sure that everything is properly preserved before they recycle original materials (such as important documents). Assessment data is being updated online on a monthly basis. Before, it was done on an annual basis. Downs stated that tax collection was very successful. To date they have received 97.5% of taxes due for 2015-16. He said that some people with camp trailers would not get beach permits unless they paid their taxes. A Bureau of Motor Vehicles audit was very successful. Downs said that more and more people want to pay their taxes with credit cards and noted that the fee is 2.5%. Online motor vehicle registrations have not increased in usage lately. Downs said that people still like to go in person to do such. He also listed off highly praised employees. The interest rate on invested money, said Downs, is from 0-1%. On March 1, 2016 they issued bonds of \$3,049,000. The composite rate was 1.78%. During last year the IT Manager has met several goals. GPS's were installed in all of the public services vehicles, the phone system was updated and the Fire Department received iPads. Camera and audio improvements for the room in which this meeting took place in (room 301) are sought. Setting the tax rate will take place in August. Remote backups may be implemented. Other goals and upcoming events were noted. He also mentioned that the updated Property Tax Assistance Ordinance will be implemented in the coming year. The general assistance agent may be involved with the new Senior Committee. Downs also spoke about increasing productivity while maintaining internal controls. Some neighboring towns have struggled with the separation-of-duties aspect of internal control. Cluff agreed and suggested that they set up a time to review internal controls. Excise tax revenue is now \$300,000 above budget. Maintenance in Public Works was \$15,000 over budget, but such is not unusual. Other comments on various spending were made by Downs.

Boothby asked if there was adequate storage and Downs said that there was, citing the Town Garage as one such area for storage.

The Vice-Chair proceeded to the next item.

#### **9. NEW BUSINESS (1<sup>ST</sup> READING)**

- a. Discuss a Park Use Ordinance – Staff, led by Public Services Director Eric Labelle, has drafted a policy for the use of the Town parks. This proposed ordinance clearly defines the uses and relevant information in one document. This policy provides concise information for the public.

#### **DISCUSSION:**

Cluff wondered if having issues in the parks led to this policy or if they were simply being proactive. Tibbetts replied by saying that they wanted to be proactive and to help the police to have a document that lists various ordinances. It also helps the public to understand what is and isn't allowed in the parks. Tibbetts also noted that they should probably converse on how they handle drones being used in the parks.

**A motion was made to move to a second reading on July 12<sup>th</sup>.**

**MOVED: Karytko**

**SECOUNDED: Cluff**

**MODIFICATIONS: None**

**VOTE: 5 in favor, 0 opposed, 2 absent (Donovan, Schulte). The motion passed.**

The Vice-Chair proceeded to the next item.

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

• **Accept the Following Resignation(s):**

L. Blake Baldwin – Economic Development Committee

With Blake's appointment to the Board of Selectmen, he can no longer serve on the Economic Development Committee (term 2018).

• **Move Up Alternate**

Leah B. Rachin – Zoning Board of Appeals

Ms. Rachin is currently the first Alternate member on the ZBA (appointed in 2013). Her position should be moved up to fill the Regular position vacancy created by Jens- Peter W. Bergen, who was not seeking re-appointment. This appointment would be for a Regular three-year term, which expires in 2019.

As you will recall, at the last meeting the Board moved other Alternates to Regular member status; however, this appointment was left off that list by error.

• **Appointment of Resident(s) being interviewed at the beginning of the meeting:**

<u>Name</u>	<u>Committee</u>	<u>Vacancies</u>
Rachel Phipps	EDC	(1) Regular 2018
Linda Miller Cleary Dianne Trachimowicz (non-resident)	Dog Advisory Committee	(2) Regular (no terms)
Olivia Aiken	Recreation Committee	(1) Youth Rep. (2017)
Roberta (Bobbi) Searles	West Kennebunk Village Comm.	(2) Regular: (2017) & (2018)
Heather McLaughlin Thomas Cahoon	Budget Board	(1) Regular (2019)

Before the Board makes a decision on the appointment of a new Economic Development Committee (EDC) member, please see the attached memo from the EDC regarding their request to delay the naming of new members pending the restructuring of their committee. At their meeting on June 22<sup>nd</sup>, the committee voted to take some time to draft a proposal to the Selectmen that would include the concept of "right-sizing" the committee, as well as more direct membership links to other committees (i.e. Lower Village, Downtown, etc.).

DISCUSSION:

Karytko asked about openings on the Economic Development Committee and wondered how members would be chosen to leave if they decided to downsize the committee from the current number of participants.

Blake Baldwin, who just left the Economic Development Committee to be on the Board of Selectmen, said that there was discussion to downsize the committee. He also said that they had never had an opening before. He said that he wants to keep the committees close together (to not split up too much).

Rachel Phipps, who has been on the waiting list for four years to be on the Economic Development Committee, stated that she first tried when there was an opening but she had to wait because they were supposed to discuss the number of people to be allowed on the Committee. She felt as though she was highly qualified to sit on the Economic Development Committee and noted that she has been trying to be on the Committee for four years.

Morin wanted to hear from the standing Chair from the Economic Development Committee thus he opposed allowing Phipps onto the Committee at the time of this meeting.

Beal was not sure what to do because she worried about the committee downsizing right after choosing Phipps to be on the Committee. However, Phipps said that she could handle that if it occurred.

John Costin from the public expressed concern about the Board having Phipps wait so long. He wants them to follow the Charter and do things according to the rules in place. He noted recent re-appointments to Committees and suggested that one person should not have been on the Committee because of attendance.

Boothby wondered if they should at least meet Dianne Trachimowicz (a candidate for the Dog Advisory Committee who was unable to attend the interview) before appointing her but Morin said that not much more is learned by meeting a candidate in person. Boothby said that was a fair point.

Cluff noted that Dianne is a non-resident and that this detail should be added in the motion.

Boothby said that he knows both of the residents who want to be on the Budget Board and liked them very much. He almost flipped a coin to decide who to choose but decided to choose Heather McLaughlin to have a female perspective on the Budget Board.

Rachel Phipps spoke again and said that there should be a policy in place for making appointments (to review qualifications, etc. instead of just allowing virtually anyone on various Boards, etc.).

John Costin wondered if there should be alternates on the Budget Board.

Karytko wondered when they will have a workshop on committees and Barry Tibbetts said that a date in September or October for such will most likely be given at the next meeting.

A motion was made to accept the resignation of L. Blake Baldwin from the Economic Development Committee and send a letter thanking him for his service and for his dedication as Co-Chairman.

**MOVED:** Cluff  
**SECOUNDED:** Karytko  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 0 opposed, 2 absent (Donovan, Schulte). The motion passed.

A motion was made to move Leah Rachin from Alternate to Regular Member on the Zoning Board of Appeals with a term expiring in 2019.

**MOVED:** Karytko  
**SECOUNDED:** Cluff  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 0 opposed, 2 absent (Donovan, Schulte). The motion passed.

A motion was made to appoint Rachel Phipps to the Economic Development Committee.

**MOVED:** Boothby  
**SECOUNDED:** Karytko  
**MODIFICATIONS:** None  
**VOTE:** 4 in favor, 1 opposed (Morin), 2 absent (Donovan, Schulte).  
The motion passed.

A motion was made to appoint the following as committee members:

- Linda Cleary, Dog Advisory Committee, Regular Member (no term)
- Dianne Trachimowicz, Dog Advisory Committee, Regular Member (no term)
- Olivia Aiken, Recreation Committee, Youth Member (2017)
- Roberta Searles, WKVC, Regular Member (2018)

**MOVED:** Karytko  
**SECOUNDED:** Cluff  
**MODIFICATIONS:** To have Dianne Trachimowicz as a non-voting, non-resident of the Dog Advisory Committee.  
**VOTE:** 5 in favor, 0 opposed, 2 absent (Donovan, Schulte). The motion passed.

A motion was made to appoint Thomas Cahoon to the Budget Board as a Regular Member with a term expiring in 2019:

**MOVED:** Karytko  
**SECOUNDED:** Beal  
**MODIFICATIONS:** None  
**VOTE:** 4 in favor, 1 opposed (Boothby), 2 absent (Donovan, Schulte). The motion passed.

The Vice-Chair proceeded to the next item.

c. Discuss Any Other Business  
None.

The Vice-Chair proceeded to the next item.

## 10. SELECTMAN'S COMMENTS

### a. Subcommittee Reports (if any)

None.

The Vice-Chair proceeded to the next item.

### b. Individual Selectmen Comments

Selectman Beal: None.

Selectman Boothby:

- Thanked everyone who went to the volunteer banquet and added that it was a great time.
- Mentioned that no one showed up to the Selectmen Outreach Session (on June 15).
- Asked when the plastic bag ordinance will change. Tibbetts said sometime in October.

Selectman Karytko:

- Wanted to take care of weeds and grates.
- Said that he and Boothby attended the Kennebunk Coastal Association meeting on Saturday night (it was a great night).
- Went to the Energy Efficiency Committee meeting to give updates on the trash and recycling discussion.
- Said that he visited the Public Services Department and the lifts for the Town vehicles are awesome. Thought that it was well worth the money.
- Wanted all to recycle (wants the tipping fees to go down to keep the prices of bags from going up)

Selectman Cluff:

- Wished everyone a happy summer.

Selectman Morin:

- Thanked everyone for voting on June 14. He also thanked Merton for making it all an easy process.
- Apologized for missing the volunteer night (he was out of town). He also missed the Kennebunk Coastal Association meeting but has been to such events before.
- Looks forward to the year ahead and to Blake Baldwin, the newly selected Selectman, joining them at the next meeting.

The Vice-Chair proceeded to the next item.

## 11. TOWN MANAGER'S COMMENTS/NOTES

### a. Upcoming Events and Workshops:

- Selectmen's Summer Meeting Schedule:

July 12	6:30 p.m.	July 26	<u>Canceled</u>
August 9	6:30 p.m.	August 23	<u>Canceled</u>

The regular meeting schedule (2<sup>nd</sup> and 4<sup>th</sup> Tuesday) will resume in September.

- **Tuesday, September 6** – **Board of Selectmen Workshop on TIFs** will be held at 6:30 p.m. on the third floor of the Town Hall.

The Vice-Chair proceeded to the next item.

## 12. **EXECUTIVE SESSION(S)**

None.

The Vice-Chair proceeded to the next item.

## 13. **ADJOURNMENT**

**A motion was made to adjourn the meeting at approximately 8:36 P.M.**

**MOVED:** Cluff

**SECONDED:** Karytko

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 0 opposed, 2 absent (Donovan, Schulte). The motion passed.

\_\_\_\_\_  
Deborah Beal, Secretary  
Kennebunk Board of Selectmen

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

7.b.

**TOWN OF KENNEBUNK  
BOARD OF SELECTMEN  
BY-LAWS AND POLICIES**

ARTICLE I – BOARD OF SELECTMEN

Section I – MEMBERSHIP OF THE BOARD OF SELECTMEN

- A. The Kennebunk Board of Selectmen’s composition, election, and qualification shall be as prescribed in the Town of Kennebunk Charter.

Section II – ORGANIZATION OF THE BOARD

- A. The organizational meeting of the Board of Selectmen shall take place at the first regular or special meeting in the new fiscal year.
- B. In addition to the election of Chairman and Vice-Chairman, the Board may elect a Secretary for the ensuing year.
- C. In the event the Board chooses not to elect a Secretary, the Vice-Chairman shall be responsible for the preparation and presentation of minutes.
- D. Each newly elected Selectman, prior to undertaking to serve in the Office of Selectman, shall take an Oath of Office or Affirmation thereof in such form and manner as prescribed by the Town Clerk.

Section III – GENERAL POWERS AND DUTIES

- A. In addition to the general powers and duties prescribed by the Town Charter and by State Law, the Board of Selectmen shall prepare or provide for the preparation of a record of all policies adopted by the Board.
- B. The Board of Selectmen may adopt specific powers, duties, and rules of conduct provided they are consistent with the Town Charter, the Constitution of the United States of America, and the Constitution and Laws of the State of Maine

ARTICLE II – MEETINGS

Section I – REGULAR MEETINGS

- A. Regular meetings of the Board shall be held on the second and fourth Tuesday of each month except when determined otherwise by majority vote of the Board.
- B. Meetings of the Board shall begin at 6:30 p.m. except as otherwise agreed by the Board.
- C. Meetings shall be held at the Kennebunk Town Hall except as otherwise agreed by the Board.
- D. Notwithstanding the foregoing, once called to order, a meeting may be moved to another location.

## Section II – SPECIAL MEETINGS

- A. Special meetings may be held at the call of the Chairman, or at the call of any four Board members whenever deemed necessary.
- B. Notice of all Special Meetings shall be given to the members of the Board by the Town Manager or Chairman at least twenty-four hours prior to the meeting, except in an emergency.
- C. The press shall be notified of the time and place of all Special Meetings.

## Section III – EXECUTIVE SESSIONS

- A. The Board shall sit in executive session when such sessions are voted by a majority of the members present and voting and only in accordance with the Freedom of Access/Right to Know Law.
- B. The motion to go into executive session must state the nature of the business to be discussed. No other business may be discussed or considered.
- C. Executive sessions shall be closed to the public and the press.
- D. The Town Manager shall be allowed to attend all executive sessions except those which pertain to his employment, where his exclusion is permitted by the State Law.
- E. Individuals authorized by State Law, or by vote of the Board, may attend executive sessions provided their attendance is relevant to the business to be discussed.

## ARTICLE III – PROCEDURES AND CONDUCT OF MEETINGS

### Section I – RULES OF ORDER

- A. The Chair shall run meetings consistent with the By-laws, the Town Charter or policies adopted by the Board.

### Section II – ORDER OF BUSINESS AT REGULAR MEETINGS

- A. Call to order.
- B. Approval of Minutes
- C. Items to be Signed
- D. Public Hearings
- E. Agenda Items as prepared by the Town Manager, except that the Board may at the request of the Chairman or any member, take any item out of order.
- F. Any other business which may legally come before the Board at the request of the Town Manager, members of the Board and the public, and in that order.
- G. All items for consideration must be written to the Town Manager the Wednesday before the Selectmen's meeting unless it is an emergency which will be decided by the Chairman and/or Town Manager.
- H. Agenda items generally will have two readings before Board action. Exceptions are at the discretion of the Board.

### Section III – QUORUM AND VOTES OF THE BOARD

- A. Four members of the Board shall constitute a quorum. If a member has a conflict of interest, said member shall not be counted by the Board in establishing the quorum for such matter under consideration.
- B. No hearing or meeting of the Board shall be held, nor any action taken, in the absence of quorum; however, those members present shall be entitled to vote to continue the meeting to a subsequent date.
- C. All matters requiring a vote of the Board shall be decided by recorded vote. Decisions on any matter before the Board shall require the affirmative vote of a majority of the quorum.
- D. A tie vote or favorable vote by a lesser number than the required majority shall constitute defeat of the motion before the Board.

### Section IV – CONDUCT OF MEETINGS

- A. Members of the public are welcome at all meetings.
- B. The Chairman shall insure that decorum is maintained at all times during Board meetings.
- C. The Chairman may, subject to override of the Board, limit or curtail public participation in order to proceed with the business at hand.
- D. On any agenda item, the Board of Selectmen will get the opportunity to comment before opening the floor to the public. The Board reserves the right to hear all public comment at the end of the meeting.
- E. All members of the public must identify themselves before speaking.
- F. All members of the public must use the microphone to be recognized to speak. The chairman will recognize the next speaker when it is time to speak.
- G. The public, per the Town Charter, shall have the right to be heard on all items on the Board's meeting agenda, either during public comments or the agenda items subject to a 5 minute limitation per person or as amended by a Board vote.
- H. The order of speaking for agenda items shall be the Chairman, staff, Selectmen, members of the public, additional comments from staff (as necessary), then Selectmen deliberation and action as appropriate, or as amended by a Board vote.

### Section V – MINUTES AND RECORDING

- A. All actions of the Board shall be recorded in the minutes book of the Board. The minutes book shall be on file in the Town Offices and shall serve as a permanent record of all Board action. It shall be open to public inspection during normal business hours of the Town Office, or at such other times as the Town Manager or the Board shall prescribe.
- B. All actions of the Board shall be recorded as an added permanent record. The recordings shall be retained according to Maine State Archival Requirements in the Town Offices and available for public inspection in a like manner as the minutes of each meeting.

- C. The Board sets the time limit regarding the retention of such records (or recordings) to concur with State law.
- D. The minutes and recordings of meetings may not be removed from the Town Offices except by the Recording Secretary or by order of court.
- E. Copies shall be provided at the expense of the individual requesting such copies.
- F. All regularly scheduled meetings will be televised. The televising of special meetings and workshops shall be decided by the Board or the Chairman, as needed.

**ADOPTED: 2003-11-25**  
**AMENDED: 2005-06-28**  
**AMENDED: 2008-08-12**  
**AMENDED: 2009-05-26**  
**AMENDED: 2009-07-14**  
**AMENDED: 2009-10-27**  
**AMENDED: 2010-08-10**  
**AMENDED: 2013-02-12**

7.c

**TOWN OF KENNEBUNK  
BOARD OF SELECTMEN  
CODE OF ETHICS**

Each Selectmen will:

1. ....view service on the Board of Selectmen as an opportunity to serve the public, state, and nation as the best means to promote the Town of Kennebunk and its citizens. We are working to make Kennebunk the best place to live.
2. ....make no disparaging remarks, in or out of the Board meetings, about other members of the Board or their opinions.
3. ....remember at all times that as an individual, he/she has no legal authority outside the meetings of the Board, and will conduct his/her relationships with the Town of Kennebunk staff, the local citizenry, and all media of communications on the basis of this fact.
4. ....recognize that his/her responsibility is not to operate the Town, but to see that it is well operated.
5. ....listen to all citizens but will refer all complaints to the proper authorities and will discuss such complaints only at a regular meeting after failure of administrative solution.
6. ....support graciously a decision, once it has been made by a majority of the Board.
7. ....not criticize employees publicly, but will make such comments to the Town Manager for investigation and action if necessary.
8. ....make decisions only after all facts bearing on a question have been presented and discussed.
9. ....refuse to make promises as to how he/she will vote on a matter which should properly come before the Board as a whole.
10. ....not discuss the confidential business of the Board in his/her home, on the street, or in his/her office; the place for such discussion being the Board of Selectmen's meetings.
11. ....confine his/her Board action to policy making, planning, or appraisal, leaving the administration of the Town to the Town Manager.
12. ....endeavor at all times to see that the Town has adequate financial support within the capabilities of the community and state, in order that every citizen may receive the best possible service.

13. ....resist every temptation and outside pressure to use his/her position as a Selectman to benefit himself/herself or any other individual or agency apart from the total interest of the Town.
14. ....attempt to attend all meetings of the Board and, if it should become necessary to miss more than three (3) consecutive regular meetings of the Board or twenty-five (25) percent of all meetings within any six (6) month period, will meet with the Chairman of the Board and explain the nature of the reason for the absence.
15. ....abstain from individual action on those matters rightfully the province of the Board.

---

Richard A. Morin

---

Deborah A. Beal

---

Christopher L. Cluff

---

Daniel S. Boothby

---

Edward Karytko

---

Shiloh A. Schulte

---

L. Blake Baldwin

**ADOPTED: 02-14-06**

**AMENDED: 08-12-08 (NO LANGUAGE CHANGES, BOARD MEMBER NAME CHANGES ONLY)**

**AMENDED: 08-10-10 (NO LANGUAGE CHANGES, BOARD MEMBER NAME CHANGES ONLY)**

**AMENDED: 07-14-15 (NO LANGUAGE CHANGES, BOARD MEMBER NAME CHANGES ONLY)**

**AMENDED: 07-14-16 (NO LANGUAGE CHANGES, BOARD MEMBER NAME CHANGES ONLY)**

8.a.

# TOWN OF KENNEBUNK

## PARK USE ORDINANCE

### 1. PURPOSE

The purpose of this ordinance is to provide open spaces and facilities for educational and recreational purposes to all residents of Kennebunk and those visiting. These Rules and Regulations are intended to assist the Town of Kennebunk in its management of its Properties and Facilities to ensure that all residents of the Town of Kennebunk have safe and equal access to its Properties and Facilities, **which includes:**

- Cannon Park, corner of Main and Fletcher Streets
- Dog Park, 36 Sea Road
- Downtown Plaza, 36 Main Street
- Ethelyn Stuart Marthia Park, 128 Beach Avenue
- Intervale Road River Park with Boat Launch, Intervale Road
- Lafayette Park, 9 Storer Street
- Lloyd G. Nedeau Memorial Park, 1 Clearbrook Crossing
- Lower Village Park, 159 Port Road
- Parsons Field, 19 Park Street
- Rogers Pond with Boat Launch, 49 Water Street
- Rotary Park, corner of Main and Water Streets
- Route 9 Mousam River Boat Landing (Boat Launch), Route 9 (Western Ave.)
- Seagrass Lane Boat Launch, Seagrass Lane
- Skateboard Park, 30 Factory Pasture Lane
- Washington Memorial Park, next to 4 Summer Street
- Waterhouse Center, 51 Main Street
- West Kennebunk Recreation Field, 39 Holland Road
- Wiggins Pond, 20 Wood Pond Lane
- Wonderbrook Park, 16 Plummer Lane

### 2. AUTHORITY TO MAKE RULES

The Public Services Director or his/her authorized representatives may issue such rules and regulations as are necessary to insure public health and safety in the use and enjoyment of any and all park facilities, which will be referred to as “Parks” in this document, including but not limited to its park lands, beaches, playgrounds, trails, Teen Center, Dorothy Stevens Center, Waterhouse Center, and any other recreational facilities.

### 3. PARK CLOSING HOURS

The Parks shall be closed from Dusk until Dawn the following morning, except for permitted Special Events, Town sanctioned events, or Recreation Programs. No person or property of any kind shall remain in the Parks after closing time unless written permission of the Public Services Director or his/her designee for later hours. **Exceptions to parking after dusk may be permitted for employee parking of local businesses (Lower Village Park, Waterhouse Center) as well as during snow removal operations (Parsons Field, Waterhouse Center). (Class A)**

#### **4. PERMITS**

All events within the Parks will comply with the Town of Kennebunk's Special Events Policy. (Class A)

#### **5. REFUSE AND RECYCLABLES**

No person shall deposit or leave any garbage, tree, shrub, or grass trimmings or clippings, refuse or other material of any kind on the Parks or waters. Paper, glass, cans, garbage and other refuse of every kind resulting from picnics or other proper use of the park system shall be deposited in the appropriate receptacles provided for that purpose, and no person shall litter, suffer, or cause the park system to be littered in any way. (Class B)

#### **6. GRAFFITI PROHIBITED**

1. It shall be unlawful for any person to write, paint, draw or otherwise mark upon any wall, rock, bridge, building, fence, gate or other structure, tree or other real or personal property, located within the Parks unless otherwise authorized by the Public Services Director or his/her designee. (Class C)
2. The Public Services Director or his/her designee may by written permit, allow writing, painting, drawing or other marking upon specified structures or property in the Parks, at specified times and for specified purposes, upon such reasonable terms and conditions as he/she may determine, which conditions shall be evenly and fairly applied. (Class C)

#### **7. TREES AND SHRUBS**

1. No person shall cut, break, or in any way injure or deface any tree, shrub, plant, flower, turf, or any of the buildings or other structures and properties, or dig into the soil or into any road, park, parkway or playground within the Parks without written permission of the Public Services Director or his/her designee. (Class B)
2. No person shall cut, quarter or remove any dying, dead or downed trees or shrubs from the Parks property without written permission of the Public Services Director or his/her designee. (Class B)

#### **8. ANIMALS**

1. No person shall hunt, trap, catch, wound or kill or treat cruelly, or attempt to hunt, trap, catch or wound or kill any bird or animal in any park. (Class B)
2. No person shall bring a dog or cat within the Parks, unless properly leashed and under **voice** control at all times. It is also unlawful for any dog owner to allow a dog under his/her control to deposit solid waste or dung without immediately removing such waste in a proper container. (Class A)
3. Any animal found within the park system in violation of this section may be apprehended, removed to the animal shelter, public pound or any other place, provided for that purpose and impounded, all at the expense of the owner. (Class C)

#### **9. FIRES**

No person shall light or make use of any fire in the park system except at such places as may be established for such purposes and then only under such rules as may be prescribed therefore. Every fire shall be continuously under the care and direction of a competent person from the time

it is kindled until it is completely extinguished. This ordinance does not supersede the Town of Kennebunk's Beach Ordinance 3-5 Public Beaches. (Class A)

#### **10. SMOKING AND ALCOHOL PROHIBITED**

It shall be unlawful for any person to smoke within the Parks cigarettes, cigars, pipes or other types of tobacco; it shall also be unlawful to possess or consume alcohol within the Parks. (Class A)

#### **11. CAMPING**

No person shall be permitted to camp in Parks without first having obtained an approved Special Events Permit or written permission from the Public Services Director. (Class A)

#### **12. RESTRICTED AREAS**

No person shall enter upon any portion of the Parks where persons are prohibited as indicated by sign or notice. No person shall enter or attempt to enter any building or area in the Parks when it is closed to the public or scheduled for a specific group or activity, unless invited by same. (Class A)

#### **13. DISORDERLY CONDUCT**

No person within the Parks shall do any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace. (Class B)

#### **14. WEAPONS, MISSILES AND FIREWORKS**

No person or organization shall bring, carry, or use in any way knives, ~~firearms~~, or other weapons of any kind, or any fireworks or other explosive substance of any kind into the park system without the written permission from the Public Services Director or his/her designee. No person shall throw, cast, or shoot arrows, stones, or other missiles of any kind within the Parks except at such places and times as designated for such purposes. (Class B)

#### **15. HAWKING, PEDDLING AND SELLING**

No person shall hawk, peddle or sell or attempt to hawk, peddle or sell any goods, wares or merchandise of any kind or nature within the Parks without first having obtained written permission of the Public Services Director. This does not supersede Town of Kennebunk Ordinance 6-1. (Class A)

#### **16. SOUND AMPLIFICATION**

No person within the Parks shall play or operate any sound amplification device including radios, television sets, public address systems, amplified musical instruments and the like or operate any other energy amplification device in a manner which may reasonably be expected to annoy other persons in the Parks. This does not supersede Town of Kennebunk Ordinance 3-19. (Class A)

#### **17. ADVERTISING**

No person shall display any placard or advertisement of any kind in any park, nor shall any person distribute, cast, throw, or place any handbill, pamphlet, circular, advertisement or notice of any kind, nor post, stencil or otherwise affix any notice or bills, advertisements or other papers

upon any structure or thing in the Parks unless otherwise authorized by the Public Services Director or his/her designee. (Class A)

### 18. MOTORIZED VEHICLES

1. No person shall drive any automobile, truck, motorcycle, or other motorized vehicle within any of the Parks except upon the designated roadways and parking areas provided for driving or parking the same, except Town of Kennebunk employees in the performance of their duties.
2. Speed Restrictions - No person may drive a vehicle upon any roadway of the Parks at a speed which is greater than 15 mph. (Class B)
3. Designated Parking Areas - No person shall park any vehicle in designated parking areas of the Parks beyond the normal closing hour of the park system at Dusk except where an individual is attending a function where written permission has been granted for a later closing hour by the Public Services Director, his/her designee, or specified therein. (Class A)
4. Parking, Standing or Stopping Illegally - No person shall park, stand or otherwise stop a vehicle within any Park, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device, in any of the following places: (Class A)
  - a. On lawn areas and grounds.
  - b. In front of public or private driveways or loading zones.
  - c. In any position to block another car legally parked.
  - d. At any place where official signs prohibiting parking entirely or prohibiting parking for more than a specified period have been posted by the Parks.
  - e. In any park beyond the normal closing hour of Dusk.
  - f. In any position which obstructs or interferes with the travel of other vehicles on a roadway or the use of any park facility within the Parks.
  - g. Within fifteen (15) feet of a fire hydrant or traffic control signal or sign.
5. Impounding of Vehicles - Any vehicle parked or standing within the park system in violation of any law, ordinance, or rule is hereby declared to be a public nuisance. Such vehicle may be removed and impounded and the owner or person entitled to possession of the vehicle shall pay all charges and expenses arising out of any action taken hereunder. (Class C)

### 19. DRONES

Drones shall not be allowed for use in Town parks or facilities without authorization from the Public Services Director or his/her designee.

### ~~19~~ 20. PENALTIES

1. Eviction – Any person violating any of the provisions of this ~~chapter ordinance~~ may be forthwith evicted from the Parks.
- ~~2. Penalties — Any person violating any of the provisions of this chapter shall, upon conviction, pay a fine of not less than \$100.00 nor more than \$1,000.00 to be recovered in a manner and form provided by law.~~
- ~~3. Any person accused of violation of any provision of this chapter may settle the claim against him or her by paying to the Town of Kennebunk the sum as described below:~~

- ~~Class A Fines: Not less than \$100.00 per offense~~
  - ~~Class B Fines: Not less than \$150.00 per offense~~
  - ~~Class C Fines: Not less than \$250.00 per offense~~
4. ~~The penalties set forth above shall be deemed minimum penalties and in appropriate cases the Town of Kennebunk may seek higher penalties not to exceed the maximum amount allowed and provided by law.~~
2. Penalties – Any person who violates this ordinance shall be subject to a fine as set by the Board of Selectmen’s fee schedule, in addition to the cost to the Town to repair or, where necessary, to replace any damaged public property.

## **20. ISSUANCE OF CITATION**

The Town of Kennebunk’s Town Manager shall designate the proper persons or authorities that have the power to issue complaints or citations regarding the enforcement of all ordinances in the preceding chapters.

**PROPOSED: 2016-06-14 & 2016-06-28**

9.a

**York County Maine Public Works Mutual Aid Agreement  
Mutual Aid and Assistance Agreement**

This public works mutual aid agreement is entered into on the \_\_\_\_ day of \_\_\_\_\_ 2016 ("Effective Date"), by and among the signatory hereto and the municipalities listed on Appendix D, all being bodies politic and corporate located in the County of York and State of Maine ("Agreement").

WHEREAS, 37-B M.R.S.A. § 784 authorizes political subdivisions of the state to develop and enter into mutual aid agreements for reciprocal emergency aid and assistance in case of emergencies too extensive to be dealt with unassisted;

WHEREAS, 37-B M.R.S.A. § 701 *et seq.*, 14 M.R.S.A. § 8101 *et seq.*, and related state statutes set forth details concerning powers, duties, rights, privileges, immunities of political subdivisions of the state rendering outside aid;

WHEREAS, 30-A M.R.S.A. § 2201 *et seq.* provides for interlocal cooperation between and among political subdivisions of the state;

WHEREAS, the State of Maine is geographically vulnerable to hurricanes, tornadoes, blizzards, and other natural disasters that in the past have caused severe property damage to public roads, utilities, buildings, parks, and other governmentally-owned facilities;

WHEREAS, the Parties to this Agreement recognize that additional public works manpower and equipment may be needed to mitigate further damage and restore vital services to the citizens of the affected community should such disasters occur and wish to work cooperatively in that regard;

WHEREAS, the political subdivisions also wish to undertake non-emergency joint public works projects in order to collaboratively gain from the extensive resources available from participating subdivisions as a whole;

WHEREAS, to provide the most effective mutual aid possible, the parties hereto intend to foster communications between their public works personnel and the public works personnel of other political subdivisions of the State by visits and exchange of information; and

WHEREAS, the parties to this Agreement encourage their public works personnel to implement detailed administrative procedures to be used during emergencies and other non-emergency joint public works projects which foster partnering,

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and promises contained herein, the Parties hereto agree as follows:

## SECTION 1. DEFINITIONS

- A. "*Agreement*" means this document, the York County Public Works Mutual Aid Agreement.
- B. "*Requesting Party*" means the political subdivision requesting aid in the event of an emergency or other non-emergency joint public works project.
- C. "*Assisting Party*" means the political subdivision furnishing equipment and/or manpower to the Requesting Party.
- D. "*Authorized Representative*" means an employee of a participating government authorized by that government to request, offer, or provide assistance under the terms of this Agreement (a list of the authorized representatives for the signing participating government is attached to this Agreement as Appendix A).
- E. "*Emergency*" means any occurrence, or threat thereof, whether accidental, natural, or caused by man, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of public property and declared as such by the participating government.
- F. "*Participating Government*" means any political subdivision of the State of Maine which executes this Public Works Mutual Aid Agreement.
- G. "*Period of Assistance*" means the period of time beginning with the departure of any personnel of the Assisting Party from any point for the purpose of traveling to the location of the Requesting Party in order to provide assistance and ending upon the return of all personnel and equipment of the Assisting Party, after providing the assistance requested, to their residence or regular place of work, whichever occurs first. The Period of Assistance shall not include any portion of the trip to the Requesting Party or the return trip from the Requesting Party during which the personnel of the Assisting Party are engaged in a course of conduct not reasonably necessary for their safe arrival at or return from the location of the Requesting Party.
- H. "*Political Subdivision*" means any county or municipality created pursuant to Maine law.
- I. "*Work or Work-Related Period*" means any period in which either the personnel or equipment of the Assisting Party are being used by the Requesting Party to provide assistance and for which the Requesting Party will reimburse the Assisting Party. Specifically included within such period of time are rest breaks when the personnel of the Assisting Party will return to active work within a reasonable time. Specifically excluded from such period of time are breakfast, lunch, and dinner breaks.

## SECTION 2. PROCEDURES

When a Participating Government becomes affected by an Emergency, it shall invoke Emergency-related mutual aid assistance by declaring a state of local emergency. The following procedures shall then be followed to request public works mutual aid from another Participating Government. These same procedures should also be applied when requesting assistance for non-emergency joint public works projects.

A. The Requesting Party shall contact the Authorized Representative of one or more of the Participating Governments and provide them with the following information.

1. A general description of the damage sustained;
2. Identification of the part of the infrastructure system for which assistance is needed (e.g., streets, sanitary sewer, potable water, or storm water systems) and the type of work assistance needed;
3. The amount and type of personnel, equipment, materials, and supplies needed and a reasonable estimate of the length of time they will be needed;
4. The present weather conditions and the forecast for the next twenty-four hours;
5. A specific time and place for a representative of the Requesting Party to meet the personnel and equipment of the Assisting Party;
6. The recommended route between the Requesting Party's and Assisting Parties' locations and the travel conditions along that route, based on the best information available.

B. When contacted by a Requesting Party, the Authorized Representative of a Participating Government shall assess his government's situation to determine whether it is capable of providing assistance. No Participating Government shall be under any obligation to provide assistance to a Requesting Party. If the Authorized Representative determines that their Participating Government is capable of and willing to provide assistance, they shall so notify the Authorized Representative of the Requesting Party, and provide reasonable estimates of the following information:

1. A complete description of the personnel, equipment, and materials to be furnished to the Requesting Party;
2. The length of time the personnel, equipment, and materials will be available;
3. The areas of experience and abilities of the personnel and the capability of the equipment to be furnished;
4. The name of the person or persons to be designated as supervisory personnel;
5. The estimated time when the assistance provided will arrive at the location

designated by the Authorized Representative of the Requesting Party.

C. The personnel and equipment of the Assisting Party shall remain, at all times, under the direct supervision and control of the designated supervisory personnel of the Assisting Party. Representatives of the Requesting Party shall suggest work assignments and schedules for the personnel of the Assisting Party; however, the designated supervisory personnel of the Assisting Party shall have the exclusive responsibility and authority for assigning work and establishing work schedules for the personnel of the Assisting Party. The designated supervisory personnel of the Assisting Party shall maintain daily personnel time records, material records and a log of equipment hours; shall be responsible for the operation and maintenance of the equipment furnished by the Assisting Party; and shall report work progress to the Requesting Party. Notwithstanding, anything found elsewhere in this Agreement, the supervisory personnel of the Assisting Party shall have the exclusive right to refuse work deemed by them to be dangerous, unsafe or inappropriate for their crews, equipment, or supplies, given the circumstances.

D. The Assisting Party may, in its sole discretion, withdraw its assistance (in whole or in part) at anytime after giving notice to that effect to the Requesting Party.

E. The Requesting Party, during a declared emergency, shall, as necessary, provide food and housing for the personnel of the Assisting Party from the time of their arrival at the designated location to time of their departure. Such benefit shall be furnished when conditions are not suitable for travel or when extended hours of work will not permit sufficient rest period.

F. The Requesting Party shall provide communications between the personnel of the Assisting Party and the Requesting Party.

G. Whenever the employees of the Assisting Party are rendering outside aid pursuant to this Agreement, such employees shall have the powers, duties, rights, privileges, and immunities, and shall receive compensation, incidental to their employment.

H. The Requesting Party shall complete a written agreement regarding the assistance to be rendered, setting forth the terms agreed upon in the telephone request to the Assisting Party, and shall transmit said agreement by the quickest practical means to the Assisting Party for approval. A sample form is attached as Appendix C. The Assisting Party shall acknowledge the written agreement by executing and returning a copy to the Requesting Party by the quickest practical means, maintaining a copy for its files.

### SECTION 3. REIMBURSABLE EXPENSES

The terms and conditions governing reimbursement for any assistance provided under this Agreement shall be in accordance with the following provisions, unless otherwise agreed upon by the involved Parties and specified in the written agreement executed in accordance with paragraph 2.H. of this Agreement.

A. *Personnel:* During the Period of Assistance, the Assisting Party shall continue to pay its employees according to its then prevailing ordinances, rules, regulations, and contracts. The Requesting Party shall reimburse the Assisting Party for all direct and indirect payroll costs and expenses incurred during the period of assistance, including, but not limited to, employee pensions and benefits as provided by Generally Accepted Accounting Principles (GAAP). The Requesting Party shall reimburse any amounts paid or due for compensation to employees of the Assisting Party under the terms of the Maine Workers' Compensation Act due to personal injury or death occurring while providing services to the Requesting Party. While the Requesting Party shall reimburse the Assisting Party for payments made in workers compensation benefits required to be paid to its employees due to personal injury or death, both the Requesting and Assisting Party shall enjoy immunity from civil prosecution as provided for in the Maine Workers' Compensation Act.

B. *Equipment:* The Assisting Party shall be reimbursed for the use of its equipment during the Period of Assistance according to the latest FEMA Schedule of Equipment Rates. Each rate covers all costs eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121, et seq., for ownership and operation of equipment, including depreciation, overhead, all maintenance, field repairs, fuel, lubricants, tires, OSHA equipment and other costs incidental to operation. The Assisting Party shall pay for all repairs to its equipment as determined necessary by its on-site supervisor(s) to maintain such equipment in safe and operational condition. At the request of the Assisting Party, fuels, miscellaneous supplies, and minor repairs for the Assisting Party's equipment during the period of assistance may be provided by the Requesting Party, if practical. The total equipment charges to the Requesting Party shall be reduced by the total value of the fuels, supplies, and repairs furnished by the Requesting Party.

C. *Materials and Supplies:* The Assisting Party shall be reimbursed for all materials and supplies furnished by it and used or damaged during the period of assistance, unless such damage is caused by gross negligence, willful or wanton misconduct, intentional misuse, or recklessness of the Assisting Party's personnel. The Assisting Party's personnel shall use reasonable care under the circumstances of a declared emergency in the operation and control of all materials and supplies used by them during the period of assistance. The measure of reimbursement shall be the replacement cost of the materials and supplies used or damaged plus ten (10) percent of such cost. In the alternative, the involved Parties may agree that the Requesting Party will replace,

with like kind and quality as determined by the Assisting Party, the materials and supplies used or damaged.

D. *Record Keeping*: The Assisting Party shall maintain records and submit invoices for reimbursement by the Requesting Party using formats recommended by FEMA publication DR&R 7 (Disaster Response and Recovery). Requesting Party finance personnel shall provide information, directions, and assistance for record keeping to Assisting Party personnel. For non-emergency mutual aid programs, the prepared mutual aid record keeping system invoice form will be use.

E. *Payment*: Unless otherwise mutually agreed in the written agreement executed, in accordance with paragraph 2.H. or a subsequent written addendum to the agreement, the Assisting Party shall bill the Requesting Party's department for all reimbursable expenses with an itemized invoice not later than sixty (60) days following the Period of Assistance; and the Requesting Party shall pay the bill in full not later than thirty (30) days following the billing date. Unpaid bills shall become delinquent upon the 31<sup>st</sup> day following the billing date and once delinquent shall accrue interest at the rate of twelve (12) percent per annum.

#### SECTION 4. INSURANCE

Each Participating Government shall bear the risk of its own actions, as it does with its day-to day operations, and determine for itself what kinds of insurance, and in what amounts, it will carry. Each Participating Government will have a letter on file from its insurance carrier authorizing it to provide and receive assistance under this Agreement, and indicating that there will be no lapse in its insurance coverage on employees, vehicles, or liability. If a Participating Government is self-insured, its file shall contain copy of a resolution authorizing its self-insurance program. A copy of the insurance carrier's letter or the resolution of self-insurance shall be attached as Appendix B to the executed copy of this Agreement, which is filed with the York County Emergency Management Agency, SMPDC, and each Participating Government. Each Assisting Party shall be solely responsible for determining that its insurance is current and adequate prior to providing assistance under this Agreement.

#### SECTION 5. INDEMNIFICATION

Each Member Municipality shall indemnify, defend and hold harmless the other Member Municipalities to this Agreement and its and their officers, agents and employees from all claims, causes of actions, judgments, damages, losses and expenses, including attorney fees, arising out of or resulting from negligent acts or omissions of the indemnifying Member Municipality and its officers, agents or employees. This section shall not be interpreted to waive the monetary limits or substantive areas of immunity

under the Maine Tort Claims Act (14 M.R.S.A. § 8101 et, seq.) or the Maine Emergency Management Act (37-B M.R.S.A. § 822), as may be amended from time to time, or any other immunities or defenses under other applicable law.

#### SECTION 6. LENGTH OF TIME FOR EMERGENCY AND NON-EMERGENCY SERVICES

The duration of such state of emergency declared by the Requesting Party is limited to seven (7) calendar days. It may be extended, if necessary, in 72-hour increments Non-emergency assistance will be rendered to the limits satisfactory to partnering effort as mutually agreed by Participating Governments.

#### SECTION 7. TERM

This Agreement shall be in effect for one (1) year from the date hereof and shall automatically renew in successive one (1) year terms when approved under Section 10. The Agreement can be terminated but must be in writing by the participating government. Written notice of such termination shall be made in writing and shall be served personally or by registered mail upon the York County Emergency Management Agency.

#### SECTION 8. EFFECTIVE DATE OF THIS AGREEMENT

This Agreement shall be in full force and effect upon approval by the participating government and upon proper execution hereof. Each participating government shall file an executed copy of this Agreement with the York County Emergency Management Agency and SMPDC.

#### SECTION 9. ROLE OF YORK COUNTY EMERGENCY MANAGEMENT AGENCY

The only responsibilities the York County Emergency Management Agency shall have under this Agreement is to serve as a central depository for executed Agreements, to maintain a current listing of Participating Government and their Authorized Representatives which is set forth herein as Appendix D, and to provide an updated copy of the listing to each of the Participating Governments on an annual basis during the second quarter of the calendar year.

#### SECTION 10. AGREEMENT FILING PROVISIONS

Counterparts of the Agreement with original signatures and copies of insurance letters shall be filed and maintained at the York County Emergency Management Agency in Alfred, Maine including all Participating Governments. This agreement must be filed with the Secretary of State as well.

**SECTION 11. SEVERABILITY**

Should any portion, section, or subsection of this Agreement be held to be invalid by a court of competent jurisdiction, that fact shall not affect or invalidate any other portion, section or subsection; and the remaining portions of this Agreement shall remain in full force and affect without regard to the section, portion, or subsection or power invalidated so long as the primary goals of the Parties can still be effectuated.

**APPROVE ONLY ONE BELOW:**

IN WITNESS WHEREOF, this Agreement has been duly approved in regular session of this governing body the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

IN WITNESS WHEREOF, this Agreement has been duly approved in regular session of this governing body the \_\_\_\_\_ day of \_\_\_\_\_, 2016 and further reserve the privilege of an automatic annual renewal by same governing body understanding that any lapse to this agreement will result in loss of service from neighboring communities as could be necessary.

**PARTICIPATING GOVERNMENT:**

CITY/TOWN: \_\_\_\_\_

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

\_\_\_\_\_  
(Typed or Printed Name and Title)

ATTEST: \_\_\_\_\_ (AFFIX SEAL)

\_\_\_\_\_  
(Typed or Printed Name and Title)

**ATTACH INSURANCE LETTER OR RESOLUTION and  
MAIL AN EXECUTED COPY OF THE AGREEMENT TO:**

Southern Maine Planning and Development Commission  
110 Main Street Suite 1400  
Saco, ME 04072

**Appendix A**  
**Public Works Mutual Aid Agreement**  
**Authorized Representative Contact Information**

This document shall be updated and distributed by the York County Emergency Management Agency and SMPDC as set forth in the Public Works Mutual Aid Agreement.

DULY AUTHORIZED REPRESENTATIVE  
*(the emergency contact for the mutual aid program)*

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

Title: \_\_\_\_\_

Municipality: \_\_\_\_\_

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

City-Town/State/Zip: \_\_\_\_\_

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

Cell/Emergency Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

Pager: \_\_\_\_\_

Radio Frequency: \_\_\_\_\_

**Appendix B**  
**Public Works Mutual Aid Agreement**  
**Insurance Information from Participating Government**  
*[To be inserted]*

**Appendix C**  
Public Works Mutual Aid Agreement  
Sample Request Letter and Provide Letter

**Sample Letter for Requesting Aid – “Requesting Party”**

«Date»

«Name of Provider»

«Address of Provider»

Dear «Provider Contact»;

This letter is to request aid under the York County Public Works Mutual Aid Program, pursuant to the Mutual Aid and Assistance Agreement adopted by your governing board.

The «Town/City of» requests mutual aid for a disaster that «Is Imminent/Is In Progress/Has Occurred». «Description of Disaster» (try to limit to three sentences).

The services requested are «Specify Equipment, Personnel, Materials, and Supplies». The services will be required for «Length of Time», beginning «Date When Assistance Should Arrive».

Please have your designated personnel meet «Your Contact Person» at «Specify Location» at «Specify Time» on «Specify Date».

Sincerely,

*Name of Authorized Recipient Representative*

*Title of Authorized Recipient Representative*

**Sample Letter for Providing Aid – “Assisting Party”**

«Date»

«Name of Recipient»

«Address of Recipient»

Dear «Authorized Recipient Contact»;

This letter is in response to your request for mutual aid dated «Specify Date» under the York County Public Works Mutual Aid Program, pursuant to the Mutual Aid and Assistance Agreement adopted by our governing board.

The «Town/City of» will send the following «Specify Equipment, Personnel, Materials, and Supplies» for a period of «Specify Number» days, and will attempt when possible to provide twenty-four (24) hours notice of our intent to terminate assistance.

Our team will arrive at «Specify Location» at «Specify Time» on «Specify Date». «Specify Name» will be responsible for the supervision of our team during its duration in your community.

Sincerely,

*Name of Authorized Provider Representative*

*Title of Authorized Provider Representative*

**Appendix D**  
Public Works Mutual Aid Agreement  
List of Participating Governments and Their Authorized Representatives

*[To Be Inserted]*

9.b.

# Town of Kennebunk, Maine



**Paul A. Demers,**  
Code Enforcement Officer  
**Brian Paul**  
Assistant Code Enforcement Officer  
Tel: (207) 604-1311  
Fax: (207) 985-4609

## NOTICE OF VIOLATION/ORDER FOR CORRECTIVE ACTION

To: Kennebunk Land Trust  
6 Brown Street #2  
Kennebunk ME 04043

Kennebunk Beach Improvement Association  
c/o Shannon Beer Belanger, President  
Board of Directors  
P.O. Box 707  
Kennebunk ME 04043

You are hereby notified that you are in violation of **Article 4 Section 1.E. of the Town of Kennebunk Zoning Ordinance.**

Date Violation Observed: **February 23, 2016**

Description of Violation:

**The Owner did remove or cause to be removed and significantly cut the vegetation entirely within the Resource Protection and Shoreland Overlay Districts in violation of “performance standards in Article 10, Section 3.D, clearing of vegetation for Activities other than Timber Harvest.” More specifically, Subsection D.(2)(e) which prohibits the cutting of existing vegetation under 3 feet in height and other ground cover. An area of approximately 75 feet by 200 feet was cut to within 1 foot of the ground resulting in a significant removal of the existing beach rose vegetation. The work was not approved or inspected to be in compliance with applicable State and local codes as referenced above.**

You are hereby ordered to take the following corrective action or measures **upon receipt of this letter:**

- **DISCONTINUE ANY FUTURE CUTTING OF THE “UNDERSTORY VEGETATION” IN THE RESOURCE PROTECTION AREA IN THE FUTURE.**

Failure to comply with this order may result in court action against you and you may be required to pay a fine. Title 30-A M.R.S.A. Subsection 4452 establishes a fine of \$100 - \$2,500 for any violation of the Ordinance (a separate fine will be assessed for each day a violation continues). The Town will seek an order for corrective action, a substantial fine, plus its attorney's fees and costs in such action.

As permitted by Article 6, Section 2A, of the Kennebunk Zoning Ordinance, an appeal of this enforcement action may be taken to the Zoning Board of Appeals within Thirty (30) days of this order, by submitting to the Town Clerk of the Town of Kennebunk a written statement and application of the relief requested and why it should be granted. Failure to exercise this administrative procedure will jeopardize your right of appeal.

---

Mailing Address: 1 Summer Street, Kennebunk, ME 04043  
Email: [pdemers@kennebunkmaine.us](mailto:pdemers@kennebunkmaine.us)  
Website Address: <http://www.kennebunkmaine.us>



Please contact the Code Enforcement Officer at the Town Hall or by phone (207-604-1311) if you have any questions concerning this violation and to make arrangements to bring your property into compliance. You **must** notify the Code Enforcement Officer when corrective action is taken so that a compliance check may be made.

---

Date

---

Code Enforcement Officer

---

Mailing Address: 1 Summer Street, Kennebunk, ME 04043

Email: [pdemers@kennebunkmaine.us](mailto:pdemers@kennebunkmaine.us)

Website Address: <http://www.kennebunkmaine.us>





Kennebunk Land Trust

RECEIVED  
JUN 24 2016

Paul Demers, Code Enforcement Officer  
Town of Kennebunk  
1 Summer Street  
Kennebunk, ME 04043

*Directors*

Isabel Lescure  
Kennebunk, Chair

Tom Wellman  
Kennebunk, Vice-Chair

Mary Bergen  
Kennebunk, Secretary

Rob Felvinci  
Kennebunk, Treasurer

Stuart Bowen  
Kennebunk

Gordon Collins  
Kennebunk

Scott Gasperin  
Kennebunk

Tony Liguori  
Kennebunk

Madelyn Marx, Emerita  
Kennebunk

Marie Louise St. Onge  
Executive Director

June 21, 2016

Dear Paul,

Thank you for personally delivering the Notice of Violation for Corrective Action to me at the Trust office earlier today. As you know, when we discussed this several weeks ago, I was unaware of the zoning requirements governing pruning at Strawberry Island. My apology at that time was genuine, Paul, and I have informed both KLT Board Chair and the Stewardship Chair that the Trust's practice of pruning at the Great Hill Road / Strawberry Island location must stop.

The boundaries between Kennebunk Land Trust land and Kennebunk Beach Improvement Association's land have historically been unclear to both organizations. As a result, when KLT has done pruning on the property we (KLT) have done so to optimize the appearance of the entire area. Thus, we have pruned the full parcel.

KLT's Stewardship Chair and I would like you to fully understand that we have taken the following steps to address the required corrective action at the site to prevent any future discrepancies and/or violations:

- 1.) In conjunction with KBIA we have commissioned and are in receipt of a completed survey of the property, boundaries are flagged and pegged
- 2.) KLT will cease cutting practices at the property on Great Hill Road effective immediately

We regret being in violation of the Resource Protection & Shoreland Overlay ordinance and want to offer you our commitment that the practice of pruning at Strawberry Island has been halted. We hope to have your understanding and appreciate your taking the time to further educate us on this important matter.

Sincerely,

Marie Louise St. Onge  
Executive Director



# Shepard & Read

ATTORNEYS AT LAW

93 MAIN STREET KENNEBUNK, MAINE 04043

ALAN E. SHEPARD  
BRUCE M. READ

Tel: (207) 985-2291  
Fax: (207) 985-2326  
EMail: alan@shepardandreadlaw.com

RECEIVED  
JUN 30 2016

June 30, 2016

Paul Demers  
Code Enforcement Officer  
Town of Kennebunk  
1 Summer Street  
Kennebunk, ME 04043

RE: Notice of Violation

Dear Paul:

This office represents Kennebunk Beach Improvement Association Charitable Holdings (KBIA). We've been asked to respond to the Notice of Violation that was recently served on the Association. This Notice was apparently the result of some trimming of *rosa rugosa* in a small area owned by KBIA on Great Hill Road.

The Kennebunk Land Trust (KLT) owns a small parcel adjacent to KBIA land on Great Hill Road, and a few years ago engaged in some similar trimming activity that spilled over onto the KBIA property. At the time, the Director of KBIA called the Trust and informed them of this activity and was assured that it would not be repeated.

Under these circumstances, it came as a surprise when some trimming was done over the winter by KLT and again included the parcel owned by KBIA. The parties have now jointly commissioned a survey which creates a clear demarcation of the boundary.

Given that KBIA did not in any way participate in this activity, I would hope that the Town would not seek any consent decree or impose any fine. It is my understanding that the KLT has acknowledged in writing that this activity was solely by their actions and that they will take full responsibility.

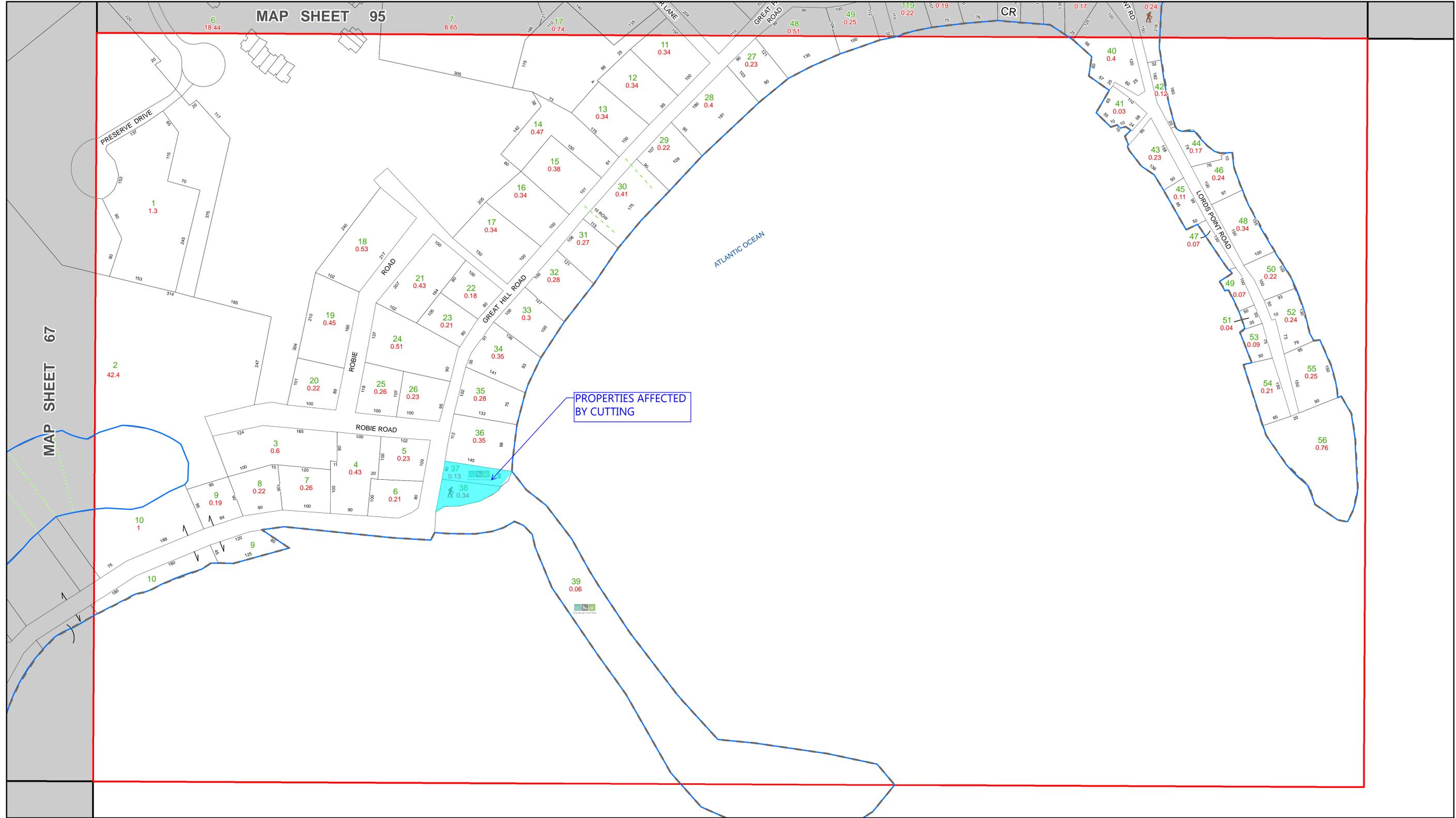
Under these circumstances we would request that this Notice of Violation not be a part of any file the Town maintains for the KBIA property.

If you need any further information, please feel free to contact me.

Very truly yours,

  
Alan E. Shepard

AES/ktr  
Shannon Beer  
KBIA Board President



PROPERTIES AFFECTED BY CUTTING

Tax sheets are intended for assessing purposes only. Boundary locations are approximate and should not be used for conveyance of property or for set-back or zoning determinations. Parcel lines and aerial boundaries are for reference only.

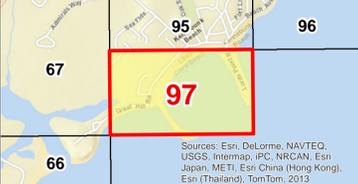
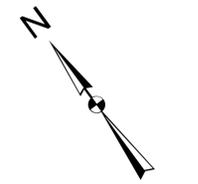
Revised to : April 1, 2015

	Cemetaries		MAIN STREET		Road Name		Kennebunk Land Trust
	Parks		73		Lot Number		Property in Special Use Program
	Schools		2.5		Parcel Acreage		Farmland
	Streams		200		Parcel Dimension		Open Space
	Easement		MOUSAM RIVER		Waterbody Name		Tree Growth
	Zoning Line (Shoreland and Resource Protection Zoning not shown)		VR		Zoning Designation		

## Town of Kennebunk

### York County, Maine

400 0 400 Ft



# Tax Map 97

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, IPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

MAP 97  
LOT 5

MAP 97  
LOT 6

MAP 97  
LOT 35

MAP 97  
LOT 36

LOCATION OF PHOTO LOOKING  
TOWARD AREA OF CUTTING.  
NOTE HOME (MAP 97 LOT 36) IN  
BACK GROUND OF PHOTO.



APPROXIMATE AREA OF  
CUTTING (12,000 SF +/-)





9.d.

### Selectmen Liaison Information - for July 2016

#	Committee	# of meetings held per year	Meeting day/time	Previous Liaison	New Liaison
1	Affordable Housing Committee	inactive	n/a	Schulte	n/a
2	Board of Assessment Review	as needed	as needed	n/a	n/a
3	Budget Board	as needed	as needed	Donovan	
4	Committee on Aging	12	2nd Thursday at 4:00 p.m.	--	
5	CDBG Façade Advisory Committee	as needed	as needed	n/a	n/a
6	Community Garden Committee	12	4th Wednesday at 5:30 p.m.	Beal	
7	Comp.Plan & Zoning Ord. Update Comm.	24	2nd & 4th Wednesday at 6:00 p.m.	Karytko	
8	Conservation Commission	24	1st & 3rd Monday at 6:30 p.m.	Beal	
9	Dog Advisory Committee	12	2nd Wednesday at 6:30 p.m.	Boothby	
10	Downtown Committee	12	1st Thursday at 8:00 a.m.	Cluff	
11	Economic Development Committee	12	2nd Thursday at 5:00 p.m.	Cluff	
12	Energy Efficiency Advisory Committee	12	2nd Wednesday at 5:30 p.m.	Boothby	
13	Fair Hearing Authority	as needed	as needed	n/a	n/a
14	Festival Committee	12	2nd Monday at 4:30 p.m.	Donovan	
15	Historic Preservation Commission	24	2nd & 4th Monday at 6:30 p.m.	Beal	
16	Lower Village Committee	12	1st Monday at 8:00 a.m., Wash. Hose Fire Station	Morin	
17	Lanigan Bridge Comm.	as needed	meets when DEP schedules meeting	Karytko	
18	Planning Board	24	2nd & 4th Monday at 7:00 p.m.	Morin	
19	Recreation Committee	12	1st Wednesday at 4:30 p.m.	Schulte	
20	River Committee	12	3rd Tuesday at 7:00 p.m.	Schulte	
21	Shellfish Committee	inactive	n/a	--	
22	Site Plan Review Board	12	3rd Thursday at 7:00 p.m.	Karytko	
23	Treasure Chest Monitoring Committee	inactive	n/a	--	
24	Tree Committee	as needed	1st Thursday at 5:00 p.m. if a meeting is called	Donovan	
25	West Kennebunk Village Committee	12	1st Thursday at 5:00 p.m. at Stevens Community Ctr.	Karytko	
26	Zoning Board of Appeals	12	3rd Monday at 6:30 p.m.	n/a	n/a
<b>SELECTMEN SUBCOMMITTEES</b>					
27	Dispatch Subcommittee			Cluff, Morin, Donovan	
28	Finance Subcommittee			Cluff, Morin, Donovan	
29	Ordinance Review Subcommittee			Beal, Boothby, Schulte	
30	PAYT, Recycling, Trans. Station Review Subcommittee			Beal, Cluff, Karytko	
31	Social Service Agencies Review Subcommittee			Boothby, Donovan	

9.f.



# Maine Municipal Association

60 COMMUNITY DRIVE  
AUGUSTA, MAINE 04330-9486  
(207) 623-8428  
www.memun.org

## Memorandum

**To:** Key Municipal Officials of MMA's Member Municipalities  
**From:** Stephan Bunker, President, Maine Municipal Association  
**Date:** June 23, 2016  
**Re:** Ballots for Election to MMA'S Legislative Policy Committee



---

MMA's member municipalities have made their nominations for the 2016-2018 Legislative Policy Committee (LPC). It is now time to elect your representatives to serve on the Committee. The election ballot is enclosed. The ballot must be completed by the Board of Selectmen or Town or City Council of your municipality.

### Number of votes

Most municipalities are asked to vote for two candidates, because there are two elected LPC members for most districts. Some municipalities only vote for one candidate, because the other LPC member in that district is appointed. *You are instructed on the ballot (above the list of candidates) whether to vote for two candidates or just one.*

### Candidate profiles

If you are not familiar with any of the candidates, please review the Candidate Profiles on the back of the ballot. Feel free, also, to contact the candidates directly.

### Write-in candidates

In addition to the candidates listed on the ballot, you may vote for a candidate whose name you write in. The write-in candidate need not be from your municipality, but must be an elected or appointed official from a municipality in your Senate/LPC district. *Check to be sure the write-in candidate is willing to serve if elected!* Write-in candidates should be communicating their interest in serving among the municipal officers within their district.

If you are instructed to vote for two candidates and only one candidate is on the ballot, please use the "write-in" line for your second vote if you know of someone who is willing to serve.

### Deadline for returning ballot

Return ballot by 5:00 p.m. on **August 5, 2016** to:

State and Federal Relations Dept.  
Maine Municipal Association  
60 Community Drive, Augusta, ME 04330  
FAX: 624-0129

**Your participation is important - Thank You!**

**OFFICIAL BALLOT – District 34**

**Maine Municipal Association's Legislative Policy Committee**  
July 1, 2016 – June 30, 2018

**VOTE FOR TWO:**

- Richard Morin, Selectman, Town of Kennebunk
- Larissa Crockett, Warrant and Finance Committee Chair, Town of Acton
- \_\_\_\_\_ (name) \_\_\_\_\_ (position) \_\_\_\_\_ (municipality)  write in

**Candidate Profiles Are On Reverse Side**

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

 **BY SELECTMEN/COUNCILORS:**

_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name

**Return by 5:00 p.m., August 5, 2016 to:**

Laura Ellis, Maine Municipal Association  
60 Community Drive, Augusta, ME 04330

Fax: 624-0129

(over)

## LPC Senate District 34

Acton  
Berwick (part)

Kennebunk  
Lebanon

North Berwick  
Wells

### **Candidate Profile:**

Richard Morin has served the Town of Kennebunk for the past fourteen years, most recently as Selectman for the past six years; two of those years as Vice-Chair. He previously served for fourteen years on Kennebunk's Site Plan Review Board. In addition, he served on the Finance Committee and the Affordable Housing committee. Mr. Morin has served on the LPC for the past two terms and would like to serve again because he has a keen interest in taxation and revenue options. He feels that municipalities are running out of options and that the municipal voice is often ignored at the state level.

Larissa Crockett has served the Town of Acton over the last several years, most recently as the Warrant and Finance Committee Chair. Prior to that she served on the Select Board for three years and the Planning Board for two years. Ms. Crockett also earned her master's degree in Policy, Planning, and Management at the Muskie School of Public Service. She served a term on the LPC and would like to serve another term so that she may continue advocating for municipal issues at the state level, specifically regarding roads and the preservation and respect for the revenue sharing program.

9.g.



## Maine Municipal Association

60 COMMUNITY DRIVE  
AUGUSTA, MAINE 04330-9486  
(207) 623-8428  
[www.memun.org](http://www.memun.org)

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations  
FROM: Stephen W. Gove, MMA Executive Director  
DATE: July 5, 2016  
SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

**Deadline: Friday, August 12, 2016 by 12:00 noon**

---

**Nomination Process** – Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying and interested in serving as the MMA Vice President and Executive Committee. The MMA Nominating Committee completed its task in May and put forth a Proposed Slate of Nominees for 2017 to member municipalities.

**Petition Process** – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 1, by 4:30 pm. There were no municipal officials nominated by petition.

***It is now time for each member municipality to cast its official vote.***

**Election Process** – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “*Write-in Candidates*” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 12. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Stephan Bunker.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at [www.memun.org](http://www.memun.org) on Friday, August 12, after 4:00 p.m. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held **Wednesday, October 5, at the Bangor Cross Insurance Center**. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon and Annual Business Meeting and officially take office on January 1, 2017.

If you have any questions on the Election Process, please contact Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at [tchavarie@memun.org](mailto:tchavarie@memun.org). Thank you.



**MAINE MUNICIPAL ASSOCIATION  
VOTING BALLOT**

**Election of Vice President and Executive Committee Members**  
*Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 12, 2016*

**VICE-PRESIDENT - 1 YEAR TERM**

Vote for One

Proposed by MMA Nominating Committee:

Linda Cohen, Councilor, City of South Portland

**DIRECTORS - 3 YEAR TERM**

Vote for Three

Proposed by MMA Nominating Committee:

James Gardner, Jr., Town Manager, Town of Easton

Christine Landes, Town Manager, Town of Bethel

Mary Sabins, Town Manager, Town of Vassalboro

*Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.*

*The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.*

**Date:** \_\_\_\_\_ **Municipality:** \_\_\_\_\_

**Signed by a Municipal Official designated by a majority of Municipal Officers:**

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Position: \_\_\_\_\_

**OR Signed by a Majority of Municipal Officers** **Current # of Municipal Officers:** \_\_\_\_\_

Print Names:	Signatures:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**Return To:**  
MMA Annual Election  
Maine Municipal Association  
60 Community Drive  
Augusta, Maine 04330  
FAX: (207) 626-3358 or 626-5947  
Email: [tchavarie@memun.org](mailto:tchavarie@memun.org)

**MAINE MUNICIPAL ASSOCIATION  
EXECUTIVE COMMITTEE**

**BIOGRAPHICAL SKETCH OF  
PROPOSED SLATE OF NOMINEES FOR 2017**

**MMA VICE PRESIDENT  
(1-Year Term)**

**LINDA COHEN, COUNCILOR, CITY OF SOUTH PORTLAND**

**Professional & Municipal Experience:**

- City of South Portland, Maine – City Council (December 2012 – present; Mayor 2014-2015)
- City of Portland, Maine – City Clerk (June 2001 – January 2011)
- City of South Portland, Maine – City Clerk (January 1989 – June 2001)
- Cross Country Mortgage, Mortgage Loan Originator (PT) (January 2016 – present)
- Bangor Savings Bank, Assistant Vice President (December 2014 – January 2016)
- Learning Works, Director of Development (January 2013 – December 2014)
- PMAC Lending Services, Mortgage Loan Originator (PT) (August 2011 – December 2014)
- City of Auburn, Consultant/City Clerk Hiring Committee (October 2011 – July 2012)

**Education:**

- University of Southern Maine – BS, Business Administration
- Southern Maine Vocational Technical Institute, Associate Degree, Law Enforcement
- Master Municipal Clerk – International Institute of Municipal Clerks
- Certified Clerk of Maine – Maine Town & City Clerks Association
- Maine Notary Public
- Maine Dedimus Justice
- Licensed Maine Mortgage Loan Originator

**Other Experience, Committees and Affiliations:**

- Member, Maine Municipal Association Executive Committee ( April 2013 – present)  
Member, Maine Municipal Association Property & Casualty Pool Board of Directors (2013 – present)
- Member, Maine Municipal Association Workers Compensation Board of Trustees, (2013 – present)
- Member, MMA Nominating Committee (2013)
- Member or Alternate, Maine Municipal Association Legislative Policy Committee (1989 – 2011)
- Member, Maine Town & City Clerks Association (Served as President two terms and as Chair of the Legislative Policy Committee) (January 1989 – present)
- Member, New England Association of City & Town Clerks (Former President; served on Budget Committee, Legislative Committee, Two New England Conference Planning Committees) (1989 – 2015)

**Awards and Certifications:**

- Maine Town & City Clerks Association, Ethelyn Stuart Marthia Award – 2011
- Maine Legislative Sentiment – 1999 and 2011
- Maine Town & City Clerks Association, Maine Clerk of the Year – 1999
- Maine Town & City Clerks Association, Lorraine Fleury Award - 1995

## **MMA EXECUTIVE COMMITTEE MEMBERS**

**(Three 3-Year Terms)**

### **JAMES GARDNER, JR., TOWN MANAGER, TOWN OF EASTON**

#### **Professional & Municipal Experience:**

- Town of Easton, Maine, Manager (2011 – present)
- Town of Ashland, Maine, Manager (2005 – 2010)
- Town of Washburn, Maine, Manager (1999 – 2005)
- City of Presque Isle, Maine – Code Enforcement Officer (1994 – 1999)
- Department of Defense, Loring Airforce Base, Civil Service (1983 – 1994)

#### **Education:**

- Ricker College, Small Business Administration – one year
- Unity College, Business Law, one year
- Northern Maine Technical College, Business Administration, two years
- Department of Defense, Non-Commission Officer Primary Leadership graduate
- Certified State of Maine Code Enforcement Officer
- Certified State of Maine Local Plumbing Inspector
- Certified State of Maine CDBG Grant
- Writer/Administrator/Technician
- HUD Certification in Community Development Housing Rehabilitation and Construction

#### **Other Experience, Committees and Affiliations:**

- President, Aroostook Managers Association
- Member, Executive Board of Directors, Northern Maine Development Commission
- Member, Maine Community Development Association
- Member, Maine Town, City & County Management Association
- Member, Maine Town & City Clerks Association

#### **Awards and Certifications:**

- Department of Defense, Civilian of the Year Award
- Loring Airforce Base, Superior Performance Award

### **CHRISTINE LANDES, TOWN MANAGER, TOWN OF BETHEL**

#### **Professional & Municipal Experience:**

- Town of Bethel, Maine – Town Manager (November 2014 – present)
- City of Brewer, Maine – Deputy City Clerk (December 2012 – May 2014)
- Town of Veazie, Maine – Deputy Town Clerk (September 2012 – December 2012)
- Orange Park, Florida – Clay County Deputy Tax Collector/Clerk (July 2010 – September 2012)
- Town of Warren, Maine – Town Clerk (August 1998 – June 2010)
- The Waldoboro Bank, Rockland Maine – Branch Manager (September 1990 – August 1998)

#### **Education:**

- Southern New Hampshire University – Enrolled in MPA/Public Administration Program
- University of Southern Maine/Muskie School Policy, Planning and Management (Fall 2015)
- University of Maine at Augusta, BA Public Administration, Cum Laude Graduate (2015)
- Florida State College, Jacksonville – Associate of Arts (2012)
- Thomas College Waterville, Maine – Banking Course

**Other Experience, Committees and Affiliations:**

- Member, Oxford County Emergency Communications Governing Board
- Member, International City Management Association
- Member, Maine Town, City & County Management Association
- Member, Alder River Grange in East Bethel
- Ex-Officio Member, Mahoosuc Pathways Board of Directors
- Manager, Bethel Regional Airport

**MARY SABINS, TOWN MANAGER, TOWN OF VASSALBORO**

**Professional & Municipal Experience:**

- Town of Vassalboro, Maine – Town Manager/Treasurer/Tax Collector (June 2008 – present)
- Town of Chelsea, Maine – Town Manager/ Treasurer/Tax Collector/General Assistance Administrator/Road Commissioner (July 2006 – June 2007)
- Maine School Administrative District #40, Warren, Maine – Facilities Director/Food Service Director (March 2005 – June 2006)
- Town of Windsor, Maine – Town Manager/Treasurer/Tax Collector/General Assistance Administrator (April 2001 – March 2005)
- Town of Hope, Maine – Town Administrator/Treasurer/General Assistance Administrator (July 1997 – April 2001)

**Other Experience, Committees and Affiliations:**

- Member, Maine Municipal Association Executive Committee (2014 – present)
- Member, Maine Municipal Association Strategic & Finance Committee (2014 – present)
- Chairperson, Maine Municipal Association Strategic & Finance Committee (2016)
- Member, Maine Municipal Association Property & Casualty Pool Board of Directors (2014 – present)
- Member, Maine Municipal Association Workers Compensation Fund Board of Trustees, (2014 – present)
- Member, Appointed by MMA Executive Committee to serve on MMEHT Selection Committee (2015-2016)
- Member, Maine Town, City & County Municipal Management Association
- Member of Communications Committee, Maine Town, City & County Municipal Management Association (2015)
- Director, Board of Kennebec Valley Council of Government
- City of Augusta, Maine – Internship with City Manager (September 2000 – December 2000)
- Town of Union, Maine – Certified Town Clerk/Tax Collector/Occasional Acting Town Manager (May 1988 – June 1997)
- As the wife of a volunteer firefighter and EMS worker, I have volunteered often in support of our hometown fire and ambulance services.

**Education:**

- BS in Business Administration with Management Major from University of Maine at Augusta.

**Awards and Certifications:**

- Qualified as a Certified Public Manager, Maine Town, City & County Management Association (2016)

9.i.

**TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF JUNE 28, 2016**

<b>COMMITTEE</b>	<b>MEMBERSHIP</b>	<b>EXPIRATION DATE (June 30)</b>	<b>VACANCY</b>	<b>MEETING SCHEDULE</b>
Affordable Housing Committee	Jennifer Gordon, Chair	2017	(2) 2019	Meets as Needed
	Brian T. Hutchins	2018	(2) Alt. 2017	
	Elva Kindler	2017		
Selectman Liaison	Shiloh Schulte			
Board of Assessment Review	Richard B. Smith, Chair	2019		Meets as Needed
	Caroline R. Parker	2017		
	Melvin Uchenick	2018		
Board of Selectmen	Kevin P. Donovan, Chair	term ends 6/30/16		2nd & 4th Tuesday at 6:30 p.m.
	Richard. A. Morin, Vice Chair	2019		
	Deborah Beal, Secretary	2017		
	Christopher Cluff	2017		
	Daniel S. Boothby	2018		
	Edward Karytko	2018		
	Shiloh A. Schulte	2018		
	L. Blake Baldwin	term begins 7/1/16		
Budget Board	John Costin, Vice Chair	2019		Meets as Needed
	Larry Dwight	2018		
	Donald C. Burnham	2017		
	William A. Ward, Jr.	2017		
	Thomas Wiggins	2019		
	Thomas Wellman	2018		
	Thomas J. Cahoon	2019		
Selectman Liaison	Kevin Donovan			
Committee on Aging	Edward Trainer	2019		2nd Thursday at 4:00 p.m.
	Bevin Davies	2019		
	S.Sassy Smallman	2019		
	Alice White	2019		
(name may be changed once the committee begins meeting)	Susan Pettit	2018		
	Christina Bronzetti	2018		
	Susan LeBlanc Malley	2018		
	Barbara Yates	2017		
	Donna Curtis-Binette	2017		
	Marti Hess-Pomber	2017		
	Karen Winton, GA Rep. (ex-officio)			
	Judy Bernstein, Planner Rep.(ex-officio)			
	Police Dept. Rep.(ex-officio)			
	Alaina LeBlanc Tridente, Chamber Rep.(ex-officio)			
Community Dev. Block Grant (CDBG) Façade Advisory Committee	Angus Macaulay (EDC Rep.)	no terms	1 Resident Rep.	Meets as Needed
	Robert Metcalf (Planning Bd. Rep.)			
	Frances Smith (HPC Rep.)			
	Terrence Vaughan (WKVC Rep.)			
	vacant (Downtown Comm. Rep.)			
	Teri Collard (Resident Rep.)			
	(Chamber of Comm. Rep.)			
	vacant (Resident Rep.)			
	Town Staff (Ex-Officio)			

**TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF JUNE 28, 2016**

<b>COMMITTEE</b>	<b>MEMBERSHIP</b>	<b>EXPIRATION DATE (June 30)</b>	<b>VACANCY</b>	<b>MEETING SCHEDULE</b>
Community Garden Committee	Leslie Lindgren, Chair Leo Hallen, Vice Chair Mary Elizabeth Baker Sarah Downs Joseph "Gus" Favreau Barbara Rummmler Harry Ruth Steven Doughty Dominic Cacciola Michelle Ruth Rona Klein Sandra P. Tillman (Assoc.)	no terms		4th Wednesday at 5:30 p.m.
Selectman Liaison	Deborah Beal			
Comprehensive Plan and Zoning Ord. Update Committee	Robert Metcalf Chair, Planning Bd Rep. Charlie Galloway, Vice Chair, Community Rep. Mathew Eddy, Economic Dev. Dir. Chris Osterrieder, Comm. Dev. Dir. Judy Bernstein, Town Planner Robert Georgitis, EDC Rep. Nick Branchina, COSPC Rep. Thomas Cahoon, WKVC Rep. Elizabeth Smith, LVC Rep. Maureen Adams Weaver, HPC Rep. Philip K. Parker, Jr., SPRB Rep. Jeffrey Bonney, Community Rep.	no terms		2nd & 4th Wednesday at 6:00 p.m.
Selectman Liaison	Edward Karytko			
Conservation and Open Space Planning Commission	Ellen R. Wolf, Chair Nicholas Branchina, Vice Chair Jennifer Shack	2018 2019 2017	(1) 2017 (1) 2019 (2) Alt. 2017	1st & 3rd Monday at 6:30 p.m.
Selectman Liaison	Deborah Beal			
Dog Advisory Committee	Lisa Kendrick, Chair Susan Stewart Cathy Connors Ellen Fagan Robin Levangie Susan Hennessey Ann Legg Polly Hoffman Linda Miller Cleary Dianne Trachimowicz NR (non-voting member) Sgt. Andrew Belisle, Ex-Officio			2nd Wednesday at 6:30 p.m.
Selectman Liaison	Daniel Boothby			
Downtown Committee	Ahmed Ciangiulli, Chair Sylvia Cavanaugh Haven W. Andrews, Jr. Arlene L. Salvati Cynthia Walker Lisa Emmons Lorraine Burr	2018 2018 2017 2019 2018 2017 2019	(2) Alt. 2017	1st Thursday at 8:00 a.m.
Selectman Liaison	Christopher Cluff			

**TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF JUNE 28, 2016**

<b>COMMITTEE</b>	<b>MEMBERSHIP</b>	<b>EXPIRATION DATE (June 30)</b>	<b>VACANCY</b>	<b>MEETING SCHEDULE</b>
Economic	Robert Georgitis, Co-Chair	2019	(1) 2018	2nd Thursday
Development	J. Steve Hrehovcik	2017	(1) 2017	at 5:00 p.m.
Committee	Angus Macaulay	2019	(2) Alt. 2017	
	Gary Dugas	2019		
	Virginia Brooks Griffith	2017	"no new members	
	John Daamen	2019	until restructuring	
	William Macdonald	2017	of committee is	
	Heather Harris	2018	accomplished"	
	Rachel Phipps	2018		
	Laura Dolce, Chamber of Commerce Rep. (Ex-officio)			
	Norm Labbe, KKWWD Rep. (ex-officio)			
	Michael Bolduc, KSD Rep. (ex-officio)			
	Todd Shea, KL&PD Rep. (ex-officio)			
Selectman Liaison	Christopher Cluff			
Energy	Anthony W. Dater, Chair	2017	(2) 2018	2nd Wednesday
Efficiency	Dennis Andersen, Vice Chair	2018	(1) 2019	at 5:30 p.m.
Advisory	David Sluyter, Sec.	2017		
Committee	Scott Negley	2019		
	Michael S. Wentworth	2018		
	Sharon Staz	2018		
	Todd Shea, K'bunk Light & Power Dist.			
Selectman Liaison	Daniel Boothby			
Fair Hearing	Estelle Wellman	2018	(1) 2019	Meets as Needed
Authority	Brenda Robinson	2017		
Festival	Lynne Abelson, Co-Chair	2019	(2) 2018	2nd Monday
Committee	Nancy L. Galloway, Co-Chair	2017	(1) 2017	at 4:30 p.m.
	Susan Plass	2017	(1) 2019	
	John W. "Jack" Bates	2017	(1) Alt. 2017	
	Mandy Nelson	2018		
	Patricia A. Nicholas	2019		
	Jason Woloszyn	2017		
	Samantha Abelson (Youth Rep.)	2017		
	Tasha Pinkham, Ex-Officio (Recreation Dir.)			
	Linda Johnson, Ex-Officio (Downtown Comm)			
	Jill LeMay, Ex-Officio (Library)			
Selectman Liaison	Kevin Donovan			
Historic	Frances Smith, Chair	2017		2nd & 4th Monday
Preservation	Maureen P. Raiter, Vice Chair	2018		at 6:30 p.m.
Commission	Maureen Adams Weaver	2019		
	Patrick Orr	2018		
	Judee Anne Jandreau	2017		
	Barbara Fleshman (Alt.)	2017		
	Paul Bevacqua (Alt.)	2017		
Selectman Liaison	Deborah Beal			
Kennebunk	Robert Georgitis, Chair (EDC Rep.)			Meets as Needed
Development	John Sharood, (Resident Rep.)			
Corporation	David Moravick, (Finance Rep.)			
	Charlie Galloway (Resident Rep			
(EDC appoints	, (Selectmen Rep.)			
members to this	Richard Morin (Selectmen Rep.)			
Corporation)	<del>L. Blake Baldwin</del> (EDC Rep.)			
	Durward Parkinson, (Prof. Serv. Rep			
	Thomas Wellman (Business Rep.)			
	(Chamber Rep.)			
	(Industry Rep.)			
	Barry A. Tibbetts, Town Mgr.	non-voting		

**TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF JUNE 28, 2016**

<b>COMMITTEE</b>	<b>MEMBERSHIP</b>	<b>EXPIRATION DATE (June 30)</b>	<b>VACANCY</b>	<b>MEETING SCHEDULE</b>
Lower Village Committee	Elizabeth Smith, Co-Chair Bonnie Clement, Co-Chair Wendy Ross Gregory Burke	2019 2018 2018 2017	(2) Alt. 2017	1st Monday at 8:00 a.m. at the Washington Hose Fire Station, LV
(committee expanded to 9 members on 5/12/15)	Pat Foley Laura Dolce Theresa Willette	2017 2018 2017		
Selectman Liaison	Richard Morin			
Mathew J. Lanigan Bridge Adv. Comm.	Edward Karytko, Selectman Rep. Jeffrey A. Bonney William Macdonald			
(this is a Department of Transportation Comm.)	Bonnie Clement Dwight Raymond			
Planning Board	Chris MacClinchy, Chair Richard B. Smith, Vice Chair Robert B. Metcalf David C. Smith Matthew Randall Janice Vance (Alt.)	2018 2017 2019 2017 2019 2017	(1) Alt. 2017	2nd & 4th Monday at 7:00 p.m.
Selectman Liaison	Richard Morin			
Recreation Committee	Tyler J. Stewart, Chair Greg Searle Jonathan Whitehouse Eddie St. John Judy Milligan John Hackett (Alt.), Sec. Julia Milligan (Youth Rep.) Olivia Aiken (Youth Rep.)	2017 2017 2019 2019 2018 2017 2017 2017	(1) Alt. 2017	1st Wednesday at 4:30 p.m.
Selectman Liaison	Shiloh Schulte			
River Committee	Richard M. Roberts, Jr., Chair Jack Jensen Charles Barker Robert Danzilo, Non-Res. Joint Member w/ Kport (Regular 2019)	2018 2017 2019	(1) Alt. 2017	3rd Tuesday at 7:00 p.m.
Harbormaster	Raymond Billings (attends mtgs. but not a member)			
Selectman Liaison	Shiloh Schulte			
<b>RSU 21:</b>				
Cost-Sharing Rev. Comm.	Richard Smith, Jeffrey Cole, Kevin Knight			RSU 21 sets schedule
High School Bldg. Comm.	Douglas Stockbridge			(check www.rsu21.net)
These are RSU 21 committees (RSU 21 asked Selectmen to appoint Reps. to represent Kenn.)				
Shellfish Committee	Philip K. Parker, Jr. John S. White Jonathan LeBarge	2018 2017 2018	(1) 2017 (2) Alt. 2017	Meets as Needed (Last Tuesday at 7:00 p.m.)
Shellfish Warden	Russell Brown (attends mtgs. but not a member)			
Site Plan Review Board	Gary Dugas, Chair Jeanne Dunn, Vice Chair Philip K. Parker, Jr. Brenda S. Robinson, Sec. Matthew Fagginger-Auer Kristi Kenney (Alt)	2017 2018 2018 2017 2019 2017	(1) Alt. 2017	3rd Thursday at 7:00 p.m.
Selectman Liaison	Edward Karytko			

**TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF JUNE 28, 2016**

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Treasure	Susan Flynn	no terms		Meets as Needed
Chest	Roger W. Ellenberger			
Monitoring	Helen L. Newton			
Comm.	Karen Paro			
	Director of Public Services			
	Transfer Station Rep.			
Tree	Greg Searle, Chair	2017		1st Thursday
Committee	John Walker	2018		at 5:00 p.m.
	Wayne C. Cutting	2018		
	Paul B. Cotton	2017		
	Boyd A. Swenson	2019		
Selectman Liaison	Kevin Donovan			
Waterhouse	Barry Tibbetts, Town Manager	(position per Endowment By-Laws)		
Center	Tasha Pinkham, Recreation Dir.	(position per in Endowment By-Laws)		
Advisory	Linda Johnson, Downtown Comm.	(appointed by Board of Selectmen, per Endowment By-Laws)		
Committee	Eddie St. John, Recreation Comm.	(appointed by Board of Selectmen, per Endowment By-Laws)		
	vacant, Resident At-Large	(appointed by Board of Directors, per Endowment By-Laws)		
West	Barbara Weeman, Chair	2017	(1) 2017	1st Thursday
Kennebunk	Brenda L. Spulick, Vice Chair	2019		at 5:00 p.m. at the
Village	Raymond Ingalls	2019		Stevens Comm. Ctr.
Committee	Carol A. Whitten	2017		
	Thomas Cahoon	2018		
	Bobbi Searles	2018		
Selectman Liaison	Edward Karytko			
Zoning	William Macdonald, Chair	2018	(1) Alt. 2017	3rd Monday
Board	Steve Passerman	2017		at 6:30 p.m.
of	Patricia Kolosowski	2017		
Appeals	Douglas Gallagher	2019		
	Leah B. Rachin	2019		
	James Atwood (Alt.)	2017		
<b>CHANGES MADE AT THIS MEETING:</b>				
<b>Resigned:</b> L.Blake Baldwin (EDC)				
<b>Moved Up (Alt. to Reg.):</b> L.Rachin (ZBA)				
<b>Appointed:</b> R.Phipps (EDC), L.Cleary & D.Trachimowicz (Dog Adv. Comm.), O.Aiken (Rec Comm.), B.Searles (WKVC), T.Cahoon (Budget Board)				
<b>Selectmen Subcommittees:</b>				
<u>Ordinance Review Subcommittee:</u> Deborah Beal, Daniel Boothby, Shiloh Schulte				
<u>Finance Subcommittee:</u> Chris Cluff, <del>Kevin Donovan</del> , Richard Morin				
<u>Communications/Dispatch Subcommittee:</u> Chris Cluff, <del>Kevin Donovan</del> , Richard Morin				
<u>PAYT, Recycling, Transfer Station Review Subcommittee:</u> Deborah Beal, Chris Cluff, Edward Karytko				
<u>Social Service Agencies Review Subcommittee:</u> Daniel Boothby, <del>Kevin Donovan</del>				