

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, OCTOBER 11, 2016 – 6:15 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA**

SPECIAL MEETING – 6:15 P.M.

Interview the following Candidate for Committees:

Planning Board - vacancies: (1) Alternate 2017

David Lee Hardwick (applied on 7/31/12 and 7/21/16)

Fred F. Castle, Jr. (applied on 9/14/16) Note: he served on our Planning Board from 10/22/13 to 9/23/14

West Kennebunk Village Committee - vacancies: (1) Regular 2017

Morgan Moran (applied on 8/1/16)

Downtown Committee - vacancies: (1) Regular 2018 (resignation on agenda), (2) Alternate 2017

Melissa Shatney (applied on 8/23/16) Note: Non-resident, however, she owns a business in Kennebunk

Angus Macaulay (applied on 9/19/16)

Lower Village Committee - vacancies (1) Regular 2018 (resignation on agenda), (2) Alternate 2017

Miriam Whitehouse (applied on 10/4/16)

Economic Development Committee - vacancies (after membership restructuring: 1 Regular 2017 and 4 Alternate 2017 (3 of these are slotted for representatives of the 3 village committees)

Miriam Whitehouse (applied on 7/12/16)

Jonathan Johnson (applied on 7/15/16)

Wendy Ross (applied on 7/16/16)

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. September 13, 2016 Regular Meeting
- b. September 27, 2016 Regular Meeting

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

- a. Items as Presented

4. Public Hearing(s)

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements (5 minutes)

- a. Accept the Following Donation – The Town received a \$400.00 donation from the Kennebunk Farmers Market. They requested this donation, in lieu of rent for use of the Town’s parking lot for their Market, be applied to the Community Garden Committee for their garden program

MOTION: To accept the donation from the Kennebunk Farmers Market and send a letter thanking them for the generous donation.

- b. Accept the Town Manager’s Notice of Contract Non-Renewal – The Town Manager has announced that he will not seek renewal of this existing contract, which expires on June 30, 2017. He will work with the Board of Selectmen and staff toward a transition during the remaining months of his contract as necessary. See attached press release.

MOTION: To accept the Town Manager’s notice of the non-renewal of the contract.

7. Time Sensitive Business

a. Discuss Boards and Committees (resignations/appointments) (10 minutes)

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

- Angus Macaulay, EDC, Regular 2019
- William Macdonald, EDC, Regular 2017
- Bonnie Clement, LVC, Regular 2018
- Sylvia Cavanaugh, Downtown Committee, Regular 2018
- Susan LeBlanc Malley, Committee on Aging (no term)
- Barbara Yates, Committee on Aging (no term)

MOTION: To accept the resignations of Angus Macaulay and William Macdonald from the EDC, Bonnie Clement from the Lower Village Committee, Sylvia Cavanaugh from the Downtown Committee and Susan LeBlanc Malley and Barbara Yates from the Committee on Aging and send letters thanking them for their service.

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

If the Board wishes to make the appointments for those residents interviewed earlier in the meeting, the motions could be as follows:

Planning Board - vacancies: (1) Alternate 2017

David Lee Hardwick (applied on 7/31/12 and 7/21/16)

Fred F. Castle, Jr. (applied on 9/14/16) Note: he served on our Planning Board from 10/22/13 to 9/23/14

MOTION: To appoint _____ as an Alternate Member on the Planning Board with a term expiring in 2017.

West Kennebunk Village Committee - vacancies: (1) Regular 2017

Morgan Moran (applied on 8/1/16)

MOTION: To appoint Morgan Moran as a Regular Member on the West Kennebunk Village Committee with a term expiring in 2017.

Downtown Committee - vacancies: (1) Regular 2018, (2) Alternate 2017

Melissa Shatney (applied on 8/23/16) Note: Non-resident, however, she owns a business in Kennebunk
Angus Macaulay (applied on 9/19/16)

MOTION: To appoint _____ as a Regular Member on the Downtown Committee with a term expiring in 2018 and _____ as an Alternate Member on the Downtown with a term expiring in 2017.

Lower Village Committee - vacancies (1) Regular 2018, (2) Alternate 2017

Miriam Whitehouse (applied on 10/4/16)

MOTION: To appoint Miriam Whitehouse as a *Regular Member (2018)* or *Alternate Member (2017)* on the Lower Village Committee.

Economic Development Committee - vacancies (after membership restructuring: 1 Regular 2017 and 4 Alternate 2017 (3 of these are slotted for representatives of the 3 village committees)

Miriam Whitehouse (applied on 7/12/16)
Jonathan Johnson (applied on 7/15/16)
Wendy Ross (applied on 7/16/16)

The Restructuring of the EDC is being discussed later in the agenda (Old Business). It makes sense to wait until this is discussed before making these appointments.

- b. Sign the Warrant for the Special Town Meeting for the November 8, 2016 Election (2-3 minutes)
This was discussed at the September 13th meeting; however, the warrant was not available for signatures.

MOTION: To sign the Warrant for the Special Town Meeting for the November 8, 2016 Election.

- c. Award the Crack Sealing Bid (5 minutes) – We received the following bids for this service.

- Sealcoating, Inc., Braintree, MA

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. H	Pound	8,200	\$1.06	\$8,692.00

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. B	Pound	500	\$4.16	\$2,080.00

- Coastal Road Repair, Inc., Windham, ME

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. H	Pound	8,200	\$1.98	\$16,236.00

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. B	Pound	500	\$13.80	\$6,900.00

- Nicom Coatings Corporation, Barre, VT (sent via fax and did not comply with the bid instructions)

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. H	Pound	8,200	\$2.05	\$16,810.00

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. B	Pound	500	\$4.50	\$2,250.00

The Public Services Director and Town Engineer have reviewed the bids and recommend awarding the bid to Sealcoating, Inc. of Braintree, MA at the prices listed above.

MOTION: To award the bid to Sealcoating, Inc. of Braintree, MA at the prices listed above.

- d. Discuss the Public Services Travel Bus Bid Award (5-10 minutes) – At the August 9th meeting, this was discussed and moved to a second reading. However, after future discussion, it was decided to re-bid this vehicle. On September 28th, the following two bids were received:

Company	Bids	
1. W.C.Cressey & Son, Inc.	Base Bid (per vehicle):	\$96,535.00
Kennebunk, ME	Deduct Alt. 1 (allowance for trade-in)	\$2,500.00
2018 - Body Manufacturer: Freightliner Chassis, Thomas Body, model 340 TS – 78 passenger	Add Alt. 2 (extended warranty)	\$1,690.00
	Add Alt. 2 (roof mount a/c)	\$9,300.00
2. W.C.Cressey & Son, Inc.	Base Bid (per vehicle):	\$97,910.00
Kennebunk, ME	Deduct Alt. 1 (allowance for trade-in)	\$2,500.00
2018 - Body Manufacturer: Freightliner Chassis, Thomas Body, model 341 TS – 82 passenger	Add Alt. 2 (extended warranty)	\$1,690.00
	Add Alt. 2 (roof mount a/c)	\$9,300.00

The Public Services Director (with Recreation Director and Fleet Manager) recommend the 2nd bid from W.C. Cressey & Son, Inc. at the following price:

Base Bid	\$97,910.00
Minus Trade in	-2,500.00
No extended warrant (recommend basic 3 yr. warranty)	0.00
Premium Fleet Shield Anti Corrosion Package	+993.00
Also Rear Air Suspension package	+575.00
Roof Mounted A/C	<u>+9,300.00</u>
Total Price	\$106,278.00 with A/C

Since this bid came in higher than anticipated, we could put aside additional monies in next year's budget for the roof mounted A/C, which can be added on at that time.

-9,300.00
\$96,978.00 without A/C

Federal laws have changed on seatbelts for busses since the budgetary discussions last year. This bus includes 3-point harness seatbelts which are now required for non-school busses, thusly increasing the cost of this replacement bus. Additionally, the number of passenger seats and year/make comprises the increase.

We budgeted \$88,000.00 for a 72 passenger bus. After reviewing the capital budget, the \$8,978.00, gap with no A/C or the \$18,278.00 with A/C would come from that fund.

MOTION: To award the Travel Bus Bid to W.C. Cressey & Son, Inc. for the 2018 82 passenger Freightliner Chassis, Thomas Body (model 341TS) in the amount of \$_____.

8. Old Business (2nd Reading)

- a. Discuss the Economic Development Committee Restructuring (5-10 minutes) – At the September 13th meeting, the Board heard comments from EDC Chairman Bob Georgitis concerning the restructuring of the committee.

Currently, the committee consists of the following members:

- **13 members:**
 - 11 Regular members (5 current vacancies)
 - 2 Alternate members (2 current vacancies)
 - and
 - 4 ex-officio members:
 - 3 Utility District Representatives
 - 1 Chamber of Commerce Representative

Proposed: At the EDC's September 1st meeting, the EDC voted on the following committee structure:

- **11 members**
 - 7 Regular members
 - 4 Alternate members –
Bob Georgitis had previously indicated that 3 of these members would include representatives from the three village committees involved with economic issues in their committee membership:
 - Lower Village Committee
 - Downtown Committee
 - West Kennebunk Village Committee

New structure:

Regular

1	Robert Georgitis, Chair	2019
2	Heather Harris, Vice Chair	2018
3	J. Steve Hrehovcik	2017
4	Gary Dugas	2019
5	John Daamen	2019
6	Rachel Phipps	2018
7	Regular (vacant)	2017

Alternate

1	Alternate (vacant)	2017
2	Alternate (vacant) LVC member	2017
3	Alternate (vacant) Downtown Comm. member	2017
4	Alternate (vacant) WKVC member	2017

Ex-Officio

Laura Dolce, Chamber of Commerce Rep. (Ex-officio)
Norm Labbe, KKWD Rep. (ex-officio)
Michael Bolduc, KSD Rep. (ex-officio)
Todd Shea, KL&PD Rep. (ex-officio)

With the two resignations accepted earlier tonight, there are 6 active (regular) members on the committee.

If this new committee resizing is approved as recommended, in addition to the 6 members currently serving, the EDC will have openings for 1 regular member (2017), 4 alternate members (2017) (with 3 of those alternate positions comprised of representatives from the Lower Village Committee, Downtown Committee, and West Kennebunk Village Committee).

MOTION: To approve the Economic Development Committee's request for membership as follows: 7 regular members, 4 alternate members, with 3 of those alternate members comprised of representatives from each of the 3 village committees), as well as 4 ex-officio members (Chamber, 3 Districts).

If the Board wishes to make the appointments for those residents interviewed earlier in the meeting, the motion could be as follows:

MOTION: To appoint the following members to the Economic Development Committee:

_____ as a Regular Member with a term expiring in 2017

_____ as an Alternate Member with a term expiring in 2017

AND ask each village committee to forward their recommendation for a committee representative to serve on the EDC - for Board appointment at a future meeting.

- b. Discuss the Town's Board of Selectmen Strategic Plan (15-20 minutes) – In late June, the Board held a workshop with staff to review the survey results and identify the elements for developing a strategic plan. Our consultant, Don Jutton, from Municipal Resources Inc., has compiled that data and the information has been prioritized by the Board and staff. If the Board finds these overall priorities to be applicable, staff will further define them for the November 22nd meeting.

MOTION: To move this draft forward and have staff develop recommendations for the November 22nd meeting.

- c. Discuss a Skate Park Committee (10 minutes) – At the September 13th meeting, the Board discussed the skate park status and chose to establish an ad-hoc committee for a skate park on Factory Pasture Lane. The committee could be comprised of several members:

- (1) Selectman
 - (2) Youth skaters
 - (1) Resident
 - (1) Representative from the Recreation Department/Committee
 - (1) Representative from the Police Department (perhaps School Resource Officer who engages with potential users)
 - (1) Staff member (for developing the Request for Proposals)
- 7 members

The objective of the committee would be to develop an RFP for a skate park. This RFP would be advertised and subsequently the submissions would be reviewed by the committee with a recommendation to the Board of Selectmen to procure the services of a design/build skate park company. This company would work with the committee and interested residents to develop a park within the known budgetary numbers for the Factory Pasture Lane location.

Town staff will provide the summary information to the committee for the RFP.

MOTION: To advertise for the committee with volunteers being interviewed at the November 8th meeting.

9. New Business (1st Reading)

- a. Hear a Brief Presentation from the Wells National Estuarine Research Reserve on a Local Project (10-15 minutes) – The Wells Reserve is working on a project with the businesses in Kennebunkport and Lower Village called: Decreasing Beach Business Vulnerability using the Tourism Resilience Index. Members from the Wells Reserve will be in attendance to brief the Selectmen on this project.
- b. Discuss a Lower Village Committee Allocation for a Special Tree Stump Carving (5-10 minutes) – The Lower Village Committee has been approached by a Lower Village business owner about having a tree stump carved as a lighthouse. The stump is located on private property adjacent to the Town’s sidewalk at 13 Western Avenue and is owned by David Leonard. The committee believes this is a unique beautification opportunity. The committee voted in favor of this project at their October 3rd meeting. The property owner would contribute \$1,500 toward the \$3,000 cost. The Lower Village Committee will be contributing the remaining \$1,500. Lodging for the artist has been donated.

The owner would assume all future maintenance costs and the liability for the future removal. This would be a private/public partnership. The Town would release funds at the completion of the project and upon receiving the final invoice from the vendor.

MOTION: To allow the Lower Village Committee to utilize existing committee funds for the beautification project on private property located at 13 Western Avenue in Lower Village.

- c. Discuss Amendments to Town Ordinance, Section 6 6-1: Street Vendors and Peddlers (5-10 minutes) – Changes to this ordinance are requested for mobile food vendors and the size of mobile vending units at the Waterhouse Center. The Selectmen’s Ordinance Subcommittee met on September 8th to discuss these changes. The committee concluded two changes were necessary.

The first change would be to the yearly fee for a mobile vending unit at the Waterhouse Center from \$800 to \$500.

The second change relates to allowing two spaces at the Waterhouse Center being combined by one entity. That fee would be \$1,000 (price for 2 spaces) which would allow for a larger mobile unit in one space.

The appropriate draft amendments are attached for your review. These changes would need a public hearing, which could be scheduled for October 25th. A Town Meeting is not required; the Selectmen have authority to amend this Ordinance after a public hearing is held.

MOTION: To schedule a public hearing for the amendments to Section 6 6-1 Street Vendors and Peddlers on October 25th.

- e. Discuss a Possible Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs (10 minutes) – At the last meeting after public comments were received on regulating marijuana, the Board requested options to review this matter. This moratorium will provide the necessary time to prepare for the potential marijuana vote in November.

The Town can establish a moratorium on the retail sales of marijuana back to the initial Board of Selectmen meeting considering this topic (October 11), with a Special Town Meeting planned for the future.

To initiate this moratorium, the Board needs to have a public reading and the Board will need to set a Special Town Meeting (in January) after the Planning Board has refined an ordinance. A draft will be available Tuesday evening.

MOTION: To request the Planning Board to expeditiously develop a Marijuana Ordinance for the Board of Selectmen's review.

- f. Discuss the Planning for a New Town Manager (10 minutes) – As you are aware, the Town Manager has indicated he will not seek renewal of his contract. With this news, the Board will need to begin the succession plan for this position. There are many options on how to build an inclusive succession plan.

Some items for consideration:

1. Town Manager, Finance Director, Director of Human Resources – develop/implement transition of knowledge plan
2. Engage recommendations from outside recruiter(s) on best practices for recruitment
3. Review/develop/assess Town needs for staff, community and key priorities, both short and long term
4. Develop a timeline for transition and appointment of an Interim Town Manager
5. Develop a candidate profile, search committee, multi-level interview approach and citizen engagement

One aspect that is very important for all parties involved is a plan that is well communicated. Would the Board like to hold a workshop on October 18th to further build the succession plan?

MOTION:

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

10. Selectmen's Comments

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

11. Town Manager's Comments/Notes

- a. Upcoming Events and Workshops:
 - Saturday, October 15 – Selectmen Outreach Session will be held from 8:30 a.m. to 10:30 a.m. on the third floor of the Town Hall.
 - Tuesday, November 1 – Board of Selectmen Workshop on Salaries will be held at 6:30 p.m. on the third floor of the Town Hall.
 - Tuesday, November 29 – Board of Selectmen Workshop on the Strategic Survey and the Upcoming 2017-18 Budget will be held at 6:30 p.m. on the third floor of the Town Hall.
- b. Road Schedule – attached is a quick summary of the paved roads completed by the Public Services Director.
- c. Park Use Ordinance will be discussed at a future meeting – waiting to review new ruling from FAA. This was scheduled for a second reading at the July 12th meeting.

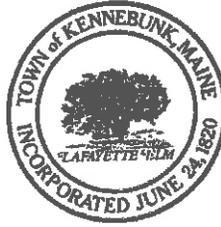
- d. Revisions to the Town Committee Process – The Selectmen met with committee members in a workshop session on October 4th to review items pertaining to Town committees (committee membership size, attendance, by-laws, etc.). We will be gathering committee suggestions for possible changes, which will then be forwarded to the Selectmen for review.
- e. Traffic Calming Policy – at the September 13th meeting, the Board heard from members of the public about speed bumps. Staff will be revisiting the Traffic Calming Policy to refine several aspects of the policy and application. The proposed amendments will be brought back to the Board for a discussion in November.
- f. Recreation/New Division – After reviewing the current organization tree structure with Mike Pardue, Director of Human Resources, I have moved Recreation into a new division. The Recreation Director will answer to the Town Manager. Additionally, the administration and usage of the parks will fall under the Recreation Division but maintenance shall continue with the Public Services Division.

12. Executive Session(s)

- a. Discuss with the Town Manager, Finance Director, Director of Human Resources, and Town Attorney the Employment Terms and Conditions of the Town Manager for the Period January 1 through June 30, 2017, where premature public discussion of the same would likely violate his right to privacy – Title 1 MRSA Sec. 405(6)(A)

13. Adjournment

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



✓ 6:15 pm

9/13/16

Committee Volunteer Form
(please type or print clearly)

(originally applied
to be on committee
7/31/12)

Full Name DAVID LEE HARDWICK

Street Address KINGS LANE, KENNEBUNK

ME, 04043

Mailing Address (if different from street address) _____

Daytime Phone # _____ Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: PLANNING BOARD
Committee

(Check one or both):

Regular Membership Status (3-year term) _____
or
Alternate Membership Status (1-year term) _____
(Alternates vote if Regular member absent)

Town Use Only:	
Committee:	_____
Membership:	Regular or Alternate
Term ends:	_____

Do you currently serve on any Town committee? NO

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

Occupation SEMI-RETIRED ENTREPRENEUR

Employer SELF

List any civic organizations to which you belong: _____

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?

PRACTICAL EXPERIENCE AS AN ENGINEER AND CEO. EDUCATED IN PHYSICS AND MATH

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

TO HELP THE TOWN I HAVE COME TO LOVE.

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

YES

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

NO

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

NO

SIGNATURE:

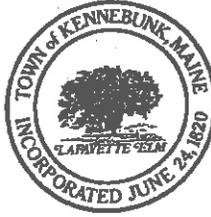


Thank you for volunteering to serve your community.

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

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

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



(He was a Kennebunk Planning Board member from 10/22/13 to 9/23/14)

Committee Volunteer Form
(please type or print clearly)

Full Name Fred F. Castle, Jr.

Street Address Shiretowne Common Dr

Mailing Address (if different from street address) _____

Daytime Phone # _____

Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: Planning Board
Committee

(Check one or both):

Regular Membership Status (3-year term) _____

or

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

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

Do you currently serve on any Town committee? No

If so, please list the committee and the number of years of service N/A

Occupation Retired

Employer N/A

List any civic organizations to which you belong: None

Please complete questions on back of this form

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

No, Prior member of the Planning Board and had to resign due to being elected Treasurer of our Association.

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

Yes, 1/2 yrs on Kennebunk Planning board, MSE&BSEE, plus over 20 yrs strategic planning in the computer industry.

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

Support to the town, Town Manager, and Selectmen.

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

Yes, I had perfect attendance during my prior experience on the Planning Board.

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

No

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

No

SIGNATURE: Fred J. Carter, Jr.

Thank you for volunteering to serve your community.

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

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

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

Kathy Nolette

From: noreply@civicplus.com
Sent: Monday, August 01, 2016 8:56 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 Morgan

Last Name Moran

Street Address Chapman Ln

Mailing Address Chapman Ln

Daytime Phone #

Cell Phone #

E-Mail Address

Board/Committee/Commission I wish to be considered for appointment to: West Kennebunk Village Committee

Step 2

Term and Membership Status Alternate Membership Status (1-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 Director of Sales & Events

Employer Beachmere Inn

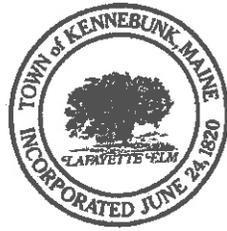
List any Civic Organizations to which you belong: My family and I recently relocated to Kennebunk from Orlando, FL where we worked for Walt Disney World. I previously served the Disney VoluntEARS Organization as a chair for community events.

Step 3

- | | |
|---|---|
| 1. Do you have any questions about what the committee does or its mission? | Yes. I would love to know more about the mission of the West Kennebunk Village Committee and I can be of service. |
| 2. Do you have any practical experience or formal education that would be related to the committee? | I hold a bachelors degree in organizational communication and a bachelors in hospitality management. I feel both of these degrees provide me with an educational background that can help support the committee. I have also worked in hospitality, and more specifically events for the entirety of my career - almost 10 years of which were with Disney. |
| 3. Why would you like to be on the committee? | I recently moved to West Kennebunk with my family and we have really enjoyed getting out in the community. I would love to know how I can better support and serve in our new community that we have felt so welcomed by. |
| 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? | Not at this time. |

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 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.



Note: non-resident

Committee Volunteer Form
(please type or print clearly)

Full Name Melissa Shatney

Street Address Charles St Buxton Me

Mailing Address (if different from street address) 57 Portland Rd #5 Kennebunk

Daytime Phone # _____ Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: Downtown Planning
Committee ^{Comm.}

(Check one or both):

Regular Membership Status (3-year term) _____

or

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

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

Do you currently serve on any Town committee? NO

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

Occupation Wellness practitioner

Employer Aim to Be Well, Kennebunk

List any civic organizations to which you belong: NONE

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?

NO - But I am great @ marketing, socializing and having fun

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

Honestly, I love love love Kennebunk I hated to move to Buxton, this will help me get more involved

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

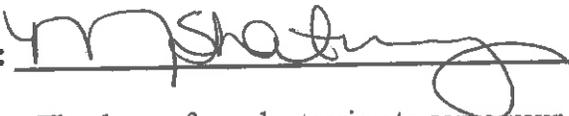
yes

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

I don't believe so

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

I would be excited to serve the community in this way

SIGNATURE: 

Thank you for volunteering to serve your community.

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

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

Kathy Nolette

From: noreply@civicplus.com
Sent: Monday, September 19, 2016 1:39 PM
To: Kathy Nolette
Subject: Online Form Submittal: Committee Volunteer Form

Committee Volunteer Form

Step 1

Town of Kennebunk, Maine

Committee Volunteer Form

First Name Angus

Last Name Macaulay

Street Address High Street

Mailing Address High street

Daytime Phone #

Cell Phone # *Field not completed.*

E-Mail Address

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

Step 2

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

Do you currently serve on any
Town Committee? yes

If so, please list the committee. CDBG Facade Advisory Committee

Years of Service Less than 5

Occupation Retired executive

Employer NA

List any Civic Organizations
to which you belong: Disabled American Vets VFW

Step 3

- | | |
|---|--|
| 1. Do you have any questions about what the committee does or its mission? | I have attended Down Town Committee Meetings. |
| 2. Do you have any practical experience or formal education that would be related to the committee? | 1.) Spent 12 years on the Kennebunk EDC 2.) In business managed 75 local business seminar and 12 national business conferences annually. 3.) BA History 1966 |
| 3. Why would you like to be on the committee? | I believe it is important to contribute to ones community |
| 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 |

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

Kathy Nolette

From: noreply@civicplus.com
Sent: Tuesday, October 04, 2016 5:57 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 Miriam

Last Name Whitehouse

Street Address Emery Lane

Mailing Address Emery Lane

Daytime Phone #

Cell Phone # *Field not completed.*

E-Mail Address

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

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 Microbiologist

Employer Nordx

List any Civic Organizations
to which you belong: Keith McClelland Fund

Step 3

- | | |
|---|---|
| 1. Do you have any questions about what the committee does or its mission? | I have been attending meetings and have a good feel for the committee |
| 2. Do you have any practical experience or formal education that would be related to the committee? | I have volunteered in the community and schools for years, including running the Visual and Performing Arts boosters at the HS for 10 years. I have excellent communication skills |
| 3. Why would you like to be on the committee? | I have lived in Lower Village since 1979. I think the LV committee would benefit from having a member who is a resident, but not a business person. I would like to promote the idea of encouraging local and Maine craftsmen to come in to the Village, thus attracting business while preserving the traditional character of the village. I also think its very important to repair the sense of community down here. Kennebunk does have distinctly different areas and I think we need to respect that. Most importantly, many residents crave a sense of village community and feel that some of that has been lost over the years. |
| 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.

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Kathy Nolette

From: noreply@civicplus.com
Sent: Tuesday, July 12, 2016 11:38 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 Miriam
Last Name Whitehouse
Street Address Emery Lane
Mailing Address Emery Lane

Daytime Phone #

Cell Phone #

E-Mail Address

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

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 Less than 5

Occupation Microbiologist

Employer Nordx

List any Civic Organizations
to which you belong: KHS Visual and Performing Arts Boosters The Keith
McClelland Fund

Step 3

- | | |
|---|--|
| 1. Do you have any questions about what the committee does or its mission? | I have read the mission statement, and attended a few meetings. |
| 2. Do you have any practical experience or formal education that would be related to the committee? | I have a BA degree from Connecticut College. My work as the former President of the Visual & Performing Arts Boosters (10 yrs) required organization skills and the ability to listen to many points of view, and to help people find consensus to work together. My work as a Microbiologists requires discipline and attention to detail. These abilities would be valuable in any setting |
| 3. Why would you like to be on the committee? | I live in Lower Village and was hoping to volunteer for the LVC, but they meet on Monday mornings, and I work days. I asked the committee if they would consider changing their meetings to evenings, to accommodate people who work regular schedules, but they decided to keep their current meeting times. I understand that you are looking for representation from various parts of Kennebunk, including Lower Village, so I thought this might be a good opportunity to serve. |
| 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? | I hope you will allow me to serve the town. This would be my first time serving on a Town Committee! |

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Committee Volunteer Form
(please type or print clearly)

Full Name Jonathan Johnson

Street Address Blueberry Pines Dr. Kennebunk, ME 04043

Mailing Address (if different from street address) _____

Daytime Phone # _____ Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: Economic Development Committee
Committee

(Check one or both):

Regular Membership Status (3-year term) X
or
Alternate Membership Status (1-year term) _____
(Alternates vote if Regular member absent)

Town Use Only:
Committee: _____
Membership: Regular or Alternate
Term ends: _____

Do you currently serve on any Town committee? no

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

Occupation Sales

Employer Kasprzak Insurance

List any civic organizations to which you belong: none

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?

Business marketing

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

I work a lot with small businesses currently and I would like to be a part of future plans to improve economic opportunities in Kennebunk.

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

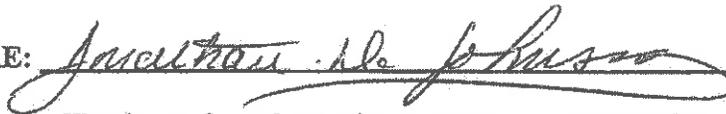
Yes and it is my understanding we would meet once per month

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

NO

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

SIGNATURE:



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

Kathy Nolette

From: noreply@civicplus.com
Sent: Saturday, July 16, 2016 3:18 PM
To: Kathy Nolette
Subject: Online Form Submittal: Committee Volunteer Form

Committee Volunteer Form

Step 1

Town of Kennebunk, Maine

Committee Volunteer Form

First Name Wendy

Last Name Ross

Street Address Western Avenue, Kennebunk

Mailing Address Western Avenue, Kennebunk

Daytime Phone #

Cell Phone #

E-Mail Address

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

Step 2

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

Do you currently serve on any
Town Committee? yes

If so, please list the committee. Lower Village Committee

Years of Service 6-10

Occupation Owner

Employer Cottage Breeze Day Spa & Boutique

List any Civic Organizations
to which you belong: Lower Village Committee, International Spa Association

Step 3

- | | |
|---|---|
| 1. Do you have any questions about what the committee does or its mission? | No, Bob answered all of my questions |
| 2. Do you have any practical experience or formal education that would be related to the committee? | MBA from Boston College, 2004. 10 year Business Owner in Lower Village Kennebunk |
| 3. Why would you like to be on the committee? | To benefit the town of Kennebunk and help to make good choices for the future. I live near downtown and own a successful business in Lower Village. I feel that I have good perspective of what would benefit both residents and small business owners in Kennebunk. I love our town. |
| 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? | Thank you for your consideration! |

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2

(MINUTES)

There were no public comments.

A motion was made to approve the meeting minutes from August 9, 2016 as amended.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: Under section 9 a. Instead of saying "It essentially listed things that she and her group want to have changed" the line shall read "It essentially listed things that she and her group initiated." In sum, change the wordage of the end of this line.
VOTE: 7 in favor, 0 opposed. The motion passed.

A motion was made to approve the meeting minutes from August 16, 2016.

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

The Chair proceeded to the next item.

3. ITEMS TO BE SIGNED

a. Items as Presented

A deed was signed before the meeting and is now in the hands of the Town Clerk.

The 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 discuss the following:

**David W. Cluff d/b/a Duffy's Tavern and Grill
Located at 4 Main Street
Renewal Malt, Spirituous, and Vinous Liquor License Application**

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

DISCUSSION:

Cluff did not vote (and said he would not) on the motion below because he is an officer in the cooperation being cited in this agenda item.

There were no public comments.

A motion was made to approve the Renewal Malt, Spirituous, and Vinous Liquor License Application for David W. Cluff d/b/a Duffy's Tavern and Grill.

MOVED: Karytko
SECONDED: Schulte
MODIFICATIONS: None
VOTE: 6 in favor, 0 opposed, 1 abstention (Cluff). The motion passed.

The Chair proceeded to the next item.

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

**Sante Calandri, German Lucarelli and William Dee d/b/a Port of Italy Kennebunk
Located at 4 Western Avenue
New Malt, Spirituous and Vinous Liquor License Application
(current owners have added a partner)**

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

DISCUSSION:

Tibbetts said that it was already inspected about 6 months ago but they need to change the license because the business added a new partner.

Cluff asked the Board if they cared if he voted because the business is a client of his. No one found it to be an issue so Cluff voted.

There were no public comments.

A motion was made to approve the New Malt, Spirituous and Vinous Liquor License Application for Sante Calandri, German Lucarelli and William Dee d/b/a Port of Italy Kennebunk.

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

The Chair proceeded to the next item.

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

**David Parisi d/b/a The Inn at English Meadows
Located at 141 Port Road
Renewal Malt, Spirituous, and Vinous Liquor License Application**

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

DISCUSSION:

None.

There were no public comments.

A motion was made to approve the Renewal Malt, Spirituous and Vinous Liquor License Application for David Parisi d/b/a The Inn at English Meadows.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

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

The Chair proceeded to the next item.

- d. **The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comment on proposed amendments to the Town of Kennebunk General Assistance Ordinance, Appendix A-D.**

Information on the proposed amendments is available in the Town Clerk's Office.

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

The Town last adopted the entire MMA model General Assistance Ordinance in 2013, which is still in effect. On a semi-regular basis, MMA incorporates legislative updates to the General Assistance Ordinance. We are operating under the most current version.

Each year the municipal officers approve and adopt the appendices to the General Assistance Ordinance.

An important piece to remember is that General Assistance is intended to provide immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves or their families. In some cases a household's "unmet need" (emergencies and/or unforeseen circumstances) may cause the amount of assistance to be greater than the maximums provided in the appendices. General Assistance Administrators use their discretion and have the ability to consider all of the variables for a household during the application process which may determine eligibility.

DISCUSSION:

Tibbetts explained some of the changes. The changes range anywhere from 8 cents to over \$70. He said that the larger changes appear to be made for larger households. He cited examples of such as well. He also explained that the State comes up with these numbers. He cited a recommendation to use these numbers from October 1, 2016 to September 30, 2017.

Morin got confirmation from Tibbetts that they have stayed with State recommendations over the years.

There were no public comments.

A motion was made to amend Appendices A-D of the Kennebunk General Assistance Ordinance.

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

The Chair proceeded to the next item.

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

To hear public comments on the Warrant for the Special Town Meeting (Referendum Questions) to be voted on at the November 8, 2016 Election.

Copies of the Warrant are available at the Town Clerk's Office.

DISCUSSION:

Rachel Phipps spoke. She believes that the questions seem meaningless without a note included with them. She finds it to be a waste of time to have people vote on something if they are not educated on what they are voting on. She feels like the absence of such a note does not allow citizens to make informed decisions as to which way to vote on a particular question.

Morin thinks that she has a good point but said that Beal made the same comment at the last meeting and they are forced to go with what they have right now (they can't change the wording of the referendum questions).

Albert Kolff acknowledged that he has been putting together numbers for citizens to review. He tried to, in one page, present to the Trustees (of the Kennebunk Light & Power District) a review of the numbers. He wants to make such public as soon as possible and offered people to ask him questions and suggested that he may be able to give more information at another meeting (a more detailed one).

John Costin was upset that there was support of the last Warrant Article about changing the number of rooms a Bed and Breakfast can rent out in certain areas. Some clarification was given to him.

Bob Georgitis, represents the "Save the Mousam" group. He drafted the three initiatives and said that they did not put financial numbers on them because the numbers are all over the place. He said that they have experts who say that the efficiency of the dams can be improved by replacing the turbans with new technologies. He thinks that the Kennebunk Light and Power District does not want to generate power from the dams because of costs. He said that a study of numbers (which usually are not complete for years) is required to understand which numbers are correct. He also said that the

questions were intended to see if the people want to go ahead with these issues. He noted tax shifts that would ensue if they did not "save the Mousam." Georgitis also noted the great amount of carbon they are saving by generating renewable power in Kennebunk.

Janice Hanson spoke about the question regarding adding fluoride to the public water supply to prevent tooth decay. She handed out multiple copies of a picture to the Board of Selectmen which features a man dressed in gear intended to prevent him from being harmed from an accident when handling the fluoride. She said that fluoride added to their drinking water comes from wet scrubbing of smoke stacks of the phosphate fertilizer industry. She noted that it is a toxic industrial waste product. She wants people to vote NO on this question in order to get fluoride out of the water supply.

Peter Ashby showed 51 years of data from the United States Geological Survey. He noted the importance of the river to the Town of Kennebunk. He cited the Kesslen shoe shop, saying that they had a generator placed under Duffy's Tavern in 1928 and noted that the shoe shop made over 3 million pairs of shoes in 1952 with the assistance of the generator. He feels as though if the 3 generators (the hydropower generators and turbines) are properly refurbished and maintained they will most likely be able to produce for another 20 or 30 years. Plus, the latest technology can be used. He hopes that the Board of Selectmen will start discussing amongst themselves as well as with the Kennebunk Light and Power District about the Mousam River.

Pam Jones commented on the wording of Article 4, Referendum Question 3 ("Shall fluoride be added to the public water supply for the intended purpose of reducing tooth decay?"), saying that it is misleading and not informative enough for the voters to make an informed vote. She believes that whether or not fluoride reduces tooth decay is not known for certain. So, the wording of the question makes it seem like the fluoride will definitely reduce tooth decay.

Merton Brown, the Town Clerk, said that the wording of the question is set in stone by State law so they can't change it.

Jones said that she knows the wording of the question can't be changed but wanted to object to the wording anyway.

Shawn Teague spoke in regard to the dams. He cited the news that a new destroyer for the Navy went down the Kennebec River about a week ago and happens to be the most technologically advanced warship in the world and was built by Bath Iron Works. He works for Bath Iron Works so he is proud that he was a part of the project. Teague mentioned that Bath Iron Works did not win the contract at first but rather Northrop Grumman did. Bath Iron Works got the contract from Northrop Grumman in the end because they had the will to get it. They also built the ship well even with difficulties. Teague said that the Selectmen had decided not to do anything previously because they wanted to see other things happen before getting involved. But now, said Teague, is the time for the Board to take action, noting that the dams are an important part of the Town. He wants the Board to take leadership.

Norm Labbe, Superintendent of the Kennebunk, Kennebunkport and Wells Water District, spoke about Article 4, Referendum Question 3. He said that this is the only wording that they can use for the question. He understands that the wording is slated one way.

The Chair proceeded to the next item.

5. PUBLIC COMMENTS

Merton Brown, the Town Clerk, spoke about the placement of political signs. Signs can be placed on public property 21 days before the election. Brown said that people should make sure they know where their signs are (whether they are on public or private property). He said that he has received many calls from people noting that signs are close to the line of public and private property. Also, no signs are allowed in planted areas.

Schulte asked about the regulations of signs on election day.

Brown responded to Schulte and said that there is a 250 foot limit from the front entrance of the Town Hall. He and a police officer usually go down on the morning of election day and take down any signs placed within the area where signs are forbidden. Brown said that he has a map of the perimeter of the range where signs are permitted and not permitted, available for people to review.

Robert Higgins, from the public, spoke about safety and the implementation of speed bumps. He has lived in Kennebunk since 1960 and on Woodside Drive since 1975. He was upset with the frequent speeding that he and others have seen on part of Woodside Drive (a straightaway). The speed limit on the road is 25 Miles per hour. He and neighbors have seen too many people going way over the speed limit. He was not aware that they have speed bumps in Kennebunk until about 2 months ago when he went down Pleasant Street near Dairy Queen and saw speed bumps. He called Town Hall and learned that to implement speed bumps, a petition has to be given to the residents of the particular neighborhood where you want to add speed bumps, and 51% of the people must provide their signatures. There are 22 households on his side of Woodside Drive so people from 15 households were needed to sign the petition. He and his neighbor got people from 22 houses to sign the petition (well over 50% of the households). After the petition was submitted to the Town it took almost a month before all three sections of speed bumps were placed on Woodside Drive. He feels as though that amount of time is too long for the implementation of speed bumps. After speed bumps were put on Woodside Drive, speed was reduced greatly. He thinks that the process can be better. He suggested a subcommittee composed of the Town Engineer, Human Resource Director, Highway Director, Town Manager (if his schedule allows him to be on such a subcommittee) and a Selectman (possibly Boothby due to his service with the Fire Department, etc). Higgins also wants to be on the subcommittee. Finally, he wishes to see an agenda item on this.

Karytko asked Tibbetts about the process of implementation of speed bumps and Tibbetts elaborated on it.

Beal asked where speed bumps are already placed in Kennebunk. She also asked how many speed bumps the Town of Kennebunk has at their disposal.

Tibbetts said that there are speed bumps on Woodside Drive, Pleasant Street and Chase Hill Road. This topic will be discussed in more detail at a later date.

Lionel Menard, from the public, spoke about Question #1 from the State regarding the legalization of marijuana. He wants to know what the Town plans to do with commercial production of marijuana products and the distribution of marijuana if the bill to legalize marijuana passes. He wants to see this

topic on the next agenda for the Board of Selectmen. He said that some may think that legalizing marijuana is not a big deal but cited what is happening in a city in Colorado. They are going to be voting to get out of the business, said Menard. He said that thousands signed a petition to get marijuana on the ballot in order to get it out of business. He cited one reason for such an appetite for change as being the safety of children and noted that the amount of children going to the hospital due to marijuana problems has increased in the referenced city (since the time marijuana was legalized there). He also referenced an increase of babies in that city, at the same hospital, being born with marijuana in their system since the time marijuana was legalized there. The crime rate in the cited city is also going up. Menard does not want Kennebunk to make the same mistake and called it a "quality of life" issue. He wants the Board of Selectmen to decide if they will allow pot shacks (stores) all across Town if marijuana is legalized.

Rachel Phipps, from the public, agreed with Robert Higgins that the issue of speed and safety should be on an agenda item. She believes that the Selectmen will get numerous requests for speed bumps once the video of this meeting is released. She wants to make it clear that everyone should drive slowly (ideally, 25 MPH,) in a neighborhood and mentioned that many only drive slowly in their own neighborhood because they know where all of the different hazards to one's driving are located.

Beal wants Tibbetts to put a price on the sets of speed bumps.

John Costin, from the public, spoke. He is confident that the time limit for public speakers is 5 minutes unless the Selectmen vote to lower the limit. Costin talked about state funding of public education and some failures of such funding (the state has not fulfilled all of the funding that citizens approved). He talked about a referendum this fall on the state ballot that creates a way to fund such. He also said that the Board of Selectmen can pass the resolution. He noted that in two weeks there is only an agenda item for executive session but wants the Selectmen to make sure that there is time available for public comment.

The Chair proceeded to the next item.

6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

- a. Accept a Donation from Hans Olsen – In 2009, Hans Olsen made a donation to the Town to purchase a sign for the new George Shaw Memorial Walkway & Garden. This walkway was located between the former Mobil Station (now the Waterhouse Center) and the Sunoco Station on Main Street and was relocated as part of the Waterhouse Center construction. The sign was designed by Kennebunk artist Robin Swennes.

Due to the relocation of the walkway, adjustments to the landscaping, and age and condition of the sign, Mr. Olsen approached the Town recently and wanted to donate the necessary funds (\$195) to replace the sign. Staff have reviewed the sign design and identified a location for installation.

DISCUSSION:

Karytko asked if the replacement sign was going to have a different design from the original. Tibbetts assumed that the sign replicates what is already on the current sign.

There were no public comments.

A motion was made to accept the donation of \$195 from Hans Olsen for the George Shaw Memorial Walkway and Garden sign and send him a letter thanking him for his very kind donation.

MOVED: Karytko

SECONDED: Schulte

MODIFICATIONS: None.

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

The Chair proceeded to the next item.

7. TIME SENSITIVE BUSINESS

- a. Discuss the Award/Purchase of a PowerLOAD Device Rom Stryker Unit – Sole Source Bid
The Kennebunk Fire Rescue budgeted for a PowerLOAD device from Stryker Medical Corporation of Chicago IL in the Capital plan for this year (16-17). We have started the process to acquire this device and it is a sole supplier situation.

The quote for this device through Stryker is \$24,110. There is also an additional \$1,900 installation cost, but that would be paid to our ambulance vendor. Our budget is \$28,000 total.

The device is available through other vendors but the price would be the same as purchasing directly through the manufacturer. This falls under Section VI of the purchasing policy and needs Selectmen approval to move forward.

Budget Justifications/Status/Alternatives: The Power-LOAD™ cot fastener system lifts and lowers the cot into and out of the ambulance, reducing spinal loads and the risk of cumulative trauma injuries. This loading device replaces some of the last of the lifting that personnel have to do while loading a patient into the ambulance. The device is compatible with the lifting stretchers that we now use. It will reduce the possibility of spinal/back injuries and assist with the Town's liability through worker's compensation claims. This project will acquire one unit this budget cycle. The unit is ergonomically designed to reduce operator and patient injuries; Power-LOAD™ hydraulically lifts patients weighing up to 700 lbs. with the touch of a button. It also securely locks the stretcher in place and will sustain up to 25 G's of force during an accident. More information can be found at: <http://ems.stryker.com/assets/files/o/power-loadbrochure.pdf>

DISCUSSION:

Fire Chief Jeff Rowe spoke about the agenda item. He said that every piece of equipment used to handle patients (in terms of loading) is made by Stryker. This was a budget item and their budget was \$28,000 and this item is quoted at \$24,110 and an additional \$1,900 will be needed to pay another vendor to install it. The device is able to withstand a 25G force if an ambulance is in an accident, thus allowing a stretcher to not release from the bracket holding it down. The device can self-load up to 700 pounds.

Schulte thinks that the device sounds like a good thing to have and asked how Stryker is with servicing the equipment (since they use Stryker equipment).

Rowe said, among other things, that they have service contracts with all of their stretchers. Such contracts will be applied after about a 3-5 year warranty period.

Karytko asked why they decided to go through the manufacturer.

Rowe said that it is just simply a direct route. There is no one local. He also said that the price is the same either way.

Schulte asked why they budgeted \$28,000 for the equipment if the price was actually less.

Rowe responded, saying that it was the list price at the time.

There were no public comments.

A motion was made to purchase the PowerLOAD Device from Stryker Medical at a price of \$24,110.

MOVED:

Cluff

SECONDED:

Karytko

MODIFICATIONS:

None

VOTE:

7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item

b. Take up the Following Election Items as Recommended by the Town Clerk for the November 8, 2016 Election

- 1. Sign the Warrant for the Special Town Meeting for the November 8, 2016 Election.**

DISCUSSION:

Merton Brown, Town Clerk, spoke about all of the items under this agenda item.

He said that he will have the Board of Selectmen sign the Warrant at the next meeting.

There were no public comments.

- 2. Confirm the Town Clerk's appointment of Mary Lou Nedeau as Warden for the November 8, 2016 Election.**

DISCUSSION:

None.

There were no public comments.

A motion was made to approve Mary Lou Nedeau as the Warden for the November 8, 2016 Election as recommended by the Town Clerk.

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

3. Set the polling hours for 6:00 a.m. to 8:00 p.m. at the Edward C Winston Town Hall Auditorium for the November 8, 2016 Election.

DISCUSSION:

Merton Brown said that State law dictates him to open no earlier than 6:00 a.m.. They also have to close at 8:00 p.m.

There were no public comments.

A motion was made to set the polling hours for 6:00 a.m. to 8:00 p.m. at the Edward C Winston Town Hall Auditorium for the November 8, 2016 Election as recommended by the Town Clerk

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

DISCUSSION:

Merton Brown said that any time the Town Clerk requests additional voting hours, it must be approved by the Board. He also noted the significant amount of people who vote from nursing homes in the area.

Cluff asked when absentee voting starts and Merton said that it will start, for certain, on October 11, 2016 but he is hoping that it starts on October 7th, 2016.

Schulte thanked Merton for doing this.

There were no public comments.

4. Approve the following additional hours for voter registration and absentee voting for the November 8, 2016 Election:

Town Hall:

Saturday	10-29-2016	8:00 AM to 3:00 PM
Sunday	10-30-2016	8:00 AM to 3:00 PM
Monday	10-31-2016	7:00 AM to 9:00 PM
Tuesday	11-01-2016	7:00 AM to 9:00 PM
Wednesday	11-02-2016	7:00 AM to 9:00 PM
Thursday	11-03-2016	7:00 AM to 9:00 PM

(11-04-2016 through 11-08-2016 are absentee voting days for *special circumstances only*.)

Nursing Home Voter Registration and Absentee Voting Hours:

Tuesday	10-18-2016	Huntington Common	9:30 AM to 11:30 AM
Tuesday	10-18-2016	RiverRidge	1:00 PM to 2:00 PM
Wednesday	10-20-2016	Atria	9:30 AM to 11:30 PM
Thursday	10-21-2016	Bradford	10:00 AM to 11:00 AM
Thursday	10-21-2016	Kennebunk Nursing	12:00 PM to 1:00 PM

A motion was made to extend the additional hours for voter registration and absentee voting as listed above for the November 8, 2016 Election as recommended by the Town Clerk.

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

The Chair proceeded to the next item.

- c. Discuss Allowing an Overlimit Permit for the Mathew J. Lanigan Bridge Reconstruction Project The Maine Department of Transportation (MDOT) has requested the municipality to issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment (backhoes, bulldozers, etc.) that exceed legal weight limits over municipal roads.

Enclosed is the request from MDOT. The Board of Selectmen need to vote to allow this usage. MDOT requires performance and payment bonds from the awarded contractor, no additional bonding is necessary for the roads.

DISCUSSION:

Tibbetts said that most of the equipment will be transported on State roads such as Route 9 or Route 35 but in case they go on Kennebunk roads and damages result, this ensures that the Maine Department of Transportation will repair it.

Morin asked if this equipment will be transported in the spring.

Answering Morin, Tibbetts said that he does not believe so and Karytko said that construction is supposed to start around April 1st so he does not think that the equipment will be transported in the spring.

There were no public comments.

A motion was made to approve the Overlimit Permit pursuant to 29A MRSA §2382 for the duration of the Mathew J. Lanigan Bridge Project, which is estimated to be October 2016 to December 2017.

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

The Chair proceeded to the next item.

8. OLD BUSINESS (2ND READING)

- a. Discuss the Skate Park Status The Town voted in June of 2015, by citizen petition, not to locate the skate park at Parson's Field. The Town has received two inquiries from skate park companies that offer design/build services.

To bring the project back in focus, would the Board consider an ad-hoc committee to review and recommend a design/build firm for the Board's review and approval? The firm would then plan, design, and construct a skate park at the Factory Pasture Lane location.

DISCUSSION:

Schulte said that the Town already went through this process and he does not want to repeat things.

Tibbetts said that it has been a while since they had the public involved in this matter.

Schulte wants comments from people to be included in the process.

Beal does not want to pick up a vendor until they have their first meeting without them to avoid spending money on their time for things that have already been done.

Boothby thinks that they should establish a location first before doing anything.

Morin said that the proposal already states a location.

Schulte said that someone can bring a petition for a new location or the Board of Selectmen could propose a new Town question regarding the location of the skate park but a Town vote would have to wait until June 2017.

Karytko agrees with Schulte that they have already gone over this before and is not sure what else can be discussed.

Morin asked if they have had inquiries about this and Tibbetts said that two companies have contacted them.

Schulte asked if Town personnel will be doing this kind of work (the designs, etc.).

Morin asked if this has to go through site review and Tibbetts was not sure.

Rachel Phipps, from the public, asked if the Board of Selectmen have the ability to bring up the issue of the location.

Cluff feels as though they do because it was a non-binding vote.

Karytko added that the Board, at the time, went through many locations and this location was the only one that made sense.

Schulte believes that changing the location would have to go to the people for a vote.

Phipps believes that a committee would have to be formed on the matter or else no one will really have the ability to change the location of the skate park. She also feels like there should be some users of the skate park included in this process.

John Costin, from the public, spoke. He asked Town Engineer Chris Osterrieder if Factory Pasture Lane was number two on the list and Osterrieder said that it was. Osterrieder said that they looked at 10 sites. Costin feels as though the Factory Pasture Lane location is poor for a skate park. He suggested that a committee review the locations to see if they missed anything. He is concerned with building on a location without really knowing it.

Beal asked Osterrieder if there were other locations that have come up in the past two years (that would make the list). Osterrieder said that they have not been looking into new sites.

A man from the public spoke, saying that he passed out a flier earlier. He read part of it. It said that the Factory Pasture Lane location is not safe and that it is simply a bad location. He said that green space should never override the safety of children. He has been very close to the location for more than twenty years and listed some of the activities that occur there such as loud music from car stereos, drinking in the woods around the park, smoking, skateboarding at night, setting off fireworks at night, skateboarding down the middle of the street and so on. He also mentioned that the park is always littered with trash.

Karytko appreciates the comments but is not sure that the problems would go away if the park was moved to Parson's Field. He thinks that the same problems would ensue.

A motion was made to move to a second reading on October 11th.

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

The Chair proceeded to the next item.

9. NEW BUSINESS (1ST READING)

- a. Discuss a Consent Order Request for 54 Bayberry Avenue This was requested by Attorney Cadigan on behalf of the estate of David N. Barry to correct two setback violations on the property at 54 Bayberry Avenue. These violations were discovered during a recent boundary survey as part of a transfer of the property. This appears to be a violation by a previous owner that was inherited by Mr. Barry.

DISCUSSION:

Paul Demers, the Code Enforcement Officer, spoke about the agenda item. When the Barry's passed, a buyer was found and a survey was conducted. In the survey it was discovered that in the rear set back area there is a 5.4 foot setback violation. Also, on the right hand side of the estate there is a

setback violation of about 1.05 feet. The violation is in the Resource Protection Zone (which makes it slightly more scrutinized). The Attorney fees are \$350 and usually Attorney fees and staff time are looked at and a recommended fine of about \$500 is often given.

Paul Cadigan, from the public, spoke saying that there was no intentional conduct.

Among other things, Karytko asked what the options were besides giving approval.

Demers said that they can either go through with this process or move part of the structure.

Schulte asked if they will go forward with this and cover the Town's time and legal fees.

Demers said that Schulte was correct.

Karytko said that the Town messed up by not saying that the owners were not in the proper setback.

Demers responded to Karytko by saying that the Town is responsible to notify the applicants and that the applicants are responsible for the setbacks.

A motion was made to authorize the Code Enforcement Officer to sign this consent agreement with a \$500 fine to cover costs.

MOVED:

SECONDED:

MODIFICATIONS:

VOTE:

DRAFT
Clu
Karytko
None
7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

- a. Discuss the Economic Development Committee Restructuring At their committee meetings in August and September, the Economic Development Committee (EDC) discussed options for the restructuring of the committee.

At their September 1st meeting, the EDC voted on the following proposed committee structure:

- **11 members:**
 - 7 Regular members
 - 4 Alternate members
 - Of the 11 members, they would like to include representatives from the other three committees involved with economic issues:
 - Lower Village Committee
 - Downtown Committee
 - West Kennebunk Village Committee

AND

- **4 ex-officio members** (to continue to facilitate lines of communication that are important to the success of the community):
 - 3 Utility District Representatives
 - 1 Chamber of Commerce Representative

Currently, the committee consists of the following members:

- 8 Regular members, although 2 have indicated they may be resigning
- 3 vacancies for Regular members
- 2 vacancies for Alternate members
 13 positions

AND

- 4 ex-officio members
 - 3 Utility District Representatives
 - 1 Chamber of Commerce Representative

See detailed list below:

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCIES
Economic Development Committee	Robert Georgitis, Chair	2019	(1) 2018
	J. Steve Hrehovcik	2017	(2) 2017
	Angus Macaulay	2019	(2) Alt. 2017
	Gary Dugas	2019	
	John Daamen	2019	
	William Macdonald	2017	
	Heather Harris	2018	
	Rachel Phipps	2018	
	Laura Dolie, Chamber of Commerce Rep. (Ex-officio)		
	Norm Labbe, KKWWD Rep. (ex-officio)		
Selectman Liaison	Michael Bolduc, KSD Rep. (ex-officio)		
	Todd Shea, KL&PD Rep. (ex-officio)		
	Christopher Cluff		

DISCUSSION:

Bob Georgitis, Chairman of the Economic Development Committee, spoke. He said that having 7 Regular members allows them to only need 4 to conduct business.

Rachel Phipps, from the public, said that herself and Bob Georgitis voted against the recommendation for different reasons. She feels as though they should have more than 4 people in order to make important votes. She is confused why they need 4 alternates. Who gets to fill an open vacancy out of the 4 alternate members? Phipps also believes that being “too big” is not a problem.

Morin asked if this was already voted on.

Phipps said that it was and that the vote was 4 in favor of the structure and 2 opposed to it.

Bob Georgitis wants to make the committee smaller. He wants to merge committees together.

Karytko said that going from 13 to 11 members is a decrease in members but Georgitis said that the number was at 7 members in the past.

Cluff realizes the logic of having alternate members but did not see why alternate members are needed on a non-binding committee.

A motion was made to move to a second reading on October 11th, which will allow time for further discussion at the Selectmen's October 4th workshop on committees.

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

The Chair proceeded to the next item.

- c. Discuss the Town's Board of Selectmen Strategic Plan In late June, the Board held a workshop with staff to review the survey results and identify the elements for developing a strategic plan. Our consultant, Don Jutton, from Municipal Resources Inc., has compiled that data and the information has been prioritized by the Board and staff. The results will be presented on Tuesday evening for further evaluation and discussions.

DISCUSSION:

Tibbetts explained the agenda item. He wants the Board of Selectmen to consider having a workshop on November 29, 2016 (Tuesday) and, at the same time, talk about the Strategic Plan and the upcoming budget.

Baldwin asked if there were members of the Board of Selectmen who did not participate in the survey.

Tibbetts said that 4 members did not participate in the survey.

There were no public comments.

A motion was made to open this back up to get more responses from the Board and hold a workshop on November 29, 2016 at 6:30 p.m. with all of the pre-work that will be delivered a week or so in advance.

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

The Chair proceeded to the next item.

- d. Discuss the RSU 21 Cost-Sharing Amendment Committee Results The RSU 21 Cost-Sharing Amendment Committee members representing Kennebunk, Dick Smith, Mike Mosher and Gayle Spofford, met with the State Facilitator and members of the committee representing the Towns of Kennebunkport and Arundel. The whole committee, after discussions, concluded that no changes were necessary to the existing Cost-Sharing Agreement. This agreement will come up for review again in five years.

No action necessary.

DISCUSSION:

Tibbetts explained the agenda item. Representatives went to two meetings and it was concluded that no changes would be made to the current formula for the next 5 years. The committee met and voted to not make any changes for 5 years out.

Morin suggested that someone bookmark a calendar to reconvene the committee in advance (sooner than 5 years from now).

Karytko said that he originally intended on opening the new debt but people explained to him why doing such is not wise.

There were no public comments.

The Chair proceeded to the next item.

- e. Designate a Municipal Official as Voting Delegate for the Maine Municipal Association Annual Business Meeting in October – MMA is requesting the Town designate an Official Voting Delegate (and alternate if the Town desires) to vote on behalf of the Town at the Annual Business Meeting held in conjunction with the MMA Annual Convention on October 5, 2016 at the Cross Insurance Center in Bangor at 1:30 p.m.

DISCUSSION:

None.

There were no public comments.

A motion was made to designate the Town Manager as the Town's Voting Delegate at the Maine Municipal Association's Annual Business Meeting in October.

MOVED: Karytko

SECONDED: Cluff

MODIFICATIONS: None

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

The Chair proceeded to the next item.

- f. Discuss the Upcoming Workshop in October for Committees The Board has set a workshop for October 4th to discuss Town committees. What information would the Board like for this session?

DISCUSSION:

Morin asked if this was already addressed.

Tibbetts said that he brought this up to see if the Board had anything they wanted to see for data and information.

Baldwin wants to know the number of committees, the number of people involved and what qualifies as good practices in other towns.

Morin asked the Board what they think about the following: the committees making recommendations.

Cluff agrees with Morin and said that the committees have to take ownership of how they conduct themselves and what their missions are and report back to the Board of Selectmen. He also said that he wants to review their policy on appointing people (interviewing people at the start of each Selectmen meeting does not seem to be effective according to Cluff).

Beal wants to see attendance.

Baldwin agrees with Cluff and said that some committees overlap and do the same work.

Karytko asked Baldwin for an example of an overlap within committees.

Baldwin cited the Downtown Committee and Festival Committee as overlapping. He said that both committees were looking for a horse and wagon and could not find them.

Boothby wondered how the committees are doing on their minutes and he was told that they are doing very well.

Tibbetts said that he will provide the Board with which committees have terms and which do not.

Morin said that he heard a comment that the Board must be televised even in a workshop because if they are doing the Town's business they should present such business to as many as possible and it is not always possible for people to come to each meeting. He thinks that the Board should take official action on this matter.

Baldwin heard the same thing as Morin.

Schulte said that having the problem of overlapping committees, in some ways, is good because it shows the high amount of people who want to help solve problems in the town of Kennebunk.

Baldwin agrees with Schulte that they have so many people who want to participate in our community but allowing unnecessary rivalries among committees is a problem. He thinks that people who want to volunteer and work should be provided opportunities by the Board of Selectmen, without having people within committees "bumping heads" with each other.

There were no public comments.

The Chair proceeded to the next item.

- g. Discuss the Selectmen's Outreach Sessions for the Remainder of 2016 Sessions are generally held on the 3rd Saturday of each month (excluding the summer months) at the Town Hall (3rd floor) from 8:30 a.m. to 10:30 a.m. These sessions provide residents with a chance to meet

and talk with Selectmen on a one-on-one basis. They are informal gatherings attended by two Selectmen.

We will need two Selectmen for each of the following dates (from 8:30 a.m. to 10:30 a.m.):

- Saturday, September 17th Selectmen _____ and _____
- Saturday, October 15th Selectmen _____ and _____
- Saturday, November 19th Selectmen _____ and _____
- Saturday, December 17th Selectmen _____ and _____

Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc.

DISCUSSION:

The Saturday, September 17, 2016 Selectmen Outreach Session is canceled.

Selectmen Schulte and Baldwin will attend the Saturday, October 15, 2016 Selectmen Outreach Session.

Selectmen Cluff and Morin will attend the Saturday, November 19, 2016 Selectmen Outreach Session.

Selectmen Boothby and Maryon will attend the Saturday, December 17, 2016 Selectmen Outreach Session.

Boothby wondered if these sessions will be televised.

Morin said that these sessions are not really official meetings but instead sessions to hear public comments, etc so he believes that the meetings don't need to be televised.

There were no public comments.

The Chair proceeded to the next item.

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

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

- David Lee Hardwick Planning Board Vacancy: (1) Alternate 2017

DISCUSSION:

Action will be scheduled for a later date since Hardwick (the applicant) was not present at this meeting.

There were no public comments.

The Chair proceeded to the next item.

i. Discuss Any Other Business

None.

There were no public comments.

10. SELECTMEN'S COMMENTS

a. Subcommittee Reports (if any)

Finance signing occurred.

The Ordinance Committee met. They talked about fireworks and other things.

b. Individual Selectmen Comments

Selectman Boothby:

- Said that so much work on the school has been done in such a short amount of time. He finds the progress to be quite amazing.
- The banquet for the responders was great.
- Congratulated the Firefighter of the year and the Police Officer of the year. He said that they have an amazing Fire and Police force.

Selectman Karytko:

- Went on the RSU 21 bus tour and thanks that a lot of progress has been done on the school. Everything looks like it is being done correctly.
- Asked about weighing material coming into the transfer station. Tibbetts said that additional information will be provided soon.
- Wished his grandson, Ryan, good luck in his running for student council in the 5th grade.

Selectman Schulte:

- Apologized for missing the tour of the schools. He had to teach.
- Said that the banquet for the responders was great and the stories were fascinating.
- The peaceful interaction between the two groups of responders shows how good Kennebunk's Fire and Police Departments are.

Selectman Cluff:

- None.

Selectman Morin:

- Asked if there is a way to systematically replay the videos of meetings. Tibbetts said that they will put information on the Town website regarding the times that videos will be played on television.
- Noted that they don't pre-record announcements anymore and wondered if they should reconsider this.

Selectman Beal:

- Fire/Police banquet hosted by Atria at the Town Hall was great. The food and everything else was very good.
- Saw some of the same people (who were at the Fire/Police banquet) at the Patriot riders ride. They left from the Buxton Fire Department and went to York high school where they had the Maine Federation of Firefighters Convention. The Maine POPS Concert Band was there. So were the Red Knights from Chapter Ten. They were all great.

Selectman Baldwin:

- The Festival committee wonders if some Selectmen can go to the festival, HarvestFest, on October 1st, 2016. They want to have a good turnout.
- The Festival Committee plans the Festival very well.

The Chair proceeded to the next item.

11. TOWN MANAGER'S COMMENTS/NOTES

a. Upcoming Events and Workshops:

- Saturday, September 17 – Selectmen Outreach Session will be held from 8:30 a.m. to 10:30 a.m. on the third floor of the Town Hall.
- Tuesday, September 27 – Board of Selectmen Meeting – The Town Manager is unavailable to attend this meeting, therefore the Board will take up the Town Manager's Contract (in executive session). This should be the only item on the agenda.
- Tuesday, October 4 – Board of Selectmen Workshop on Committees will be held at 6:30 p.m. on the third floor of the Town Hall.

b. Items Pending

- Park Use Ordinance will be discussed at a future meeting (most likely October 11th) – waiting for new ruling from FAA. This was scheduled for a second reading at the July 12th meeting.
- Public Services Travel Bus Bid – At the August 9th meeting, this was moved to a second reading. However, after future discussion, it was decided to re-bid this vehicle. This item should be ready for the October 11th agenda.

The Chair proceeded to the next item.

12. EXECUTIVE SESSION(S)

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

A motion was made to go into executive session at approximately 9:01 p.m.

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

Upon coming out of executive session, the Board had nothing to report.

The Chair proceeded to the next item.

13. ADJOURNMENT

A motion was made to adjourn the meeting at approximately

MOVED:
SECONDED:
MODIFICATIONS:
VOTE:

Deborah Beal, Secretary
Kennebunk Board of Selectmen

Date: _____
DRAFT

TOWN OF KENNEBUNK

BOARD OF SELECTMEN MINUTES

SEPTEMBER 27, 2016 - 6:30 P.M.

1. CALL TO ORDER & THE PLEDGE OF ALLEGIANCE

On September 27, 2016, at 6:30 P.M., in Room 301 of the Town Hall, Richard Morin, 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 L. Blake Baldwin, Richard Morin, Edward Karytko, Daniel Boothby, Christopher Cluff and Deborah Beal. Shiloh Schulte arrived after the vote was taken on Article 3.

Also in attendance were Finance Director, Joel Downs and Town Attorney Bill Dale. Town Manager Barry Tibbetts was absent; he had informed the Board previously that he was unable to attend the meeting.

The Chair led everyone in reciting the Pledge of Allegiance.

The Chair stated this was an abbreviated meeting, they would take some public comments and then move to executive session. The Chair stated the Town Manager was absent (due to illness). He then turned the microphone over to the Town attorney, Bill Dale, to explain the process for the meeting.

Attorney Dale stated a question came up regarding executive session, which he understands the motion may be amended from the previously posted version to being a specific one with regard to the incumbent Town Manager's rights and duties under his contract in such a way that it may implicate his rights to privacy. Attorney Dale has been in touch with the Town Manager and he has indicated "yes" he is willing to let the Board of Selectmen discuss his situation in executive session but "no" he does not want to do it in public or let members of the public in, all of which is his right under the right to know law.

Dale stated nothing done tonight will lead to any action; it might lead to an agenda item at your next meeting. At that time, public comment is welcome. Tonight, in fairness to Mr. Tibbetts, since he is not in attendance, no public comment should be taken in regard to him.

2. PUBLIC COMMENTS (comments relating to the contract will not be entertained)

Brenda Robinson – said she had two encounters in Kennebunk today that indicate what a wonderful town we have. While at a local business, she gave information about Kennebunk and maps of the Town to visitors who raved about how clean and beautiful the Town is (flowers and flags). Also, while at the Chamber office, people were commenting on how beautiful the Town is.

John Costin - raised several questions regarding public comments/executive session that were responded to by Attorney Dale. Mr. Costin was not satisfied with Mr. Dale's interpretation of the law and discussion ensued.

Bill Gallant - agrees to respect Mr. Tibbetts' rights.

3. EXECUTIVE SESSION(S)

- a. Discuss General Terms of a Town Manager's Contract, as applicable to Kennebunk with the Town Attorney - Title 1 MRSA Sec. 405(6)(A)

A motion was made to amend the agenda wording for the executive session to state: Discuss the Terms of the Incumbent Town Manager's Contract, as applicable to Kennebunk with the Town Attorney - Title 1 MRSA Sec. 405(6)(A) regarding the terms and conditions of his contract, where public disclosure would unreasonably intrude into his rights to privacy.

MOVED: Baldwin
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

A motion was made to Discuss the Terms of the Incumbent Town Manager's Contract, as applicable to Kennebunk with the Town Attorney - Title 1 MRSA Sec. 405(6)(A) regarding the terms and conditions of his contract, where public disclosure would unreasonably intrude into his rights to privacy.

MOVED: Baldwin
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

At this point, Selectman Schulte joined the meeting.

A motion was made to include the HR Director and Finance Director in the executive session.

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

The Board adjourned to meeting room 306 for the executive session.

Upon coming out of executive session, the Board had nothing to report.

4. ADJOURNMENT

A motion was made to adjourn the meeting at approximately 7:45 p.m.

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

Deborah Beal, Secretary
Kennebunk Board of Selectmen

Date: _____

6.a.



rec'd
9/13/16

Dear Community Garden Committee,

Please accept the enclosed check as a donation from the Kennebunk Farmers Market for your Community Garden Program as "Thanks" for the town allowing us to use their space for our market. It is our hope that this money will help you with your garden this year and next.

Sincerely,

Kelly Tibbetts

KFMA Treasurer

66 MISCELLANEOUS PAYMENT RECPTS: 575169
TOWN OF KENNEBUNK
1 SUMMER ST
KENNEBUNK ME 04043

DATE: 09/14/16 TIME: 15:45
CLERK: cash2 DEPT:
CUSTOMER#: 0

COMMENT:

CHG: DON	OTHER DONATIONS	400.00
REVENUE:		
1 11005	40538	400.00
OTHER DONATIONS		
CASH:		
10100	10000	400.00
CHECKING - OCEAN		

KENNEBUNK FARMERS MARKET 0316 52-7450/2112 **106**
KENNEBUNK FARMERS
PO BOX 91
KENNEBUNK, ME 04043
DATE 8/31/16

PAY TO THE ORDER OF Town Of Kennebunk \$ 400.00
four hundred 00/100 DOLLARS ←

Kennebunk Savings

MEMO community garden Kelly Tibbetts

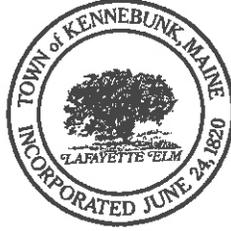
⑆ 211274502⑆ 44 006901⑆ 0106

AMOUNT PAID: 400.00
PAID BY: KENN FARMERS MKT DON
PAYMENT METH: CHECK
106
REFERENCE:
AMT TENDERED: 400.00
AMT APPLIED: 400.00
CHANGE: .00

Donation in lieu of rent
for Farmers Market space
at Waterhouse Ctr.

6.b.

Town of Kennebunk, Maine



Barry A. Tibbetts
Town Manager
Tel: (207) 985-2102, ext. 1308
Fax: (207) 985-4609

FOR IMMEDIATE RELEASE
October 3, 2016

KENNEBUNK – Kennebunk Town Manager, Barry A. Tibbetts, informed the Board of Selectmen prior to their September 27th meeting that he is not seeking renewal of his current contract expiring in June 2017 stating, “It has been an honor and pleasure to serve the Board, residents, volunteers, and businesses of Kennebunk for nearly 24 years. I am very grateful to the community. Thank you for allowing me this privilege”. Tibbetts has the opportunity of early retirement allowing for other career options in his long-standing public service. He is one of very few managers in the State who has served a single community for nearly a quarter century.

Tibbetts was first hired as the Tax Assessor in 1993 and appointed Town Manager in 1998. During his tenure, he ushered the Town of Kennebunk into the 21st century, developed policies that have spurred economic development creating over 700 jobs, revitalized the downtown and village centers, rebuilt two seawalls protecting the beach area, regionalized dispatch services, consolidated many functions within Town government, and has maintained a AAA bond rating through much of the last decade. Highlights of his career span numerous initiatives including the creation of Tax Increment Financing (TIF) districts throughout the Town, the enhancement of Town staffing levels to better serve the community, budget surpluses for more than two decades, and a visionary in the fundraising and building of the Waterhouse Center for youth and families. He was also the recipient of the Linc Stackpole Manager-of-the-Year Award in 2011, an honor conferred by the Maine Town City and County Management Association.

Over the 24 years of service, more than 85% of the Town’s current staff have joined the team. Staff at many levels have earned awards in their professional fields and are leaders in industry groups throughout the state, a testament to a solid organization. Tibbetts shared with the Board that staff and volunteers make Kennebunk operate smoothly and enable the manager to lead successfully. The team supports and enables Kennebunk to be a thriving place to live and work.

Mr. Tibbetts’ current employment contract remains in force through June 30, 2017, and he provided early notice of non-renewal to allow the Board of Selectmen time to find the new manager. The Board will officially accept his notice of non-renewal at its meeting on October 11th. The Board has already begun to discuss succession options and will announce a transition strategy at upcoming meetings. The Town is in solid financial shape, has talented department managers, and excellent staff to support a smooth transition for the Board and community.

Mailing Address: 1 Summer Street, Kennebunk, ME 04043
Website Address: <http://www.kennebunkmaine.us>
E-Mail: btibbetts@kennebunkmaine.us



FOR IMMEDIATE RELEASE

October 3, 2016

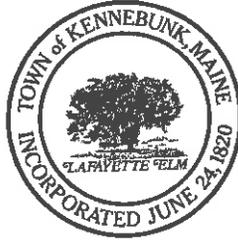
Page Two.

His announcement of the early retirement and desire for career options was a bit of surprise to the Board. Barry stated that, "I have enjoyed a fulfilling career in Kennebunk, have worked with an award-winning team, and have met so many wonderful residents that continue to make Kennebunk a thriving community, I'm delighted to have flexibility with my family in the coming years."

Board of Selectmen Chairman Richard Morin exclaimed, "Barry's vision over the last two decades has turned Kennebunk into a destination for businesses, new residents, and visitors from around the world. We continue to hear from our residents that the quality of life in Kennebunk is second to none; much of this is credited to Barry's leadership and management. We'll deeply miss Barry's high-energy leadership; however the Board's priority today is to begin crafting a transition strategy that will maintain levels of service that our residents have come to expect."

Further questions may be directed to Board of Selectmen Chairman Richard Morin or Vice Chairman Chris Cluff. Follow the Board of Selectmen meetings on the 2nd and 4th Tuesdays of each month for continued information.

Town of Kennebunk, Maine



Barry A. Tibbetts
Town Manager
Tel: (207) 985-2102, ext. 1308
Fax: (207) 985-4609

To: Board of Selectmen
From: Barry A. Tibbetts, Town Manager
Subj: Contract Renewal
Date: October 7, 2016

A handwritten signature in black ink, appearing to read 'BAT', is written over the 'From:' line of the letter.

Please accept this notice of non-renewal of the current 2014-2017 Town Manager contract. After June 30, 2017, I will no longer be a full-time employee of the Town of Kennebunk.

I very much appreciate the opportunity to have served the community for over 24 years. Working with great staff, volunteers, Selectmen and residents has been a wonderful experience which has produced many positive results for Kennebunk.

I thank you and look forward to assisting the Board of Selectmen, as necessary, during the transition.

BAT/kan



7.a.

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF AUGUST 9, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Affordable Housing Committee	Jennifer Gordon, Chair Brian T. Hutchins Elva Kindler	2017 2018 2017	(2) 2019 (2) Alt. 2017	Meets as Needed
Board of Assessment Review	Richard B. Smith, Chair Caroline R. Parker Melvin Uchenick	2019 2017 2018		Meets as Needed
Board of Selectmen	Richard A. Morin, Chair Christopher Cluff, Vice Chair Deborah Beal, Secretary Daniel S. Boothby Edward Karytko Shiloh A. Schulte L. Blake Baldwin	2019 2017 2017 2018 2018 2018 2019		2nd & 4th Tuesday at 6:30 p.m.
Budget Board	John Costin, Vice Chair Larry Dwight Donald C. Burnham William A. Ward, Jr. Thomas Wiggins Thomas Wellman Thomas J. Cahoon	2019 2018 2017 2017 2019 2018 2019		Meets as Needed
Selectman Liaison Committee on Aging	Christopher Cluff Bevan Davies, Chair Edward Trainer, Vice Chair S.Sassy Smallman Alice White	2019 2019 2019 2019		2nd Thursday at 4:00 p.m.
(name may be changed once the committee begins meeting)	Susan Pettit Christina Bronzetti Susan LeBlanc Malley Barbara Yates Donna Curtis-Binette Marti Hess-Pomber Judith Metcalf Karen Winton, GA Rep. (ex-officio) Judy Bernstein, Planner Rep.(ex-officio) Police Dept. Rep.(ex-officio) Alaina LeBlanc Tridente, Chamber Rep.(ex-officio)	2018 2018 2018 2017 2017 2017 2018		
Selectman Liaison	L. Blake Baldwin			
Community Dev. Block Grant (CDBG) Façade Advisory Committee	Angus Macaulay (EDC Rep.) Robert Metcalf (Planning Bd. Rep.) Frances Smith (HPC Rep.) Terrence Vaughan (WKVC Rep.) vacant (Downtown Comm. Rep.) vacant (Chamber of Comm. Rep.) 3 vacant (Resident Reps.) Town Staff (Ex-Officio)	no terms	see list	Meets as Needed

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF AUGUST 9, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Community Garden Committee	Leslie Lindgren, Chair Leo Hallen, Vice Chair Mary Elizabeth "Liz" Baker Sarah Downs Joseph "Gus" Favreau Barbara Rummier 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. Daniel Lyons, Community Rep. Joseph E. Bergeon, Youth Rep. Kyle Ryan, Youth Rep. NR	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 Todd Bridgeo	2018 2019 2017 2019	(1) 2017 (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 Lisa Emmons, Vice Cynthia Walker, Sec. Sylvia Cavanaugh Haven W. Andrews, Jr. Arlene L. Salvati Lorraine Burr	2018 2017 2018 2018 2017 2019 2019	(2) Alt. 2017	1st Thursday at 8:00 a.m.
Selectman Liaison	L. Blake Baldwin			

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF AUGUST 9, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Economic Development Committee	Robert Georgitis, Chair	2019	(1) 2018	1st Thursday at 5:00 p.m.
	Heather Harris, Vice Chair	2018	(2) 2017	
	J. Steve Hrehovcik	2017	(2) Alt. 2017	
	Angus Macaulay	2019		
	Gary Dugas	2019		
	John Daamen	2019		
	William Macdonald	2017		
	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 Efficiency Advisory Committee	Anthony W. Dater, Chair	2017	(2) 2018	2nd Wednesday at 5:30 p.m.
	Dennis Andersen, Vice Chair	2018	(1) 2019	
	David Sluyter, Sec.	2017		
	Scott Negley	2019		
	Michael S. Wentworth	2018		
	Sharon Staz	2018		
	Todd Shea, K'bunk Light & Power Dist., Ex-Officio			
Selectman Liaison	Daniel Boothby			
Fair Hearing Authority	Estelle Wellman	2018	(1) 2019	Meets as Needed
	Brenda Robinson	2017		
Festival Committee	Lynne Abelson, Co-Chair	2019	(2) 2018	2nd Monday at 4:30 p.m.
	Nancy L. Galloway, Co-Chair	2017	(1) 2017	
	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	L. Blake Baldwin			
Historic Preservation Commission	Frances Smith, Chair	2017		2nd & 4th Monday at 6:30 p.m.
	Maureen P. Raiter, Vice Chair	2018		
	Maureen Adams Weaver	2019		
	Patrick Orr	2018		
	Judee Anne Jandreau	2017		
	Barbara Fleshman (Alt.)	2017		
	Paul Bevacqua (Alt.)	2017		
Selectman Liaison	Deborah Beal			

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF AUGUST 9, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Kennebunk Development Corporation	Robert Georgitis, Chair (EDC Rep.) John Sharood, (Resident Rep.) David Moravick, (Finance Rep.) Charlie Galloway (Resident Rep) Richard Morin (Selectmen Rep.)			Meets as Needed
(EDC appoints members to this Corporation)	Durward Parkinson,(Prof. Serv. Rep) Thomas Wellman (Business Rep.) (Selectmen Rep.) (EDC Rep.) (Chamber Rep.) (Industry Rep.)			
	Barry A. Tibbetts, Town Mgr.	non-voting		
Kennebunk River Committee	Richard M. Roberts, Jr., Chair Jack Jensen Charles Barker	2018 2017 2019	(1) Alt. 2017	3rd Tuesday at 7:00 p.m.
	Robert Danzilo, Non-Res.Joint Member w/ Kport (Regular 2019)			
Harbormaster Selectman Liaison	Raymond Billings (non-voting member) Shiloh Schulte			
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			
RSU 21 Committees:				
Cost-Sharing Amend.Comm.	Michael Mosher, RSU Dir. Rep.			RSU 21 sets schedule
Cost-Sharing Amend.Comm.	Richard Smith, At-Large Rep.			
Cost-Sharing Amend.Comm.	Gayle Asmussen Spofford, At-Large Rep.			
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.)				

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF AUGUST 9, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Shellfish Committee	Philip K. Parker, Jr.	2018	(1) 2019	Meets as Needed (Last Tuesday at 7:00 p.m.)
	John S. White	2017	(1) 2017	
	Jonathan LeBarge	2018	(2) Alt. 2017	
Shellfish Warden	Russell Brown (attends mtgs. but not a member)			
Site Plan Review Board	Gary Dugas, Chair	2017	(1) Alt. 2017	3rd Thursday at 7:00 p.m.
	Jeanne Dunn, Vice Chair	2018		
	Philip K. Parker, Jr.	2018		
	Brenda S. Robinson, Sec.	2017		
	Matthew Fagginger-Auer	2019		
	Kristi Kenney (Alt)	2017		
Selectman Liaison	Edward Karytko			
Treasure Chest Monitoring Comm.	Susan Flynn	no terms	(1) Reg.	Meets as Needed
	Roger W. Ellenberger			
	Helen L. Newton			
	Karen Paro			
	Director of Public Services			
	Transfer Station Rep.			
Tree Committee	Greg Searle, Chair	2017		1st Thursday at 5:00 p.m.
	John Walker	2018		
	Wayne C. Cutting	2018		
	Paul B. Cotton	2017		
	Boyd A. Swenson	2019		
Selectman Liaison	L. Blake Baldwin			
Waterhouse Center Advisory Committee	Barry Tibbetts, Town Manager	(position per Endowment By-Laws)		
	Tasha Pinkham, Recreation Dir.	(position per in Endowment By-Laws)		
	Linda Johnson, Downtown Comm.	(appointed by Board of Selectmen, per Endowment By-Laws)		
	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 Kennebunk Village Committee	Barbara Weeman, Chair	2017	(1) 2017	1st Thursday at 5:00 p.m. at the Stevens Comm. Ctr.
	Brenda L. Spulick, Vice Chair	2019		
	Raymond Ingalls	2019		
	Carol A. Whitten	2017		
	Thomas Cahoon	2018		
	Bobbi Searles	2018		
Selectman Liaison	Edward Karytko			
Zoning Board of Appeals	William Macdonald, Chair	2018	(1) Alt. 2017	3rd Monday at 6:30 p.m.
	Steve Passerman	2017		
	Patricia Kolosowski	2017		
	Douglas Gallagher	2019		
	Leah B. Rachin	2019		
	James Atwood (Alt.)	2017		

CHANGES MADE AT THIS MEETING:

Resigned: V. Brooks Griffith (EDC)

Moved Up (Alt. to Reg.):

Appointed: Metcalf (Comm. on Aging), Bridgeo (COSPC), Bergeon, Ryan (Comp. Plan & Zon.), Mosher, Smith, Spofford (RSU 21 Cost-Sharing Amend. Comm.)

Selectmen Subcommittees:

Ordinance Review Subcommittee: Deborah Beal, Daniel Boothby, Shiloh Schulte

Finance Subcommittee: Chris Cluff, Richard Morin, L. Blake Baldwin

Communications/Dispatch Subcommittee: Chris Cluff, Richard Morin, L. Blake Baldwin

PAYT, Recycling, Transfer Station Review Subcommittee: Deborah Beal, Chris Cluff, Edward Karytko

Social Service Agencies Review Subcommittee: Daniel Boothby, L. Blake Baldwin

7.c

BID OPENING

Bid Subject: Crack Sealing

Date & Time: October 4, 2016 at 2:30 p.m.

Location: Town Manager's Outer Office

In Attendance:

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

Department Head or Municipal Employee: Chris Osterrieder, Eric Labelle, Kathy Nolette

Bids Received:

1. Sealcoating, Inc., Braintree, MA

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. H	Pound	8,200	\$1.06	\$8,692.00

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. B	Pound	500	\$4.16	\$2,080.00

2. Coastal Road Repair, Inc., Windham, ME

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. H	Pound	8,200	\$1.98	\$16,236.00

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. B	Pound	500	\$13.80	\$6,900.00

3. Nicom Coatings Corporation, Barre, VT

This bid was received via fax at Dept. Public Services bldg at 2:03pm – Bids were to be sealed and delivered to T.Mgr. office - this fax was not in T.Office when bids were opened at 2:30 pm – added to bid opening sheet on 10/5/16.

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. H	Pound	8,200	\$2.05	\$16,810.00

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. B	Pound	500	\$4.50	\$2,250.00

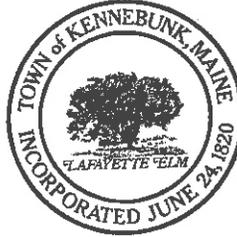
Recommendation:

The Public Services Director and Town Engineer have reviewed the bids and recommend awarding the bid to bidder #1 Sealcoating, Inc. of Braintree, MA at the prices listed above.

Award:

The award will be made at the Selectmen's meeting on October 11, 2016.

Town of Kennebunk, Maine



Christopher J. Osterrieder, P.E.
Director of Community Development // Town Engineer
Tel. 207-985-2102 Ext. 1337
Fax (207) 985-4609
E-mail: costerrieder@kennebunkmaine.us

MEMO

To: Barry Tibbetts, Town Manager

C: Eric Labelle, P.E. – Director of Public Services

From: Christopher J. Osterrieder, P.E.
Director of Community Development // Town Engineer

Date: October 5, 2016

Re: Crack Sealing Bid Results and Recommendation for Award

The Town of Kennebunk developed technical specifications for Crack Sealing of the roadway network as part of the pavement management program strategy that was presented to the Board of Selectmen earlier this year. These specifications in conjunction with general conditions were released for Bids on September 21, 2016. The bid specifications were sent directly to several vendors and listed on the Town website under Public Services Bids.

The scope of work outlined in the RFP included approximately 18.9 miles of road, primarily collector roads that were recently paved.

The bid specifications contained provisions for two bids as follows:

The Base Bid included a “standard capped” configuration that is a more common approach to rehabilitating the cracks resulting from climate impacts.

A supplemental Bid was also solicited for a “standard recessed band aid” configuration which is a more intensive repair of cracks that involves a more intensive preparation of the crack prior to sealing.

Two bids were received for this work and each properly executed the bid form and documents as required. The results of this are as follows:

1. Sealcoating, Inc., Braintree, MA

BASE BID

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. H	Pound	8,200	\$1.06	\$8,692.00

SUPPLEMENTAL BID

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. B	Pound	500	\$4.16	\$2,080.00

2. Coastal Road Repair, Inc., Windham, ME

BASE BID

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. H	Pound	8,200	\$1.98	\$16,236.00

SUPPLEMENTAL BID

Description	Unit	Quantity	Unit Cost	Total Cost
Polymer Modified Asphalt Sealant – Config. B	Pound	500	\$13.80	\$6,900.00

Both of the prices are within the anticipated ranges for each bid component. The crack sealing operation is a unit price based job in that the vendor will be compensate for the actual work completed at the unit price, similar to how we structure our paving contracts.

It is anticipated that the majority of the crack sealing will utilize the base bid configuration and that we will have a staff member observe the operation to confirm the appropriate rehabilitation strategy as well as quantify the completed work.

The low bid was submitted by Sealcoating, Inc. of Braintree, Massachusetts. The submitted and extensive list of references as well as project of similar nature completed in the last five years.

Given that the amount of product necessary to complete the work will vary depending on the severity of the cracks and that the proposal amount is within the targeted budget, I would recommend that the project be awarded based on the proposed unit price at a not to exceed budget of \$49,000. In speaking with the vendor they based their pricing on completing approximately 8,200 pounds per day and they felt they could honor the pricing structure as long as the scope of work correlated to a full day increment. The

proposed not to exceed budget would translate to approximately 3 days of effort. This approach will enable the Town to expand the crack sealing efforts beyond what was initially anticipated and still remain within the targeted budget.

Based on review of the submitted bids and discussion with the vendor I would recommend award of the bid to Sealcoating, Inc. of Braintree, Massachusetts at the unit prices contained in their bid proposal.

Please call me at 207-985-2102 (x1337) if you have any questions.

Town of Kennebunk

Crack Sealing RFP

September 19, 2016

Prepared By: Christopher J. Osterrieder, P.E. – Town Engineer, Kennebunk, Maine

Prepared For: Town of Kennebunk Department of Public Services

Dear Bidder:

The Town of Kennebunk is accepting written and sealed proposals for the Kennebunk Public Services Department's 2016 Crack Sealing Program. The Town reserves the right to accept or reject any or all proposals in whole or in part and to waive any informality. The Town of Kennebunk reserves the right to accept any proposal when it is deemed be in its best interest.

In reviewing and award of any proposal, the Town of Kennebunk may consider any of the following factors:

- Bidder qualifications,
 - Price
 - Experience,
 - Warranties,
 - References
 - Bonding,
 - Delivery date
 - Service of Bidder

Proposals will not be accepted unless submitted in accordance with the following instructions to bidders. Please mark sealed envelopes plainly: **“Proposal for Kennebunk Public Services - 2016 Crack Sealing Program”**.

Bid packages will be available beginning on Tuesday September 20, 2016. Documents can be obtained on the Town of Kennebunk website: www.kennebunkmaine.us. Questions regarding this Request for Proposal should be directed to Christopher J. Osterrieder, P.E. @ costerrieder@kennebunkmaine.us.

Please submit your proposal to the Town of Kennebunk by 2:30 p.m. Tuesday October 4, 2016. Proposals must be delivered to the Town Manager's office located on the second floor of the Kennebunk Town Hall at 1 Summer Street, Kennebunk, Maine 04043 on or before the date and time appointed. No proposals will be accepted after the time and date listed above. Proposals will be opened at 2:30 p.m. on that date.

Town of Kennebunk

1 Summer Street
Kennebunk, ME 04043

www.kennebunkmaine.us

CONDITIONS AND INSTRUCTIONS TO BIDDERS

1. Bidders shall use the enclosed bid form for submission of the proposal. Whenever, in bid forms, an article is defined by using a trade name or catalog number, the term "or approved equal", if not inserted, shall be implied.
2. Submit a separate unit price for each item unless otherwise specified in the bid request. Award will be made on a basis of each item, or as a group, whichever is in the best interest of the Town. Prices stated are to be "delivered to destination".
3. Bid proposals must be completed in full, in ink and must be signed by firm official. Bid proposal must be notarized prior to bid being sealed and will be disqualified if not notarized. Bids may be withdrawn prior to the time set for the official opening.
4. Unless stated otherwise, bids will be opened publicly. Bidders or representatives may be present at bid opening.
5. Awards will be made to the lowest responsible bidder, considering the quality of the materials, date of delivery, cost which meets specification and is in the best interest of the Town of Kennebunk.
6. All transportation charges, including expense for freight, transfer express, mail, etc. shall be prepaid and be at the expense of the vendor unless otherwise specified in the bid.
7. The Town of Kennebunk is exempt from payment of Federal Excise Taxes on the articles not for resale, Federal Transportation Tax on all shipments and Maine Sales Tax and Use Taxes. All proposals shall exclude these taxes. Upon application, exemption certificate will be furnished.
8. Time of delivery shall be stated. If time is of the essence, the earliest date may be a factor in the bid award.
9. Please state "**Proposal for Kennebunk Public Services - 2016 Crack Sealing Program**", on submitted, sealed envelope.
10. The Town of Kennebunk reserves the right to waive any formality and technicality in bids whichever is deemed best for the interest of the Town of Kennebunk.

GENERAL CONDITIONS

1. Equal Employment Opportunity

- a. The Town of Kennebunk is an Equal Opportunity Employer and shall not discriminate against an applicant for employment, and employee or a citizen because of race, color, sex, marital status, physical and/or mental handicap, religion, age, ancestry or natural origin, unless based upon a bona-fide occupation qualification. Vendors and contractor or their agents doing business with the Town shall not violate the above clause or the Civil Rights Acts of 1964. Violations by vendors shall be reviewed on a case-by-case basis and may mean an automatic breach of contract or service to the Town of Kennebunk.

2. Hold Harmless

- a. The Bidder agrees to protect and hold harmless the owner from all costs, expenses or damages that may arise out of alleged infringement of patents of materials used.

3. Subcontracting

- a. The Bidder shall not subcontract any part of the work or materials or assign any monies due it without first obtaining the written consent of the Town of Kennebunk. Neither party shall assign or transfer its interest in the contract without the written consent of the other party.

4. Warranty

- a. The Bidder warrants that all work will be of good quality and free from faults and defects, and in conformance with the specifications. All work not so conforming to these standards may be considered defective. The Bidder agrees to be responsible for the acts and omissions of all of its employees and all subcontractors, their agents and employees, and all other persons performing any of the work under a contract with the Bidder.

PROPOSAL FORM
2016 Crack Seal Program
Due Tuesday, October 4, 2016, at 2:30 p.m.

To: Town of Kennebunk
Barry A. Tibbetts, Town Manager
1 Summer Street
Kennebunk, ME 04043

The undersigned individual/firm/business guarantees this price for Thirty days (30) from the Quote due date. The undersigned submits this proposal without collusion with any other person, individual, or firm or agency. The undersigned ensures the authority to act on behalf of the corporation, partnership or individual they represent; and has read and agreed to all of the terms, requests, or conditions written herein by the Town of Kennebunk, Maine. By signing this bid form, the firm listed below hereby affirms that its Quote meets the minimum specifications and standards as listed above.

Signature _____ Name (print) _____

Title _____ Company _____

Address _____

Telephone No. _____ Fax No. _____

Email Address: _____

STATE OF MAINE

_____, SS.

Date: _____

Personally appeared and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity and the free act and deed of said company.

Notary Public _____

Print Name _____

Commission Expires _____

PROPOSAL FORM

BASE BID – Configuration H

DESCRIPTION	UNIT	QNTY	UNIT COST	TOTAL COST
Polymer Modified Asphalt Sealant – Configuration H	Pound	8,200		

SUPPLEMENTAL BID – Configuration B

DESCRIPTION	UNIT	QNTY	UNIT COST	TOTAL COST
Polymer Modified Asphalt Sealant – Configuration B	Pound	500		

BASE BID Written total amount: _____

Supplemental BID Written total amount: _____

Company Name: _____

Signed by: _____

Title: _____

Print Name: _____

Address: _____

Tel. # _____

Date: _____

Locations for Crack Sealing

The Town of Kennebunk has identified the following areas for crack sealing:

Road	Length	
Alewife (within Urban Compact)	7,000 FT	
Alfred Road	15,600 FT	
Portland Road	6,000 FT	
Summer Street	10,400 FT	
Western Avenue	9,000 FT	
Brown Street	14,600 FT	
Sea Road	9,400 FT	
Ross Road	8,500 FT	
Beach Avenue	11,200 FT	
Harrisecket Road	4,200 FT	
Thompson Road	3,900 FT	
Total	99,800 FT	18.90 Miles

The above areas shall be intended to receive material placement in accordance with Configuration H as shown on Figure 1 of these specifications. This shall constitute the work of the Base Bid.

A supplemental price shall be provided in anticipation of areas that may require material placement in accordance with Configuration B as shown on Figure 1 of these specifications. This configuration will only be used at the discretion of and in areas designation by the Town of Kennebunk.

Technical Specifications

SECTION 02206 - ASPHALT CRACK SEALING, ASPHALT CRACK FILLING

PART 1 – GENERAL

I. SECTION INCLUDES

- A. Reference Standards: The following standards are referenced directly in this section. The latest version of these standards shall be used.

ASTM

C 88	Test Method for Soundness of Aggregates by Use of Sodium Sulfate or Magnesium Sulfate
C 117	Test Method for Materials Finer than 75- um (No. 200) Sieve in Mineral Aggregates by Washing
C 131	Test Method for Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine
C 136	Test Method for Sieve Analysis of Fine and Coarse Aggregates
D 36	Standard Test Method for Softening Point of Bitumen (Ring-and-Ball Apparatus)
D 140	Practice for Sampling Bituminous Materials
D 242	Standard Specification for Mineral Filler For Bituminous Paving Mixtures
D 244	Standard Test Methods for Emulsified Asphalts
D 946	Standard Specification for Penetration-Graded Asphalt Cement for Use in Pavement Construction
D 977	Standard Specification for Emulsified Asphalt
D 1073	Standard Specification for Fine Aggregate for Bituminous Paving Mixtures
D 1190	Standard Specification for Concrete Joint Sealer, Hot-Applied Elastic Type
D 2027	Standard Specification for Cutback Asphalt (Medium-Curing Type)
D 2028	Standard Specification for Cutback Asphalt (Rapid-Curing Type)
D 2397	Standard Specification for Cationic Emulsified Asphalt

D 2419	Standard Test Method for Sand Equivalent Value of Soils and Fine Aggregate
D 3381	Standard Specification for Viscosity-Graded Asphalt Cement for Use in Pavement Construction
D 3405	Standard Specification for Joint Sealants, Hot-Applied, for Concrete and Asphalt Pavements
D 3910	Standard Practices for Design, Testing, and Construction of Slurry Seal
D 5078	Standard Specification for Crack Filler, Hot-Applied, for Asphalt Concrete and Portland Cement Concrete Pavements
D 6372	Standard Practice for Design, Testing, and Construction of Micro-Surfacing
D 6690-15	Standard Specification for Joint and Crack Sealants, Hot Applied, for Concrete and Asphalt Pavements

ISSA

Bulletin #139 “Test Method to Classify Emulsified Asphalt/Aggregate Mixture Systems by Modified Cohesion Tester Measurement of Set and Cure Characteristics”

AASHTO

T 53	Softening Point of Bitumen (Ring-and-Ball Apparatus)
T 59	Testing Emulsified Asphalts
T 104	Soundness of Aggregate by Use of Sodium Sulfate or Magnesium Sulfate
T 112	Clay Lumps and Friable Particles in Aggregate
MP 1	Specification for Performance Graded Asphalt Binder
M 208	Cationic Emulsified Asphalt

Manual of Uniform Traffic Control Devices, latest Edition (MUTCD)

B. Traffic Control, Mobilization & Demobilization

- i. The contractor shall be responsible for maintaining a safe work zone which may necessitate the use of Traffic Control Officers (flaggers) and other traffic control devices (cones, barrels and signage). All traffic control devices should comply with the Manual of Uniform Traffic Control Devices, latest Edition (MUTCD). The work zone shall be

maintained for a duration adequate to protect the product that has been applied.

PART 2 – PRODUCTS

I. MATERIALS

- A. Material used in performance of this contract shall be a hot pour elastic type sealer such as KOCH 9005 or equal and shall meet ASTM 3405 as indicated in the following specification:

<u>Test</u>	ASTM 3405
Cone Penetration, 77F	90 max. Flow, 140° F 1.0 cm max.
Resilience	60% min.
Ductility, 77F (ASTM D113)	40 cm max.
Bond, @ 0degrees F, 100% ext.	Pass 5 cycles
Bond, @ -20degrees F, 50% ext.	Pass 3 cycles
Compression Recovery	0.40 min.
Recommended Pour Temperature	370° F (not ASTM)
Safe Heating Temperature	390° to 400° F (not ASTM)

- B. Crack Sealant Application: Material used for crack sealing shall be a modified asphalt product selected to be compatible with the environment of application and found to meet the criteria of one of the following specifications, ASTM D 1190 or ASTM D3405 with a modified resilience value between 30 and 60 percent, or material meeting the requirements of ASTM D 5078. Crack Sealing shall be understood to be the process of placing an asphaltic material into and/or above working cracks to prevent the intrusion of surface water and/or incompressibles into the crack. A working crack shall be understood to correspond to cracks that sustain more than 0.1 inches (2.5 mm) movement during the course of the year.
- C. Crack Filling Application: Material used for crack filling shall be an viscosity graded AC-20 asphalt product meeting the criteria of ASTM D 3381 Table 1, a penetration-graded asphalt product having a penetration number in the range of 85-100 measured in accordance with ASTM D 946, or material meeting the criteria of ASTM D-5078. Crack filling material may contain polyester or polypropylene fibers. Material satisfying the criteria of a crack sealant may also be used as a crack filling material. Crack filling shall be understood to be the process of placing an asphaltic material into non-working cracks to substantially

reduce water infiltration and reinforce adjacent cracks. Crack filling materials shall not be used for sealing pavements in preparation for an overlay.

PART 3 – EXECUTION

I. SECTION INCLUDES:

- A. Crack cleaning and sealing complete, in place, at the locations specified in this section and as directed by the Engineer.**
- B. Preparation of road surface for placement of Polymer Modified Asphalt Sealant for Streets**
- C. Installation/Placement of Polymer Modified Asphalt Sealant for Streets**

II. CRACK SEALING/FILLING:

A. Equipment:

i. Router:

- 1. This machine shall be an impact cutterhead with a minimum of 6 tungsten-carbide cutters. The router blades shall be driven with a minimum 25-hp gasoline engine.**

ii. Compressor:

- 1. The compressor shall be a two-stage compressor rated as a minimum 40 CFM unit capable of delivering compressed air to the nozzle at a minimum pressure of 100 psi. The compressor shall be equipped with a filter trap to eliminate oil and moisture from the air line.**

iii. Hot-Air Lance (HCA):

- 1. The hot air lance shall be capable of delivering super-heated air at an exit temperature in excess of 1500° F and at a velocity in excess of 1000 ft/sec against the side walls of the crack. The hose shall be wrapped with reflective tape to keep hoses together and to protect worker in low light situations.**

iv. Melter/Applicator:

- 1. The melting pot shall consist of double-boiler type jacket and shall be equipped with a full sweep agitator that promotes proper mixing and maintains uniform heat**

distribution throughout the melting pot. The melting pot shall have sufficient capacity of the heat transfer oil reservoir that heat transfer oil is able to come in contact with 100 percent of the outside area of the jacket. The melting pot shall be equipped with a drain plug to permit 100% of the heat transfer oil to drain from the boiler. The heat transfer oil shall consist of ISO grade 68.

2. The heat transfer oil shall be heated with a properly sized vapor fuel LP or diesel fuel burner. The heat shall be applied directly to the bottom of the heat transfer tank. The burner shall be lit by an electric spark igniter controlled by a sensor, which detects a lack of burn or ignition and subsequently shuts down the fuel supply. The unit must be capable of starting at ambient temperature and bringing the sealant up to the required applications temperature within the period of approximately one hour while continuously agitating and recirculation the sealant. The unit shall have the capability of independently monitoring both the transfer oil and melting pot temperatures. The unit shall be capable of heating a variety of application materials within a range of temperatures between 200° F (93.3° C) and 425° F (218.3° C). The sealant should not be heated to a temperature in excess of that specified by the manufacturer.
3. The agitator and material pump shall be actuated by hydraulic motors driven by a single, pressure-compensated hydraulic pump. Hydraulic fluid should only be pumped to the agitator or material pump motor on demand.
4. The sealant shall be applied to the pavement through an application system consisting of a pressure feed hose and wand. The hose shall be specially manufactured to handle liquid asphalt products up to 450° F at 350 psi (2400 kPa) working pressure. The hose shall not be less than 15 feet in length. The hand wand shall be constructed of steel of sufficient strength to withstand normal day-to-day operations. Material flow through the wand shall be controlled with a toggle switch. A squeegee shall be used to distribute the asphalt evenly and uniformly in the recommended configuration.
5. All equipment shall be in good working order, as determined by the Engineer, on a day-to-day basis. The Engineer shall not be responsible for payment of labor or rental charges on days when the equipment is not in good working order.

B. Preparation:

- i. Cracks shall be cleaned free of all deleterious materials, including any old sealant; incompressibles and organic material. The crack shall be free of any standing water and any moisture along the sidewalls of the crack as evidenced by a darker color than the adjacent pavement. This shall be accomplished in one of three manners:
 - a. wire-brushing – where the crack channels are cleaned with a mechanical wire brush followed by high-pressure compressed air;
 - b. hot air blasting – where the crack channels are cleaned, heated, dried with hot compressed air (HCA) lance connected to a high pressure air compressor; or
 - c. high-pressure air blasting – where the crack channels are cleaned with high-pressure compressed air. Pavement cracks to be sealed or filled shall be cleaned and dried using one of the methods described previously within 10 minutes of the application of the sealer/filler. Equipment for the two operations should be kept in a compact configuration such that not more than 50 feet separates equipment required by the two operations. Additionally, not more than 10 minutes time shall pass between the cleaning of a crack and the filling of the crack with the appropriate sealing/filling material.

C. Installation:

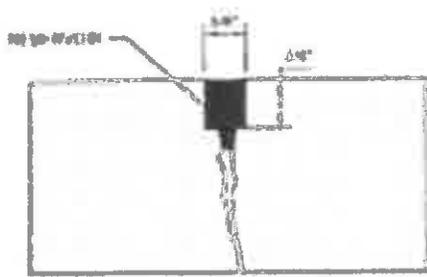
- i. Crack sealing shall be limited to working, longitudinal, transverse and block cracks that are more than 1/4 inch (6mm) in width. Cracks 1/4 - to 5/8 inches (6mm to 16 mm) in width requiring sealing shall be routed to 5/8-inches (16 mm) in width. Cracks 5/8- to 1 inch (16mm to 25 mm) in width requiring sealing do not require routing, but shall be thoroughly cleaned and sealed. Cracks shall be sealed using either the *Standard Reservoir and Flush* or *Standard Recessed Band-Aid* configurations. Cracks greater than 1-inch (25 mm) in width shall be filled with either an emulsion slurry and sand, widened and backfilled with Hot-Mix Asphalt (HMA), or repaired in a manner approved by the Engineer. Cracks requiring filling do not require any routing but simply thorough cleaning. Cracks shall be filled using either the *Simple Band-Aid*, *Simple Flush Fill*, or *Capped Configurations*.
- ii. Sealer/filler materials should not be applied when the pavement surface is wet or when the pavement temperature is less than 40° F without the use of hot air blasting or the approval of the Engineer.

- iii. Sealant/Crack filler should be applied to fill the crack from the bottom to the top in order to prevent air bubbles from forming and creating a point of weakness in the sealant. Upon application, hot sealant/filler material should not make a hissing or popping noise indicative of moisture in the crack. Noises of this kind should indicate that additional drying of the crack is necessary in order to facilitate proper bonding of the material to the sidewalls of the crack.

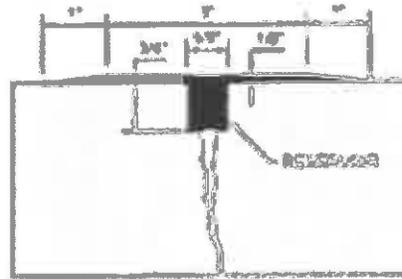
Application of the sealant/filler material shall be made in such a way as to completely fill the crack and provide enough excess to facilitate completion of the seal/fill consistent with the configuration selected. The use of a squeegee or applicator disk to shape the application material to conform to one of the material placement configurations shown on Figure 1 is required.

Care shall be taken not to place any sealant/filler material on top of any pavement markings, manholes, or drainage castings. The Contractor shall be responsible to prevent tracking of the sealant/filler material onto the adjacent pavement surfaces to the satisfaction of the Engineer.

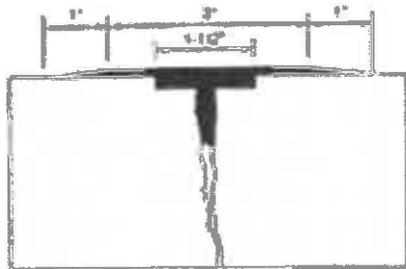
- iv. Prior to beginning the work, the Contractor will be required to demonstrate to the satisfaction of the Engineer and the manufacturer's representative his ability to apply the material in accordance with the manufacture's specifications. Operations and procedures which are considered by the Engineer as detrimental to the effectiveness of the material will not be permitted.



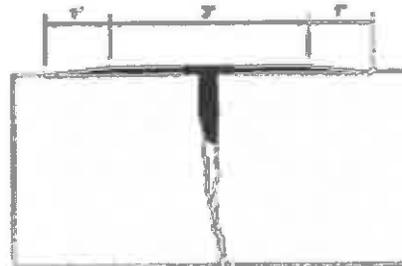
Configuration A
Standard Reservoir-and-Flush



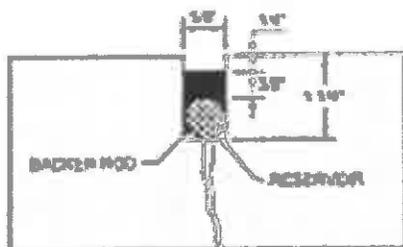
Configuration B
Standard Recessed Band-Aid



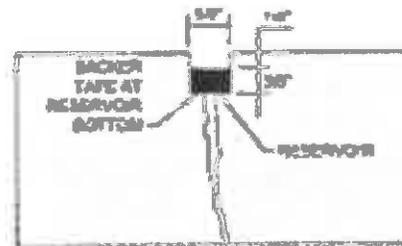
Configuration C
Shallow Recessed Band-Aid



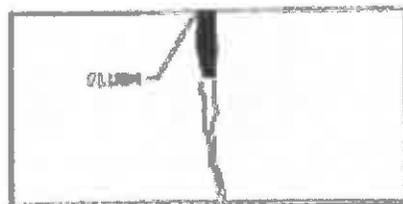
Configuration D
Simple Band-Aid



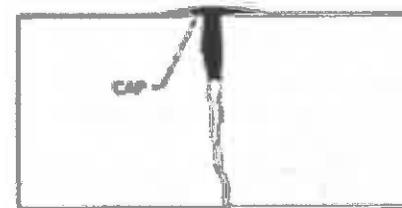
Configuration E
Deep Reservoir-and-Recess



Configuration F
Standard Reservoir-and-Recess



Configuration G
Simple Flush-Fill



Configuration H
Capped

Material placement configurations for AC crack treatments.
Figure 1

7.d.

BID OPENING

Bid Subject: 2016 or 2017 Travel Bus (purchase of)

Date & Time: September 28, 2016 at 2:30 p.m.

Location: Town Manager's Outer Office

In Attendance:

Town Manager or Finance Director: Joel Downs
 Division Director or Municipal Employee: Kathy Nolette

Bids Received:

Company	Bids	
1. W.C.Cressey & Son, Inc. Kennebunk, ME 2018 Body Manufacturer: Freightliner Chassis, Thomas Body, model 340 TS 78 passenger	Base Bid (per vehicle):	\$96,535.00
	Deduct Alt. 1 (allowance for trade-in)	\$2,500.00
	Add Alt. 2 (extended warranty)	\$1,690.00
	Add Alt. 2 (roof mount a/c)	\$9,300.00
2. W.C.Cressey & Son, Inc. Kennebunk, ME 2018 Body Manufacturer: Freightliner Chassis, Thomas Body, model 341 TS 82 passenger Quote #321505, Safety Liner C2341+S	Base Bid (per vehicle):	\$97,910.00
	Deduct Alt. 1 (allowance for trade-in)	\$2,500.00
	Add Alt. 2 (extended warranty)	\$1,690.00
	Add Alt. 2 (roof mount a/c)	\$9,300.00

Recommendation:

The Public Services Director (with Recreation Director and Fleet Manager) recommend the 2nd bid from W.C. Cressey & Son, Inc. at the following price:

Base Bid	\$97,910.00
Minus Trade in	-2,500.00
No extended warrant (recommend basic 3 yr. warranty)	0.00
Premium Fleet Shield Anti Corrosion Package	+993.00
Also Rear Air Suspension package	+575.00
Roof Mounted A/C	<u>+9,300.00</u>
Total Price	\$106,278.00

Since this bid came in higher than anticipated, we recommend putting aside additional monies in next year's budget for the roof mounted A/C, which can be added on at that time.

<u>-9,300.00</u>
\$96,978.00

This bus includes 3-point harness seat belts which are now required for non-school busses.

We budgeted \$88,000.00 for a 72 passenger bus.

Award:

The award will be made at the Selectmen's meeting on October 11, 2016.

Kennebunk, Maine

SPECIFICATIONS

2016-17 Travel Bus

Public Services Department

TOWN OF KENNEBUNK

Barry A. Tibbetts, Town Manager

Eric J. Labelle, P.E., Public Services Director

September 6, 2016

Public Services Department
36 Sea Road
Kennebunk, Maine 04011
(207) 985-4811
FAX (207) 985-1144

BID DUE DATE: 9/28/2016, 2:30 P.M.

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2016-17 TRAVEL BUS

September 6, 2016

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INVITATION TO BID

The Town of Kennebunk, Maine will receive sealed bids at Kennebunk Town Hall, 1 Summer Street, Kennebunk, Maine until 2:30 p.m.. Wednesday, September 28, 2016 for the furnishing of a 2016-17 TRAVEL BUS for the Public Services Department.

A complete set of the bid documents may be obtained from the Public Services Department, 36 Sea Road, (985-4811) at no charge or on the Town's website www.kennebunkmaine.us. Bids shall be submitted in sealed envelopes with the name and address of the Bidder and clearly marked "2016-17 TRAVEL BUS Bid" on the face of the envelope.

Bids shall be submitted on the provided forms in accordance with the Information for Bidders. No Bidder may withdraw a bid within thirty (30) days after opening thereof.

The Owner reserves the right to waive any informality in or to reject any and all bids.

Eric J. Labelle, P.E.

Public Services Director

Steven N. Leach

Fleet Manager, Public Services Dept.

GENERAL INFORMATION

SECTION 1

1.01 INFORMATION FOR BIDDERS

- A. Sealed unit price proposals will be received by the Town of Kennebunk, Maine up until 2:30 p.m., Wednesday September 28, 2016.
- B. Bids shall be submitted on the attached "Bid Proposal Form" and shall be signed by an authorized person indicating full knowledge and acceptance of the specifications. The sealed bid shall be submitted to the Public Services Director and the envelope shall be clearly marked with the name and address of the bidder and the specific contract for which the bid is being submitted.
- C. No bidder may withdraw his bid within thirty (30) days after September 28, 2016.
- D. Qualified bids will be deemed to be only bids from equipment manufacturer's or from authorized dealers of such manufacturers.
- E. Each Bidder shall indicate in the appropriate place on the Bid Proposal Form the manufacturer and product name for the equipment to be supplied under this bid. Literature describing the physical and performance characteristics of the equipment bid shall be attached and included with the bid. All such descriptive literature furnished shall be clearly marked (underline specific items in red or highlight the items) to indicate the specific equipment to be furnished under this bid (do not submit any brochures without first marking the item to be supplied if more than one selection or option is shown in the catalog). The Town, however, reserves the right to request additional information deemed necessary for proper evaluation of bids.
- F. Each Bidder shall fully complete and submit with the bid the attached "Detailed 2016-17 Travel Bus Specifications" form. Failure to complete and submit the attached form will be grounds for rejection of the bid.

The firm submitting a bid will be held responsible to ensure the body, vehicle chassis and running gear, and all controls are completely compatible. Failure to provide compatible equipment will result in the Town of Kennebunk refusal to accept the bus.

1.02 BID COMPLIANCE

- A. The Town of Kennebunk will regard all bids received as an agreement by the Bidder to conform to all items of these specifications. If the equipment offered differs from the provisions contained in this specification, such differences must be explained in detail, and the bid will receive careful consideration if such differences do not depart from the intent of this specification and are to the best interest of the Town.
- B. The Manufacturer's name and model designation must be shown on the bid form in the designated spaces, however, that information is not sufficient evidence that the bidder is taking exception to the detailed specification. If no exceptions or deviations are specifically shown and explained, equipment shall be furnished exactly as specified.

1.03 DELIVERY

- A. The 2016-17 TRAVEL BUS shall be delivered as soon as possible and guaranteed delivery may be considered in making the award. Delivery time shall be expressed on the bid proposal form in the space provided (in number of calendar days required to make delivery after receipt of a purchase order).
- B. The 2016-17 TRAVEL BUS shall be delivered to the Public Services Department 36 Sea Road, Kennebunk, Maine. The bidder shall be responsible for ensuring all required equipment and modifications, as necessary, have been made to the 2016-17 TRAVEL BUS prior to delivery.

1.04 DELIVERY CONDITION

- A. The 2016-17 TRAVEL BUS delivered shall be in strict accordance with these specifications. If the vehicle is delivered with deviations or improper servicing, the Bidder must arrange to have the necessary work done within five (5) business days after notification from the Town of Kennebunk.
- B. Provide one (1) copy each of the Maintenance and Operational Manual and Parts List for the electrical, mechanical and hydraulic equipment furnished with the vehicle (See Detailed Specifications for further requirements).

1.05 TAX EXEMPTION

- A. The Town of Kennebunk (a municipal government) is an exempt entity under law of the State of Maine and is, therefore, exempt from payment of the State of Maine sales or use tax on purchases made directly for its own use. These taxes are not to be included in the bid prices for any equipment, materials and supplies sold to the Town under this Contract.
- B. The Town of Kennebunk is exempt from Federal Excise Tax (Federal ID # 01-6000221) and Federal Transportation Tax on all equipment, materials and supplies sold to the Town for its own use. These taxes are not to be included in the bid prices under this contract.

1.06 GUARANTEE

- A. The Bidder guarantees that the 2016-17 TRAVEL BUS furnished under this bid is a new and unused product of regular manufacture.
- B. The decision of the Public Services Director as to reasonable compliance with these specifications and guarantee shall be final.
- C. The manufacturer's standard warranty shall apply to the vehicle and warranty service shall be gratis at any dealer's shop in Maine.
- D. The successful Bidder shall further guarantee the vehicle and all equipment furnished for a period of one (1) year from date of delivery. This guarantee shall include defective materials and workmanship. If, during this period, warranty repairs and/or parts replacement become necessary due to defective materials and/or workmanship, all labor and material to make satisfactory repair shall be furnished at no cost to the Town by the Bidder.

1.07 BASIS FOR AWARD

- A. The Town reserves the right to reject any and all bids. The Town will accept the bid most advantageous to the Town, not necessarily the lowest bid. Alternative quotations will be considered only when clearly explained. They will be considered only if the specifications are met and the alternatives are submitted as an alternative bid.
- B. Bids shall be submitted in a sealed envelope or package with the type of bid clearly indicated on the outside.
- C. The Town of Kennebunk reserves the right to accept or reject any or all bids in whole or in part, to waive any formality and technicality in any bid and to accept any item or items in any bid. The Town reserves the right to accept or reject any or all bids as may best serve the interest of the Town.
- D. The Town reserves the right, at its' sole discretion, to accept or reject the Trade In (Deduct Alternate No. 1) or Extended Warrantee (ADD Alternate No. 1) in determining the lowest responsible bid.

The base bid price quoted shall be the net amount and shall include all costs necessary to furnish and deliver the 2016-17 TRAVEL BUS as required by these specifications.

1.08 PAYMENT

- A. When the 2016-17 TRAVEL BUS is delivered, the Town of Kennebunk will review and verify the request for payment, and if the vehicle is in compliance with these specifications, process the request. However, if poor workmanship and/or minor deviations exist, the Town may withhold up to 20% of the contract price upon delivery and delay payment of the balance until the Bidder has made all necessary corrections.
- B. The Town may withhold the full payment of the contract price if, in its opinion, the 2016-17 TRAVEL BUS contains major deviations from the specifications.

- C. The Town of Kennebunk will pay the amount due upon delivery acceptance, within thirty (30) days after receipt of an invoice.

1.09 SERVICE

- A. Service by an authorized dealer for the cab and chassis and body and engine shall be available within a 100 mile radius of the Town of Kennebunk.
- B. Prior to delivery, the vehicle furnished shall be completely serviced by the Bidder or by an authorized dealer of the manufacturer. Service to include; lubrication, fluids, filters and all other checks and adjustments required for proper servicing of a new vehicle.
- C. Particular attention shall be given to door alignment, weather stripping hardware, paint condition, tagging of cooling system and proper operation of all systems.
- D. It shall be the Bidder's responsibility to insure at the time of servicing that all components and accessories specified have been properly installed.
- E. It shall be the Bidder's responsibility to insure at the time of servicing and delivery that the vehicle is fully operational and will meet all the requirements of the State of Maine for vehicle operation on Federal, State or local ways.

1.10 BILL OF MATERIALS

- A. One (1) copy of a bill of materials or line-setting ticket shall be furnished with the vehicle when delivered. The bill of materials shall list by part number, capacity, size or otherwise, all major components of the vehicle engine, frame, transmission, drive line, axles, alternator, storage battery, fuel tank, etc.). The bill of materials shall be at least as comprehensive as the equipment manufacturer's line-set ticket.

Identification plates listing data specifically applicable to the body, etc., shall be permanently and conspicuously installed on the appropriate piece of equipment. Plates shall include at least the model and serial number.

1.11 TRADE IN ALLOWANCE (DEDUCT ALTERNATE No. 1)

- A. The Towns current 2004 Thomas/freightliner travel bus VIN# 1T77UB2841132004 is being offered as a trade in for this bid.

1.12 EXTENDED WARRANTY (ADD ALTERNATE No. 1)

- A. The Town of Kennebunk requests each Bidder submit a price quote to provide factory extended warranty service as an if available. The extended warranty shall be similar to the following:
 - 1. The extended factory warranty shall extend for 4 years beyond the required one (1) year warranty. That is, it shall cover the equipment for five years (60 months or 5,000 hours) after the date of purchase and delivery. The warranty shall cover the full machine and include 100% parts and labor (maximum \$200 deductible after 24 months of ownership). The warranty should cover:
 - a. engine
 - b. electrical
 - c. transmission and clutch
 - d. differentials
 - e. steering
 - f. front and rear differentials/axles

Include the extended warranty cost (as a lump sum bid) in the Add Alternate No. 1 item on the bid proposal. Provide specific information on the warranty coverage as bid detailing items covered and all exclusions, exceptions or conditions. Failure to bid this option may be grounds for rejection of the bid (although the cost may not be considered in determining the lowest responsible bid).

1.13 Air Conditioning (ADD ALTERNATE No. 2)

- A. Installation of a 120,000 btu. front and rear in wall with roof mount condenser.

END OF GENERAL INFORMATION SECTION

Bid Proposal Form 2016-17 Travel Bus

SUBMIT TO: Kennebunk Public Services Department
1 Summer Street
Kennebunk, Maine 04011

BID DATE: Wednesday, September 28, 2016 at 2:30 p.m.

The undersigned hereby certifies he/she has examined and fully comprehends the requirements of these specifications and drawings for the above project and offers to furnish all labor, materials, equipment, supplies and related to do the work as detailed for the following lump sum price.

Base Bid per each \$ _____
(In Numbers) _____ Dollars

(In Words)

Deduct Alternate No. 1 (Allowance for Trade - In, See Section 1.11)

Amount: \$ _____ Words: _____

Add Alternate No. 2 (Extended Warranty. See Section 1.12)

Amount: \$ _____ Words: _____

Add Alternate No. 2 (Roof mounted Condenser. See Section 1.13)

Amount: \$ _____ Words: _____

Specify Vehicle Make/Model Number: _____

Specify Body Manufacture and Model Number: _____

Name/Location of

Authorized Dealer: _____

Guaranteed Delivery Time (a/r/o): _____ Days (See Section 1.03)

NAME OF FIRM: _____

ADDRESS: _____

AUTHORIZED SIGNATURE: _____

PRINT NAME AND TITLE: _____

TELEPHONE: _____ **DATE:** _____

- Required Attachments:**
1. Completed Detailed Specifications
 2. Descriptive Literature (marked up)

DETAILED EQUIPMENT SPECIFICATIONS

SECTION 3

2016-17 Travel Bus

These specifications describe a new 2016-17 model year Travel bus as specified below. The specifications for the completed unit may not mention standard features, however these features must be included if they are part of the regular product and/or are required to make a finished and ready to work product. Each bidder shall complete the following section supplying the information requested for the vehicle bid. Failure to complete this section may be considered grounds for rejecting the bid. This unit will be utilized by the Kennebunk Recreation Department to convey children to many different and diverse activities some of which are swimming, hiking, fishing, and extended length road trips. Due to these demands the unit needs to provide easy entry and exit, Comfortable seating with plenty of headroom and maximum lockable storage capability located underneath the seating areas adequate for a fully loaded bus on overnight trips. Maximum fuel efficiency may also take priority over a lower mpg vehicle. Due to our previous experiences with some of our units we will be requesting the maximum amount of rust proofing/corrosion inhibiting available with a detailed explanation of what is done in the bid section under notes or on a separate sheet attached.

2016-17 Travel bus: Year: _____
Make: _____
Model: _____

Specification Description Minimum Required Bidder to Supply

3.00 General

- a. Gross Vehicle Weight Rating _____
lb.
- b. Standard Equipment Yes ___ No ___
- c. Specified 2016-17 Travel Bus Dimensions. Truck dimensions are based on a Set Forward front axle. Bidder to note on bid submittal any changes to dimensions in truck to be supplied.
 - 1. Wheelbase (WB) _____
Proposed
 - 2. Cab to Axle (CA) _____
Proposed
 - 3. Axle to Frame (AF) _____
Proposed

- 4. Bumper to Back of Cab (BBC)
Proposed _____
- 5. Bumper to Axle (BA)
Proposed _____
- 6. Overall Length (OAL)
Proposed _____
- d. Rear Axle – verify gear ratio prior to time of order
Proposed _____
- e. Failure by the successful bidder to submit dimensional changes and gear ratio information prior to ordering truck from manufacturer will be cause for rejection of truck at no cost to Kennebunk Public Services.
- f. Paint 2 coats base color,
2 coats clear polyurethane Yes ___ No ___
- g. Color
 - (1) Cab, dual color,
White with teal and decals to match existing fleet Yes ___ No ___
 - (2) Chassis, single color
Standard Black Enamel with undercoating Yes ___ No ___

3.01 Frame

- a. Frame Rails -
Heat Treated Alloy Steel Yes ___ No ___
- b. Huck Bolt Frame Fasteners Yes ___ No ___
- c. 2 front tow hooks Yes ___ No ___

3.02 Front Axle

- a. I-Beam Type Axle Capacity _____ lbs.
- b. Springs, Front capacity _____ lbs.
- c. Parabolic Taper Leaf Springs Yes ___ No ___
- d. Air ride with kneeling feature Yes ___ No ___

3.03 Brakes

- a. Air brake system for Bus Application Yes ___ No ___

- b. Front Brakes, Air Cam 16 1/2" x 6.0" _____ x _____
S-Cam
(includes 24 sq. in. Haldex Long Stroke Brake Chambers)
- c. Rear Brakes, Air Cam 16.5" x 7.0"
S-Cam (Haldex 30/30 Long Stroke
Brake Chamber and HD Spring
Activated Parking Brake) _____ x _____
- d. Air Dryer w/Heater Bendix AD-9
(or equivalent), In accessible Location Yes ___ No ___
- e. Air Compressor, 13.2 CFM Bendix Tu-Flo 550 or
equivalent Yes ___ No ___
- f. Slack Adjusters, Front Automatic Specify: _____
- g. Slack Adjusters, Rear Automatic Specify: _____
- h. Anti Lock Brake System Specify: _____
- i. Dust Shields Yes ___ No ___
- j. Dual Air tank location Specify: _____

3.04 Steering

- a. Steering Column – Tilting and Telescoping Yes ___ No ___
- b. Steering Gear Specify: _____
- c. Steering Wheel 2-Spoke, 18" diameter Yes ___ No ___

3.05 Exhaust System

- a. Single Horizontal Muffler aluminized steel;
includes tail pipe guard, curve top outlet Yes ___ No ___
- b. Bidder has verified required frame clearances
for muffler, tail pipe and outlet Yes ___ No ___

3.06 Electrical Systems

- a. 12 Volt System Standard Equipment Yes ___ No ___

- b. Fully multiplexed electrical system with an electronic system controller w/ Data Link Connector for in Cab Vehicle Programming & Diagnostics Yes ___ No ___
- c. USB Power Port Yes ___ No ___
- d. Alternator, Heavy Duty. 12 Volt; 220 amp capacity Specify _____
- e. Circuit Breakers, Auto Reset (Main Panel) SAE Type III, with Trip Indicators, Replaces all Fuses Yes ___ No ___
- f. LED Lamps utilized throughout the bus wherever possible Yes ___ No ___
- g. Low Oil Pressure/High Coolant Temperature; light and Audible Alarm Yes ___ No ___
- h. Electronic Back-up Alarm Yes ___ No ___
- i. Wiring shall be stranded type & conform to SAE J1128 Yes ___ No ___
- j. All circuits shall be properly fused for wire size & components; no splices or junctions between junction box and components Yes ___ No ___
- k. Individual wire shall be identified by number and color code Yes ___ No ___
- l. All stop, direction & clearance lights shall be mounted as specified by the Federal Motor Vehicle Safety Standard Yes ___ No ___
- m. All wiring shall be flame-proof in polytube and lamps shall be vapor proof, shock mount type and shall form a sealed system Yes ___ No ___
- n. Horn, Air, Frame Mounted and electric city horn. Yes ___ No ___
- o. Power Source, Terminal Type Two (2) Post Terminal Block Yes ___ No ___
- p. Battery System, Maintenance Free, Three (3) 12-volt 2,775 CCA Total approx. Specify: _____
- q. Radio, AM/FM Stereo with Electronic tuning, Digital Clock; includes Multiple Four (4) Coaxial Speakers Specify: _____

3.07 Front End

- a. Spring Loaded Hood Tilt Assist Yes ___ No ___
- b. Stationary Grille Yes ___ No ___
- c. Cross-over air intake Yes ___ No ___
- d. Grille / Radiator Stone Guard and headlight shrouds Chrome Finish Yes ___ No ___

3.08 Engine

- a. Engine, Diesel Specify: _____
Engine Displacement _____ Liter
Vocational Service Yes ___ No ___
Wet Sleeved 6 Cylinders Yes ___ No ___
- b. Horsepower 250Hp Specify _____ HP
@ _____ Governed RPM
_____ lb-ft @ 1200 RPM
- c. 4 valves per cylinder _____ valves / cylinder
- d. Premium Anti-Freeze Yes ___ No ___
Extended Life w/ coolant filter - 40°F _____ °F
- e. Cruise Control, Electronic Yes ___ No ___
- f. Governor, Electronic Yes ___ No ___
- g. Radiator - (Cross Flow, Series System, 1150 sq. in. and 1030 sq. in. charge air cooler Specify: _____
- h. Oil Sump, how many Quarts Specify: _____
- i. Starting Motor 38MT Type 300 Specify: _____

- j. Fan Drive, Automatic On/Off Type Control;
w/normally closed Temperature Control Specify: _____
- k. Fan, 26 inch Diameter; Nylon Specify: _____
- l. Dash Mounted Air
Restriction Gauge Yes ___ No ___
- m. Dual-element air cleaner Yes ___ No ___
- n. Radiator hose material Ethylene Propylene
Diene Monomer (EPDM) w/ an
Aramid fiber reinforcement layer Yes ___ No ___
- o. Powder-Coated Oil Pan Yes ___ No ___

3.09 Transmission

- a. Automatic, Close Ratio; 5 Speed,
2000 series Allison
Specify 5TH Gen. Controls, _____
- b. Transmission Oil
Pan Magnet in Oil Pan Yes ___ No ___
- c. Auxiliary Cooler
_____ No
for transmission Yes ___ No ___
- d. Remote Oil Filter Yes ___ No ___
- e. Transmission Oil Temperature
Gauge Yes ___ No ___
- f. Shift Lever Dash Mounted
Push Button Yes ___ No ___
- g. Transmission control Module to be in cab. Yes ___ No ___

3.10 Rear Axle & Suspensions

- a. Single Reduction Rear Axle capacity _____ Specify
- b. Rear Springs, vari-rate, Multi-Leaf
Capacity Yes ___ No ___
- c. Aux. air ride suspended Yes ___ No ___
- d. Rear Axle Drain Plug magnetic Yes ___ No ___

3.11 Fuel Tanks

a. Fuel Tank - top draw, D Style steel, 100 U.S. Gal. mounted between frame rails U.S. Gal. Yes ___ No ___
 Capacity _____

b. Fuel / Water Separator Specify Racor w/ heat element _____

3.12 Cabin

a. Cab, Conventional Material Type _____

b. Glass, All Windows deep Tinted, Operating Vent Windows Yes ___ No ___

c. Premium interior trim Yes ___ No ___

d. Color blue or gray _____ Specify

e. Mirrors - Two (2) Rectangular, Brackets Breakaway Type, Heads & Brackets, 16 x 7 Size, Heating Elements & Controls Integral Heated Convex Both Sides West Coast Premium Style
 _____ Specify

f. Gauge Cluster, English with English Electronic Speedometer with Tachometer Yes ___ No ___

g. Hour meter, Electronic; mounted in Cluster Yes ___ No ___

h. LED Backlight for switches Yes ___ No ___

i. Windshield Wipers, 2-Speed & Variable Intermittent Setting, Electric Yes ___ No ___

j. Seat, Driver: Air Suspension Seat, Armrests, High Back, Cloth, with Power air lumbar support; Front Cushion Adjustment and _____ Specify National 2000 Model Premium Series
 -3 to 14 deg. Seat Back Adjustment or equivalent

k. Seat, Passenger: Stationary, High Back blue or gray Bench to provide maximum seating capacity with a target of around 77

the more seats the better. A larger than spec. capacity may be chosen over a lower.

Yes ___ No ___

- l. Seat Belt, 3-Point, lap and shoulder belt type in all seating positions Yes ___ No ___
- m. Exterior Sun Visor Yes ___ No ___
- n. Dual Interior Sun Visors Yes ___ No ___
- o. Interior Cab Lights Yes ___ No ___
- p. Heater with Defroster Yes ___ No ___
- q. Bid Unit with no air conditioning add price in notes as a future add on option. Yes ___ No ___
- r. Hood liner insulation w/ double firewall insulation Yes ___ No ___
- s. Silencer Package for Cab Yes ___ No ___
- t. Rubber Fender Extensions Yes ___ No ___
- u. Backup Camera with in-cab monitor Yes ___ No ___

3.13 Wheels and Tires

- a. Front Disc; 22.5" 10 Stud (285.75 mm Bolt Circle), Hub Piloted, Steel Hubs, White, Powder Coat Paint Steel, 9:00 DC Rims Accuride _____ Specify
- b. Rear Dual Disc; 22.5" 10 Stud (285.75 mm Bolt Circle), Hub Piloted, Steel Hubs, White, Powder Coat Paint, Steel, 9:00 DC Rims Accuride _____ Specify
- c. Wheel Seals, Front Oil-Lubricated Wheel Bearings _____ Specify
- d. Front Tires, tubeless 11 R 22.5 – Load Range H (2 each) _____ Specify
- e. Rear Tires, tubeless 11R 22.5 - Load Range H (4 each)

All Season Traction
_____ Specify

- f. 1 Spare Rim & Tire to match above specifications Yes ___ No ___

3.14 Accessories

- a. Fire Extinguisher 5 lb. _____ lb.
(Dry Chemical)

- b. Digital Manuals all on CD:
Supply one operator manual Yes ___ No ___

Supply one shop maintenance manual Yes ___ No ___

Supply one electrical wiring diagram Yes ___ No ___

Supply one shop drawing of vehicle frame Yes ___ No ___

- c. Flag, Flare & Triangle Refl. Kit Yes ___ No ___

- d. First Aid Kit Yes ___ No ___

- e. Rear Mud Flaps/Anti-Sail Back of Rear Axles Yes ___ No ___

3.15 Cabin Body

Maximum size underbody luggage compartments front to back on both sides of bus constructed of fiberglass with stainless steel hinges. Weatherproof, lockable and easily accessible from both sides of bus Yes ___ No ___

Notes:

Provide Alt 1 pricing for installation of a roof top air conditioning unit appropriately size for a 77 passenger bus.

END OF SECTION

9.a



Project Location

Kennebunk, Maine
Kennebunkport, Maine

Project Duration

June 2016 to June 2018

Project Lead

Annie Cox
Wells National Estuarine
Research Reserve
(207) 646-1555, ext. 157
acox@wellsnerr.org

Project Type

Science Transfer – promoting the
use of science

Project Partners

- Kennebunk-Kennebunkport-Arundel Chamber of Commerce
- Laudholm Trust
- Town of Kennebunkport, Maine
- Wells National Estuarine Research Reserve

Decreasing Vulnerability for Maine's Beach-Based Business Community

Overview

Sea-level rise and extreme weather events exacerbated by climate change impact Maine's coastline and are anticipated to increase in frequency and strength. Beach-based businesses, a powerful economic engine for Maine, are generally little-prepared for storm surge and coastal flooding. Yet lessons learned from previous disasters underscore that the recovery of businesses is critical to the overall recovery of a region's economy.

This project will adapt and transfer the Tourism Resilience Index, previously developed for the Gulf of Mexico, to Southern Maine. Coastal businesses in Kennebunkport and Kennebunk will be helped to assess their ability to maintain operations during and after a disaster. The Wells National Estuarine Research Reserve also will collaborate with business leaders, municipalities, and climate adaptation professionals to decrease the vulnerability of Maine's beach-based business community to natural disasters.

This project will strengthen resilience work throughout Maine communities by helping businesses prepare for climate change impacts and share needs with local decision makers.



Anticipated Benefits

- Southern Maine businesses will complete facilitated self-assessments to better understand how they can prepare for climate-related natural disasters.
- Municipal decision makers will better understand how the local business community can become more resilient to natural disasters.
- Business owners will become more engaged in climate adaptation dialogue and strategy.

Project Approach

Using a collaborative approach that engages researchers and local business owners, the project team will adapt a tourism-resilience index for Southern Maine businesses. After the team completes pilot testing, a broader community of local business leaders will complete facilitated self-assessments in Kennebunkport and Kennebunk, Maine. Participating businesses will be given their custom tourism-resilience index, or score, along with suggested steps they can take to increase resilience to natural disasters.

The project team will meet with these same businesses one year later to reassess and measure progress. The team will then aggregate the indices of participating businesses, and a summary of lessons learned will be shared with Southern Maine chambers of commerce, municipalities, and climate adaptation professionals. The project partners will also share strategies for adapting and putting in place the tourism-resilience index in different regions with business communities, climate adaptation professionals, and the National Estuarine Research Reserve System. They will also highlight common gaps and barriers businesses share when increasing resilience to natural disasters.

Targeted End Users and Anticipated Products

- New England business owners and climate adaptation practitioners will benefit from business self-assessments and corresponding implementation guidance.
- Project partners and participants will receive and share the summary report of aggregated findings from participating businesses, including barriers and opportunities.
- Regional business networks, climate adaptation providers, and municipal decision makers will receive outreach products and presentations.

About the Science Collaborative

The National Estuarine Research Reserve System's Science Collaborative supports collaborative research that addresses coastal management problems important to the reserves. The Science Collaborative is managed by the University of Michigan's Water Center through a cooperative agreement with the National Oceanic and Atmospheric Administration (NOAA). Funding for the research reserves and this program comes from NOAA. Learn more at nerrs.noaa.gov or graham.umich.edu/water/nerrs.

9.b.

Dreamwood Chainsaw
P.O.Box 361
White Haven, PA 18661-361

To: David Leonard
Leonard Prime Properties
13 Western Avenue
Kennebunk, Maine

For services rendered

Carve large stump at 13 Western Avenue, in Kennebunk,
Maine (lighthouse with seat)

Date of service

October 20-23, 2016

Price

\$3000 plus Lodging (three nights_)

Thank you.

M. Blaine

9.c.

SECTION 6

ORDINANCES RELATING TO LICENSING

6-1 STREET VENDORS AND PEDDLERS

6-1.1: Definitions

1. *"Eating Establishment"* as used herein shall include any place where food or drink is prepared and served, or served to the public for consumption on the premises, or catering establishments, or establishments preparing foods other than in original sealed packages, such as hotels, motels, boarding homes, restaurants, take-out restaurants, coffee shops, cafeterias, short order cafes, luncheonettes, grills, tearooms, sandwich shops, soda fountains, bars, cocktail lounges, night clubs, industrial feeding establishments, retail frozen dairy product establishments, airports, parks, theaters, recreational camps, youth camps or any other catering or nonalcoholic drinking establishments or operations where food is prepared and served or served for consumption on the premises, or catering establishments where food is prepared, or where foods are prepared for sale other than in original sealed packages.
2. *"Mobile Vending Unit"* as used herein shall mean a mobile vehicle, cart or stand designed and constructed to transport, prepare, sell or serve food at a number of sites and capable of being moved from its serving site at any time.
3. *"Non-profit Street Vendor"* as used herein shall mean a Street Vendor who operates solely on behalf of bonafide charitable, service, religious, municipal organizations or agencies, or youth sports or similar school booster groups or agencies located within Kennebunk, as well as any person, firm, corporation, association, club, partnership or society operating as part of or associated with an event sponsored by the Town of Kennebunk such as the Kennebunk Farmers' Market.
4. *"Peddler"* as used herein shall include any person, having no established or fixed place of business in Kennebunk, selling or offering for sale tangible commodities other than food products from any public street, other publicly owned or controlled space within Kennebunk, and where delivery is made at the time of sale.
5. *"Person"* as used herein shall include the singular and the plural, and shall also mean and include any person, firm or corporation, association, club, partnership or society.
6. *"Resident"* as used herein shall mean a person whose domicile is in Kennebunk, Maine.
7. *"Street Vendor"* as used herein shall mean a seller of any foods or non-alcoholic beverages for immediate consumption from a cart, stand, display or vehicle stationed at a specified and approved location on a public street, sidewalk or public place. Such location shall be established and approved as provided by this Section.
8. *"Town"* as used herein shall mean Kennebunk, Maine.

9. “*Victualer*” as used herein shall mean a person who serves food or drink prepared for consumption on the premises by the public, either as a Street Vendor or at an Eating Establishment.
10. “*Waterhouse Center Zone*” as used herein shall include all privately owned property, public streets, sidewalks, parking lots and other publicly owned or controlled spaces within 300 feet from any property line of 51 Main Street, the Waterhouse Center Pavilion property.

6-1.2: License Required

It shall be unlawful for any person to engage in the business of Peddler or Street Vendor as defined in Section 6-2.1 of this Ordinance within the corporate limits of Kennebunk without first obtaining a license therefor from the Town Clerk, Town Manager or other designee appointed by the Municipal Officers as provided herein. Street Vendors licenses shall be issued for the sale of food items only, and those food items shall be primarily intended to be consumed at the time of purchase. Any distribution of free product samples shall be limited to samples of food for sale at that cart. Peddlers’ licenses shall be issued for the sale of all other tangible goods.

The requirements of this Ordinance shall not apply to participation by a Street Vendor or Peddler in any Town-sponsored event including, but not limited to, the “Harvest Fest,” “Winter Fest,” “May Day,” and “Old Home Week.” Participation by Street Vendors and Peddlers in Town-sponsored events shall be reviewed and approved annually by a committee appointed by the Board of Selectmen. The requirements of this Ordinance shall also not apply to participation in the Kennebunk Farmers’ Market or the Kennebunk Downtown Artisans’ and Crafters’ Market; provided, however that a Street Vendor or Peddler licensed to operate pursuant to this Ordinance shall not be precluded by these events.

6-1.3: Application Requirements and Licensing Procedures

1. Applications for licenses under this Ordinance must be made by the Street Vendor or Peddler each calendar year in which the Street Vendor or Peddler desires to operate. Applications for Street Vendor’s and Peddler’s licenses in the Waterhouse Center Zone must be submitted on or before January 31 of each calendar year, or as otherwise required and duly noticed by the Board of Selectmen for the license year immediately following the adoption of this Ordinance. The applicant shall file with the Town Clerk a sworn or affirmed application in writing on a form to be furnished by the Town Clerk, which shall require the following information:
 - a. Name of the applicant including company, corporation, d/b/a, and the name of all persons associated with or who will be conducting business with the applicant pursuant to the license;

- b. Address of the applicant and any related business entities. There must be a local and legal address for receipt of notices. In the event of change of either address, the applicant is obligated to notify the Town Clerk immediately;
- c. A brief description of the types of goods or food and/or beverages to be sold by the applicant;
- d. Evidence of current licenses and registrations held by the applicant as may be required by the State of Maine in connection with applicant's sales;
- e. A description of the proposed location of the applicant's sales. The inclusion of this information on an application shall not be deemed a guarantee of that location and all locations of Street Vendors and Peddlers shall be subject to the approval of the Board of Selectmen;
- f. If a vehicle is to be used in connection with the Street Vendor's or Peddler's sales, a description of the same, together with license number or other means of identification;
- g. A statement as to whether the applicant has been convicted of any crime or violation of any municipal ordinance, including the denial, suspension or revocation of a Street Vendor's or Peddler's license within the last five years and details of the same;
- h. A photograph of any vehicle, Mobile Vending Unit or other display to be used in the operation of the business and a description of materials, measurements, appurtenances, signs, awnings, umbrellas, fuel, refrigeration, water supply and colors associated with the vehicle or display to indicate compliance with the performance standards listed in Section 6-2.7 below. Specific measurements, designs and locations of the vehicle, Mobile Vending Unit and all appurtenances, including detached items, shall be submitted.
- i. A sketch showing the proposed location of a Street Vendor or Peddler other than those located within the Waterhouse Center Zone or as otherwise assigned by the Selectmen, its measurements and all appurtenances, and the relationship of all of the above features to all site features of the immediate area including, but not limited to, sidewalks, driveways, buildings, landscaping, paths, signs and utilities.
- j. Any other information, as may be required by the Town Clerk, Town Manager or other designee appointed by the Municipal Officers, which directly relates to the safe and healthy operation of the licensed Street Vendor or Peddler.

2. A non-refundable application fee in an amount set forth in the fee schedule set by vote of the Municipal Officers shall accompany each application and a license fee in an amount set forth in the fee schedule set by the vote of the Municipal Officers shall be paid to the Town Clerk upon approval of the license.

3. The Town Clerk, Town Manager or other designee appointed by the Municipal Officers shall approve a license as provided in this Ordinance based on review of the application and related materials, unless he or she finds that any or all of the following apply:

- a. The application was not complete or contains false or misleading information; or
- b. The application and/or requested license are not fully in compliance with the requirements of this Ordinance or any other applicable laws.

4. After the approval of licenses by the Town Clerk, Town Manager, or other designee, licenses shall be issued subject to the lottery provisions outlined in Section 6-2.4 below, where applicable, and upon submission of the following:

- a. A copy of the certificate of insurance required by Section 6-2.6.1;
- b. The location desired by the Street Vendor or Peddler;
- c. For Street Vendors only, a valid victualer's license. In the event a victualer's license is not approved or renewed by the State of Maine or the Town, then the Street Vendor's license shall not be issued or, if previously issued, shall no longer be valid; and
- d. For Street Vendors only, a valid license issued by the State of Maine Department of Human Services for food service.

5. Street Vendor and Peddler licenses shall be valid for one year and shall be renewed annually upon application of the license holder, subject to the application and review requirements of Section 6-2.3. The location of Street Vendors and Peddlers shall be assigned and/or approved by the Municipal Officers upon renewal each year and may be subject to a rotation.

6. Any person who has held a Street Vendor or Peddler license under this Ordinance for seven (7) consecutive renewal terms shall not be issued an eighth renewal license, but may apply as a new applicant.

7. Street Vendor and Peddler licenses shall not be subleased or assigned to any party and shall only be valid for use for the location and operations approved by the

Town Clerk or Town Manager for that applicant; provided, however, that employees or alternate operators of the applicant's business may conduct the applicant's business in the same location and under the same conditions as approved by the license on behalf of the applicant.

→ 8. Any entity may apply for up to two spaces at the Waterhouse Center.

6-1.4: Annual Lottery for Street Vendors in the Waterhouse Center Zone

1. After the Town Clerk, Town Manager or other designee has approved the license applications for Street Vendors and Peddlers in the Waterhouse Center Zone, the Town Clerk, Town Manager or other designee shall conduct a public lottery to assign Street Vendor and Peddler licenses and locations in the Waterhouse Center Zone no later than the first meeting of the Board of Selectmen in February of each calendar year, or as otherwise scheduled and duly noticed by the Board of Selectmen for the license year immediately following the adoption of this Ordinance. At least 14 days before the lottery, the Town Clerk shall mail written notice of the time and place of the lottery to each approved Street Vendor and Peddler applicant and shall post and publish public notice of the same.

2. The Town shall issue no more than four (4) Street Vendor licenses each year within the Waterhouse Center Zone, but may issue less than four (4) Street Vendor licenses in that zone if the Municipal Officers determine by majority vote when establishing the designated locations pursuant to Section 6-2.5.4 prior to the timeframe specified therein that it is in the best interest of public health and safety. For any year in which Street Vendor licenses are available, the public lottery process as outlined in Section 6-2.4 above shall apply.

3. The Town shall issue a number of Peddler licenses each year within the Waterhouse Center Zone to be determined by majority vote of the Board of Selectmen on or before the first meeting of the Board of Selectmen in February of each year pursuant to the requirements of Section 6-2.5.4 in addition to the consideration of approved Street Vendor locations within the Waterhouse Center Zone.

4. One additional Street Vendor or Peddler license shall be reserved each year for use by Non-profit Street Vendors or Peddlers within the Waterhouse Center Zone. Non-profit Street Vendors or Peddlers may apply to the Town Clerk, Town Manager or other designee on an application form to be provided by the Town Clerk for the use of the designated Non-profit Street Vendor or Peddler space once per calendar year or more frequently as permitted by majority vote of the Board of Selectmen upon request of the Non-profit Street Vendor or Peddler. All Non-profit Street Vendors and Peddlers using the designated location shall provide the Town Clerk's Office with a report of activities conducted at these locations within 30 days after the event. Failure

to comply with this provision may result in forfeiture of the right to use the location again during the calendar year and following.

5. Those approved Street Vendor and Peddler applicants who are present at the lottery in person or by agent acting under written authority may select their own locations from the pre-approved locations provided in the order in which their names are drawn. Approved Street Vendor and Peddler applicants who are not present will be assigned locations at random by the Municipal Officers or its designee.

6. Issued licenses shall contain the signature and seal of the issuing officer and shall show the name, address and photograph of said licensee, the kind of goods to be sold thereunder, the date of issuance, and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in such peddling. The Town Clerk shall keep a permanent record of all licenses issued.

7. In the event that Street Vendor and/or Peddler locations in the Waterhouse Center Zone remain unassigned after the lottery is held, or in the event that assigned Street Vendor and/or Peddler locations are subsequently abandoned or relinquished during the applicable calendar year, the Town Clerk may accept additional applications for Street Vendor and/or Peddler licenses on a first come, first served basis and may forward qualified applications to the Municipal Officers for final action. The Municipal Officers or the Town Clerk shall grant new or renewal licenses to qualified applicants who have satisfied the requirements set forth in Section 6-2.3.

6-1.5: Location

1. Peddlers and Street Vendors may establish a location on a private lot, or request a location on a publicly owned or controlled space only within the following Districts: Downtown Business District (DB); Lower Village Business District (LVB); Suburban Commercial (SC); Business Park (BP); Industrial District (I); York Street Mixed Residential and Commercial Use District (MRCU); West Kennebunk Village Mixed Use District (WKV); Upper Square (US), Village Residential (VR).
2. Street Vendors shall be prohibited within the Coastal Residential Zoning District and the Resource Protection Zone abutting Beach Ave. and Great Hill Road.
3. An applicant for a Street Vendors or Peddlers license shall specify the location where he or she proposes to locate. All locations shall be subject to the approval of the Town Clerk, Town Manager or other designee appointed by the Municipal Officers.
4. The Municipal Officers shall designate all Street Vendor locations within the Waterhouse Center Zone for each license year no later than February 1 of the license year or at such other time as may be necessary and appropriate by the Board of Selectmen prior to issuing licenses for the license year immediately following the

adoption of this Ordinance. Street Vendors shall not be permitted in any location other than those approved by the Municipal Officers for that year. When determining Street Vendor locations, the Municipal Officers shall consider whether the Street Vendor would create a nuisance, blight, safety, or public health hazard; significantly impede or interfere with the free and reasonable movement of motor vehicles, bicyclists, or pedestrians upon Town ways, crosswalks, pathways, or sidewalks; or impair safe sight distances for turning vehicles from such Town ways or sidewalks in and out of private ways and parking areas.

5. The Municipal Officers shall have the authority to relocate existing Street Vendor and Peddler locations at any time if the Police Chief determines that they create safety hazards or as determined necessary by the Municipal Officers for Town-sponsored events such as "Harvest Fest," "Winter Fest," "May Day," and "Old Home Week." The Municipal Officers reserve the right to relocate and/or prohibit Street Vendors and Peddlers during any regularly-scheduled, annual Town-sponsored event or other Town-sponsored or private events to be held in the Waterhouse Center Zone when the proposed location would create a nuisance, blight, safety, or public health hazard; significantly impede or interfere with the free and reasonable movement of motor vehicles, bicyclists, or pedestrians upon Town ways, crosswalks, pathways, or sidewalks; or impair safe sight distances for turning vehicles from such Town ways or sidewalks in and out of private ways and parking areas. The Town Clerk shall provide approved Street Vendors and Peddlers with a list of these events and any corresponding blackout dates each year; provided, however, that this list is subject to change.

6. Locations of Street Vendors and Peddlers may be denied if:

- a. The proposed location would create a nuisance, blight, safety, or public health hazard;
- b. The proposed location would significantly impede or interfere with the free and reasonable movement of motor vehicles, bicyclists, or pedestrians upon Town ways, crosswalks, pathways, or sidewalks, or impair safe sight distances for turning vehicles from such Town ways or sidewalks in and out of private ways and parking areas;
- c. The proposed location does not meet ADA standards or sidewalk clearance; or
- d. The requested location is within the Historic District and a certificate of appropriateness from the Historic Preservation Committee has not been issued
- e. Applicant shall comply with all local ordinances and restrictions pursuant to the terms of any permit of the Code Enforcement Officer.

7. The Municipal Officers shall have the authority to issue one additional license to a Street Vendor or Peddler that desires to participate in an event sponsored by a non-profit or charitable organization; provided that the Street Vendor or Peddler submit a proposal to the Municipal Officers which designates a portion of the Street Vendor's or Peddler's sales to the organization sponsoring that event. Applications shall be submitted in accordance with this Ordinance; provided, however, that applications may be submitted at any time during the year and the associated fees shall be established by the Municipal Officers as set forth in the fee schedule.

6-1.6: General Provisions

1. Street Vendors and Peddlers shall maintain in full force and effect at all times a policy of comprehensive public liability insurance with limits of not less than one million dollars (\$1,000,000), naming the Town of Kennebunk as additional named insured. A certificate of insurance must be provided before a Street Vendors or Peddlers license is issued.

2. Street Vendors and Peddlers may operate on publicly owned or controlled property in the Waterhouse Center Zone within the hours of 7:00 am – 10:00 pm Monday – Saturday and 9:00 am – 10:00 pm Sunday, local prevailing time, in conformance with all provisions of the Town's Noise Control Ordinance, Section 3-19. Street Vendors and Peddlers may operate on private property within the Waterhouse Center Zone only after 10:30 pm. Street Vendors and Peddlers in all other approved locations shall not be limited by the hours of operation set forth in this paragraph.

6-1.7: Performance Standards

1. A Street Vendor or Peddler shall not operate in a way that would restrict or interfere with ingress to or egress from any building, abutting parcel or public place or obstruct adequate access by fire, police or sanitation vehicles, and shall not interfere with pedestrian flow on the sidewalk.
2. All utilities shall be provided through a service area as designated by the Town, and all connections shall be determined secured and safe by inspection of the Town's designated official. Street Vendors and Peddlers in the Waterhouse Center Zone shall not be permitted to utilize generators unless expressly permitted and approved by the Municipal Officers on the basis that they will not create a noise nuisance.
3. The operations area shall be kept clean and free of litter. Public trash receptacles on the street shall not be used by Street Vendors or Peddlers. All trash shall be disposed of in conformance with the Town's Rubbish Ordinance, Section 3-2.

6-1.8: Mobile Vending Units

1. The design and appearance of all Mobile Vending Units shall conform to the following specifications:

- |
- a. **Materials:** Mobile Vending Units may be commercial construction or individually constructed. All carts shall be made of solid, durable materials.
 - b. **Color:** Neon and fluorescent as predominant colors are prohibited.
 - c. **Shape:** "Theme" carts or stands, such as one in the shape of hot dogs, are prohibited.
 - d. **Size:** Maximum dimensions of a Mobile Vending Unit located in certain designated spaces within the Waterhouse Center Zone shall cover no greater than 80 square feet per unit or a combined total of 200 square feet for two spaces. Maximum height of the Mobile Vending Unit located in certain spaces within the Waterhouse Center Zone as designated by the Municipal Officers shall be ten (10) feet from the top of the Mobile Vending Unit to the bottom of the Mobile Vending Unit where it (or its wheels) touches the ground. No signs, awnings or canopies shall be permitted to protrude from the Mobile Vending Unit in excess of two feet of these dimensions in any direction. All other Mobile Vending Units shall be limited in size only as required for the purposes of public safety pursuant to their approved locations.

2. Awnings and umbrellas shall be free standing without the use of poles, constructed of a non-rigid, flame retardant fabric such as, but not limited to, canvas, rip stop nylon or soft plastic.

3. The hitch shall be visually identified for safety purposes with a wrapper, bicycle type flag or other similar unobtrusive identifying device such as a cone which does not obstruct the clear area and which meets the requirements of the federal Americans with Disabilities Act.

4. Mobile Vending Units are allowed the following signs subject to the following requirements.

- a. No more than two (2) signs, including lettering on an umbrella or awning, are permitted on each Mobile Vending Unit. In addition, one menu board is permitted and shall be no larger than six (6) square feet.
- b. Each sign shall be secured to the cart and shall not extend in any direction beyond the maximum measurements of the cart as outlined in Section 6-2.7.1(d) above.
- c. Each sign face shall be counted as one sign.

- d. Free standing signs are allowed per the sign ordinance (sandwich boards limited to 12 square feet).
 - e. Sign design shall be in accordance with Article 10, Section 7 of the Town's Zoning Ordinance.
 - f. Digital signage shall be prohibited.
5. Mobile Vending Unit lighting shall conform to the following requirements:
- a. Lighting shall not increase the light level at the perimeter of the operations area by more than 5 foot candles above the ambient light level. However, total maximum lighting at the perimeter of the operations area shall not exceed fifteen (15) foot candles.
 - b. Light sources shall be aimed or shielded so that the light projects downward and in no case shall the angle be less than 20 degrees below horizontal.
6. Items, except for those located on the Mobile Vending Unit, are limited to the following: one trash receptacle and one recycling receptacle. These items shall be located immediately adjacent to or under the Mobile Vending Unit. An unobstructed walkable path around the Mobile Vending Unit and a sufficient area in which customers may safely queue when ordering and waiting for food must be provided.
7. No animals shall be attached to the cart except for guide animals.
8. No amplified sound, such as music, shall be permitted from any Mobile Vending Unit. Street Vendors and Peddlers shall not shout, call out or hail motorists or passersby in a loud voice or by approaching or otherwise hawking goods.
9. The Mobile Vending Unit shall meet all local, state and national fire, safety and health codes.
10. Each Mobile Vending Unit shall display its valid State and local food service, victualer's and Street Vendors licenses in a visible location.
11. Mobile Vending Units located within the Waterhouse Center Zone under the canopy of the Waterhouse Center may be subject to additional regulations as determined necessary and appropriate generally for such units by the Board of Selectmen for the public health and safety including, but not limited to, a prohibition on the use of propane, charcoal or other fuel sources for cooking under the canopy or certain provisions to prevent units from leaking on the floor of the Waterhouse Center.

6-1.9: Revocation of License

1. Licenses issued under the provisions of this Ordinance may be revoked by the Municipal Officers after notice and hearing for any of the following causes:
 - a. Fraud, misrepresentation or false statement contained in the application for license;
 - b. Fraud, misrepresentation, or false statement made in the course of carrying on his or her business as a peddler;
 - c. Any violation of this Ordinance;
 - d. Conviction of any crime or misdemeanor involving moral turpitude; or
 - e. Conducting the business of peddling in any unlawful manner or in such a manner as to constitute a menace to the health, safety, or general welfare of the public.
2. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at the licensee's legal address at least five (5) days prior to the date set for hearing.

Section 6-1.10: Expiration of License

All licenses issued under this Ordinance shall expire one year from the date of issuance. Licenses issued in the first year following adoption of this Ordinance shall be valid from the date of issuance through January 31, 2016.

Section 6-1.11: Appeal

Any person aggrieved by the action of the Town Clerk or Town Manager in the disapproval of an application or location as provided in Section 6-2.3 and 6-2.4 of this Ordinance shall have the right of appeal to the Municipal Officers. Such appeal shall be taken by filing with the Board of Selectmen within fourteen (14) days after notice of the action complained of has been mailed to such person's legal address, a written statement setting forth fully the grounds for the appeal. The Board of Selectmen shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided in Section 6-2.4 of this Ordinance for notice of hearing on revocation. The decision and order of the Board of Selectmen on such appeal shall be final and conclusive. Any person aggrieved by the action of the Municipal Officers shall have the right to appeal to Superior Court within 30 days of said action.

Section 6-1.12: Enforcement & Penalties

1. This Ordinance shall be enforced by the Town's Code Enforcement Officer or his or her designee.
2. Any person aggrieved by a decision of the Code Enforcement Officer shall have the right to appeal that decision to the Board of Appeals. An appeal must be filed in writing with the CEO within ten (10) days after the "date of issuance" inscribed by the Code Enforcement Officer on a written notice of decision sent to the alleged violator.
3. Any person violating this ordinance shall commit a civil violation, punished by:
 - a. For the first offense, a civil penalty of \$100 per day per occurrence;
 - b. For the second violation, revocation of the license by the Municipal Officers.

Section 6-1.13: Amendments

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

PASSED 03-05-1923; AMENDED 06-12-2002; AMENDED 06-21-2011;
AMENDED 12-09-2014; AMENDED 06-14-2016

Town of Kennebunk Ordinance Fee Schedule

Ordinance	Section	Title/Subject	1 st Offense	2 nd Offense	3 rd Offense
2-1		Prohibited Parking			
	2-1.1 A	Beach Area	\$20.00	\$40.00	\$100.00
	2.1.1 B	Beach Avenue	\$20.00	\$40.00	\$100.00
	2-1.1. Ba	Beach Avenue	\$20.00	\$40.00	\$100.00
	2-1.1 O	Lords Point Road	\$20.00	\$40.00	\$100.00
	2-1.1 DD	Western Avenue-Opposite Rotary Park	\$20.00	\$40.00	\$100.00
	2-1.4	Fines	\$20.00	\$40.00	\$100.00
2-2		Limited Parking			
	2-2.1 A	Beach Avenue	\$20.00	\$40.00	\$100.00
	2-2.4	Fines	\$20.00	\$40.00	\$100.00
2-3		One-Way and Prohibited Traffic			
	2-3.4	Devonshire Lane/Fines	\$20.00	\$40.00	\$100.00
	2-3.5.3	Fines	\$20.00	\$40.00	\$100.00
2-4		Limited or Prohibited Conveyances			
	2-4.1	Fines	\$20.00	\$40.00	\$100.00
		Skateboard Ordinance			
	2-4.2.3.4	Fines	\$20.00	\$40.00	\$100.00
2.4.5		Bicycle Cabs Ordinance			
		Application Fee: \$50.00			
	2-4.5.11	Fines	\$20.00	\$40.00	\$100.00
2.5		Beach Parking Permits			
	2-5.3	Residents/Taxpayers: 1 st : \$2.00, 2 nd : \$5.00, 3 rd : \$5.00			
	2-5.4	Guest Parking Permits: \$20.00 each			
		Motels & Hotels: \$20.00 each			
	2-5.5	Non-Residents: 1 Day Permit: \$20.00 each			
		Non-Residents: 1 Week Permit: \$75.00 each			
		Non-Residents: 1 Full Season Permit: \$150.00 each			
	2-5.6	Replacement Fee: 1 st : Free, Add'l: \$5.00			
		Fines	Per KPD Ticket		
2.6		Parking Related to Winter Snow Plowing/Removal			
	2-6.1	Fines	\$20.00	\$40.00	\$100.00
2.7		Commercial Traffic Regulation on Town Ways			
	2-7.6	Fines	\$20.00	\$40.00	\$100.00
2.8		Kennebunk River Passage Ordinance			
2.9		Sidewalk Parking Ordinance			
		Fines	\$20.00	\$40.00	\$100.00
2.10		Kennebunk Harbor Ordinance			
	2-10.2	Mooring Fee (Resident): \$150.00			
		Mooring Fee (Non-Resident): \$150.00			
		Mooring Waiting List Fee: \$15.00			
	2-10.6	Fines	\$20.00	\$40.00	\$100.00
2.11		Fire Hydrants/Parking			
	2-11.1	Fines	\$20.00	\$40.00	\$100.00

Ordinance	Section	Title/Subject	1 st Offense	2 nd Offense	3 rd Offense
2-12		Unpaid Parking Fines Penalty			
	2-12.1	Fines/Not paid within 21 days	\$20.00	\$40.00	\$100.00
	2-12.2	Fines/Impound Fee: \$40.00 + \$5.00/day			
	2-12.2	Fines/Obstructing Removal	\$20.00	\$40.00	\$100.00
2-13		Engine Breaking Ordinance			
	2-13.2	Fines	\$20.00	\$40.00	\$100.00
3-1		Water Closets-Deleted 6/11/2003			
3-2		Rubbish			
	3-2.1	Fines/Household waste littering public way	\$20.00	\$40.00	\$100.00
	3-2.2	Fines/Failure to cover rubbish	\$20.00	\$40.00	\$100.00
	3-2.3	Fines/Littering near waterways	\$20.00	\$40.00	\$100.00
	3-2.4	Fines/Littering in public ways	\$20.00	\$40.00	\$100.00
3-3		Municipal Dump-Deleted 6/21/2011			
3-4		Dogs			
	3-4.1	Fines/Roaming at large	\$20.00	\$40.00	\$100.00
	3-4.2	Fines/Habitual Barking	\$20.00	\$40.00	\$100.00
	3-4.3 C	Fines/Failure to remove and dispose of feces	\$20.00	\$40.00	\$100.00
3-5		Public Beaches			
	3-5 IV.9	Fines: General rules	\$20.00	\$40.00	\$100.00
	3-5 VI	Fines: All other rules	\$20.00	\$40.00	\$100.00
3-6		Public Conduct			
	3-6.4	Fines			
3-7		Firearm Discharge Ordinance			
	3-7.6	Fines	\$100.00	\$250.00	\$400.00
3-8		Concealed Weapon Permit Application Fee			
	3-8.1	Original Application: \$35.00			
		Renewal Application: \$20.00			
		Duplicate: \$2.00			
		Fines	\$20.00	\$40.00	\$100.00
3-9		Out-of-Door Burning			
	3-9.7	Fines	\$20.00	\$40.00	\$100.00
3-10		Septage Effluent			
			\$50.00	\$100.00	\$150.00
3-11		Police/Fire Alarms			
	3-11.3	Fees: \$25.00			
	3-11.7	Fines: (the first 3 alarms are waived)	4 th Offense \$100.00	5 th Offense \$200.00	6 th Offense \$300.00
3-12		Smoke Detector Ordinance			
	3-12.7	Fines	\$20.00	\$40.00	\$100.00
3-13		Overboard Discharge Ordinance			
	3-13.6	Fines	\$50.00	\$100.00	\$150.00
3-14		Solid Waste & Pay As You Throw Ordinance			
	3-14 X 2	Application Fee: \$100.00			
	3-14 X 7	License Fee: Vehicle-\$25.00			
		License Fee: Applicant-\$50.00			
3-15		Solid Waste Facilities Prohibition			
3-16		Solid Waste Disposal Fees			
3-17		Offenses Against Public Property			
	3-17.3	Fines	\$100.00	\$250.00	\$350.00
	3-17.4	Waiver fees	\$25.00	\$75.00	\$100.00+ damages

Ordinance	Section	Title/Subject	1 st Offense	2 nd Offense	3 rd Offense
3-18		Use of Permit Fees for Non-Residential Projects			
3-19		Noise Control Ordinance			
4-1		Amateur Sports- Deleted June 2003			
4-2		Centennial Plot			
4-3		Wiggin's Pond Regulations			
	4-3.0	Fines	\$20.00	\$40.00	\$100.00
4-4		Placing Stock in Trade on Sidewalks			
4-5		Floodplain Management Ordinance			
	4-5 IV	Application Fee: \$1.00 per \$1,000.00 of construction costs			
4-6		Street Address Ordinance			
4-7		Property Tax Assistance Ordinance			
4-8		Tree Ordinance			
6-1		Peddlers and Door-to-Door Solicitation			
	6-1.3.2	Fee: \$50.00			
		Mobile Vendor for the Waterhouse Center (annual fee): \$50 application fee (non-refundable), \$800 vending license, \$150 Victualer license if not already licensed			
6-2		Ordinance Prohibiting Street Vending Within the Coastal Residential District			
	6-2.4	Fines	\$50.00	\$100.00	\$150.00
6-3		Victualer & Lodging Licenses			
	6-3.4	Fee: \$150.00			
	6-3.7	Fines	\$50.00	\$100.00	\$200.00
	6-3.9	Special Event Fees: 1-2 days: \$10/day (Kennebunk Business)			
		Special Event Fees: 3-30 days: \$25 (Kennebunk Business)			
		Special Event Fees for Non-Kennebunk Business: \$40.00			
	6-3.11	Outdoor Dining Permit Fee: \$25.00			
6-4		Wrecker/Towing Services			
6-5		Mass Gatherings			
	6-5.1	Filing Fee: \$150.00			
6-6		Special Amusement Permits			
	6-6.4	Fee: \$75.00			
	6-6.9	Fines	\$75.00	\$150.00	\$300.00
6-7		Pin Ball Machines and Other Arcade Games			
	6-7.2	Fee: \$75.00			
6-8		Cable Television			
	6-8.3	Fee: \$150.00			
6-9		Demolition Wastes Disposal Ordinance			
	6-9.4	Fee: \$20.00/6 cubic yards			
		Fines	\$20.00	\$40.00	\$100.00
6-10		Shellfish Conservation Ordinance			
	6-10.5 C	Resident Fees: \$20.00			
		Non-Resident Fees: \$40.00			
	6-10.5 K	Penalty per M.R.S.A Section 6671 (10)	\$100.00	\$300.00	\$500.00
8-1		Street Design and Construction Standards Ordinance			
8-2		Street and Sidewalk Excavation Ordinance			
	8-2.2	Fees: \$50.00			
	8-2.27	Fines	\$100.00	\$250.00	\$400.00

Approved 6/10/2014

11.b.

Kathy Nolette

From: Barry Tibbetts
Sent: Wednesday, October 05, 2016 9:04 PM
To: Kathy Nolette
Subject: Paving Schedule

Importance: High

From: Eric Labelle <elabelle@kennebunkmaine.us>
Date: Wednesday, October 5, 2016 at 4:11 PM
To: Barry Tibbetts <btibbetts@kennebunkmaine.us>
Cc: Mike Pardue <mpardue@kennebunkmaine.us>, Joel Downs <jdowns@kennebunkmaine.us>
Subject: Paving Schedule

Good Afternoon Barry,

The paving work has progressed as follows:

Boothby Road - Shoulder widened near the encroaching tree. Portion of the road shimmed. The complete road has been final paved.

Grove Street - The road has been reclaimed and graded. The road should receive binder pavement and curb to be set by the end of next week. I am recommending we wait on the final paving until next year as there have been deep excavations in the area and the road will likely see settlement over the winter.

Old Port Road – Drainage was installed on the first phase of the Old Port Road. The tree and stump has been removed from the intersection at the Port Road. We plan to removed the asphalt from the area next week and binder the remaining part of the road. We will plan on final paving the road in late October weather permitting.

Thompson Road - We are planning to reclaim the road and binder the week of October 17th. This is dependent on the availability of the Reclaimer.

Woodlawn, Dutcher, Valley, and Harris - We plan to reclaim these areas in late October after Thompson Road. Material will need be removed from the area due to the narrow streets. These roads should have binder in early November. I am recommending we postpone final pavement until Spring.

Eric

Eric J. Labelle, P.E., Public Services Director
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