

TOWN OF KENNEBUNKPORT, MAINE

—INCORPORATED 1653—

**Board of Selectmen Agenda
April 9, 2020 @ 6:00 PM
VIRTUAL MEETING (VIA ZOOM)**

Connecting by computer: You may be required to download the Zoom app in order to connect. This is free, and easy to use. Make sure to log in a few minutes early to ensure you can connect.

Using your computer/tablet/smartphone, go to <https://zoom.us/j/828685680>

Meeting ID: 828 685 680

Connecting by phone:

Dial the phone number according to your location:

Use if you are in Maine:

- +1 929 205 6099 US (New York)
- +1 312-626-6799 US (Chicago)
- +1 301-715-8592 US (Maryland)
- +1 253-215-8782 US (Washington)
- +1 346-248-7799 US (Houston)
- +1 669-900-6833 US (San Jose)

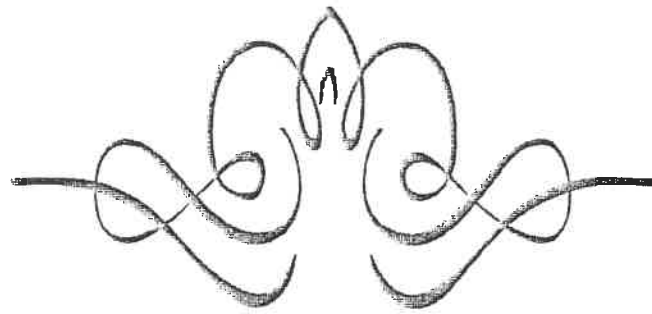
You will be asked to enter the Meeting ID number 828 685 680 followed by the # sign.

NOTE: During the meeting, only the Selectmen and Town Manager will be on screen with audio connected. All other participants will be blacked out and audio muted except when the Board solicits public input.

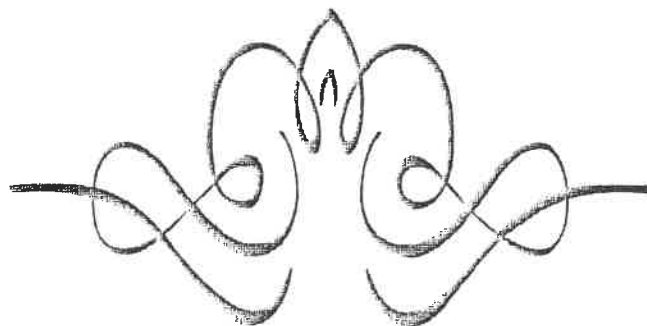
Public Comment: With the shift to remote meetings, we are encouraging written public comments in place of in-person participation. Written public comments must be e-mailed to Town Manager Laurie Smith at LSmith@kennebunkportme.gov, or mailed to Public Comment, Town Manager Office, P.O. Box 566, Kennebunkport, Maine 04046 or dropped in the Town Office "dropbox" and must be received by 2 hours prior to the start of a meeting on the date of the Board of Selectmen meeting. These comments will become a part of the permanent record of the meetings. If e-mailing, please note "Public Comment" and the meeting date in the Subject field. *This method is subject to change. Any updates will be communicated.

1. Call to Order.
2. Approve the March 26, and 30, selectmen meeting minutes.

3. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.).
4. Consider special amusement permit submitted by Yalcin Kaya DBA Pier 77 Restaurant.
5. Annual appointment of town officers.
6. Appointment of election clerks.
7. Consider street opening permit for 204 Ocean Avenue for new water service to replace seasonal one.
8. Authorize annual treasurer's warrant disbursement policy.
9. Other Business.
10. Approve the April 9, 2020, Treasurer's Warrant.
11. Adjournment.



Agenda Item Divider



**Town of Kennebunkport
Budget Board/Selectmen's Meeting
March 26, 2020
6:00 PM Via Zoom TeleVideo**

Minutes of the Selectmen's Meeting of March 26, 2020

Selectmen attending via Zoom: Patrick A. Briggs, Allen A. Daggett, Ed Hutchins, Sheila Mathews-Bull, and D. Michael Weston.

Others attending via Zoom: Tom Boak, Mike Claus, John Everett, Werner Gilliam, David James, Craig Sanford, Laurie Smith, Arlene McMurray

1. Call to Order.

Chair Daggett called the meeting to order at 6:00 PM. He took roll call of Selectmen present: Matthews-Bull, Briggs, Daggett, Hutchins, and Weston.

Chair Daggett explained that it was a virtual Board of Selectmen's meeting using the Zoom conferencing format. The agenda on the Town's website has the information needed for the public to participate.

He said during the meeting, only the Selectmen and Town Manager will be on screen with audio connected. All other participants will be blacked out and audio muted except when the Board solicits public input. He explained the ground rules: the public should identify themselves and take turns when talking to allow others an opportunity to talk.

1. Approve the March 12, and 16, 2020, selectmen meeting minutes.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the March 12, and 16, 2020, selectmen meeting minutes. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted: 5-0. Motion Passed.**

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

There were no comments.

3. Public Hearing to consider new victualer's license application submitted by Colby Nunan, DBA Sanborn's Lobsters & Vegetables, 130 Main Street.

Chair Daggett opened the public hearing at 6:08 PM. Hearing no comments, he closed the public hearing at 6:09 PM.

Motion by Selectman Hutchins, seconded by Selectman Weston to approve the new victualer's license application submitted by Colby Nunan, DBA Sanborn's Lobsters &

Vegetables, 130 Main Street. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted: 5-0. Motion Passed.**

4. Consider a renewal liquor license application submitted by Nunan's Lobster Hut, Inc., DBA Nunan's Lobster Hut, Cape Porpoise.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by Nunan's Lobster Hut, Inc., DBA Nunan's Lobster Hut, Cape Porpoise. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.**

5. Consider a renewal liquor license application submitted by the Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by the Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.**

6. Consider a renewal special amusement permit application submitted by the Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the renewal special amusement permit application submitted by the Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.**

7. Award the paving bid.

Mike Claus, Public Works Director, said the Town had received bids for a three-year paving contract as of March 17, 2020, from: Shaw Brothers, Pike Industries, Dayton Sand and Gravel, Libby Scott, and All States Asphalt. Pike Industries was the low bidder and based on good past performance, he recommended approving their bid. Claus noted that the price of paving will go up and down over time based on variation in asphalt binder pricing as published by the Maine DOT. See Exhibit A.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to award the paving bid to Pike Industries. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.**

8. Other business.

a. Discussion regarding closure of public spaces and beaches.

Town Manager Laurie Smith said Kennebunk beaches are currently open, and they are just warning people to practice social distancing at their beaches.

Police Chief Craig Sanford said he posted signs at Goose Rocks Beach and Colony Beach telling people to practice social distancing – 6 feet apart. If people don't follow this practice, he will have to do more. Officers are currently monitoring the beaches.

The Board agrees to keep the beaches open at this time since everyone is cooperating and to reevaluate as time goes on.

Selectman Hutchins said it looks like everyone is adhering to the Governor so far.

Selectman Briggs said that he thought the video conferencing was working out well and asked if there would be other essential board meetings using Zoom teleconferencing.

Ms. Smith responded that because the Planning Board requires public hearings, she is seeking advice from the town attorney before a decision is made.

Selectman Weston said he was at the beach on Sunday and it was crowded, but in the past three days it was fine.

Selectman Matthews-Bull said she received calls from residents who wish to thank Mike Claus and the highway crew for clearing the sidewalks of the snow that piled up from last week. Also, she wants out of towners to know that Kennebunkport is not a social area, and they need to stay home during this pandemic. She thanked the Board for keeping the beach open. She also thanked everyone who is helping to keep the town running,

9. Approve the March 26, 2020, Treasurer's Warrant.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the March 26, 2020, Treasurer's Warrant. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.**

10. Adjournment.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adjourn. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.**

The meeting adjourned at 6:25 PM

March 26, 2020 Exhibit A



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

Memorandum

To: Laurie Smith, Town Manager
From: Michael Claus, Kennebunkport Public Works Director
Re: Paving Bid Review
Date: March 20, 2020

A handwritten signature in black ink that reads "Michael Claus".

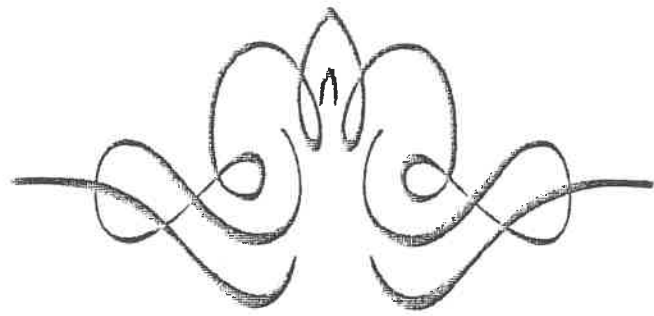
The Town of Kennebunkport received the attached paving bids for a three year paving contract on March 17, 2020. I have reviewed the bids and from a cost standpoint, Pike Industries is the low bidder based on our paving work.

An asphalt escalator clause consistent with MaineDOT contracts has been incorporated into our bid specifications. The price of paving will go up and down based on asphalt binder pricing as published by MaineDOT. The formula for determining pricing is based on the MaineDOT paving contract.

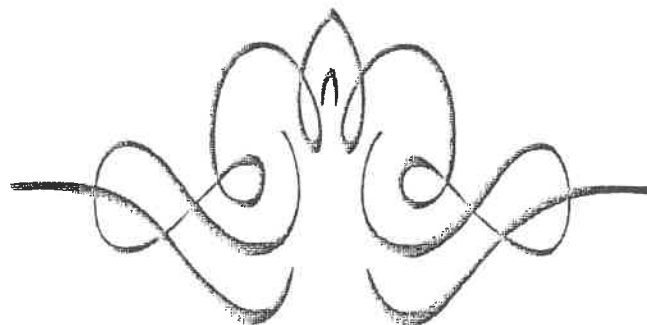
Pike Industries is qualified to perform the work under this contract, and I recommend that the Town of Kennebunkport accept their bid.

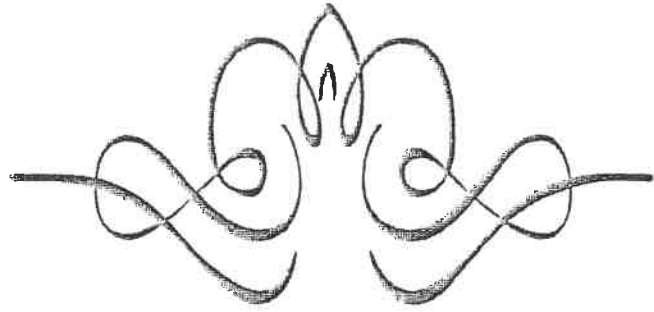
Town of Kennebunkport
Bituminous Concrete Mix/Paving Bids
Tuesday, March 17, 2020 - 2:00 p.m.

| | Bidders | | | | |
|---|---------------|-----------------|----------------------|-------------|--------------------|
| | Shaw Brothers | Pike Industries | Dayton Sand & Gravel | Libby Scott | All States Asphalt |
| Roadwork Paving Bid Per Ton: 9.5 mm HMA | \$95.00 | \$76.00 | \$86.15 | \$79.00 | \$88.00 |
| Roadwork Paving Bid Per Ton: 12.5 mm HMA | \$92.00 | \$74.00 | \$86.15 | \$78.00 | \$85.00 |
| Roadwork Paving Bid Per Ton: 19 mm HMA | \$80.00 | \$72.00 | \$80.75 | \$79.00 | \$82.00 |
| Cold Milling Price per sq yd. | \$9.00 | \$2.00 | \$5.50 | \$2.45 | \$7.00 |
| Reclaim/Fine Grade Price per sq yd. | \$3.00 | \$2.00 | \$2.15 | \$2.25 | \$2.40 |
| 2nd Reclaim/Cement Base Price per sq yd. | \$6.50 | \$5.25 | \$7.00 | \$8.75 | \$6.50 |
| Cold Milling of Butt Joints, Driveway Aprons/Sidewalks per sq yd. | \$22.00 | \$12.00 | \$15.00 | \$25.00 | \$10.00 |
| Sidewalk/Driveway Aprons Fine Grade Price per sq yd. | \$5.00 | \$42.00 | \$1.50 | \$3.00 | \$20.00 |
| Sidewalk/Driveway Apron (handwork) Paving Bid Price per ton | \$160.00 | \$162.00 | \$145.00 | \$155.00 | \$165.00 |
| Asphalt Curb Price per Lin. Ft. | \$9.00 | \$15.00 | \$10.00 | \$9.50 | \$10.00 |
| Asphalt Min. Curb Length Lin Ft. | 200 ft | 100 ft | 100 ft | 50 ft | 300 ft |
| Slipform Concrete Curb Price per Lin. Ft. | \$16.00 | \$21.50 | \$20.00 | \$20.00 | \$15.00 |
| Slipform Min. Curb Length Lin. Ft. | 300 ft | 100 ft | 100 ft. | 100 ft | 300 ft |
| Tack Coat cost per gallon | \$10.00 | \$10.00 | \$7.00 | \$9.00 | \$7.50 |
| Small Job Mobilization Charge | \$1,500.00 | \$800.00 | \$1,000.00 | \$300.00 | \$3,500.00 |
| Shoulder Gravel Cost per cub. Yd. | \$45.00 | \$45.00 | \$38.00 | \$28.00 | \$50.00 |
| Binder Component Bid Price per ton | \$552.50 | \$552.50 | \$552.50 | \$552.50 | \$552.50 |

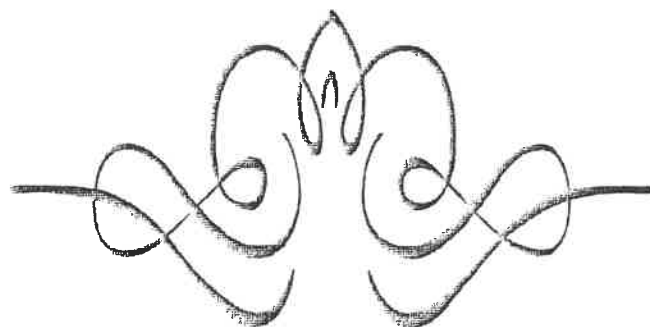


Agenda Item Divider





Agenda Item Divider



**Town of Kennebunkport
Joint Meeting
Board of Selectmen and Goose Rocks Beach Advisory Committee
March 30, 2020
VIRTUAL MEETING (VIA ZOOM)
6:00 PM**

Minutes of the Board of Selectmen/Goose Rocks Beach Advisory Committee March 30, 2020

Selectmen Attendance: Patrick A. Briggs, Allen A. Daggett, Ed Hutchins, Sheila Matthews-Bull, and D Michael Weston

GRB Advisory Committee Attendance: Richard Driver, Chair; Bob Sherman, Vice-Chair; Joanne Gustin; James Mulvihill; Jennifer Wasserman; Kate Bauer Burke; Sheila Matthews-Bull; Jon Dykstra

Others: Edmund Case, Michael Claus, Jennifer Comeau, John Comeau, Joseph DeAngelis, Susan Delaney, J. French, Mark Gallagher, Ryan Giggey, Justin Grimes, Karen Hall, Paul Hogan, David James, Edward Kramer, Jim LaVerriere, Tracey McGovern, Arlene McMurray, Katey Nixon, Daniel Parolin, David Powell, Rick Roberge, Craig Sanford, Karen Schlegel, Laurie Shakra, Laurie A. Smith, Sue Ellen Stavrand, Charlie Sullivan, Michael Tomasulo, Nina Tyztk, Jennifer Wasserman, Derek Weber, and others.

1. Call to Order.

Chair Daggett called the Zoom meeting to order at 6 PM. He took a **roll call** of the Selectmen attending: Matthews-Bull, Briggs, Daggett, Hutchins, and Weston.

Chair Daggett explained that it was a virtual Board of Selectmen's meeting using the Zoom conferencing format. The agenda on the Town's website has the information needed for the public to participate.

Chair Daggett said during the meeting, only the Selectmen and Town Manager will be on screen with audio connected. All other participants will be blacked out and audio muted except when the Board solicits input from the Beach Advisory Committee and the public. He explained the ground rules: the public should identify themselves and take turns when talking to allow others an opportunity to talk.

Chair Richard Driver called the Goose Rocks Beach Advisory Committee to order at Town 6:04 PM. He took a **roll call** and all eight members were present: Bauer Burke, Driver, Dykstra, Sherman, Gustin, Matthews-Bull, Mulvihill, and Wasserman

2. Discussion regarding the closure of beaches.

Town Manager Laurie Smith stated there were questions about whether the beaches should stay open. The beaches south of Kennebunkport have all closed. She said signs were posted at Goose Rocks Beach about social distancing at the beach and the beaches are monitored by the police. She received reports that people are obeying the rules.

Several of the Selectmen said they frequently checked out the beach and found several out of state cars. They reported that most people are following the social distance rules except for a group of teens last Sunday. Their consensus was that people are cooperating at this time. The concern is that when the weather gets better, there could be problems with more people at the beach. Also, the snowbirds will be returning to their second homes and if they close the beach, there will be too many people walking in the streets. It was suggested to leave it like it is and if the police see problems, they could remove parking spots to limit people on the beach.

Town Manager Laurie Smith explained that there are two regulations: one closes the beach and the other one gives the authority to the Town Manager and Board Chair to decide what is warranted.

Comments and questions from the Beach Advisory Committee were:

- They should be proactive and take measures now to prevent more people coming to the beach and possibly spreading the virus.
- Lots of people are fleeing their state, and if Goose Rocks is the only beach open, people will find out and come.
- They could compromise and only allow people to come during low tide.
- The best time to come is a few hours before low tide, and they could limit parking to just on Kings Highway.
- How do we enforce it if the beach is closed?

Police Chief Craig Sanford said legally he does not have the authority to arrest someone. He stated if they changed the Beach Use Agreement, he could give a civil summons.

Other comments and suggestions from the public were:

- Leave the beach open only for residents and only allow those who have last year's season pass.
- Weekends tend to be more of a problem.
- They should go check out the beach at high tide and see how it is.
- They should limit access from 8:00 AM to 4:00 PM. People who live here walk the beach in the morning.
- Give the Town Manager the authority to close the beach when necessary.
- Limit parking. It's a pandemic and people are bringing it.

- At this time, we are the only beach open. We need to be careful about people flooding the beach.
- The beach is a large area versus the aisles in a grocery store. Eliminate parking,
- Don't allow rentals from now until Memorial Day.
- Keep the beach open. Ban parking.
- No way to monitor. Out of staters are the same as people here. Don't use that language.
- Things are changing rapidly, and they can't wait a month to do something.

More Selectmen comments:

- The Town has limited resources and staff is already stretched.
- They should meet again next week.
- They need to limit parking now.

Chair Driver asked for a motion from the Beach Advisory Committee.

Motion by Joanne Gustin, seconded by Jon Dykstra, to recommend the Selectman adopt the Emergency Regulations Governing Temporary Closure of Goose Rocks Beach During Covid-19 Pandemic that gives the Town Manager and Board of Selectmen Chair the authority to take whatever action is necessary regarding parking or closing the beach. **Roll call vote 6-1-1:** Bauer Burke, Driver, Dykstra, Sherman, Gustin, and Wasserman voted in favor. Mulvihill voted against. **Motion passed.** Matthews-Bull could not vote due to bad Internet connection.

Motion by Jim Mulvihill to schedule another meeting no later than April 17. Discussion followed. Joanne Gustin suggested that they meet sooner.

Amended Motion by Jim Mulvihill, to schedule another meeting on Monday, April 13, seconded by Joanne Gustin, **Roll call vote 7-0:** Bauer Burke, Driver, Dykstra, Sherman, Gustin, Mulvihill, and Wasserman voted in favor. **Motion passed.** Matthews-Bull could not vote due to bad Internet connection.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins to adopt the Emergency Regulations Governing Temporary Closure of Goose Rocks Beach During Covid-19 Pandemic which allows the Town Manager and Board of Selectman Chair to take action as needed. **Roll Call vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.** See Exhibit A
Motion by Selectman Weston to restrict parking and continue to let the Board of Selectman Chair and Town Manager make decisions regarding the temporary closure of Goose Rocks Beach during Covid-19 pandemic. There was no second. **Motion failed.**

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, for the Board of Selectman to reconvene on April 6 at 6:00 PM. **Roll Call vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.**

3. Other Business.

Selectman Matthews-Bull said that whatever they do at Goose Rocks Beach, they should also do the same at Colony Beach. Selectman Weston and Briggs agreed with her.

Selectman Hutchins disagreed because Colony Beach is smaller. He said they could just lock the gate.

Motion by Selectman Matthews-Bull, seconded by Selectman Weston, to handle Colony Beach the same way as Goose Rocks Beach. No vote was taken because discussion followed. Selectman Matthews-Bull changed her mind and agreed with Selectman Hutchins that they should handle each beach separately.

Selectman Hutchins suggesting changing the legal documents to include Colony Beach, but Ms. Smith said it does not need the same level of regulations.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, to let the Town Manager and Board of Selectman Chair handle Colony Beach. **Roll Call vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion Passed.**

Ms. Smith asked the Board if it wanted to limit parking now or wait.

Selectman Matthews- Bull wanted to wait. Selectman Weston wanted to limit the parking now. Selectman Daggett and Selectman Briggs suggested limiting parking on New Biddeford and Dyke Road.

Ms. Smith said the town attorney suggested adding a new section on parking. She said they would need to advertise and put a public hearing on a future agenda.

4. Adjournment.

Motion by Jon Dykstra, seconded by Janet Wasserman, to adjourn. **Roll call vote:** Bauer Burke, Driver, Dykstra, Sherman, Gustin, Matthews-Bull, Mulvihill, and Wasserman. **Vote: 8-0 Motion passed.**

The Beach Advisory Committee adjourned at 8:01 PM.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adjourn. **Roll Call Vote:** Matthews-Bull, Briggs, Daggett, Hutchins, and Weston **Voted 5-0. Motion passed.**

The meeting adjourned at 8:02 PM

Submitted by Arlene McMurray
Administrative Assistant

Exhibit A - March 30, 2020

EMERGENCY REGULATIONS GOVERNING TEMPORARY CLOSURE OF GOOSE ROCKS BEACH DURING COVID-19 PANDEMIC

Pursuant to Sections IV.D and V of the Beach Use Ordinance for Goose Rocks Beach, Kennebunkport, Maine ("Beach Use Ordinance"), the Town of Kennebunkport Board of Selectmen hereby finds and orders the following:

WHEREAS, on March 15, 2020, the Governor of the State of Maine declared a Civil State of Emergency due to the spread of the novel Coronavirus Disease ("COVID-19");

WHEREAS, COVID-19 is a communicable disease that is easily contracted through personal contact with infected individuals in the community;

WHEREAS, the number of cases of COVID-19 and related deaths have increased exponentially globally, in the United States, and in Maine (particularly, in York and Cumberland counties) as a result of widespread transmission occurring among the general public ("community spread");

WHEREAS, the President of the United States and the Centers for Disease Control ("CDC") have urged the public to practice social distancing and not attend events where ten (10) or more people will be gathered;

WHEREAS, by Executive Order dated March 18, 2020, the Governor of the State of Maine prohibited social gatherings of more than ten (10) people, and ordered all restaurants and bars in the State of Maine to close their dine-in facilities on March 18, 2020;

WHEREAS, by Executive Order dated March 24, 2020, the Governor of the State of Maine ordered that all Non-Essential Businesses in the State of Maine cease activities at sites that are public facing, or at sites that require workers to convene in space where social distancing is not possible;

WHEREAS, the Town of Kennebunkport and surrounding coastal communities in York County are prominent tourist destinations for visitors and individuals occupying seasonal accommodations and residences; , which heightens the risk of community spread through public contacts among visitors,

WHEREAS, the Town and surrounding areas have continued to be and are anticipated to remain prominent destinations during the period of the public health emergency, risking further community spread through public contacts among visitors, local residents, service providers in close contact where people gather;

WHEREAS, the continued community spread of COVID-19 threatens the public health, safety, and welfare of the citizens of the Town of Kennebunkport;

WHEREAS, the Town's beaches, including specifically Goose Rocks Beach, are popular destinations for members of the public;

Exhibit A - March 30, 2020

WHEREAS, within the past week several beaches in the surrounding area have been closed by the State of Maine or by local government authorities, which closures are anticipated to put pressure on the Town's beaches, and specifically, Goose Rocks Beach, which currently remains open to the public;

WHEREAS, the Board of Selectmen has consulted with the Beach Advisory Committee, pursuant to Section IV.D of the Beach Use Ordinance, regarding adoption of emergency regulations governing Goose Rocks Beach during this State of Emergency due to the COVID-19 pandemic;

WHEREAS, during this State of Emergency, the Board of Selectmen believe that the Town Manager, in consultation with the chair of the Board of Selectmen, requires the authority to expeditiously promulgate regulations and take emergency measures on and in the vicinity of Goose Rocks Beach to prevent members of the public from congregating in a manner that will risk further community spread of COVID-19, and to otherwise protect public health, safety, and welfare and to preserve critical resources within this area of Town;

NOW THEREFORE, pursuant to the aforesaid authority and recitals, which are incorporated herein by reference, the Board of Selectmen hereby promulgates the following emergency regulations:

1. The Town Manager, in consultation with the Chair of the Board of Selectmen, shall be responsible for adopting orders and rules governing use of and access to Goose Rocks Beach, to preserve the safety, health and welfare of its citizens, including but not limited to the following:
 - a. Adoption of an order closing all or a portion of Goose Rocks Beach, and any rights-of-way that provide access to the Beach, to members of the public;
 - b. Adoption of traffic and parking rules in the vicinity of Goose Rocks Beach, including but not limited to rules limiting or restricting the number and location of parking spaces designated for access to the Beach, rules governing beach permit parking, and rules prohibiting or restricting the movement of vehicles in areas in the vicinity of the Beach; and
 - c. Adoption of an order or rules deemed necessary to protect life and property and to preserve critical resources on and in the vicinity of Goose Rocks Beach, during the State of Emergency.
2. These emergency regulations, and the orders and rules adopted hereunder, shall remain in effect until the termination of the State of Emergency by the Governor of Maine, unless further extended by express adoption of an ordinance or law.

Dated this ____ day of March, 2020.


Allen Daggett, Chair


Sheila Matthews-Bull, Vice Chair

Exhibit A - March 30, 2020

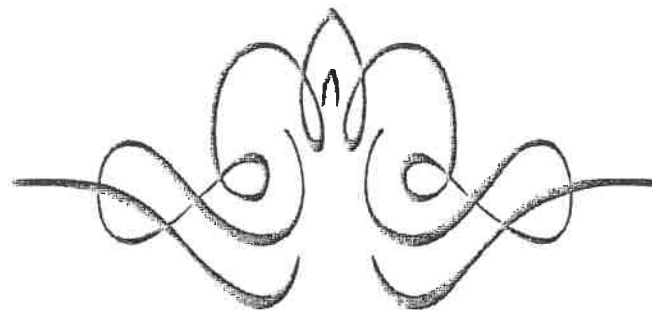
Patrick Briggs



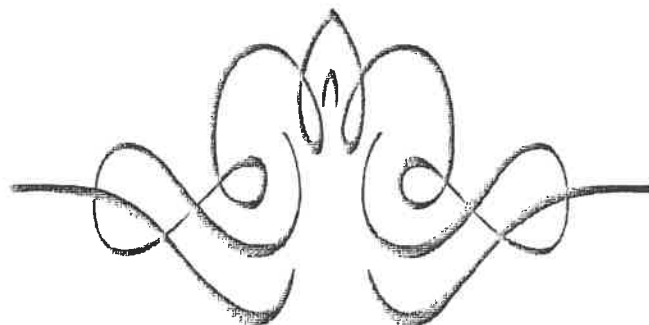
Edward Hutchins



Michael Weston



Agenda Item Divider



(4)



TOWN OF KENNEBUNKPORT, MAINE

INCORPORATED 1653

APPLICATION SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant Yalein Kaya
Residence Address 21 Lamprey Lane, Lee, NH 03861
Home Telephone Number 603-785-9084
Name of Business The Ramp Grill, LLC - d/b/a Pier 77 Restaurant
Business Address 77 Pier Rd, Kennebunkport, ME 04046
Type of Business Restaurant
Business Telephone Number 207-967-8900
Nature of Special Amusement Weddings

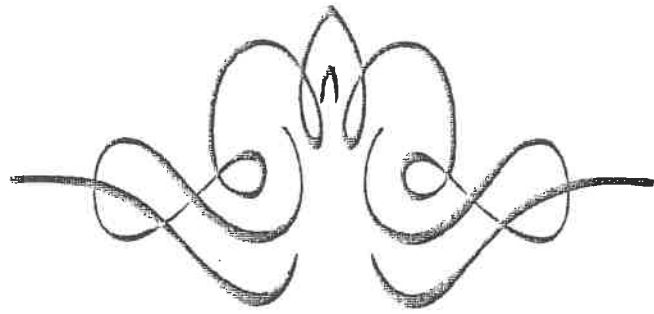
Has your liquor and or amusement license ever been denied or revoked?

Yes _____ No X

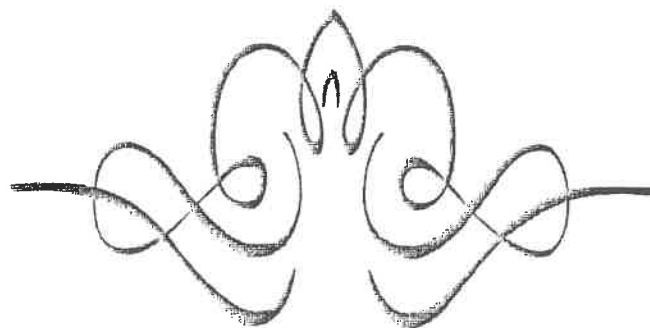
If yes, describe circumstances specifically. (Attach additional page if necessary)

1. Permit Fee: \$ 100.00 (payable to the Town of Kennebunkport)
2. By making application for this permit and signing this application form, I acknowledge that I am familiar with the rules and regulations governing this permit.

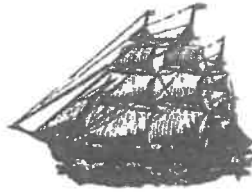
Yalein Kaya
Signature of Applicant
Printed name: Yalein Kaya



Agenda Item Divider



5



KENNEBUNKPORT TOWN CLERK

To: Laurie Smith, Town Manager
Board of Selectmen

From: Tracey O'Roak

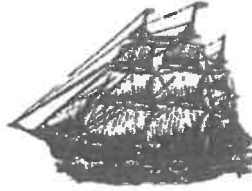
Date: April 1, 2020

Re: Appointment of Town Officers

Attached please find annual list of Town Officers for your consideration. The only position that is currently vacant is the Deputy Health Officer.

Thank you for your consideration.

(5)

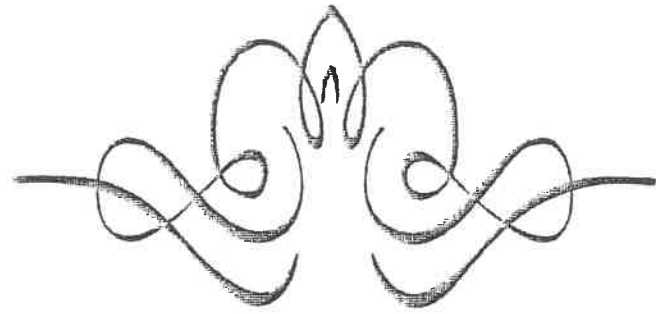


KENNEBUNKPORT TOWN CLERK

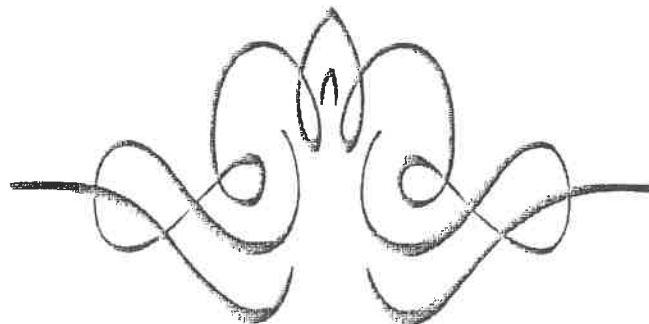
To: Laurie Smith, Town Manager
From: Tracey O'Roak, Town Clerk
Date: April 1, 2020
Re: Appointed Town Officers

The following is a list of Town Officers to be appointed for the upcoming year. Please consider for the April 9th Selectmen's agenda. Thank you.

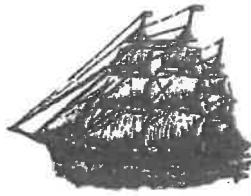
| | |
|------------------------------------|--------------------|
| Animal Control Officer | Deborah Higgins |
| Assessor's Agent | Rebecca R. Nolette |
| Code Enforcement Officer | Werner D. Gilliam |
| Asst. Code Enforcement Officer | Gregory W. Reid |
| Asst. Code Enforcement Officer | Andrew Welch |
| Plumbing Inspector | Werner D. Gilliam |
| Asst. Plumbing Inspector | Gregory W. Reid |
| Asst. Plumbing Inspector | Andrew Welch |
| Constable | Tracey L. O'Roak |
| Emergency Management Director | Craig A. Sanford |
| Fire Chief | John C. Everett |
| Fire Inspector | John C. Everett |
| Harbor Master-Cape Porpoise | Christopher Mayo |
| Harbor Master-Kennebunk River | James Black |
| Health Officer | Alison Z. Kenneway |
| Deputy Health Officer | <i>Vacant</i> |
| Public Access Officer | Tracey L. O'Roak |
| Registrar of Voters | Tracey L. O'Roak |
| Road Commissioner | Michael W. Claus |
| Shellfish Warden | Everett Leach |
| Street Naming & Numbering Delegate | John C. Everett |
| Tax Collector | Laurie A. Smith |
| Town Clerk | Tracey L. O'Roak |
| Town Forester | Patrick A. Briggs |
| Treasurer | Jennifer L. Lord |
| Tree Warden | John Ripton |



Agenda Item Divider



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KENNEBUNKPORT TOWN CLERK

To: Kennebunkport Board of Selectmen
From: Tracey O'Roak, Town Clerk
Date: March 31, 2020
Re: Appointment of Election Clerks for 2020-2022

State law requires that municipal officers appoint election clerks for two-year terms on even-numbered years. Attached are the names of those people nominated to work at the polls for the next two years. If you approve, please sign the list attached and return to me.

Thank you for your consideration.

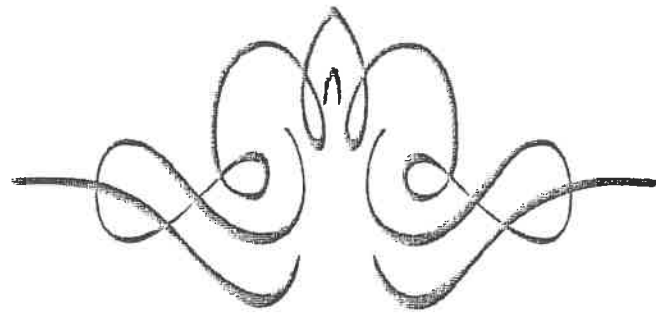
ELECTION WORKERS FOR 2020-2022

| Democrats | Republicans | Unenrolled |
|--------------------|-------------------|---------------|
| | | |
| Anne Adams | Janet DesChenes | Gracine Adams |
| Wayne Adams | Doug Dicey | Scott Nolette |
| Barbara Barwise | Janet Dicey | |
| Sarah Bonneau | Mette Englinton | |
| Ann Marie Briggs | Mary Jane Grant | |
| Helen Conaty | Sally McKay | |
| Jean Conaty | Karen Schlegel | |
| Carol Cook | Audrey Williamson | |
| Connie Dykstra | Rose Wills | |
| April Dufoe | | |
| Geralyn Fitzgerald | | |
| Penelope Gruen | | |
| Lisanne James | | |
| Claire Julian | | |
| Kathryn Leffler | | |
| Mary McLaughlin | | |
| Rebecca Nolette | | |
| Gillet Page | | |
| Susan Richards | | |
| Janet Surett | | |
| | | |

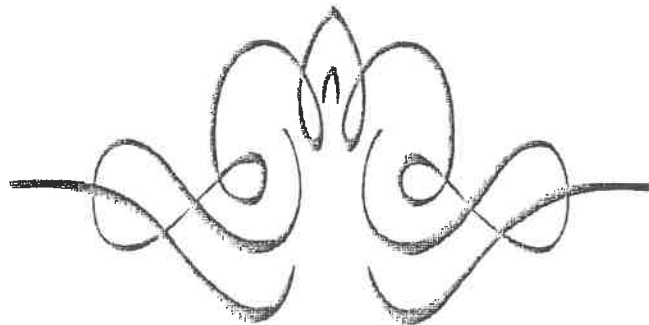
We, the undersigned Municipal Officers of Kennebunkport, Maine
do hereby appoint the attached listing of Election Clerks for 2020-2022.

The Municipal Officers of Kennebunkport, Maine.

Dated: _____



Agenda Item Divider



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PROPERTY INFORMATION

Name of Homeowner: Jayne Millard + Gilman Perkins Date: 3/25/2020
Address: 204 Ocean Ave
Telephone: 203-257-0637 Map, Block, Lot: 7-12-3
Street to be excavated: Summit Ave
Size of excavation (length and width): 20' x 4'
Reason for excavation: New water service to replace seasonal one.
Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: April or May 2020
Name of Contractor: M. Welch + Sons Inc
Address: 52 Welch Lane Arundel ME
Telephone: 985-7605 Fax: 985-7792

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☐ Check ☐ Money Order ☒ Surety Bond ☐ Other
Bond Amount: 2,000
Company that issued the bond (if applicable): Harover Insurance Group
Person or entity providing the bond to the Town (contractor, property owner, other): M. Welch + Sons Inc
Insurance Company: Chalmers Insurance
Signature of person completing the application: Alan Welch Date: 4/1/2020

APPROVED

Highway Superintendent: Will W. Claus
Selectmen: _____
Selectmen: _____
Selectmen: _____
Date Approved: _____

Selectmen: _____
Selectmen: _____
Selectmen: _____

*Please attach map or sketch showing the location and size of any cuts to be made; a bond; and proof of insurance.

Application Fee: \$25.00
Date Paid: 25.00 4-1-20
Amount Paid: on #4162
☐ Cash ☒ Check ☐ Money Order



The Hanover Insurance Company | 440 Lincoln Street, Worcester, MA 01653
Citizens Insurance Company of America | 645 West Grand River Avenue, Howell, MI 48843
Massachusetts Bay Insurance Company | 440 Lincoln Street, Worcester, MA 01653

LICENSE OR PERMIT TERM BOND

Bond No. BLPH223165

KNOW ALL MEN BY THESE PRESENTS, that we, M WELCH & SONS, INC.

of 24 WELCH LANE ARUNDEL, ME 04046,

as Principal, and ☒ The Hanover Insurance Company (A New Hampshire Corporation) and/or ☐ Massachusetts Bay Insurance Company (A New Hampshire Corporation), as Surety, are held and firmly bound unto _____

, Maine, as Oblige, in

the penal sum of Two Thousand Dollars (\$2,000.00) Dollars, good and lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, and our heirs, executors, administrators, jointly and severally, firmly by these presents.

WHEREAS the said Principal has applied to said Oblige for a license or permit for _____

Street Opening

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said Principal shall faithfully observe and honestly comply with the provisions of all Laws and Ordinances of said Oblige regulating the business for which license or permit is issued, then this obligation shall be void; otherwise to be and remain in full force and virtue.

LIABILITY UNDER THIS BOND SHALL terminate as of the 3rd day of April, 2022 as to any acts subsequent thereto, unless said bond is continued in force from year to year by the issuance of a continuation certificate issued by the Surety. The aggregate liability of the Surety shall in no event exceed the amount of this bond regardless of the number of claims against the bond or the number of years the bond remains in force.

PROVIDED, THE LIABILITY OF THE SURETY may be terminated at any time by filing with the Oblige ten (10) days written notice of its desire to be relieved of liability. The Surety shall not be discharged from any liability already incurred under this bond, or which shall accrue hereunder before the expiration of the ten day period.

Signed, sealed and dated the 3rd day of April, 2020.

M WELCH & SONS, INC.

Principal

By: [Signature]

☒ THE HANOVER INSURANCE COMPANY

By: [Signature]
Pamela J. Fuller, Attorney-in-Fact

☐ MASSACHUSETTS BAY INSURANCE COMPANY

By: _____
Attorney-in-Fact



**THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA**

POWER OF ATTORNEY

**THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.
KNOW ALL PERSONS BY THESE PRESENTS:**

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

Pamela J. Fuller

Of: Chalmers Insurance Group, York, ME

each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

Street Opening

in the amount of: \$2,000.00

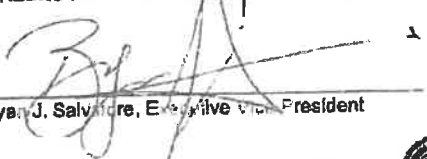
That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America and affirmed by each Company on March 24, 2014)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 19th day of July, 2018.

**THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA**


Bryan J. Salvatore, Executive Vice President

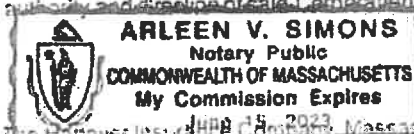
**THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA**



James H. Kawlecki, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.



On this 19th day of July, 2018 before me came the above named Executive Vice President and Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.

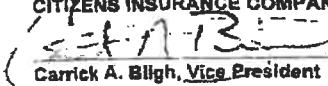



Arleen V. Simons, Notary Public
My Commission Expires June 15, 2023

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 3rd day of April 2020

**THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA**


Carriek A. Bligh, Vice President

CERTIFIED COPY

204 Ocean Ave

Hydrant



watermain



Gravel Parking Lot

4' wide road cut
for new water line

Summit Ave

New water Gate



204 ocean Ave

New 1"
water line to
204 Ocean Ave



Parking



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/01/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|--|--|--|--|
| PRODUCER Chalmers Insurance Group - York 286 York Street PO Box 468 York ME 03909 | | CONTACT NAME: Pamela Fuller, AAI-M, AIS PHONE (A/C No Ext): (207) 363-3200 FAX (A/C No): (207) 363-1023 E-MAIL ADDRESS: pfuller@ChalmersInsuranceGroup.com | |
| INSURED M. Welch & Sons, Inc. 24 Welch Lane Arundel ME 04046 | | INSURER(S) AFFORDING COVERAGE INSURER A: Continental Western Insurance Company NAIC # 10804 INSURER B: Acadia Insurance Company 31325 INSURER C: INSURER D: INSURER E: INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** CL1953133965 **REVISION NUMBER:**

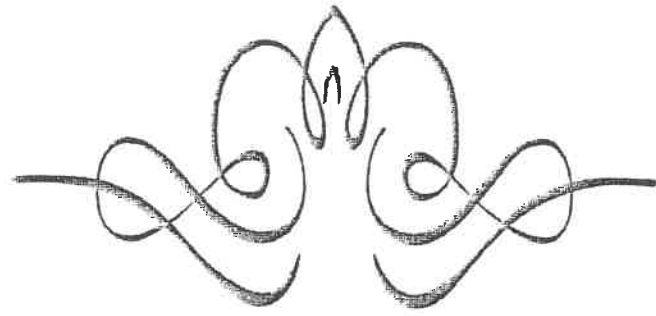
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL SUBR INSD WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|--------------------|---------------|-------------------------|-------------------------|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: | | CPA5155672 | 06/01/2019 | 06/01/2020 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 GL Expansion \$ |
| | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY 19 | | CAA5155677 | 06/01/2019 | 06/01/2020 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist \$ 1,000,000 |
| B | <input checked="" type="checkbox"/> UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/> CLAIMS-MADE | | CUA5155678 | 06/01/2019 | 06/01/2020 | COMBINED SINGLE LIMIT EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$ |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N Y N/A | WCA5155680 | 06/01/2019 | 06/01/2020 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000 |

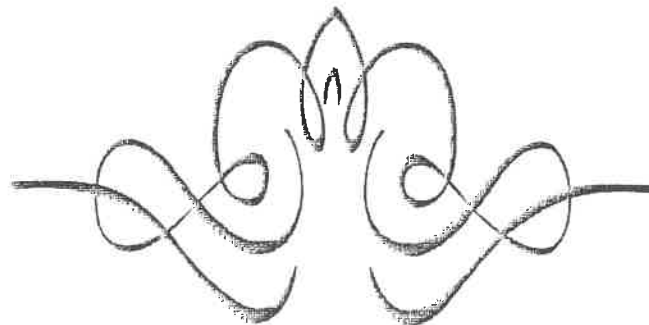
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Mark Welch is excluded under Workers Compensation Insurance.

| | |
|--|---|
| CERTIFICATE HOLDER Town of Kennebunkport 6 Elm Street Kennebunkport ME 04046 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Pamela J. Fuller</i> |
|--|---|



Agenda Item Divider





**Town of Kennebunkport, Maine
Policy Regarding Check Disbursement Prior
To Expenditure Warrant Approval**

Purpose. This policy allows designated municipal officers (selectmen), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer's disbursement warrants, for wages and benefits, state fees, and school district costs only.

This policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer's warrant, including warrants for wages and benefits. Delegation of authority. Pursuant to 30-A MRSA § 5603(2)(A)(1), the following authority is granted with respect to treasurer's disbursement warrants for municipal employee wages and benefits only:

Current municipal officers. The municipal officers in office at the time of execution of this policy are:

Allen Daggett, Sheila Mathews-Bull, D. Michael Weston, Edward Hutchins, and Patrick Briggs.

Any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

Deadline for bill submission

To be considered for payment on the next expenditure warrant, bills for payment must be received by the Treasurer of Kennebunkport at least two working days prior to the scheduled meeting of the Board of Selectmen at which an expenditure warrant signing is scheduled. The treasurer, may, at his/her discretion, present vouchers for payment after the deadline when time permits, or doing so is in the best interest of the town.

Effective date. This policy becomes effective on the date indicated below.

Lapse. This policy lapses one year after its effective date, if not sooner amended or cancelled.

Renewal. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

If the municipal treasurer is an appointed official, the treasurer shall remind the municipal officers to consider renewing this policy annually before it lapses.

Dated: April 9, 2020

Municipal Officers:

Sheila Mathews-Bull

D. Michael Weston

Allen A. Daggett

Patrick A. Briggs

Edward W. Hutchins
