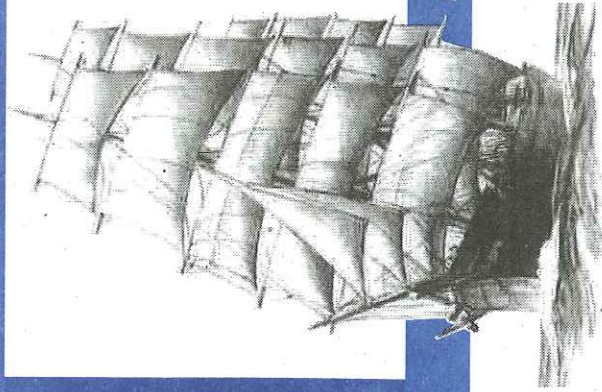




KENNEBUNKPORT Town Review

A newsletter for the residents of Kennebunkport

Number 14

Fall 2010

Goose Rocks Beach litigation marked by misinformation

By Larry S. Mead, Town Manager

On August 30, Superior Court Judge G. Arthur Brennan ruled that approximately 65 beachfront property owners who had not previously joined the lawsuit filed against the Town by 24 beachfront property owners at Goose Rocks Beach must be served notice by the Court that they will be bound by the final outcome of the lawsuit. The Judge also ordered that these nonplaintiff beachfront owners will be named by the Court as defendants in the lawsuit if they choose not to join the plaintiffs in their lawsuit against the Town. This ruling by Judge Brennan prompted the Plaintiffs to send these nonplaintiff beachfront owners a letter that was

Defendant in the lawsuit. The fact is that the Town has never made a claim, either in this lawsuit or otherwise, of ownership of anyone's home at Goose Rocks Beach, or the land upon which the home sits. The Town, in its counterclaim, does assert ownership of the beach adjacent to the Plaintiffs' properties, and ONLY to the beach property as defined in the Plaintiffs' own Complaint to the court.

The Town's goal in defending this lawsuit is clear, to maintain the status quo, to preserve the right of the public to use all of Goose Rocks Beach for general recreation. The fact is the Town will gladly enter into an agreement with any beachfront prop-

erty owner releasing any ownership interest the Town may have in the beach adjacent to the property owners' home in return for a permanent easement for general public recreation between the low watermark and the seawall.

The Plaintiffs' Complaint describes the property in question as the "intertidal land," between high watermark and low watermark; and the "Plaintiffs' upland property, between the high watermark and the seawall (or landscaped portion)." This beach area, and only this beach area, is addressed by the Town's counterclaim. Assertions that the Town has

See LITIGATION page 8

Boat rescue off Cape Porpoise

By Dick Stedman, Fire Administrator

Late in the evening of Sunday, August 8, a 20-foot pleasure craft with six persons on board came aground in rough seas on rocks off of Folly Island, near the entrance to Cape Porpoise Harbor. The older boat was experiencing electrical issues, and reportedly neither its radio nor radar was functioning properly. Although unsure of his location, the boat operator was able to make limited contact with the Coast Guard via cell phone, and he began to fire distress flares.

One of those flares was seen by a resident at Goose Rocks Beach, who contacted the Kennebunkport Police Department. Senior Communications Officer Debbie Laroché took

the call and relayed the information to the Coast Guard. She was informed that the Coast Guard was aware of the situation and believed it to be located off of Kennebunk Beach. Laroché subsequently monitored the radio traffic concerning the distressed vessel and determined that the vessel's actual location was off of Cape Porpoise! She then quickly dispatched the Kennebunkport Fire Department to assist, greatly expediting the rescue effort.

Several Kennebunkport firefighters started for the scene in two private vessels, and they were able to locate the boat in trouble.

See RESCUE page 7

TOWN OF KENNEBUNKPORT
P.O. BOX 566
KENNEBUNKPORT, ME 04046

Postal Customer

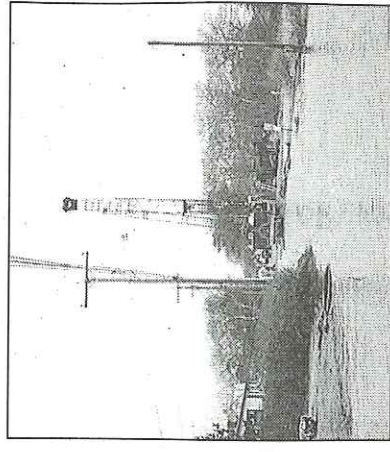
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Work to begin next spring on Kings Highway intersection

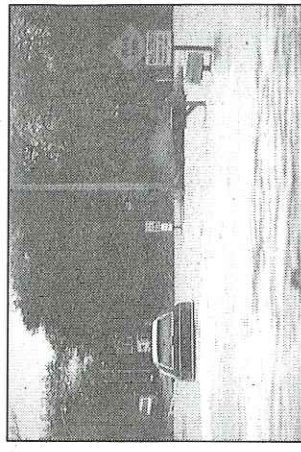
By Larry S. Mead, Town Manager

Sometime next spring, work will take place to raise the base level of the intersection at Kings Highway and Dyke Road at Goose Rocks Beach. Flooding has been a recurring problem during extreme weather or at very high tides. Water depths at the intersection can exceed 3 feet during flooding, cutting off access to and from houses at the western end of Kings Highway. As the number of year-round homes and extended-year seasonal homes increases, so too have public safety concerns related to police, fire and rescue services.

The Town's engineering consultant, Woodard and Curran, is designing the improvements and securing the required environmental permits. The road improvements will extend from the Dyke Road bridge at Smith Brook to Kings Highway, and then west to the pump station. Because the road elevation will be increased above known flood levels, there will be significant grading changes between the paved surface and the limits of the road



The intersection of Kings Highway and Dyke Road.



Flooding at Kings Highway.

right-of-way. In some cases, these grading changes will extend onto private property in order to effectively direct drainage and prevent pooling of water.

Town staff, along with Woodard and Curran personnel, will pres-

See KINGS HIGHWAY page 7

Warrant Articles include changes to Land Use Ordinance

By Larry S. Mead, Town Manager

Question 1 makes several changes to the Land Use Ordinance.

A: It removes mobile homes as a conditional use in the Village Residential and Village Residential East zones in order to support the existing character of residential development in these zones. Mobile homes will still be permitted in the Free Enterprise zone and the Farm and Forest zone.

B: It would limit the construction of new hotels, motels and inns to areas of Town that are serviced by municipal water and sewer. The purpose of this ordinance is to protect the integrity of the Town's groundwater and aquifer resources. Bed and Breakfasts are not affected by the proposed changes.

C: It clarifies that the Planning Board may consider conditional uses during a review of subdivision applications. Currently, the Planning Board must conduct separate public hearings for the subdivision review and for the conditional use that is part of the subdivision review.

Question 2 makes amendments to the Administrative Code. The changes clarify that the Town Manager is responsible for supervising municipal officials appointed by the Board of Selectmen, including the Code Enforcement Officer, the Harbor Master and the Animal Control Officer. In addition, Article 2.4 pertaining to the removal of employees is deleted because it is in conflict with Article 2.2 which pertains to the removal of municipal officers.

Question 3 adds a chapter on Transportation to the Comprehensive Plan.

Question 4 would amend the interlocal agreement for the management of the Kennebunk River and harbor. It also would change the Kennebunk River Ordinance. The changes are necessitated because the Town of Arundel voted in June to withdraw from the agreement with Kennebunkport and Kennebunk. The revisions remove all references to Arundel and change the membership of the Kennebunk River Committee.

Town of Kennebunkport property tax assistance program

What is the program?

The Kennebunkport property tax assistance program provides financial assistance to homeowners and renters who have been year-round residents for at least the past ten years, and who have qualified for the Maine State residents' property tax and rent refund program. The Maine state program is intended to benefit residents whose property tax or rent expenses are above average relative to their personal income.

What tax period is covered by this program?

The 2010 local property tax assistance program applies to taxes paid for the tax assessment in effect between April 1, 2009 and March 30, 2010.

For more information, visit the Town Website at:

http://www.kennebunkportme.gov/Public_Documents/KennebunkportME_Depts/tax

Selectmen meeting schedule

Second and fourth Thursday, monthly 7:00 p.m., at the Village Fire Station.

The meetings are televised live on cable channels 2/16

Meeting schedule change for November

Due to the holidays:

November 11, 2010—No Selectmen's Meeting
November 18, 2010—Selectmen's Meeting

Town of Kennebunkport Special Town Meeting

November 2, 2010

Please Take Notice

To the voters of Kennebunkport: You are hereby notified that a **Special Town Meeting** of this municipality will be held at the **Village Fire Station, 32 North Street, in said Town on Tuesday, the 2nd day of November, AD 2010, at 8:00 a.m.** for the purpose of acting on Article 1 and Questions 1 through 4 (Referendum Questions) as set forth in the Town Warrant. The polls for voting on Questions 1 through 4 shall be opened immediately after the election of the Moderator at 8:00 a.m. on November 2, 2010, and shall close at 8:00 p.m.

The Referendum Questions to be voted on relate to:

1. Amendment to the Land Use Ordinance concerning mobile home parks, hotels, motels, B&B's, inns and the subdivision review process.
2. Amendment to the Administrative Code.
3. Amendment to the Comprehensive Plan.
4. Amendment to the Kennebunk River Ordinance and the Inter-local Agreement.

The Registrar of Voters will hold office hours while the polls are open to correct any error in, or change a name or address on the voting list, to accept the registration of any person eligible to vote, and to accept new enrollments.

An attested copy of the Town Warrant is posted at the United States Post Office, Temple Street; Atlantic Hall, Main Street, Cape Porpoise; Louis T. Graves Memorial Library, Maine Street; Goose Rocks Beach Fire Company, Winter Harbor Road; and at the Town Offices, 6 Elm Street. Complete Ordinance amendment language is available from the Town Clerk or on the Town's Website www.kennebunkportme.gov

April Dufoe, Town Clerk

Registrar of Voters holds evening hours for November election

By April Dufoe, Town Clerk

The Kennebunkport Town Clerk/Registrar of Voters will hold evening hours at the Kennebunkport Town Hall on Wednesday, October 27, 2010, from 4:30 – 6:30 p.m. to conduct absentee voting, to register any person eligible to vote and to accept any enrollment/address changes.

Absentee ballots on hand for November Town Meeting

By April Dufoe, Town Clerk

Absentee ballots are now available at the Kennebunkport Town Clerk's Office for the upcoming State Referendum and Special Municipal Election to be held Tuesday, November 2, 2010, at the Village Fire Station on 32 North Street in Kennebunkport. If you have any questions about absentee voting or about this election, please call the Town Clerk at 967-4243 ext. 110.

Fire department focus on training

By Dick Stedman, Fire Administrator

Since his appointment in May, Fire Chief Allan Moir has embarked on several projects, perhaps none more important than the filling of open officers' positions. Fifty-year veteran firefighter, training officer and former Fire Administrator Jim Burrows has been appointed as District Chief for the Cape Porpoise and Wildes District area. He joins Assistant Chief Dave Chisholm and District Chiefs Bob Thibodeau and Noel Graydon in the department's senior leadership positions.

In addition, former lieutenants George Dow and Mike McGrath have been promoted and join Scott Lantagne at the rank of Captain. Also, Jamie Houtz is joined by new Lieutenants Mark Auld and Bob Kember. Among the criteria for appointment was training level attained, years of experience and leadership skills. Candidates for the various positions underwent a formal review board and interview process conducted by senior officers.

Also at the top of Chief Moir's priority list is organizing training opportunities. In Kennebunkport, we are fortunate to experience a low rate of serious fires. In the past, house fires were a much more common occurrence, and firefighters generally received sufficient on-the-job training and experience to quickly become proficient in firefighting techniques. Today, modern building construction, alarm systems and public education have all contributed to a decline in serious fires.

Yet, the Kennebunkport Fire Department must still be prepared to deal with major fires safely and effectively. Our firefighters receive extensive initial training through a regional fire academy, and we conduct annual refresher training for structural firefighting under simulated conditions. There is no substitute, however, for the experience that may be gained with the smoke and heat conditions of an actual fire.

We have recently been given a rare opportunity to conduct realistic, live fire training in a residence slated for demolition on Henchey Way at Goose Rocks Beach. Training of this nature is of extreme importance to our small, volunteer department. There is no better way for us to prepare for fighting the actual fires that we will encounter.

Prior to actually burning this structure, a number of training sessions will be conducted in this building, including practicing techniques of forced entry, search and rescue, roof venting, breaching of floors and walls, and extricating injured firefighters. Each training session will be thoroughly planned beforehand, and we will employ the modern Incident Command System as we would in an actual emergency. The safety of all participants and protection of the surrounding neighborhood will be the highest priority. Actual burning will not take place unless the weather conditions are suitable.

These training sessions will enhance our ability to save lives



In July, several Arundel Fire Department members joined a large group of Kennebunkport firefighters for a training session on extinguishing propane fires conducted for us by the Dead River Company.



Kennebunkport firefighters mount coordinated attack on a propane fire.

and protect the property of the residents of Kennebunkport. The ability to conduct realistic training also serves as a valuable recruitment tool to help bring in

new members and keep interest high among our existing volunteers. We welcome similar opportunities that may arise.

FEMA suspends proposed flood mapping changes

By Werner Gilliam, Assessor's Assistant/Town Planner

In a surprise announcement on October 1, FEMA suspended the proposed implementation of new flood map designations for all of York and Cumberland Counties. FEMA has also withdrawn the proposed maps identifying which properties are to be located within the floodplain. At a later date, FEMA will issue new maps that are intended to incorporate additional technical information designed to make them more accurate. As a result, the anticipated effective date of July 1, 2010, is no longer in effect.

FEMA made the decision to suspend its process as a result of ongoing concerns from a number of

towns and cities in both counties, including Kennebunkport officials. In addition, both Senators Collins and Snowe, and Representative Pingree urged FEMA to delay implementation because of evidence that the proposed maps were inaccurate in numerous aspects and that FEMA's methodology did not in many cases incorporate important scientific data. Following consultation with municipal officials and representatives of the congressional delegation, the regional FEMA administrators concluded that it was better to make a new effort that could incorporate all of the available data.

For Kennebunkport residents who had been struggling to determine how the new flood map designations affected their properties, this development leaves uncertainty regarding how and when the next iteration of revised flood maps will affect them. The Town will continue to give close attention as the situation unfolds and will keep residents informed.

FEMA also announced on October 1 in a press release that it will begin a new initiative to improve flood mapping. FEMA asked all affected York County towns to participate in a new program known as Risk Mapping, Assessment and Planning (Risk MAP). This new

approach is intended to be a more collaborative process for FEMA in which Towns are invited to actively participate with FEMA in assessing flood hazards.

The current version of the Floodplain Management Ordinance which was last revised in 1999 provides construction requirements for structures that are located within the floodplain. Typical requirements involve submittal of a flood insurance certificate that shows actual elevation data prepared by a licensed surveyor. This elevation information will dictate the building height necessary to allow for potential flood waters to

See FEMA page 8

Put on your walking shoes!

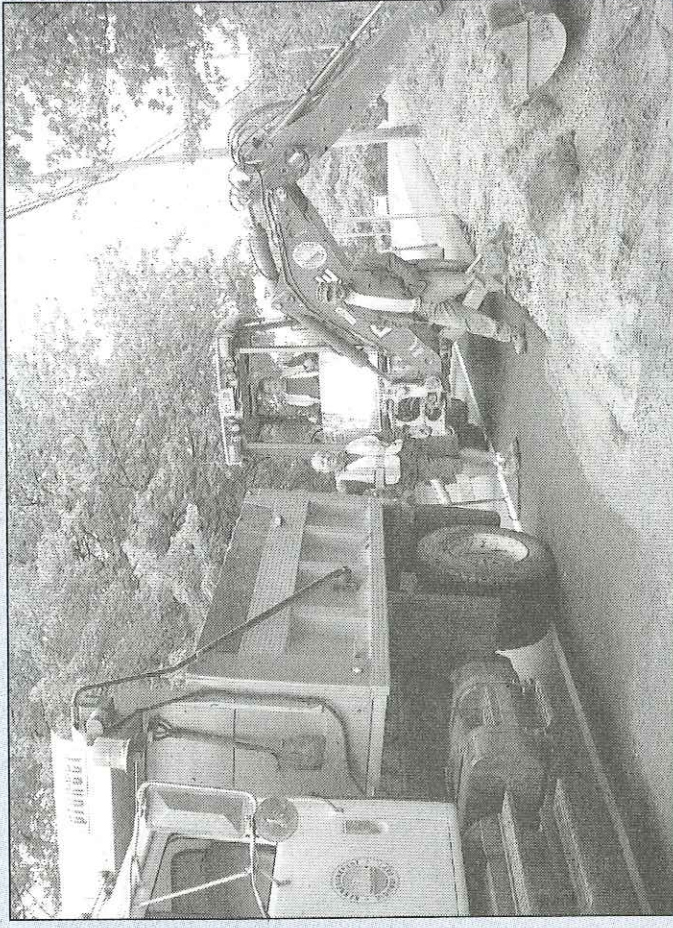
By Larry S. Mead, Town Manager

The highway department crew has been busy this summer and fall finishing the pedestrian and bicycle connection between the Village Center and Cape Porpoise. The work extends the paved surface on Route 9, adding about 5 feet of additional pavement, marking the length with a continuous painted white line that helps distinguish this recreational lane from the main travel lane on Route 9. Last year, the pedestrian lane was completed up to Bailey Court. This fall, work is continuing on the last portion leading into Cape Porpoise center to Bradbury Brothers Market. After this section is paved, it will be possible to walk by the sidewalk and pedestrian lane all the way from the corner of School Street and Maine Street to Cape Porpoise Pier. Bicyclists too will

enjoy a much safer experience along the same route because of the additional room available to allow vehicles to pass pedestrians and cyclists.

In addition to the work on Route 9, the highway department crew added a pedestrian lane on Dyke Road from Route 9 to Kings Highway that was very well used all summer long by residents and visitors to Goose Rocks Beach.

These improvements are part of a long-range goal that the Board of Selectmen have endorsed to make safe, pedestrian-friendly connections between Kennebunkport's neighborhoods, including: Village Center, Cape Porpoise, Ocean Avenue and Goose Rocks Beach. Looking ahead, the Town plans to make improvements for pedestrians on North Street toward



Highway crew working on bicycle path on School Street.
L-R: Ray Leskowsky, Eric Smith and Kevin Paradis

Beachwood Avenue; Ocean Avenue from Walkers Point to Wildes District Road; Mills Road from Main Street to Beachwood Avenue; Wildes District Road; and Old Cape Road.

Kennebunkport Public Health

Judy Barrett R.N., B.S.

Maine Healthy Beach Program: The summer of 2010 was for the most part hot and dry, though we did experience a few torrential rain episodes. A beach advisory was in place at Goose Rocks Beach for 16 days. The highest reading for enterococci was 7,701 on July 14; the bacteria level at the mouth of the Batson, Smith River. Colony Beach had an advisory in place for seven days. The highest enterococci reading of 187 was on June 2.

Under this program, EPA mandates that an advisory be put in place for any sample result exceeding 104 enterococci. For those who have been following this issue, EPA has scheduled the 2010 Recreational Water Quality Criteria Stakeholder Meeting via the web on October 12, 2010, from 1 to 4 p.m. They will be updating us regarding their progress on developing a new or revised criteria for posting advisories. I would like to thank Linda Hanna, Bob Osthuus, and Lee McCurdy, our water sample team, for helping to make this program a success.

Medication & Syringe Return Program: In case you missed the National Medication Return Day on September 25, the Kennebunkport Police & Public Health Departments sponsor a year round program for our residents and guests. Bring your unused prescription and over-the-counter medications as well as syringes to the Public

Health Department. We will insure that they are disposed of safely. Medications flushed into your septic or sewer system cause damage not only to your unit but to streams and rivers, eventually reaching the ocean. Yes, we do take your pet's medications also.

Emergency Preparedness: Hurricane Earl was a wake up call for those of us along the coast. In response to the numerous calls regarding "WHAT DO I DO?? we are providing FEMA information packets to help you at home as well as at work to prepare for an emergency. We also are offering information that covers the special needs of seniors, those with disabilities, and pets.

This information will be at the November Election site. Please take it home and use it. Put a family emergency contact plan in place. Make sure that every member of your family has a copy. Now is the time to pick up flashlights for each room, extra batteries, and nonperishable foods that your family will actually eat. Do not forget your pet's needs also. Those of us with wells, remember, no power means no water. Stock up on containers of water for flushing the toilet. Normally I do not recommend using paper/disposable products, but they sure are handy if you are out of water for three days.

Stuff the Bus: The Community Outreach Food Pantry shelves are

getting low. On Election Day, help fill the Parks & Rec bus with non-perishable food as well as personal/household items. Volunteers from the Kennebunkport Health Council and the Portside Rotary will be out in front of the polls to accept your donations. Checks can be made out to the Church Community Food Pantry Program. We will also have a cash donation jar in the bus.

Veteran's Day BINGO: On November 11, from 1 to 3 p.m., the Kennebunkport Health Council is sponsoring BINGO and a dessert table. This event will be held at the Masonic Hall.

Holidays: The winter months are fast approaching and with that, thoughts of the holidays are on everyone's mind. Please contact the Public Health Department for Secret Santa applications. Remember, only parents or legal guardians can apply. Secret Santa services Arundel, Kennebunk and Kennebunkport residents. If you would like to donate to Secret Santa, please take a tag from one of our trees, located at your local bank or town office from November 21 to December 10.

Contact the Public Health Department if you need assistance with providing a Thanksgiving/Christmas dinner for your immediate family or if you wish to donate to our holiday dinner program.

Winter General Assistance programs: If you are in need of financial assistance to meet your upcoming heating needs, residents are encouraged to contact York County Community Action at 207-324-5762 ext 2950 as soon as possible. Request an appointment to apply for LIHEAP. Also, take advantage of their winterization and weatherization programs. Contact the Public Health Department for application assistance with other programs being offered.

Food Assistance

Are you having difficulty providing for your food needs? If so, contact the Public Health Department concerning the monthly Surplus Food Distribution at the Dorothy Stevens Building, West Kennebunk as well as the Church Community Food Pantry Program.

You still have time to apply for the State of Maine Tax and Rent Rebate program as well as the Town of Kennebunkport's Property Tax Assistance Program. For more information concerning these programs, please contact our office at 967-4011.

General Assistance

All Kennebunkport General Assistance applications are through the Public Health Department. Contact the office for an application, guidelines and an appointment.

Scot Lausier helps bring home the gold (or at least the copper)

By Allan Moir, Sewer Superintendent

There was no discus throwing, gymnastics, or triathlon at the "Wastewater Olympic" events held on June 7, 2010, in Ogunquit. Nonetheless, our own Scot Lausier and three other team members placed first in one of the five events in the Operations Challenge Competition for wastewater industry professionals held at the regional New England Water Environment Association's (NEWEA's) spring conference.

Athletic prowess is not required for these competitions; however, they do require mental gymnastics and a strong stomach. After all, anything related to sewer is not for sissies. Hard hats, safety glasses and gloves are their required gear. In this "Olympics," four member teams competed in five separate events: maintenance, collection systems, safety, process control, and laboratory. Force Maine competed against New Hampshire, Massachusetts and Rhode Island, and came in first in the collections systems challenge.

Overall, in the regionals, team New Hampshire placed first, Maine second, and Massachusetts third, qualifying them for the nationals on October 2-6, 2010, in New Orleans. At the 83rd Annual Water Environment Federation Technical Exhibition and Conference, they will compete against 39 teams. Lausier and his three other team members have been training



Scot Lausier holding the trophy he won at the New England Wastewater Environment Association's spring conference.

on a weekly basis for this event since the spring conference.

Lausier has worked for the Town sewer department since 2001, starting out as an operator and working his way up to lead operator in 2004. On September 16, 2010, he was a member of the first graduating class from the newly formed Maine Wastewater Management Candidates School which opened in 2009. It is only the second "sewer school" in the country. At "sewer school," he acquired 70 hours of training over the course of a year in classes such as basic aquatic biology, facilities planning and design, budgeting, and asset management.

Familiar face at town hall

By Larry S. Mead, Town Manager

When you visit the town office, you may notice a familiar face but in a new location at the excise tax counter. Audrey Williamson was hired to take a position at the front counter as assistant tax collector and assistant tax clerk. Williamson previously worked as the secretary and "go to" person in code enforcement for almost five years. She left two years ago when her husband was transferred to Europe. She moved to the Netherlands to join him along with her two daughters. Williamson and family returned to the States in July and are living in Kennebunkport.

Williamson's return coincides with a restructuring of services at town hall. Town Clerk April Dufoe will take on the responsibility of super-



Welcome back, Audrey Williamson

vising all customer services at the front counter of town hall. Staff will now be cross trained in town clerk functions, motor vehicle registration and excise and property

See **FAMILIAR** page 8

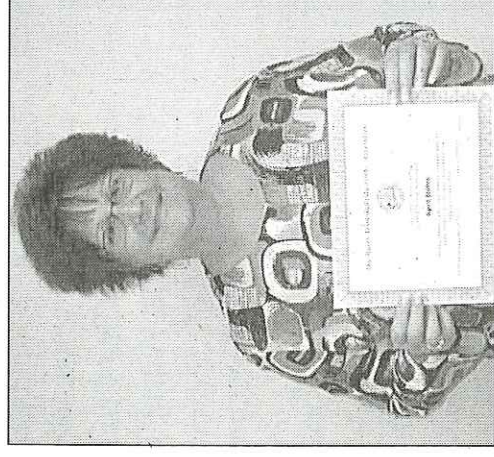
Town Clerk April Dufoe joins the club

By Larry S. Mead, Town Manager

We never know where life will take us. September 9, 2010, found former high school earth science and physics teacher April Dufoe in Waterville, Maine becoming a member of the exclusive club of Town Clerks, receiving her lifetime certification award from the Maine Town and City Clerks' Association (MTCCA).

Membership in this club is not routine. After all, since 1980, of all the Town Clerks and Deputy Town Clerks that have served the 500 towns in the State of Maine, only 54 have attained this status. Town Clerks qualify after 10 years of actively working in this profession, but they must follow specific requirements to become certified for life. The process is similar to what is required of educators seeking tenured positions (minus the peer review and publications); a combination of education, professional experience and community service.

Dufoe served for three years on the



Town Clerk April Dufoe holding her lifetime certification certificate from MTCCA.

Board of Directors of MTCCA. She has been for many years and is currently the secretary/treasurer of the York County Town and City Clerks' Association. She applies her educator skills teaching the profession to other clerks throughout the state in the MTCCA. She helps them keep up with all of the law changes and gain their certification.

Heaven sent?

By Arlene McMurray, Town Manager's Assistant

Some people associate out of the ordinary events with the paranormal, coincidence, or prefer to give them spiritual meaning. Still others believe everything happens for a reason. Well, the night of September 21 at the Nontanum Resort brought one of those uncommon occurrences. See what you think.

On that particular Tuesday evening, the Chamber of Commerce was having its annual gala and awards event. It was no surprise that the room was filled with town officials and staff, Chamber members, and Anita Troegner's three children: Joey, John, and Anita Belanger. Her children were invited to accept their mother's public service award posthumously. Sadly, Troegner, who was Kennebunkport's tax collector since 2004, passed away on July 24, 2010, from pancreatic cancer.

Troegner, also a former customer service representative at Ocean Bank for many years, was well known throughout the community from not only her workplace but also her extensive community service. A devout Christian, she never

refused help to someone in need. Even during her illness, she participated in the Louis T. Graves Memorial fundraiser "Dancing with the Stars." In fact, there are enough stories of her goodwill to write a book entitled Anita's Chicken Soup for the Soul. This remarkable woman touched many hearts.

By now, you must have figured out who this story is about. That being said, the evening was filled with delicious food, lots of laughter, and many activities. One of the last activities of the night was a fundraiser game for the chance to win a weekend for two in Newport, Rhode Island. The game started with approximately 45 participants. Each player was given a small Frisbee and after flipping for heads or tails, the number of players narrowed down to the final five. At that point, the object of the game was changed to tossing the Frisbee to a specific location in a small pool. Finally, only two people were left, and guess who won? Her son, Joey. Coincidence? Karma? Anita's final gift? You decide.

Visit the Town Website at
www.kennebunkportme.gov

Kennebunkport Parks & Recreation Adult Trip

We have booked a coach bus for this trip and are now selling more seats to:

**Radio City Christmas Spectacular
at the Wang Theatre in Boston**

"The glow of Christmas spirit has been rekindled with the incomparable Rockettes!"

—*The New York Times*

Tuesday, December 7, 2010

**VIP Motor Coach transportation leaves
30 North Street at 10:00 a.m.**

\$70/person

**Lunch on your own at
Hilltop Steak House en route**

Please make check payable to

Kennebunkport Parks & Recreation; mail to
PO Box 566, Kennebunkport, ME 04046.

First come, first served as space allows.

FMI—967-4304

Kennebunkport Parks & Recreation Family Ski Program Options Winter 2011

Our ski programs are family-oriented, and the incredible group rates are a great incentive to hit the slopes. Make this a great holiday gift! All children 12 and under must be accompanied by a chaperone. Limited transportation is available in the recreation van with spaces reserved in advance at \$7/trip for Shawnee Peak and \$10/trip for Sunday River. If the participant cannot make a scheduled date for any reason, a voucher will be issued for *one time only per person to include lift and rental only*.

Shawnee Peak: This is a five-Sunday ski package, scheduled for January 2, 16, and 30, February 13 and 27. March 13 will be reserved as a make-up day, in case we have to cancel a specific Sunday due to weather (If the weather is questionable, call 967-4304 by 6:30 a.m. for a recorded message about the program).

As an added bonus, all registrants in the Shawnee Peak program will also receive **one ski-only pass** good for any day or night to be used at the participant's discretion. With this bonus option, the basic package is less than \$25/lift ticket. All skiers and riders pay the same low rate! All participants taking lessons 12 and under are required to wear a helmet (parents may sign a waiver if desired).

Ski or Snowboard	Youth and Adults
Lift only	\$145
Lift & Lesson	\$220
Lift & Rental	\$220
Lift, Lesson, & Rental	\$295
Helmet Rental	\$25

Sunday River: For those who desire a change of scenery or extra ski dates, we are offering four Sundays, **January 9 and 23, February 6, and March 6** at Sunday River.

	Junior (18 and under)	adults
Lift only	\$110	\$160
Beginner Package/LL	\$150	\$190
Beginner Package/LLR	\$190	\$240
Lift & Rental	\$160	\$210
NEW Free Ride Package/LL	\$165	

To join Kennebunkport Recreation for either of these exciting programs, call 967-4304. The registration deadline is Thursday, December 2, at 5:30. **All participants must come to the recreation office to register and complete the necessary paperwork for Shawnee Peak and/or Sunday River.**

FMI—Call 967-4304



Announcing the Kennebunkport Parks & Recreation's Annual Halloween Festival

which will follow the Kennebunk Chamber of Commerce's trick-or-treating in Dock Square on Saturday, October 30, from 5:30-7:30 p.m. The event will feature music and dance by disk jockeys Flamin' Raymond and Sizzlin' Susan, a costume parade, food for purchase, games, and activities.

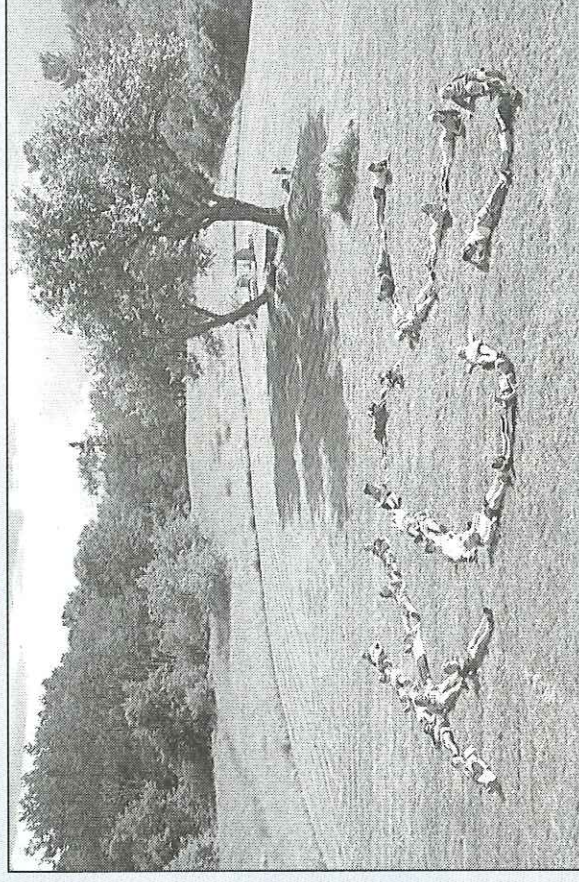
Local Seniors



Local seniors enjoy Fuller Garden in New Hampshire.

Check cable stations 2 and 16, local newspapers, or www.kennebunkportme.gov under Recreation News for upcoming senior trips. Suggestions are always welcome at 967-4304.

2010 Consolidated School Fifth Graders



The 2010 Consolidated School School fifth grade celebration held at the Kennebunkport Conservation Emmons Preserve. The graduating class consisted of 29 kids.

Tree City USA: 33 years and counting

By Suzanne Stohlman, Shade Tree Committee

In May, Arbor Day celebrations in Augusta recognized Kennebunkport for its 33rd year as Tree City USA. Our local Arbor Day was held at Consolidated School on May 22. In honor of retiring principal Kathy Pence, the Town Shade Tree Committee presented her with a "Susan" magnolia which has been planted near the entrance to the school.

The annual elm watch took place this summer, inspecting on a weekly basis the almost 100 tagged elms we have in town. Last summer, due to the very heavy rains and generally wet weather, many of the trees were afflicted with the fungus *Dothiorella ulmi*. Thanks to careful attention, fungicide application and fertilizing, those trees did not show any signs of fungus this year.

This spring, the Tree Survey was updated from the 1998 survey. About 1,300 tagged trees were noted for location, structure and vigor, and will be recorded on the Town's GIS (Geographic Information System). The information will be



Suzanne Stohlman and Kathy Pence standing beside the "Susan" magnolia.

used to implement a plan for pruning, fertilizing, removals, and plantings over the next few years. Last fall, a small sugar maple was planted on the Kennebunkport Inn

lawn close to Dock Square in anticipation of the removal of the large red maple which will be taken down later this fall.

Rescue

from page 1

However, the firefighters soon realized that neither they nor a Coast Guard motor lifeboat that had arrived would be able to approach close enough to the boat to affect a rescue. The fire department's two Zodiac rescue boats were then brought to the scene and launched from the Cape Porpoise pier. The small rescue boats were able to land on Folly Island, and the boat crews were able to make their way across the island and communicate with the vessel in distress.

It was soon learned that two young passengers on the boat had medical issues, one a head injury and the other suffering from hypothermia. The Coast Guard advised that a rescue helicopter from their Cape Cod Air Station was en route to the scene, and would assess the need for airlifting some or all of the distressed parties. Upon arrival, the helicopter lowered a rescue swimmer, who determined that the two patients should be transported by air. They were hoisted into the helicopter and taken to a hospital in Portsmouth, where they were reportedly treated for minor injuries. Firefighters led the other four passengers across the island

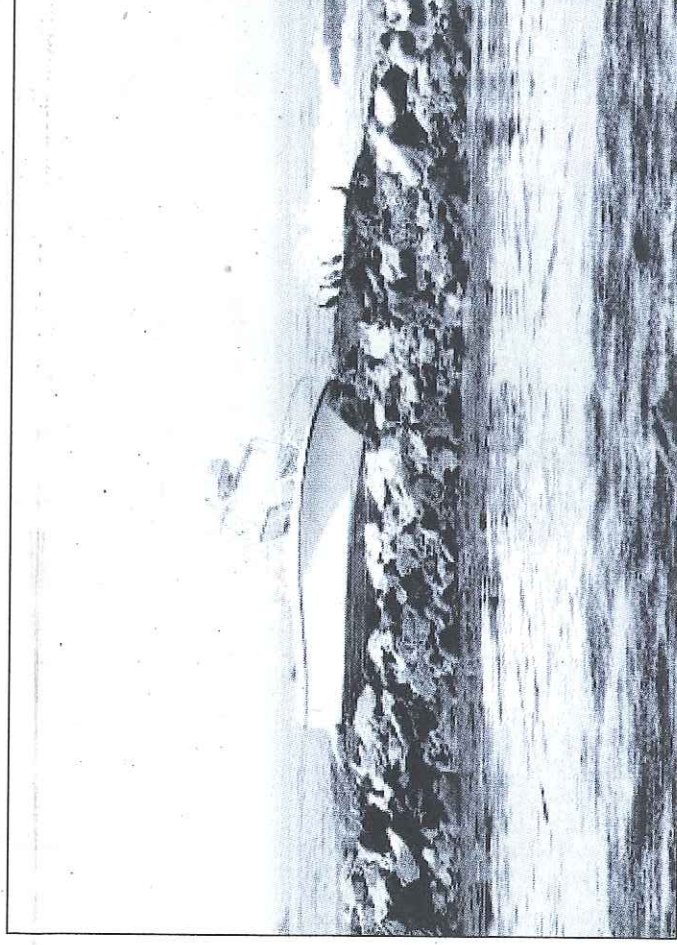


Photo courtesy of Kathy Cmaylo

A battered pleasure craft on the rocks off of Folly Island, the day after six passengers were rescued by the Coast Guard and the Kennebunkport Fire Department.

and transported them to the pier by boat. They were met by medical personnel from KEMS and Kennebunk Fire Rescue and found to be cold and wet, but otherwise unharmed.

The nearly three hour rescue operation involved 23 Kennebunkport volunteer firefighters and KEMS emergency medical technicians. The Coast Guard issued a press release about the incident, which stated:

"The success of this rescue is a tribute to the seamless coordination with the local fire departments," said Cmdr. Philip Thorne, Response Department Head at Coast Guard Sector Northern New England. "Their tremendous efforts and innovative response brought these people to safety more efficiently and safely than would have been possible if the Coast Guard had responded alone."

Kings Highway

from page 1

ent the proposed improvements at an upcoming meeting of the Board of Selectmen. In addition, there will be a meeting held in the Goose Rocks neighborhood before spring to give information to residents and to answer questions. For more information, call Highway Superintendent John Hirst at 967-5728.

Town of Kennebunkport Special Town Meeting

Tuesday,

November 2, 2010

Village Fire Station
32 North Street

8:00 AM to 8:00 PM

To vote on Articles relating to:

- Amendments to the Land Use Ordinance pertaining to mobile home parks, hotels, motels, B&B's, inns and the subdivision review process
- Amendments to the Administrative Code
- Amendments to the Comprehensive Plan
- Amendment to the Kennebunk River Ordinance and the Inter-local Agreement

A copy of the Warrant and sample ballots are posted at:

Kennebunkport Town Offices
Graves Memorial Library
Kennebunkport Post Office
Atlantic Hall
Goose Rocks Beach Fire Station

The Warrant and the proposed ordinance amendments can be viewed on:

www.kennebunkportme.gov

A copy of all documents can be obtained from the Town Clerk.

Kennebunkport Public Officials

Board of Selectmen

D. Michael Weston, Chair
Stuart E. Barwise, Vice-Chair
Allen A. Daggett
Mathew J. Lanigan,
Sheila Matthews-Bull
Town Manager
Larry S. Mead

Litigation

from page 1

designs on the homes of beachfront owners are scare tactics that may be an attempt to convince beachfront property owners not currently part of this litigation to join the Plaintiffs' lawsuit against the Town. Residents may read the various legal documents filed with the Court and draw their own conclusions regarding what the Town's position is and what the Plaintiffs motives are, including the Plaintiffs' Complaint and the Town's answering Counterclaim. All legal documents are on the Town's website:

www.PreserveGooseRocksBeach.org.

Town asks court to correct misinformation

The Town on September 14 filed a motion asking the Court to order the Plaintiffs to send a communication to beachfront property owners that sets the record straight and makes clear that the Town has never asserted any claim of ownership on homes or on land beyond the beach itself. This motion to the Court could not be more clear in refuting the inaccurate claims sent by Plaintiffs to

beachfront property owners. This motion is also available through the Town's website.

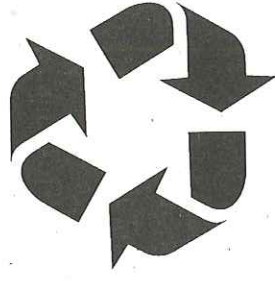
Town's goal remains public use of the entire beach

The Town has repeatedly expressed a willingness to address legitimate concerns of beachfront property owners and has acknowledged the legitimacy of concerns regarding parking, excessive development, public safety, and environmental preservation and protection. This lawsuit is unnecessary (see Town's letter on website; Is There Really Any Need for a Lawsuit?). The Town's goal is not ownership of the beach. The Town's goal and the reason it is countering Plaintiffs' claims of private control of the beach, is to continue the longstanding practice of recreational use of the entire beach by all who wish to use it, and who do so appropriately. The Town's goal is to ensure that future generations of Kennebunkport residents and visitors will be able to enjoy a day at Goose Rocks Beach without the humiliating experience of being told they can't sit on the sand, or play Frisbee, or build a sandcastle because the beach is privately owned.

Town holidays observed

(Town offices closed)

New Year's Day
Martin Luther King, Jr. Day
Washington's
Birthday/Presidents' Day
Patriots' Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
Thanksgiving Friday
Christmas



Reduce

Reuse

Recycle

FEMA

from page 3

flow in and around the structure. Currently, the Town has approximately 1,200 parcels that are affected by the current floodplain. The revised maps, now withdrawn, had increased the numbers to 1,800. In addition to the increase in the number of parcels, the base flood elevations had increased dramatically in a number of areas.

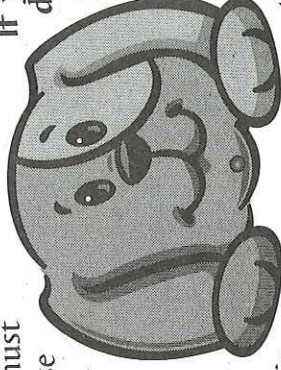
Based on the dramatic effects in the proposed maps, the Town commissioned Robert Gerber, P.E. of Sebago Technics to review the methodology and calculations that FEMA had performed. In his analysis, a num-

ber of errors were found which were outlined in a technical report. Town staff has been able to utilize GIS (Geographic Information System) software to produce aerial overviews of individual properties which have been made available to property owners upon request. While these images are to be used for general planning purposes only, they have been a valuable asset in assisting property owners with understanding the potential impact that these revised maps may have. Should any property owners wish to learn more, they are encouraged to contact the Code Enforcement/Planning Office at (207)967-4243 ext. 105, for more details.

Time to register your dog

By April Dufoe, Town Clerk

It's that time of year again! Time to renew your dog's license. According to the laws of the State of Maine, a dog may not be kept anywhere within the limits of the State unless the dog has been licensed. An owner of a dog that is six months of age or older and kept in town must obtain the license from the Town Clerk between October 15 and December 31 each year. The fee to license your dog is \$11.00 if the dog is capable of producing young, or \$6.00 if the dog has been spayed or neutered.



If you apply for the dog's license after January 31, a late fee of \$25.00 in addition to the annual license fee will be charged.

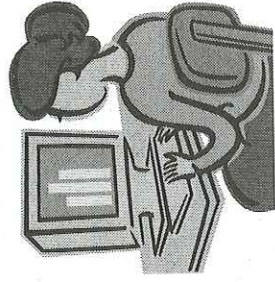
So don't wait until the last minute.

Come early (anytime after October 15) and avoid waiting in line. The Town Clerk's hours are Monday through Friday, 8:00 AM- 4:30 PM. You can also license your dog by mail if that is more convenient for you.

When you come to the Town Office to license your dog, you must bring proof that a veterinarian has immunized the dog

against rabies. Also, if you are licensing the dog for the first time and the dog has been spayed or neutered, you must bring with you the dog's Certificate of Neutering that was provided by the veterinarian after the surgery.

Town of Kennebunkport Online Services Now Available



Now you can pay your bills when it is convenient for you!

No more hassles with waiting in long lines, worrying about late payments when you are on



vacation, or going out in inclement weather.

Pay in the comfort of your own home or any place at any time.

Items you can pay online with a credit card:

Parking tickets
Personal property tax
Real estate tax
Sewer bills.

(Vehicle re-registrations can be processed with e-checks only.)

For this service, there is a convenience fee:	Payment Amount	Fee
All tax payments (RE & PP) - all credit cards 2.95%, minimum \$2.00	\$0.00 to \$50.00	\$2.00
Electronic checks \$2.95	\$50.01 to \$100.00	\$3.00
	\$100.01 to \$200.00	\$6.00
	\$200.01 to \$300.00	\$9.00
	\$300.01 to \$400.00	\$12.00
	\$400.01 and above...Add \$3.00 to listed total for each \$100 payment range or portion thereof	

For online services, visit the Town Website at www.kennebunkportme.gov and select the Online Bill Payment tab.